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IN **MONDE(S)** 2021/1 N° 19 , PAGES 97 TO 117

PUBLISHER **PRESSES UNIVERSITAIRES DE RENNES**

ISSN 2261-6268

ISBN 9782753582682

DOI 10.3917/e.mond1.211.0097

Uploaded: 06/18/2021

Article available online at

<https://shs.cairn.info/journal-mondes-2021-1-page-97?lang=en>



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Beware of Pity: The League of Nations' Treatment of Prostitution

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Résumé

La pitié dangereuse. La Société des nations et le traitement de la prostitution

Cet article étudie le soutien de la Société des nations aux idées eugénistes. Les campagnes anti-prostitution menées par la Société des nations peuvent être entendues comme une expérience d'internationalisme, car l'organisation s'est attaquée à une question qui était jusqu'alors considérée comme relevant de la sphère nationale. Elle a mis sur pied un réseau d'experts qui ont diffusé diverses idées autour de la « déficience mentale » des prostituées. Ce faisant, la Société des nations ne s'est pas démarquée d'une époque où les interprétations biologiques du crime et de la déviance étaient courantes. Ce qui est plus surprenant, c'est qu'elle soit parvenue à dissimuler son intérêt pour les théories eugénistes au regard de la critique contemporaine comme à celui des chercheurs d'aujourd'hui.

Mots-clefs : organisations internationales – prostitution – eugénisme – abolitionnisme – traite des femmes.

Abstract

This article analyzes the League of Nations' support of eugenic ideas. The League's anti-prostitution campaigns can be understood as an experiment in internationalism, as it stretched its mandate to tackle an issue that had hitherto been regarded as a national problem. The organization built a web of experts that circulated various ideas around the "mental deficiency" of prostitutes. As such, the League was not an exception in a period in which biological understandings of crime and deviancy were common. What is surprising is that the League succeeded in concealing its flirting with eugenics from both contemporary critics and present-day scholars.

Keywords: International Organizations – Prostitution – Eugenics – Abolitionism – Trafficking.

Some of the most powerful predisposing causes of prostitution seem to lie in the mentality and temperament of the individual. A third of the women described in this enquiry were considered to be mentally abnormal or subnormal, and this, for the most part, without special tests or examination by expert psychologists. Wherever the examination was more thorough, an even larger number were found to be below normal.*¹

The quote above was one of the main conclusions the League of Nations drew from its investigation of prostitutes' profiles in the mid-1930s, which was embedded within its (self-imposed) mission to rehabilitate prostitutes and prevent prostitution. For its rehabilitative project, the League thought it necessary to gather information on sex workers' "early lives." It reasoned that knowledge about their family background, education level, first sexual experience, habits (use of alcohol or other drugs), employment history, civil status, dependent family members and mental condition would contribute to the creation of more efficient rehabilitation programs. It was thought that this information would also contribute to the prevention of prostitution, as knowledge of prostitutes' traits would help to detect vulnerable women and girls in time.

* I am indebted to Mark Wyers for his valuable contribution to an earlier draft of this article. Many thanks also to Keely Stauter-Halsted for providing me with useful information on Polish eugenicists, and to this journal's anonymous reviewers for their valuable suggestions.

1 *Prostitutes: Their Early Lives* (Geneva: League of Nations, 1938), p. 64.

These initiatives, far from being beneficial to women involved in the commercial sex sector, became contaminated with controversial ideas on human genetics that represented sex workers as victims of "poor heredity and poor environment" and as a threat to "public morality, health and order."² They contributed to the idea of prostitution as an aberrant activity that can be eradicated by means of re-integration of ex-prostitutes into "normal life," as well as by early diagnosis and treatment of "mentally defective children."³ A successful amalgamation of abolitionist, feminist and eugenic discourses gave symbolic representation to campaigns during and after the interwar period that called (in the short term) for the abolition of the system of regulation and (in the long run) for the repression of prostitution in general.

This article analyzes the League of Nations' support of eugenic ideas, a topic that has been neglected by historians of both the League and of eugenics. It builds on Roser Cussó's work on the League's Health Organization and responds to her call to conduct more research on the League's role as "passeur" of

2 *Ibid.*, p. 29, 116.

3 Tage Kemp, "Physical and Psychological Causes of Prostitution and the Means of Combating Them," in *Prevention of Prostitution: A Study of Measures Adopted or Under Consideration Particularly with Regard to Minors* (Geneva: League of Nations, 1943), p. 65.

eugenic ideas and practices.⁴ I argue that the League's anti-prostitution campaigns of the 1930s can be understood as an experiment in internationalism, since it stretched its mandate to tackle an issue that had hitherto been regarded as a national problem. In its efforts to combat the "social evil," the League built an international web of experts and stakeholders that circulated all kinds of ideas and promoted "scientific" projects that experimented with the most vulnerable people in society. As such, the League was not an exception in a period in which biological understandings of crime and deviancy were pretty common. What is surprising is that the League succeeded in concealing its flirting with eugenics from both contemporary critics and present-day scholars.

Examining the process that led to the internationalization and medicalization of prostitution allows us to challenge historical accounts of the League and of eugenics. Some historians of the League's humanitarian work have tended to romanticize the proposals put forward by members of its various specialized bodies.⁵ On the other hand, various

scholars have produced thought-provoking analyses of commercial sex based on the rich archival material the League produced during its 1920s inquiry into trafficking, but have overlooked its involvement with prostitution proper during the 1930s.⁶ Furthermore, the League has remained exempt from critical assessments of the link between international organizations and eugenics. Except for Cussó's work mentioned above, only a few scholars have paid any attention to the role played by eugenicists sent as governmental representatives, assessors or experts to the League and to the ideological underpinnings that linked the League to the eugenic movement.⁷ The "failure to formally internationalize eugenics" has too often led historians to conclude that "the League of Nations had very little to do with eugenics."⁸

The Great War and the Origins of Humanitarianism, 1918-1924 (New York: Cambridge University Press, 2014).

4 Roser Cussó, "The League of Nations and Eugenics: An Overview of Transnational Activity," *Popolazione e Storia*, n° 1 (2015), p. 15-33.

5 See for example: Barbara Metzger, "Towards an International Human Rights Regime During the Inter-War Years: The League of Nations' Combat of Traffic in Women and Children," in Kevin Grant, Philippa Levine, Frank Trentmann, eds., *Beyond Sovereignty: Britain, Empire and Transnationalism, c. 1880-1950* (London: Palgrave Macmillan, 2007), p. 54-79; Bruno Cabanes,

6 E.g., Liat Kozma, "Women's Migration for Prostitution in the Interwar Middle East and North Africa," *Journal of Women's History*, vol. 28, n° 3 (2016), p. 93-113; Cristiana Schettini, "Between Rio's Red-Light District and the League of Nations: Immigrants and Sex Work in 1920s Rio de Janeiro," *International Review of Social History*, vol. 62, n° 25 (2017), p. 105-132.

7 Marius Turda, ed., *The History of East-Central European Eugenics, 1900-1945: Sources and Commentaries* (London: Bloomsbury, 2017); Deborah Barrett, Charles Kurzman, "Globalizing Social Movement Theory: The Case of Eugenics," *Theory and Society*, vol. 33 (2004), p. 487-527.

8 Alison Bashford, "Internationalism, Cosmopolitanism, and Eugenics," in Alison Bashford, Philippa Levine, eds., *The Oxford Handbook of the History of Eugenics* (New York: Oxford University Press, 2010), p. 154-172, 160-162. See also Philippa Levine, *Eugenics: A*

In what follows, I provide an overview of the main tenets of eugenics and of the League's campaigns against trafficking and licensed brothels during the 1920s and early 1930s. Both provide the context to better understand the complex interplay between state and non-state actors in the 1930s, and the shift away from trafficking towards ideas focused on rehabilitation and individual treatment on the basis of genetic and social background information. The empirical analysis establishes a fruitful conversation with Stephen Legg, who uses Foucault's work on governmentalities to study the League's anti-trafficking campaigns.⁹ A concluding section reflects on the impact of the League's actions with regard to prostitution and on the usefulness and dangers of gathering statistical data for prevention purposes. Interdisciplinary literature on profiling will be integrated into that final part.

Faith in Science

The League of Nations' view of prostitution had its precedent in ideas of Western

scientific superiority and new notions of hygiene, human fitness, deviance and criminality that swept the world since the nineteenth century. Around the same period, secular ideas of social work joined an idealist belief that the state could overcome social problems through scientific methods. Physicians, social scientists, state officials and volunteers increasingly perceived social ills as problems whose root causes could be uncovered by means of statistical data and empirical findings as interpreted by experts from a variety of disciplines. But whereas eminent early nineteenth century hygienists such as Alexandre Parent-Duchâtelet thought that the putrefying effects of phenomena like prostitution could be mitigated by state surveillance and regulation, social reformers of later decades were convinced of their capacity to prevent them.¹⁰

Their investigations were underpinned by a desire to discover why a person would engage in activities that were deemed to be criminal or deviant. As evolutionary thought and notions of degeneration began to spread, biological deterministic approaches

Very Short Introduction (New York: Oxford University Press, 2017); Paul-André Rosental, *A Human Garden: French Policy and the Transatlantic Legacies of Eugenic Experimentation* (New York: Berghahn Books, 2020); Iris Borowy, *Coming to Terms with World Health: The League of Nations Health Organisation 1921-1946* (Frankfurt am Main: Peter Lang, 2009).

9 Stephen Legg, "The Life of Individuals As Well As of Nations': International Law and the League of Nations' Anti-Trafficking Governmentalities," *Leiden Journal of International Law*, vol. 25, n° 3 (2012), p. 647-664.

10 Alexandre Parent-Duchâtelet, *La prostitution à Paris au XIX^e siècle. Texte présenté et annoté par Alain Corbin*, Paris, Seuil, 2008; Michael Barnett, *Empire of Humanity: A History of Humanitarianism* (Ithaca, NY: Cornell University Press, 2011); Craig Calhoun, "The Imperative to Reduce Suffering: Charity, Progress, and Emergencies in the Field of Humanitarian Action," in Michael Barnett, Thomas G. Weiss, eds., *Humanitarianism in Question: Politics, Power, Ethics* (Ithaca, NY: Cornell University Press, 2008), p. 73-97.

of “abnormal” behavior became increasingly popular. Darwin’s findings profoundly influenced his cousin, Francis Galton, whose eugenics scheme was designed to apply biology to improve “the race by furthering the productivity of the Fit” and to impair the reproduction of “undesirables.”¹¹ Yet, contrary to common knowledge, eugenics was not mainly preoccupied with racial purity. Eugenicists singled out all those “marginalized insiders whose very existence threatened national and class ideals.”¹² Sex workers and generally “morally deficient” women and girls figured prominently among the long list of “degenerates.” They became the target of scientists’ mental and physical examinations, as well as one of the main concerns of public authorities and social workers. American reformers from the Progressive Era, who would later play an important role within the League, were particularly receptive to eugenic ideas.¹³

Meanwhile, the field of criminal anthropology took shape. The Italian criminologist Cesare Lombroso published his seminal work *L'uomo delinquente* in 1876. A few years later,

he and his son-in-law Guglielmo Ferrero developed a typology of female offenders based on the so-called stigmata of degeneration.¹⁴ Lombroso’s arguments concerning the “atavistic” criminal and physical manifestations of criminal behavior were criticized by the turn of the century, but did not disappear altogether.¹⁵ The League of Nations, for instance, opposed Lombroso’s and Ferrero’s ideas about “born” prostitutes but, as it will be discussed later, included in its publications many of the innate traits they claimed to have found in them (e.g., “moral insanity,” “lack of emotion,” “frigidity,” “laziness”). Indeed, Lombroso’s claims about the relationship between a person’s anomalies, degeneration or crime would play a key role in subsequent models of criminology, genetics, and psychiatry.¹⁶

11 Francis Galton, *Memories of My Life* (London: Methuen, 1908), p. 323.

12 Philippa Levine, Alison Bashford, “Introduction: Eugenics and the Modern World,” in Alison Bashford, Philippa Levine, eds., *The Oxford Handbook of the History of Eugenics*, op. cit., p. 6 (cf. note 8).

13 Angie C. Kennedy, “Eugenics, ‘Degenerate Girls,’ and Social Workers During the Progressive Era,” *Affilia: Journal of Women and Social Work*, vol. 23, n° 1 (2008), p. 23-37.

14 Cesare Lombroso, Guglielmo Ferrero, *La donna delinquente, la prostituta e la donna normale* (Torino/Roma: Editori L. Roux e C., 1893). For the (complete) English translation edited by Nicole Hahn Rafter and Mary Gibson, see: *Criminal Woman, the Prostitute, and the Normal Woman* (Durham: Duke University Press, 2003).

15 Laurent Muchielli, “Criminology, Hygienism, and Eugenics in France, 1870-1914: The Medical Debates on the Elimination of ‘Incorrigible’ Criminals,” in Peter Becker, Richard Wetzell, eds., *Criminals and their Scientists: The History of Criminology in International Perspective* (Cambridge: Cambridge University Press, 2006), p. 207-230.

16 Mariacarla Gadebusch Bondio, “From the ‘Atavistic’ to the ‘Inferior’ Criminal Type: The Impact of the Lombrosian Theory of the Born Criminal on German Psychiatry,” in Peter Becker, Richard Wetzell, eds., *Criminals and their Scientists*, op. cit., p. 183-206 (cf. note 15).

These approaches to crime and deviancy went hand in hand with the development of new technologies and bureaucracies that facilitated the gathering of personal data, the creation of pedigree charts and the classification of all sorts of defects.¹⁷ Importantly, these views, which focused on the anthropological, physical and social environment as interacting causes of deviant behavior, were part and parcel of the individualization of punishment or treatment. In the early 1900s, Italian criminologist Enrico Ferri argued that punishment should be meted out in a manner befitting the crime committed by an individual in light of his or her circumstances rather than imposing fixed sentences for each type of crime, and he proposed that reform should play a role in that process in the case of young offenders.¹⁸ Their ideas, along with those representing the Lyon school of criminology, such as Gabriel Tarde and Alexandre Lacassagne, led to the further development of criminal anthropology by Belgian doctor Louis Vervaeck.¹⁹ This gave rise to more

sophisticated theories on female crime and prostitution, which became increasingly popular during the first part of the twentieth century. Experts embraced psychological and social-structural factors and the new terminology to describe the “morally unfit.” Feeble-mindedness, for example, emerged in the United States as an important category to describe “mental deficiency, moral deficiency and social inadequacy.”²⁰

It is within such a framework of categorizing and classifying that the League of Nations sought to produce a body of knowledge about sex workers with the aim of rehabilitating them and of preventing prostitution altogether. The League inherited both the methods and the prejudices concerning deviant behavior from various schools of criminology and the eugenic movement. But whereas, in the 1920s and early 1930s, experts in international crime played a key role in the League’s campaigns against trafficking and its attempts to prepare a convention to repress *souteneurs*, medical doctors, psychiatrists and geneticists monopolized the debates on prostitution since the mid-1930s.

17 Bernard E. Harcourt, “From the Ne’er-Do-Well to the Criminal History Category: The Refinement of the Actuarial Model in Criminal Law,” *Law and Contemporary Problems*, vol. 66, n° 3 (2003), p. 99-151; Pauline M. H. Mazumdar, *Eugenics, Human Genetics and Human Failings: The Eugenics Society, Its Sources and Its Critics in Britain* (London/New York: Routledge, 1992).

18 Enrico Ferri, *The Positivist School of Criminology*, Trans. Ernest Untermann (Chicago: Charles H. Herr & Company, 1908), p. 26-27.

19 Hélène Duffuler-Vialle, “Filles victimes, filles vicieuses, filles dangereuses. Le regard du législateur et du

criminologue sur la prostitution des mineures », *Criminocorpus*, March 2018. Online available at: [<http://journals.openedition.org/criminocorpus/3706>], last accessed 19 December 2020; Veerle Massin, “Measuring Delinquency. The Observation, Scientific Assessment and Testing of Delinquent Girls in 20th Century Belgium,” vol. XLVI, n° 1 (2016), p. 104-132.

20 Angie C. Kennedy, “Eugenics, ‘Degenerate Girls,’ and Social Workers,” *op. cit.*, p. 24 (cf. note 13).

“Facts, Not Opinions”

The League of Nations inherited the logic of Western superiority and embraced the pre-1919 scientific belief in social betterment. Its work involved the formation of new mechanisms that maintained a blind faith in statistics and promoted the gathering of qualitative data from all over the world for the development of traditional forms of international regulation, such as diplomacy and legal conventions. Soon after its foundation, its advisory committees began meeting on a regular basis to discuss annual reports by member states and representatives of private organizations, examine proposals put forward by all kinds of professionals, and send investigatory teams to gather information on the ground in places as diverse as Buenos Aires and Karachi. The shift from pre-war philanthropy to international fact-finding was meant to lend scientific support to the League's proposals. Hence, while the large scale of its operations and the comparative approach it applied were definitely new, the League built on pre-war modernist ideologies, and relied on the extensive support of non-state actors such as the Rockefeller Foundation to face the challenges of the post-war period.²¹ As Stephan Legg argues, all this allowed the League to go further than the conventional juridical realm and to develop “broader informal techniques through which

the language and mechanism of internationalism spread across the globe.”²²

In its 1921 session, the League approved the International Convention for the Suppression of the Traffic in Women and Children that supplemented the provisions of earlier agreements, and set a specialized body to deal with the issue. The Advisory Committee on the Traffic in Women and Children—renamed Advisory Committee on Social Questions in 1937—was innovative in many ways. First, it got rid of the racial connotation attached to the term “white slave traffic” employed in previous international agreements. Second, it invited to its meetings governmental delegates from member *and* non-member states (the US and Germany), non-governmental assessors representing the main international organizations interested in the suppression of the traffic in women and children, and experts in social hygiene, international criminal law, labor legislation, psychiatry and genetics.²³ Third, it contributed further to the construction of epistemic communities directed at social engineering that started to develop by the latter part of the nineteenth

Davide Rodogno, Liat Kozma, eds., *The League of Nations' Work on Social Issues. Visions, Endeavours and Experiments* (Geneva: United Nations Publications, 2016), p. 13-28.

22 Stephen Legg, “The Life of Individuals As Well As of Nations” *op. cit.*, p. 649 (cf. note 9).

23 Magaly Rodríguez García, “The League of Nations and the Moral Recruitment of Women,” *International Review of Social History*, vol. 57 (2012), p. 97-128.

21 Magaly Rodríguez García, Davide Rodogno, Liat Kozma, “Introduction,” in Magaly Rodríguez García,

century.²⁴ It was within that novel transnational environment that eugenic ideas spread.

Eugenics entered the League at an early stage, but in a subtle way. As Alison Bashford has argued, eugenics was officially avoided by the League. In spite of repeated efforts over the 1920s and 1930s, eugenic advocates did not succeed in persuading the League's Secretariat or its specialized bodies to adopt eugenics as an international issue.²⁵ Yet, lack of official recognition did not mean lack of tacit acceptance. In her analysis of the League's Health Organization, Roser Cussó identified "two intertwined channels of both the tolerance and the expression of eugenic ideas." The first refers to the exchange of information and people directly or indirectly linked to eugenics, and the second to the compatibility between positive eugenics, social medicine and social hygiene.²⁶ Prominent and less prominent members of eugenic organizations worldwide were appointed as experts to the League, although they seem to have avoided the term due to the controversies it provoked.

Grace Abbott, the US delegate to the League's anti-traffic committee in the early 1920s, is

24 Jasmien Van Daele, "Engineering Social Peace: Networks, Ideas, and the Founding of the International Labour Organization," *International Review of Social History*, vol. 50 (2005), p. 435-466.

25 Alison Bashford, "Internationalism, Cosmopolitanism, and Eugenics," *op. cit.*, p. 160-162 (cf. note 8).

26 Roser Cussó, "The League of Nations and Eugenics," *op. cit.*, p. 17 (cf. note 4).

a typical example of this. She and her elder sister Edith were leading social workers who related to eugenics in different ways. Edith's work on "degenerate girls" was embedded in the turn-of-the-century approach that embraced eugenic ideas as an answer to mental and social hygiene concerns.²⁷ Grace, on the other hand, expressed serious concerns about immigration restrictions proposed by conservative eugenicists, but held an honorary post on the board of the American Eugenics Society during the 1920s.²⁸ Their activities were, furthermore, linked to the Rockefeller Foundation and the American Social Hygiene Association (ASHA), both of which played a crucial role in the dissemination of eugenic thinking in prostitution debates.²⁹

In 1923, Grace Abbott proposed a thorough investigation on the nature of the international traffic. In her view, the League of Nations needed to respond to the desire of world public opinion "to know the truth" about the traffic and develop the legal tools to combat it. It was "absolutely necessary," she argued,

27 Angie C. Kennedy, "Eugenics, 'Degenerate Girls,' and Social Workers," *op. cit.*, p. 28-31 (cf. note 13).

28 Molly Ladd-Taylor, "Saving Babies and Sterilizing Mothers: Eugenics and Welfare Politics in the Interwar United States," *Social Politics*, vol. 4, n° 1 (1997), p. 137-153, 138-139. See also Randall Hansen and Desmond King, *Eugenics, Race, and the Population Scare in the Twentieth Century North America* (New York: Cambridge University Press, 2013).

29 Stefan Kühl, *The Nazi Connection: Eugenics, American Racism and German National Socialism* (New York/Oxford: Oxford University Press, 1994).

“to secure the facts to refute sensational exaggerations or general denials as to the traffic.”³⁰ The committee approved the US proposal and appointed a Special Body of Experts, which included Dr. William Snow, Director of the ASHA and vice president of the American Eugenics Society. The ASHA provided the financial and human resources for the field enquiries, conducted by undercover agents in Europe, the Mediterranean Basin and the Americas. The Body of Experts published a summary of its investigation in a two-volume final report, which established a direct link between the international traffic and state-regulated prostitution.³¹ As Jean-Michel Chaumont has shown in his thorough study of the Body of Experts, its members distorted the results of the investigation and failed to distinguish between exploitative working conditions and actual trafficking—the latter can actually be measured.³²

A similar logic was followed during the second enquiry in the Near, Middle and

Far East in the early 1930s. One important methodological difference between the first and the second enquiry was the use of undercover agents during the former and their absence in the latter. This resulted in an investigation by a traveling commission that focused on the opinions of police officials; personnel from social welfare, health, labor and education departments; and, judges, lawyers, doctors, social workers and representatives of religious communities and missionary organizations.³³ The lack of involvement of the actors themselves—sex workers and intermediaries of prostitution—in the enquiry resulted in an incomplete, if not distorted, vision of the situation. As Christian Henriot has commented in this respect, “many of the [government’s] replies were total fabrications.”³⁴ This did not deter the travelling commission from seeing a direct link between licensed brothels and international traffic. Hence, the commission “recommended” abolition as the most effective remedy against “the evil.” Trafficking then “tended to be equated with prostitution in general.”³⁵ This resulted in an open

30 Advisory Committee on the Traffic in Women and Children [hereafter “Committee”], Second Session, Geneva 22-27 March 1923, p. 27, 61, League of Nations Archive [hereafter “LNA”] C.225.M.129.1923.IV.

31 “Report of the Special Body of Experts on Traffic in Women and Children – Part One,” Geneva, 17 February 1927, p. 9, LNA C.52.M.52.1927.IV.

32 Jean-Michel Chaumont, *Le mythe de la traite des blanches. Enquête sur la fabrication d’un fléau*, Paris, La Découverte, 2009; Paul Knepper, “Measuring the Threat of Global Crime: Insights from Research by the League of Nations into the Traffic in Women,” *Criminology*, vol. 50, n° 3 (2012), [doi.org/10.1111/j.1745-9125.2012.00277.x] (last accessed 20 December 2020).

33 League of Nations Commission of Enquiry into Traffic of Women and Children in the East – Report to the Council, Geneva, 10 December 1932, p. 4-17, LNA C.849.M.393.1932.IV.

34 Christian Henriot, *Prostitution and Sexuality in Shanghai: A Social History, 1849-1949* (Cambridge: Cambridge University Press, 2001), p. 319.

35 Katharina Leppänen, “Movement of Women: Trafficking in the Interwar Era,” *Women’s Studies International Forum*, vol. 30 (2007), p. 528.

call for the abolition of regulation of prostitution, which had until then be viewed as a national issue.³⁶

However, the assumption that recognized brothels were “mere traps for young persons”³⁷ and that regulation or tolerance of prostitution stimulated the traffic of women gave rise to another problem: what was to be done with the ex-prostitutes when the establishments closed their doors or when the system of regulation was abandoned? Therefore, during the thirteenth session of the committee in 1934, Dr. Witold Chodźko—representing Poland and a founding member of the Polish Eugenics Society³⁸—expressed the opinion that the campaign against the system of regulation needed to be accompanied by rehabilitative measures. He suggested that “to secure the best results prostitutes should first be selected from a medical and psychological

standpoint with the assistance of medical specialists.”³⁹ From then on, the analysis of prostitution became increasingly medicalized.

At the close of the 1934 session, the League’s committee decided to start a new investigation on rehabilitation programs around the world and appointed Samuel Cohen, representative of the London-based Jewish Association for the Protection of Girls, Women and Children, as rapporteur. In 1935, a preliminary report on “Direct Methods of Prevention and Rehabilitation in the Campaign Against Traffic in Women and Children” was submitted. The report was discussed during the committee’s fourteenth session, and some novel—and often ambiguous—opinions were raised with regards to the causes of prostitution and the character of prostitutes in particular. Belgian delegate Isidore Maus thought that “thousands of prostitutes had been forced into that way of living, owing largely to social causes”⁴⁰ and since “many of them were abnormal and weak [they] were entitled to pity not severity.” For her part, Dr. Estrid Hein, representing Denmark, argued that one important aspect of prostitution required further investigation in the context of rehabilitation

36 *Abolition of Licensed Houses* (Geneva: Committee on Traffic in Women and Children, 1934).

37 Committee, Minutes of the Thirteenth Session, Third Meeting, Geneva, April 5, 1934, p. 81, LNA CTFE/13th Session/PV (revised).

38 Magdalena Gawin, “Progressivism and Eugenic Thinking in Poland, 1905-1939,” in Marius Turda, Paul J. Weindling, eds., *Blood and Homeland: Eugenics and Racial Nationalism in Central and Southeast Europe 1900-1940* (Budapest & New York: Central European University Press, 2007), p. 167-184; and *Id.*, “The Sex Reform Movement and Eugenics in Interwar Poland,” *Studies in History and Philosophy of Science*, vol. 39, n° 2 (2008), p. 181-186. See also Keely Stauter-Halsted, *The Devil’s Chain. Prostitution and Social Control in Partitioned Poland* (Ithaca/London: Cornell University Press, 2015).

39 Committee, Minutes of the Thirteenth Session, 5 April 1934, p. 81 (cf. note 37).

40 This and the following quotes are taken from: Committee, Minutes of the Fourteenth Session, Second Meeting, Geneva, 2 May 1935, p. 7-10, LNA CTFE/14th Session/PV.2.

and prevention, namely that “a high percentage of prostitutes were feeble-minded.” Like Maus, she thought that “it was a disgrace that no protection was extended to them.” Her unequivocally eugenicist language—“feble-mindedness”—followed the tradition of “leftist reform eugenics,”⁴¹ which rejected racism and stressed the possibility of rescuing wayward women and girls.

During the 1935 session, the issue of prostitutes' antecedents became more prominent. British assistant delegate, Miss J. I. Wall, suggested an expansion of the enquiry to cover not only the issue of rehabilitation, but also the provision of social services in connection with treatment for venereal diseases and examinations of the backgrounds of women who had taken up prostitution. Even though the members of the committee made efforts to avoid appearing judgmental towards prostitutes, the mental condition of prostitutes was increasingly called into question. Wall, for example, specified that the study she proposed on the “antecedents of patients in V.D. clinics” should only contain “facts [...], not opinions.”⁴² This statement, too, stressed the humanitarian and scientific approach the League's committee wished to be known for.

41 Alison Bashford, “Internationalism, Cosmopolitanism, and Eugenics,” *op. cit.*, p. 155 (cf. note 8).

42 Committee, Minutes of the Fourteenth Session, Third Meeting, Geneva, 3 May 1935, p. 4, LNA CTFE/14th Session/PV.3.

The cure to prostitution

During the second half of the 1930s, the members of what had by then become the Advisory Committee on Social Questions went a step further in its experimentation with “biopolitical tactics that targeted ‘the life of individuals as well as of nations.’”⁴³ Inside and outside the League, prostitution was viewed as a universal threat; and women with an uncontrolled sexuality were to be “corrected for the sake of the nation and society but also for their own sake.”⁴⁴ To this end, the League's committee agreed that fuller data was required on the educational level, employment prior to prostitution, first conviction for prostitution, social aid received during convictions and the mental status of the prostitute. Furthermore, on the question of finding employment for ex-prostitutes, Adrienne Avril de Sainte Croix—representing the International Women's Organizations—“strongly advocated complete candor as to their antecedents so that employers should be fully alive to any possible moral danger involved.”⁴⁵ This betrays the ambiguous stance of committee members towards sex workers: on the one hand, they

43 Stephen Legg, “The Life of Individuals As Well As of Nations”, *op. cit.*, p. 664 (cf. note 9).

44 Yvonne Svanström, “Prostitution as Vagrancy: Sweden 1923-1964,” *Journal of Scandinavian Studies in Criminology and Crime Prevention*, vol. 7, n° 2 (2006), p. 142.

45 Committee, Minutes of the Fourteenth Session, 3 May 1935, p. 2 (cf. note 42).

were perceived as mentally weak women who needed protection from wicked procurers, pimps and traffickers, but on the other they were implicitly or explicitly described as immoral or lazy women in need of discipline. The extent to which the French activist can be described as “staunchly liberal, even radical, and secular in the tradition of the Declaration of Rights of Man as viewed through a feminist lens,”⁴⁶ calls therefore for further research on the complexities of early xxth century feminism.

The eugenic bias was clear in the committee’s study of the antecedents of prostitutes, which was meant “to obtain—out of the knowledge of their past histories and social background—some indications as to the best methods of rehabilitation.”⁴⁷ More effective methods seemed urgently needed because the committee had found out that “in all countries where tolerated brothels have been abolished only a small percentage of the released women wished to avail themselves of the opportunities offered to them by the authorities or by voluntary organizations.” Their “sullen opposition to the ways of an interfering government” was not interpreted in terms of agency, but rather of

subordination to third parties, idleness and/or abnormality. This logic coincided with that of other social reformers, whose embrace of eugenic ideas and focus on hereditary traits offered welcome explanations to their inability to bring their clients onto right track.⁴⁸

Yet the committee seems to have been divided on the issue of abnormality or feeble-mindedness among sex workers. For instance, Samuel Cohen was happy to find out that the enquiry had demonstrated that almost all the cases examined (some 2,300 prostitutes from nineteen countries) were of normal mentality. This meant, he argued, that it was unnecessary to deal with the question of homes for the mentally deficient.⁴⁹ In his view, moral education, training, employment opportunities and recreation were the best rehabilitative and preventive measures. Also, Isidore Maus thought that many prostitutes were weak, but that only a small proportion among them were feeble-minded. “Most of them became prostitutes,” he went on, “because of difficult economic circumstances, slum life, unhealthy cinema performances, dancing halls, obscene literature, all of which went unpunished.”⁵⁰

46 Karen Offen, “Madame Ghénia Avril de Sainte-Croix, the Josephine Butler of France,” *Women’s History Review*, vol. 17, n° 2 (2008), p. 242.

47 This and the following quotes are taken from: “Enquiry into Measures of Rehabilitation of Adult Prostitutes, Part I,” Geneva, 25 March 1936, p. 3, 18, LNA CTFE 679.Part I.

48 Angie C. Kennedy, “Eugenics, ‘Degenerate Girls,’ and Social Workers...,” *op. cit.*, p. 31 (cf. note 13).

49 Committee, Minutes of the Fifteenth Session, Third Meeting, Geneva, 21 April 1936, p. 5, LNA CTFE/15th Session/PV.3.

50 This and the following quote are taken from: Committee, Minutes of the Fifteenth Session, Fifth Meeting, Geneva, 22 April 1936, p. 6, 14, LNA CTFE/15th Session/PV.5.

Others disagreed. Matilde Huici, the Spanish assistant delegate, thought that prostitutes were “patients suffering from a disease” and required therefore specialized assistance. Chodźko, who had called for the medical and psychological analysis of prostitutes in 1934, argued that Cohen underestimated the need for psychiatric treatment for adult prostitutes. He believed that if the figures provided for Denmark by Dr. Tage Kemp were applied to other countries, they would arrive at the conclusion that 70% of prostitutes were abnormal and 10% “complete idiots.”⁵¹

In spite of these differences of opinion, the committee invited Kemp to present his results in Geneva. I have not been able to find information on the discussions that led to Kemp’s invitation; but it is almost certain that his fellow countrywoman and colleague, Estrid Hein, encouraged his inclusion in the committee. Both shared, after all, similar views on prostitution and the prevention thereof. For the latter, Hein recommended “rehabilitation through work,” which was in her view, “the modern method of treating mental and many other complaints.”⁵²

Tage Kemp was Director of the University Institute for Human Genetics at Copenhagen, and a “hard-line eugenicist,” according to

Randall Hansen and Desmond King. Thanks to the funding of the Rockefeller Foundation, he became an internationally acknowledged expert on human genetics who, as was the case with other Danish eugenicists, drew much inspiration from and kept friendly relations with prominent German scientists during and after the Nazi period.⁵⁴ If, in the early 1920s, the eugenic movement was unwilling “to make any generalisations as to the distribution of feeble-mindedness among prostitutes” due to “the absence of any proper studies,”⁵⁵ Kemp was determined to provide answers. In 1932, he finished his biosocial treatise “A Study of the Causes of Prostitution, Especially Concerning the Hereditary Factors,” and presented it at the Third International Congress of Eugenics.⁵⁶ It was this research, and the monograph that resulted from it, that put Kemp on the world map.⁵⁷

51 Committee, Minutes of the Fifteenth Session, Sixth Meeting, Geneva, 22 April 1936, p. 8, LNA CTFE/15th Session/PV.6.

52 Committee, Minutes of the Fourteenth Session, 3 May 1935, p. 11-12 (cf. note 42).

53 Randall Hansen and Desmond King, *Eugenics, Race, and the Population*, *op. cit.*, p. 23, fn 76 (cf. note 28).

54 Lene Koch, “The Ethos of Science,” *Scandinavian Journal of History*, vol. 27, n° 3 (2002), p. 167-173.

55 Benjamin Malzberg, “Mental Defect and Prostitution,” *The Eugenics Review*, vol. 12, n° 2 (1920), p. 102.

56 Bent Sigurd Hansen, “Something Rotten in the State of Denmark: Eugenics and the Ascent of the Welfare State,” in Gunnar Broberg, Nils Roll-Hansen, eds., *Eugenics and the Welfare State: Sterilization Policy in Denmark, Sweden, Norway and Finland* (Helsinki: East Lansing, 1996), p. 58.

57 Tage Kemp, *Prostitution. An investigation of Its Causes, Especially with Regard to Hereditary Factors* (Copenhagen/London: Levin & Munksgaard/William Heinemann, 1936).

In 1936, he presented a summary of his study to the League's committee. As explained above, in its unpublished report on the enquiry on the antecedents of prostitutes, the committee noted that most of the answers received from governments suggested that many of the women concerned were of normal or even superior intelligence.⁵⁸ Nonetheless, the committee chose to follow Kemp's conclusions. The Danish government had sent a summary of his study, which was then included in the committee's report. Kemp concluded that of the prostitutes examined in Denmark, 80% were mentally ill:

48% were retarded, debile or imbecile; 25% were constitutional psychopaths, and 8% suffered from other distinctly pronounced psychic disturbances (hysteria, and hysterical disorders of the mind, degenerative insanity, manic-depressive psychosis, etc.). [...] [Kemp's] dissertation says that these figures tend to show clearly how below the average is the "psychic habitus of these women, a fact which must be kept in mind if one reflects upon the causes of their fate and upon the manner in which society ought to act towards them.

According to the committee, this suggested "that the mental assessment [from other countries] might have been different in some of the other cases if the examination had been made from a psychiatric standpoint."

58 This and the following quote are taken from: "Enquiry into Measures of Rehabilitation of Adult Prostitutes, Part III," Geneva, 25 March 1936, p. 17, 36, LNA CTFE 679. Part III.

In its published report, the committee's conclusions on the subject of mentality and temperament of prostitutes became more complicated. Initially, it replicated the results of its enquiry and stated that two-thirds of the women studied "were considered to be average, or above the average, in intelligence."⁵⁹ The remainder were described as below normal or borderline cases, and "only 4% were classed as feebleminded or abnormal." Then it went on to argue that it was difficult to draw general conclusions on the issue due to the wide variety of local customs, and the standards and methods used to measure mental capacities in different countries. Still, this did not stop the committee from extrapolating the results from Denmark, the United States and Switzerland, where "considerably fewer women were classed as averagely intelligent" compared to the rest of the population. Particularly the results coming from Denmark and the United States were considered more reliable than the rest, as they were based on "elaborate intelligence tests." Considering Kemp's strong links with American scientists, it is quite possible that he learned the technique from them. As Daniel Kevles points out, Dr. Henry Goddard, a prominent psychologist, eugenicist and director of the Research Laboratory at the Vineland Training School for "feebleminded" boys and girls in New Jersey, introduced the

59 This and the following quotes are taken from: *Prostitutes: Their Early Lives*, p. 22-27 (cf. note 1).

Binet-Simon intelligence test at the early 1900s in the United States. He also popularized the use of family trees to determine the hereditarian nature and degree of feeble-mindedness among the inmates of reform institutions.⁶⁰ Goddard's work is cited in Kemp's published monograph, which is also replete with pedigree charts and family histories aimed at obtaining a "real psychiatric examination" and at establishing a suitable individual treatment for the women involved.⁶¹

As was the case with other criminological anthropologists and eugenicists, Kemp and the committee paid much attention to gendered character traits such as hysteria, reckless promiscuity, emotional detachment or love of luxury.⁶² They also stressed laziness, which according to the committee "seems to be in part innate, in part acquired by a long divorce from work."⁶³ Their conclusion with regard to class—"the majority [of the women] came from poor, working-class families"—as well as the committee's constant reminder of the need to inculcate in ex-prostitutes a "love of

work," corroborates Thomas Leonard's findings. In his analysis of the influence of eugenics in Progressive Era American economics, Leonard argues that "eugenic treatment of those deemed biologically inferior was promoted *as a means* to the end of uplifting the industrial poor" (italics in the original).⁶⁴ This logic also explains the invitation of a representative of the International Labour Organization (ILO) to the committee's meetings from the 1930s onward. Like the League, the ILO put prostitution outside the realm of work and promoted instead typical female occupations such as domestic service. By the end of the 1930's, it also wrote a chapter for the League's publication on the prevention of prostitution.⁶⁵

All this led the committee to conclude that "some of the most powerful predisposing causes of prostitution seem to lie in the mentality and temperament of the individual."⁶⁶ Another conclusion from the enquiry that allegedly supported this claim was that most women came from the laboring classes but not from extremely poor homes. Hence the

60 Daniel J. Kevles, *In the Name of Eugenics. Genetics and the Uses of Human Heredity* (Cambridge: Harvard University Press, 1998), p. 77-78; Angie C. Kennedy, "Eugenics, 'Degenerate Girls,' and Social Workers...." *op. cit.*, p. 25 (cf. note 13).

61 Tague Kemp, *Prostitution*, *op. cit.*, p. 43 (cf. note 57).

62 Alexandra Minna Stern, "Gender and Sexuality," in Alison Bashford, Philippa Levine, eds., *The Oxford Handbook of the History of Eugenics*, *op. cit.*, p. 173-191 (cf. note 8).

63 This and the following quote come from: *Prostitutes: Their Early Lives*, p. 25-29 (cf. note 1).

64 Thomas C. Leonard, "More Merciful and Not Less Effective': Eugenics and American Economics in the Progressive Era," *History of Political Economy*, vol. 35, n° 4 (2003), p. 687-712, 688.

65 International Labour Office, "The Moral Protection of Young Women Workers," in *Prevention of Prostitution*, *op. cit.*, p. 67-104 (cf. note 3); Eileen Boris, Magaly Rodríguez García, "(In)Decent Work: Sex and the ILO," *Journal of Women's History*, forthcoming.

66 This and the following quotes come from: *Prostitutes: Their Early Lives*, p. 64-66 (cf. note 1).

committee inferred that material conditions in childhood and bad working conditions in previous jobs were “sometimes” the cause of prostitution. The committee acknowledged that long hours and low wages often characterized the occupation of most of the women concerned. And it added: “of course, workers who are difficult or below the normal in intelligence tend to fill the worst positions.” Domestic service—from where almost half of sex workers came⁶⁷—made, according to the committee, “a refuge for the less gifted and the less preserving.” Poverty was “by far the most frequent reason given, specially by the women themselves,” but figured much lower than mental and physical weaknesses, traits of character, broken homes, flawed upbringing, bad working conditions, unemployment and the influence of procurers or friend prostitutes in the committee’s unpublished report and publication.

Indeed, for the enquiry, some governments, social services and private organizations had provided information that fell outside the scope of the committee’s questionnaire. Crucial details about the motives given by the women themselves for their entrance into prostitution, the persons that persuaded them, their perception and boredom of

conventional work and their lack of interest in a “respectable” job were often included in the case sheets.⁶⁸ Yet, the committee questioned the veracity of this information and published only a summary of the responses under the subtitle “Age at Beginning Prostitution and *Alleged or Supposed Reasons for Doing So*” (emphasis added).⁶⁹

The refusal to give more credit to this information was based on the committee’s tendency to doubt the women’s capacity or willingness to speak the truth. With regard to the influence of unemployment, the representative of the International Union of Catholic Women’s Leagues, Ms. Lavielle, argued that “the replies of prostitutes are merely pretexts. In many cases the women stated that they had fallen into prostitution because they had no work; but it was observed that many of them refused the work that was obtained for them.”⁷⁰ Similarly, in the introductory letter to the package with case sheets from Hungary, the delegates from the International Anti-Traffic Bureau and its national branch in that country warned the committee that “since these women are very often liars the evidence provided many not be strictly

67 Eileen Boris, Jennifer N. Fish, “Decent Work for Domestic: Feminist Organizing, Worker Empowerment, and the ILO,” in Dirk Hoerder, Elise van Nederveen Meerkerk, Silke Neunsinger, eds., *Towards a Global History of Domestic and Caregiving Workers* (Leiden: Brill, 2015), p. 530-552.

68 The individual case sheets per country can be found in the League of Nations archives in Geneva, boxes R4688-98.

69 *Prostitutes: Their Early Lives*, p. 45 (cf. note 1).

70 Committee, Minutes of the Thirteenth Session, 5 April 1934, p. 18 (cf. note 37).

accurate.”⁷¹ Contemporary radical feminists that follow the League’s view of prostitution do not go as far as to call sex workers “liars” but they, too, doubt the veracity of their statements. In her analysis of prostitution as a form of violence to women, Rhèa Jean argues, for example, that “women in prostitution can exercise a rational choice when they accept to prostitute themselves because *they believe* that this will help improve their situation” (emphasis added).⁷² It is not clear why radical feminists doubt this kind of assertions with regard to the motivation for prostitution, sex workers say in a myriad of forums.⁷³ For her part, Sheila Jeffreys praises the League’s campaigns against trafficking and prostitution, but resents Kemp’s “woman-blaming [...], which threw the responsibility of prostitution back onto the women.”⁷⁴ Jeffreys dedicates a whole chapter to the League’s work, particularly to the role played by feminists, but fails to acknowledge the

widespread support for Kemp’s ideas within the Geneva organization.

Not the opinions of the women concerned but the information provided by authorities, social workers, representative of abolitionist/anti-traffic organizations, medical experts and doctors stood central in the League’s enquiries. Kemp became a point of reference for all debates around rehabilitation and, by the end of the 1930s, prevention of prostitution. In 1938, he was appointed as expert of the League’s committee, although a few members had reservations. Carefully but repeatedly, Cohen warned the committee against the controversial nature of Kemp’s findings with regards to the causes of prostitution, his focus on the psychiatric treatment of prostitutes and his undermining of social workers in rehabilitative and preventive programs. But to no avail.⁷⁵

The logic behind the committee’s support of Kemp’s views was that his analysis of prostitution and proposed measures to redeem ex-prostitutes and to protect other women from the sex trade were based on not only scientific investigations but also condemnation of commercial sex. The majority of members

71 F.A.R. Sempins (International Bureau for the Suppression of Traffic in Women and Children) to Eric Einar Ekstrand (member of the League’s committee), London, 27 January 1936, LNA box R4688, file 20832.

72 Rhèa Jean, “Prostitution and the Concept of Agency,” in Herjeet Marway, Heather Widdows, eds., *Women and Violence: The Agency of Victims and Perpetrators* (Basingstoke/New York: Palgrave Macmillan, 2015), p. 56.

73 P.G. Macioti, Giulia Garofalo Geymonat, eds, *Sex Workers Speak. Who Listens?* [https://www.nswp.org/resource/sex-workers-speak-who-listens] (last accessed 20 December 2020).

74 Sheila Jeffreys, *The Idea of Prostitution* (North Melbourne: Spinifex Press, 1997), p. 27.

75 Advisory Committee on Social Questions [hereafter “CQS”], Second Session, Second Meeting, Geneva, 21 April 1938, p. 1, LNA CQS/2nd session/PV.2.; CQS, Second Session, Seventh Meeting, 25 April 1938, p. 2, LNA CQS/2nd session/PV.7; Samuel Cohen to E. Wertheimer (League of Nations Social Questions Section), London, 7 March 1940, LNA Registry files 1933-46, R4710.

of the committee agreed with Kemp that the solution to the problem was not the punishment of women involved in prostitution, but protection and adequate individual treatment. New social legislation approved in Denmark and Sweden was perceived as an example of an alternative and innovative way to deal with the issue of prostitution. Sex workers were removed from police control and subjected instead to psychiatric examinations and re-education. In his exposés to the committee, Kemp emphasized that “most prostitutes, without being definitely insane, were mentally abnormal.”⁷⁶ He specified that “not all prostitutes were abnormal enough to warrant their confinement in institutes,” but argued that it was not possible to leave them at large. A system of control and assistance was, in his view, paramount for rehabilitation and prevention purposes. In his influential publication of 1936, Kemp wrote:

These individuals are eugenically the most dangerous because they are not sufficiently abnormal to be placed in institutions. In many cases it is only through far-reaching eugenic registration that one is able to obtain the necessary genetic information about such persons, thereby making sterilization possible in time.⁷⁷

Neither “eugenics” nor “sterilization” appear in the committee’s publication, and it seems that Kemp only occasionally used the former

⁷⁶ This and the following quotes are taken from: CQS, Second Session, 25 April 1938, p. 4-6 (cf. note 75).

⁷⁷ Tage Kemp, *Prostitution, op. cit.*, p. 61 (cf. note 57).

during the meetings at the League.⁷⁸ This is not surprising, as Kemp was presented to the committee as an expert in psychology and human genetics, not as a eugenicist. No references to sterilization are found in the committee’s sources either. Yet some of its members did not refrain from proposing radical measures. Avril de Sainte-Croix, for example, thought that suitable treatment could help “to spare these poor girls the hours of anguish and over-excitement which threatens them, by the skillful administration of drugs in the proper doses and at the proper time.”⁷⁹

The League’s committee was aware that Kemp’s findings would raise many questions but was apparently convinced of his authority in the matter of rehabilitation and the prevention of prostitution. Therefore, it gave him a forum to express his views not only within the committee, but also publicly, through the dissemination of his views in one of the League’s publications.⁸⁰ Because of the outbreak of the Second World War, the results of the enquiry on prevention of prostitution were published only in 1943. As a matter of precaution, the League placed a footnote in Kemp’s chapters to clarify that responsibility

⁷⁸ CQS, Second Session, 25 April 1938, p. 6 (cf. note 75).

⁷⁹ Avril de Sainte-Croix’s report regarding the rehabilitation of prostitutes, CQS, First Session, Eighteenth Meeting, 27 April 1937, p. 3, CQS/A.10.

⁸⁰ Tage Kemp, “Physical and Psychological Causes of Prostitution,” *op. cit.*, p. 42-66 (cf. note 3).

for those ideas were borne by him. But in the general conclusions, the League's authors stated that

The enquiry into the prevention of prostitution showed that the causes leading women into prostitution could be divided into two main categories, one of which is social and the other individual. In the conditions of Western civilization prevailing down to the year 1939, social causes alone were rarely determining factors unless they were linked up with individual predisposing characteristics. The most important amongst the latter are weak character and poor mental equipment, grave physical disability, and—though less important than has been commonly assumed—an oversexed constitution or constitutional depravity.⁸¹

In spite of the cautious warnings of some members of the committee—Cohen in particular—the League opted to follow the controversial reasoning of Tage Kemp and added a further layer of alterity to women involved in prostitution.

Concluding remarks

The League of Nations' project to reintegrate ex-prostitutes into "normal life" is just one example of the ways Western elites attempted to shape the modern world. Furthermore, determining what "went wrong" with sex workers' early lives was perceived as a useful tool for the development of preventive measures that would protect innocent young

women from falling prey to "evil men." All this involved the production of bodies of knowledge marred by inherent prejudices and absent or distorted empirical evidence. The League was not immune to eugenic ideas, which were, as Lene Koch argues, "part of a broad Western scientific tradition."⁸² Its initiatives for rehabilitation and prevention of prostitution went hand in hand and followed the logics of the eugenic movement. After all, "if eugenics was about the problems of inheriting the past, it was also about the optimistic possibilities of planning future generations."⁸³

Moreover, the League's ideas on and methods to combat trafficking and prostitution survived World War Two and continue to influence governmental and non-governmental organizations. The League's work motivated various countries to approve abolitionist policies during the interwar and postwar periods. The 1949 United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others got its inspiration from a convention draft prepared by the League in 1937. Also, the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (in force since 2003) and the Swedish model, which criminalizes the

81 *Prevention of Prostitution*, *op. cit.*, p. 142 (cf. note 3).

82 Lene Koch, "The Ethos of Science," *op. cit.*, p. 172 (cf. note 54).

83 Philippa Levine, Alison Bashford, "Introduction," *op. cit.*, p. 10 (cf. note 12).

buying of sex, contain much of the League's gendered logic with regard to prostitution. In 2014, the European Parliament approved a non-binding resolution, which recommends its member-states to change their policies so as to facilitate the criminalization of clients of prostitution. Contemporary abolitionists and radical feminists reject the language of "feble-mindedness," but insist that "prostituted women" are victims of male violence.⁸⁴ "In practice," P.G. Maciotti and Giulia Garofalo Geymonat retort, "'saving prostitutes' means taking away their livelihoods, and, when they are migrants, removing them from the national territories. Sex workers' groups are clear on this point: all sex workers end up more vulnerable to exploitation, abuse, and coercion as a consequence of 'anti-trafficking.'"⁸⁵ Their conclusion resonates with that of Stefan Zweig who—writing at the same time as the League was publishing its views on the prostitute's "mental habitus"—warned against pity, which is an emotion that can cause much harm.⁸⁶

84 Sheila Jeffreys, *The Idea of Prostitution*, *op. cit.* (cf. note 74); Rhèa Jean, "Prostitution and the Concept of Agency," *op. cit.* (cf. note 72).

85 P.G. Maciotti, Giulia Garofalo Geymonat, eds, *Sex Workers Speak*, *op. cit.*, p. 16 (cf. note 73).

86 Stefan Zweig, *Beware of Pity* (London: Pushkin Press, 2013 – first published in 1939). On the role of emotions within (neo-)abolitionist campaigns, see: Birgit Sauer, "Mobilizing shame and disgust: abolitionist affective frames in Austrian and German anti-sex-work movements," *Journal of Political Power*, vol. 12, n° 3 (2019), p. 318-338.

The question is whether the gathering of personal data for preventive purposes makes sense. Various authors not only point at its futility, but argue that "even a modest form of profiling remains problematic" as the social costs (stigmatization, stereotyping or ostracizing) can be high.⁸⁷ As a means of prevention, analyses of social profiles seem useless because they can never be representative for those activities in which clandestinity plays an important role. The League acknowledged this problem, but insisted that "the extraordinarily far-reaching social measures adopted in the Scandinavian countries are directly responsible for the considerable decrease in the number of prostitutes in these countries within the last two generations."⁸⁸ Furthermore, the League's case demonstrates that generalizations and statistics on so-called deviant behavior emphasize individual responsibility and downplay the structural factors that can lead people to stigmatized activities.

If applied fairly, however, analyses of social backgrounds can yield some positive results. As Frederick Schauer argues, there is good and bad profiling.⁸⁹ A thorough study of

87 Daphen Barak-Erez, "Terrorism and Profiling: Shifting the Focus from Criteria to Effects," *Cardozo Law Review*, vol. 29, n° 1 (2007), p. 9.

88 *Prevention of Prostitution*, *op. cit.*, p. 142-143 (cf. note 3).

89 Frederick Schauer, *Profiles, Probabilities, and Stereotypes* (Cambridge, MA: Belknap Press of Harvard University Press, 2003).

