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War (1874-1939)

Ann Kirkpatrick  
*Scripps College*

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2014  
Claremont Colleges Library  
Undergraduate Research Award

Senior Honorable Mention

**Ann Kirkpatrick**  
**Scripps College**

Reflective Essay

## Reflective Essay

I remember the exact moment I finally settled on contemporary Spanish prostitution as the topic of my senior thesis. My very first day back in Claremont for the Fall semester, I browsed through the shelves housing the Claremont Colleges Library's collection on Spanish history, waiting for something to catch my eye. Knowing that my thesis would need to address Spanish history and that my interests lie in contemporary and women's histories, I checked out every book in the library collection that addressed these topics and skimmed them for information while sitting in the library café. It was there, while flipping through Mary Nash's *Defying Male Civilization*, that the topic of contemporary Spanish prostitution jumped out at me. It felt like the perfect thesis topic: it that appealed to my academic interests, it was complicated and intersectional, and it would hold my attention for the next several months.

Once I'd found a topic that inspired me, the plentiful resources provided by the Claremont Colleges Library helped me take my next steps. As part of the Senior Seminar for Scripps History majors, librarian Adam Rosenkranz gave a research workshop guiding us through databases full of journal articles and instructing us how to effectively search through the material. I found dozens of scholarly articles written in English and in Spanish on the subject of Spanish prostitution, and an individual meeting with Mr. Rosenkranz proved even more helpful. As far as primary sources, the materials I was looking for would be written in entirely in Spanish nearly a century ago—I was worried they would be hard to find in the United States, and I was kicking myself for not beginning my research while abroad in Granada, Spain. Librarian Natalie Tagge alleviated my fears: in an individual meeting, she pointed me toward the online archives of the Biblioteca Nacional de España, which has extensive scans of newspapers and magazines covering the time period I was interested in.

Locating primary sources is easily one of the hardest parts of historical research; however, I had plenty of luck tracking down relevant books by early twentieth-century Spanish writers such as feminist Margarita Nelken, psychiatrist Cesar Juarros, and Doctor Edmundo Gonzalez Blanco. Some of these works I found in the Claremont Colleges Library, but others had to be shipped across the country from libraries as far away as Smith College in Massachusetts. I am extremely thankful to have Link+ and Interlibrary Loan as resources when I'm tracking down a

hard copy of a book from the 1930s that has yet to be archived online. Link+ and ILLiad also gave me access to secondary sources by historians that eventually formed the core of my research; when it became frustrating to keep requesting and returning these books over and over, Alex Chappell was generously helped coordinate their purchase for the Library's collection so I could hold on to them for the duration of my research. One such book, *Mujer, familia y trabajo en España (1875-1936)*, edited by Mary Nash, has been immensely valuable because it is a collection of hard-to-find primary sources relating to women in Spain, with an entire chapter on primary sources relating to prostitution. I would not have been able to write my thesis without this essential source.

Keeping track of every article, chapter, book, and essay that I was collecting was a momentous task, but it was made much easier with more help from Alex Chappell, who demonstrated Zotero citation software to my Senior Seminar classmates and me. Rather than painstakingly compose citations on my own using the Chicago Manual of Style, careful internet searches, and hours of tedium, the Zotero program allows me to import all a source's information directly from an internet listing and generates a bibliography from this information. I use Zotero to plan out which sources I ought to consult for which thesis chapters and to separate my primary sources from my secondary sources. Organizing my citations this way has proved very useful in keeping track of which sources I have on hand, which can be found online, and which ones I ought to request from Link+ or ILLiad.

As a History and Hispanic Studies dual major at Scripps, I'm in the habit of seeking out women's histories and highlighting the experiences of women within the larger historical narrative. Historical research on women, and on marginalized groups in general, can be frustrating because primary sources are often scarce, untranslated, or anonymous. Women prostitutes are doubly marginalized because women's voices are commonly silenced in the process of making history, and prostitution and sex tend to be taboo subjects that are not often addressed.

While I am excited to be able to access and include primary sources from prominent Spanish feminists such as Margarita Nelken, Clara Campoamor, and Concepción Arenal, it's both frustrating and interesting to see the ways in which women of the Spanish intelligentsia shied away from the subject of prostitution as their own political power grew. My ideal source

would be one written by a Spanish woman detailing her own experience with prostitution; however, I'm doubtful such a source exists based on the high illiteracy rates among women of the period. I had to settle for sources speaking about prostitutes in lieu of sources created by prostitutes. In the end, it is the historian's mission to present the most truthful narrative she can by extrapolating from the available resources. Luckily for me and for my senior thesis, the Claremont Colleges Library is a fantastic resource for historical research.

2014

# "Playthings of a Historical Process": Prostitution in Spanish Society from the Restoration to the Civil War (1874-1939)

Ann Kirkpatrick  
*Scripps College*

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**“PLAYTHINGS OF A HISTORICAL PROCESS”:  
PROSTITUTION IN SPANISH SOCIETY FROM THE RESTORATION  
TO THE CIVIL WAR (1874-1939)**

by

**ANN K. KIRKPATRICK**

**SUBMITTED TO SCRIPPS COLLEGE IN PARTIAL FULFILLMENT  
OF THE DEGREE OF BACHELOR OF ARTS**

**PROFESSOR AISENBERG  
PROFESSOR WOOD  
PROFESSOR LÓPEZ**

**APRIL 18, 2014**

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I would like to thank the Department of History for guiding me through the long process of researching and writing this thesis. Professor Rita Roberts inspired me to produce the highest quality of work I was able in the Senior Seminar in fall. Professor Andrew Aisenberg lent me his expertise, as well as a few books from his shelves, in reading my thesis and keeping me on the right track as my writing came together. Professor Julie Liss has been a supportive advisor to me for years, and discussions from her courses helped to inspire the analysis in this thesis.

I also express my gratitude to the Department of Hispanic Studies; Professor Jennifer Wood has been invaluable in her support of my work and in motivating me to create something I am proud to share with others. I owe my interest in the women of the Spanish Second Republic to Professor César López and his course on the Spanish Civil War. His input has helped me to include new perspectives in my writing.

Finally, I thank my family, especially my parents and grandparents, for supporting me emotionally and financially through my college career. They have helped me to achieve my dreams and to be a success thus far. I hope this thesis makes them all proud.

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## INTRODUCTION

In 1936, the Spanish anarchist women's group *Mujeres Libres* published an article in its magazine that referred to prostitutes as *juguetes ciegos de un proceso histórico*,<sup>1</sup> or blind playthings of a historical process. The article referred to the role of prostitution in supporting a corrupt capitalist system. However, capitalism was not the only historical process that appropriated and exploited prostitute women's bodies and labor. The history of Spanish prostitution from the beginning of the Restoration in 1874 to the end of the Spanish Civil War in 1939 intersects with a network of processes, including industrialization, urbanization, and political radicalization. It is also a history of gender and a history of class and, therefore, is subject to the same patterns of silencing and amnesia that are common in such histories. It is the task of this study to bring these narratives out of the historical record and into the public eye in order to better understand the history of sex work.

The central subject of this study is the prostitute woman. Though not all prostitutes were female, women made up the vast majority. Likewise, their clients were typically men. Prostitute men are absent from records of Restoration and Republican Spain; as a consequence of this erasure, male prostitutes are not a part of this study. I avoid the terms "female prostitute" and "woman prostitute" because they imply that the primary identity of the subject is that of "prostitute" and that her womanhood merely modifies that identity. In this specific historical context, I argue that the "prostitute" identity should not eclipse that of "woman." Prostitute women embodied both social categories; they experienced exploitation and discrimination as prostitutes on top of the

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<sup>1</sup> "El problema sexual y la revolución," in *"Mujeres Libres": España 1936-1939*, ed. Mary Nash, 167.

same gendered restrictions that all Spanish women navigated in their daily lives. Because prostitute women were repeatedly demonized and dehumanized, it is crucial to inscribe their humanity into discussions of their lives.

The sale of sex has vastly different significance across cultures and time periods; the prostitute woman of Restoration Spain lived a vastly different existence than that of sex workers in today's United States or of the pagan *hetaira* of Ancient Greece.<sup>2</sup> In an ethnographic study of sex work and sex tourism in the Caribbean, Amalia L. Cabezas observes: "No longer regarded as the world's oldest profession, prostitution is now seen as existing within specific cultural contexts and fields of power."<sup>3</sup> It is not helpful to historical analysis to consider prostitution as eternal, inevitable, or static; rather sex work and its specificities ought to be unpacked and considered within their own cultural and temporal contexts. It is not within the scope of this project to address whether or not prostitution and other kinds of sex work are inherently problematic (or for whom) nor to make recommendations for prostitution policy based on extrapolations from history. Prostitution was certainly looked upon as a serious problem for Spain as a nation in the nineteenth and early twentieth century; this problem was approached in a variety of ways by a series of politically disparate groups. I explore why Spain feared prostitution so deeply at this particular historical moment, and I compare and contrast the numerous conflicting strategies undertaken to control, reduce, or eliminate the problem of prostitution in Spain.

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<sup>2</sup> For a discussion on different historical constructions of prostitute identities, see Shannon Bell, *Reading, Writing, and Rewriting the Prostitute Body*, (Indianapolis, IN: Indiana University Press, 1994).

<sup>3</sup> Amalia L. Cabezas, *Economies of Desire: Sex and Tourism in Cuba and the Dominican Republic*, (Philadelphia: Temple University Press, 2009), 18.

Spain underwent a series of tumultuous social and political changes in the late nineteenth and early twentieth centuries. Prostitute women directly experienced these changes as fluctuations in their social and legal status within Spanish society. The years spanning from 1874 to 1931 are known as the Restoration, when the Bourbon monarchy was reinstalled under King Alfonso XII (1857-1885) after the crumbling of the First Spanish Republic (1873-1874). During this time, Spain experienced a period of growing nationalism and urbanization, and prostitution began to be interpreted as a threat to the nation in terms of public health and decency. Between 1923 and 1930, Spain was under the royally-sponsored military dictatorship of Miguel Primo de Rivera (1870-1930). Primo de Rivera stifled much of the public discussion around the problem of prostitution. Spain later returned briefly to a Republican mode of government in 1931, and the Second Republic turned a portion of its divided attention to the reform of prostitution laws. The chaos of the Spanish Civil War between 1936 and 1939 disrupted these Republican reforms but provided an opportunity for radical groups, including *Mujeres Libres*, to campaign against prostitution in new and innovative ways.

This study is built upon the work of feminist historians Mary Nash and Geraldine Scanlon, who identified Republican Spain as a rich site for the study of women and of feminism and became pioneers in Spanish feminist studies after the death of Spain's dictator Francisco Franco in 1975. The analysis of Nash and Scanlon provides an excellent starting point that I build upon as I incorporate more recent theory on sex work, including the feminist analysis of Shannon Bell and the political arguments of Peter de Marneffe. The detailed histories of venereal disease and prostitution published recently by Ramón Castejón Bolea and Jean-Louis Guereña (respectively) clarified the

complicated progression of events and grounded my analysis in data from statistics and legal codes. Primary sources form a core element of this thesis: while the works of Margarita Nelken, Federica Montseny, and César Juarros were fairly accessible, Mary Nash must be recognized for her service to historical researchers everywhere in her editing and compilation of two anthologies of more rare primary sources: *Mujer, Familia y Trabajo en España (1875-1939)* and “*Mujeres Libres, España, 1936-1939*.” These Spanish-language sources proved invaluable, and this thesis incorporates both original passages and my own English translations.

The historical study of prostitution clarifies the formulation process of today’s stigma surrounding sex work and helps to challenge ideologies that cast the sex worker as the ultimate Other. While it makes little sense to make direct comparisons between today’s incarnation of sex work to nineteenth-century regulated prostitution, it is important to understand the ways in which the figure of the prostitute woman has been constructed in the public consciousness and altered over time. Debates from medical conferences in the 1870s repeat themselves in online blogs and forums in the 2010s, and gender norms governing women’s sexuality have remained static in some aspects even as they have radically changed in other ways. My hope is that this thesis will challenge its readers to re-examine their thoughts on sex work and on prostitution and to value prostitute women’s stories as vital elements of the historical narrative.

## CHAPTER ONE

### *Marriage, Labor, and Prostitution in the Restoration Spain*

Prostitution in Spain occurred in a context where gender roles and gender hierarchy were exceptionally rigid in the decades leading up to the Second Republic. Despite rising trends of secularization, industrialization, and urbanization, there was little change in women's societal roles. Doctors and psychologists alike thought women were biologically destined to become wives and mothers and to find contentment in the domestic sphere. Expectations for Spanish women were clear; remain virginal and chaste until marriage, become a loyal and patient wife, and bear and raise many children. As a result of the ideology of domesticity, women were systematically pushed out of education and unionized labor and relegated to the domestic sphere.

The domestic model of femininity was, however, not an accessible one for a large number of women in the working classes and in poverty. This included women, both married and single, who worked out of the home by necessity in order to support themselves or their families. Shut out of many industries that would have granted them a living wage, thousands of single women engaged in prostitution in order to supplement a small or nonexistent income. Women who sold sex were looked down upon as dishonorable failures even as the institution of prostitution was viewed as a necessary evil in Spanish society. As part of a sexual double standard that demanded female chastity but tolerated male promiscuity, men were permitted or even expected to participate in sex commerce so that young women on track to marriage might remain chaste and therefore desirable as wives. Prostitution in the context of Spain's rigid gender hierarchy was a

system of exploitation that marginalized single women in poverty in order to reinforce Spain's rigid gender structure, which in turn produced prostitutes by limiting women's economic and social opportunities.

### *The Angel of the Hearth: Domestic Femininity*

As in many European nations, the ideal Spanish woman at the turn of the twentieth century was defined by her love for “Kinder, Kirche, and Küche,” or for children, the Church, and cooking. A woman's place was in the home, caring for a growing family. According to Catholic doctrine, birth control was sinful and childbirth was a divine work, so large families were the norm.<sup>4</sup> The definition of the domestic sphere as a woman's social destiny was certainly not unique to Spain. Rather, it prevailed in all of industrialized Europe as well as the United States. Mary Nash, prolific British scholar of Spanish women's history, correlates the transition of traditionally agricultural societies to industrialized ones with the division of the public and private spheres and the assignment of women to the home.<sup>5</sup> The expectation that women of all social classes ought to remain separate from commerce and public discourse was well entrenched in Spain by the 1920s.

By the turn of the century, motherhood, housekeeping, and marital obedience were not just socially predetermined roles for women; they were legitimated as biological imperatives. A series of European scientists and philosophers throughout the nineteenth century reified existing gender roles through pseudoscientific practice. “The cultural

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<sup>4</sup> Pilar Folguera, *Vida cotidiana en Madrid: el primer tercio del siglo a través de las fuentes orales*, (Madrid, Consejería de Cultura y Deportes, 1987), 141.

<sup>5</sup> Mary Nash, introduction to *Mujer, Familia y Trabajo en España (1875-1936)*, ed. Mary Nash (Barcelona:Anthropos, 1983), 41.

representation of gender in Western society presented human distinction in terms of an irrevocable natural, sexual difference that established a hierarchical ordering based on this asserted natural difference.”<sup>6</sup> By their very nature, women were fit only for a certain set of domestic tasks that set them apart from men, who were seen as more able and better suited for everything from factory work to world leadership.

Spain had its own share of writers and thinkers who propagated the ideology of separate spheres. One such example, Eduardo Escartín y Lartiga, writes “El hombre es reflexivo, analizador; la mujer, imaginativo...El primero es excepcionalmente apto para la vida pública, para la vida de relación, para el comercio social; la segunda es, por esencia, el *ángel del hogar*.”<sup>7</sup> [The man is reflexive, analytical; the woman, imaginative...The first is exceptionally fit for public life, for a life of relation, for social commerce; the second is, essentially, the *angel of the hearth*.] The *ángel del hogar* became a recognizable trope in Spain as the ideal woman with various feminine virtues. The term was coined in 1877 by Julián López Catalán (1834-1891) to describe “an angel of love, consolation to our afflictions, defender of our merits, patient sufferer of our faults, faithful guardian of our secrets, and jealous depository of our honor.”<sup>8</sup>

To be an *ángel del hogar* was the highest achievement for Spanish women and their sole legitimate path to happiness and worth. “Motherhood figured as the maximum horizon for women’s self-fulfillment and social role. Women’s cultural identity was shaped through marriage and motherhood to the exclusion of any other social or

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<sup>6</sup> Mary Nash, “Un/Contested Identities,” in *Constructing Spanish Womanhood*, ed. Victoria Enders and Pamela Radcliff (Albany: SUNY Press, 1999), 26.

<sup>7</sup> Eduardo Escartín y Lartiga, *El triunfo de la anarquía. Los problemas del siglo XX*, in *Mujer, familia y trabajo (1875-1936)*, ed. Mary Nash (Barcelona: Anthropos, 1983), 64.

<sup>8</sup> Nash, “Un/Contested Identities,” 28.

professional undertakings.”<sup>9</sup> Women’s options for life outside of marriage and motherhood were so scarce that Spanish feminist writer Margarita Nelken (1894-1968) wrote, “El matrimonio es, en España, todavía hoy, la única situación posible para la inmensa mayoría de las mujeres.”<sup>10</sup> [Matrimony is, in Spain, still today, the only situation possible for the immense majority of women].

Young women anticipating marriage were charged with the suppression of their sexual desire and defense of their sexual reputation. Virginity was a prerequisite for suitable brides, whose bodies were a valuable part of the marriage transaction. Catalan anarchist Teresa Claramunt (1862-1932) observed: “Ha de contener todos los naturales impulsos, porque su manifestación constituiría una desvergüenza imperdonable, y el buen nombre de la familia peligraría.”<sup>11</sup> [One must contain all her natural impulses, because their manifestation would constitute an unpardonable shame, and the good name of her family would be lost.] In a proper Catholic union, sexual congress was centered on reproduction and not satisfaction.<sup>12</sup> *Ángeles del hogar*, like biblical angels, were meant to be essentially spiritual, with little to no interest in sexual pleasure.

Upon her marriage day, the Spanish woman passed from the ownership of her father to that of her new husband. Geraldine Scanlon, historian of Spanish feminism, likened marriage in Alfonso XIII’s Spain to legal slavery.<sup>13</sup> The Article 57 of the Civil Code of 1889 assigned husbands the responsibility to protect their wives, and mandated that wives should obey their husbands. Men were administrators of all property within the

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<sup>9</sup> Nash, “Un/Contested Identities,” 27.

<sup>10</sup> Margarita Nelken, *La condición social de la mujer en España*, (Barcelona:Minerva, 1922), 189.

<sup>11</sup> Teresa Claramunt, “La mujer: Consideraciones sobre su estado ante las prerrogativas del obrero” in *Mujer, Familia y Trabajo en España (1875-1936)*, ed. Mary Nash (Barcelona:Anthropos, 1983), 139.

<sup>12</sup> Folguera, *Vida cotidiana en Madrid*, 141.

<sup>13</sup> Geraldine Scanlon, *La polémica feminista en la España contemporánea, 1868-1974*, (Madrid: Akal, 1986), 126.

marriage according to Article 59, and Article 62 negated any purchases made by wives that were carried out without the consent of their husbands and were not for the express purpose of daily family consumption.<sup>14</sup> Other sections of the Civil Code denied wives the right to sell property, seek employment, or travel without their husbands' permission, with penalties ranging from a fine to imprisonment.<sup>15</sup> There were very few activities married women could legally engage in without the express permission of the male head of household. The outdated gender sections of the Civil Code would not be reformed until 1931, the first year of the Second Republic.<sup>16</sup> Until then, the domestic refuge of the Spanish home was akin to a site of social imprisonment for women.

*The Don Juan: Sexual and Moral Double Standards*

The ideal Spanish husband for the ideal Spanish wife promised to protect the safety and honor of his family, provide for them materially, and be a just administrator of household affairs. The Spanish masculine ideal called upon the legend of the Spanish hero El Cid, a Christian crusader who amassed wealth in the early years of the Spanish Reconquest and violently avenged the (sexual) dishonor of his daughters. However, men were thought to be essentially carnal, with an overflow of sexual energy, in contrast to the spiritual and chaste nature of women.<sup>17</sup> An extension of this logic implies that a greater number of sexual "conquests" signifies a greater masculinity. Men were not expected to remain chaste until marriage, and while the Ten Commandments of the

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<sup>14</sup> "Código Civil de 1889," in *Mujer, Familia y Trabajo en España (1875-1936)*, ed. Mary Nash (Barcelona: Anthropos, 1983), 160-163.

<sup>15</sup> Victoria Enders and Pamela Radcliff, introduction to *Constructing Spanish Womanhood*, ed. Victoria Enders and Pamela Radcliff (Albany: SUNY Press, 1999), 21.

<sup>16</sup> *Ibid*, 22.

<sup>17</sup> Scanlon, *La polémica feminista*, 133.

Catholic tradition banned adultery and non-procreative sex, Spanish society tolerated men's infidelity to their wives. According to the teachings of the Church, sex within marriage was reserved for procreation: Saint Augustine declared that sex with prostitutes was a lesser sin than non-procreative sex within marriage. This philosophy provided a way for men to justify their infidelity on religious grounds and ensure the Church's forgiveness for the sin of adultery. Alongside the El Cid archetype, the hypersexual figure of the Don Juan also shaped nineteenth and twentieth century Spanish masculinity.

Women's sexual desire, when it was recognized or discussed at all, was firmly defined as lesser than men's sexual desire. Women's libidos, supposed to be low, could and should be repressed, whereas men's sexual appetites were believed to be irrepressible. In a 1936 essay in favor of free love, anarchist writer Mariano Gallardo (an apparent pseudonym) reprimands women for denying men the sexual freedom he believes they need and deserve. "En ellos la necesidad sexual aprieta con una violencia que muy pocas mujeres conocen, y que muy pocas de vosotras sentís. Vivir virgen de pene un hombre sano y robusto, es más terrible que estar quince días sin dormir porque no le dejan a uno."<sup>18</sup> [Sexual necessity grips them with a violence that very few women know, and very few of you feel. For a healthy and robust man, to live as a virgin is more terrible than going fifteen days without sleep because no one leaves him alone.] The lack of sexual release was thought to be literally torturous for men, and this conception of sexual difference allowed men far more lenience in cases of adultery and promiscuity.

This sexual double standard pervaded Spanish society, but voices in favor of societal reform pointed out its moral contradictions. In its section on marriage, an

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<sup>18</sup> Mariano Gallardo, *El sexo, la prostitución, y el amor*, in *Mujer, Familia y Trabajo, (1875-1936)*, ed. by Mary Nash (Barcelona: Anthropos, 1983), 276.

anonymous essay entitled “Las mentiras convencionales de nuestra civilización” [“The conventional lies of our civilization”] exclaims that “el hombre vive en un estado de poligamia” [the man lives in a state of polygamy] and estimates that just one in 100,000 Spanish men have only one sexual partner in their lives.<sup>19</sup> Despite these objections, the sexual and moral double standard remained intact into the twentieth century. In his 1930 work on the masculine characteristics of love in Spain, psychologist and sex reformer Dr. César Juarros (1879-1942) outlined five basic leading ideas in the national sentiment regarding masculinity:

- a) La infidelidad de la mujer constituye un deshonor. [The infidelity of the woman constitutes a dishonor.]
- b) La mujer es inferior al hombre. [The woman is inferior to the man.]
- c) Cuantas más mujeres se hayan poseído, más mérito varonil. [The more women one has possessed, the more manly merit one has.]
- d) Quien bien ama tiene celos. [He who loves well is jealous.]
- e) Comprar el amor no es humillante. [To buy love is not humiliating.]<sup>20</sup>

Juarros organized this list of norms in a way that reveals their contradictions and their absurd logic. Women and women’s sexuality were treated with repression and disdain, even as masculinity demanded men pursue sexual relationships with multiple women. The only solution for this contradiction was the general acceptance of prostitution as a way for men to hone their virility and isolate sexual “dishonor” to a minority of women.

The social institution of regulated prostitution sustained the supposed imbalance of sexual appetite within marriage. Spanish thinkers of the nineteenth and twentieth centuries commonly considered prostitution as a “safety valve” for marriage.<sup>21</sup> Politician Luis Jiménez de Asúa (1889-1970) aligned with Juarros on the subject. In his 1928

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<sup>19</sup> “Las mentiras convencionales de nuestra civilización,” in *Mujer, Familia y Trabajo en España, 1875-1936*, ed. Mary Nash (Barcelona: Anthropos, 1983), 137.

<sup>20</sup> César Juarros, *El amor en España: características masculinas*, (Madrid: Editorial Paez, 1930), 46-47.

<sup>21</sup> Nash, introduction, *Mujer, Familia y Trabajo*, 29.

collection of essays, *Libertad de amar y derecho a morir*, he wrote that men felt driven by societal expectations to maintain a relationship with a prostitute or sweetheart even as they committed to a more legitimate relationship with a woman of good reputation.<sup>22</sup> The dichotomy between the marriageable woman (the *ángel del hogar*) and the unmarriageable one (the ruined woman or prostitute) was constructed in order to maintain the uneven sexual expectations in the marriage institution. The Spanish prostitute was an individual whose body was fashioned by society into a “safety valve” that favored the infamous polygamist instincts of men.<sup>23</sup> As individuals, prostitutes held little social worth, but as bodies performing a necessary societal function they were integral parts of the system.

As long as the contradictory archetypes of the *ángel del hogar* and the Don Juan remained in place, the social institution of prostitution would have to remain as well. Throughout the Restoration, the elimination of prostitution from the streets of Spain was viewed not only as impossible, but undesirable. The arguments of sex reformers failed to gain enough momentum to reach the larger public. Although prostitution was a shameful element of society, it was a “necessary evil” that supposedly helped to prevent sexual aggression and sexual assault upon women privileged enough to be considered “honest.”<sup>24</sup> The ideology of separate spheres and the cults of virginity and libertinism were together complicit in the entrenchment of prostitution in industrialized Spain.

The chastity of the proper Spanish lady and the promiscuity of the masculine Spanish man were not simply elements of a set of unwritten rules and expectations of gender. The sexual and moral double standard was, in fact, reflected in laws governing

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<sup>22</sup> Scanlon, *La polémica feminista*, 118.

<sup>23</sup> “Las mentiras convencionales de nuestra civilización,” 137.

<sup>24</sup> Scanlon, *La polémica feminista*, 109.

family structure. Inspired by the Napoleonic Code, these laws allowed men to commit sexual transgressions but never women.<sup>25</sup> Men held a clear legal advantage in cases of adultery. A wife's infidelity to her husband was grounds for divorce no matter the circumstances. The fact that the Civil Code of 1889 listed only six legitimate causes for a legal dissolution of marriage demonstrates that this act was taken very seriously. However, when the situation was reversed and the husband was caught carrying on an affair, there was no legal action a wife could take unless her husband's impropriety caused a public scandal.<sup>26</sup> In cases where the injured party, upon discovery of his or her spouse's affair, murdered the unfaithful spouse, women faced a harsh justice where men were practically pardoned. The maximum sentence for the murder of an adulterous wife was six years banishment to another town, where the murderess of an unfaithful husband was condemned to life imprisonment.<sup>27</sup> A married woman pursuing sexual romance outside of her marital relationship was at risk of being abandoned or killed, while the same behavior by a married man was almost entirely legally acceptable.

The severity of the law with regard to a woman's sexual relations outside of marriage was a direct result of the way in which women's reproduction was tied to property rights and the patrilineal inheritance of wealth. A cuckolded husband was not only insulted and dishonored in the eyes of society: infidelity infringed upon his right as sole proprietor of his wife's body and endangered the legitimacy of his heirs.<sup>28</sup> The economic stakes for a bride's virginity and a wife's fidelity were very high, while the sexual behavior of men held negligible importance in terms of inheritance.

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<sup>25</sup> Scanlon, *La polémica feminista*, 133.

<sup>26</sup> "Codigo Civil de 1889," 232-233.

<sup>27</sup> Enders and Radcliff, introduction, 21.

<sup>28</sup> Scanlon, *La polemica feminista*, 133.

Should a woman become pregnant out of wedlock, she was considered promiscuous and her child was labeled illegitimate. The two merited no legal compensation whatsoever from the father of her child, so any child support was completely voluntary.<sup>29</sup> Investigations and accusations of paternity in cases of illegitimate children were forbidden by law on the grounds that there existed no reliable way to confirm the paternity of a child. No man was legally obligated to recognize an illegitimate child as his own. In fact, men were legally prevented from doing so if they were previously married or if they were members of the clergy. According to Restoration-era Spanish paternity law, a married man could father as many children as he wanted without fear of legal consequence.<sup>30</sup> As we have seen, men lived their lives by an entirely different set of social rules, customs, and laws from their wives, mothers, daughters, and lovers. Women were narrowly constrained to their assigned gender roles, with severe social and legal consequences for breaking the very same rules that men were all but encouraged to flaunt.

### *The Laboring Woman: Failures of Femininity*

The separate spheres ideology demanded that a woman labor exclusively within her own home for the purpose of domestic bliss, but a growing number of urban, working class women would have no homes to live in or food to set on the table without stepping into the public sphere and engaging in the labor market. However, gender ideology was ingrained in all strata of Spanish society. “By establishing a cultural identity as mothers and wives, the discourse of domesticity legitimated a negative attitude towards women’s

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<sup>29</sup> Scanlon, *La polémica feminista*, 126.

<sup>30</sup> *Ibid*, 134.

right to employment in the labor market, even among the working classes.”<sup>31</sup> In effect, women were shamed for exiting the domestic sphere even when doing so was a financial necessity. The construction of rigid gender roles suffered no exception and did not take into account the realities of poverty.

For unmarried women, working outside the home was understood as a temporary measure until a suitable husband could be found. Marriage was supposed to mean economic security for women, even if it also signified a total lack of financial control.<sup>32</sup> Industrialization and the proliferation of factories attracted many rural citizens to Spain’s largest cities, especially Madrid, Barcelona, and Seville. Spanish historian Pilar Folguera’s oral histories of early twentieth century Madrid reveal that this migration included single women who entered cities independent of their families in search of work that could afford them a certain economic and social independence. This fleeting period of independence would end when women migrants saved enough money for a sufficient dowry to give them an advantage in finding a husband.<sup>33</sup> Women, if they worked at all, were expected to be temporary workers rather than workers establishing a career.

Still, marriage could not always solve the financial obstacles facing working-class women. To rent an apartment in Madrid in 1930 cost between 50 and 125 *pesetas* per month.<sup>34</sup> Wages in many sectors were hardly sufficient to match the cost of living, especially for large families, which were the norm in Spain. Writes Nelken in 1922, “Entre un hogar en que el padre gana, por ejemplo, un jornal de cinco pesetas, y ha de mantener con él a su mujer y a cuatro o cinco hijos, y un hogar en que el padre gana

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<sup>31</sup> Nash, “Un/Contested Identities,” 28.

<sup>32</sup> Nash, introduction, *Mujer, Familia y Trabajo*, 22.

<sup>33</sup> Folguera, *Vida cotidiana en Madrid*, 145.

<sup>34</sup> *Ibid*, 174.

cinco pesetas y la madre otras cinco, es inútil vacilar.”<sup>35</sup> [Between a home in which the father earns, for example, a daily wage of five *pesetas* for the maintenance of his wife and four or five children, and a home in which the father earns five *pesetas* and the mother another five, it’s useless to dither.] Although it broke with social conventions, the labor of multiple family members, including wives and daughters, was often necessary for the sustenance of the urban family.

Despite the apparent economic advantage of both husband and wife working to earn wages in order to support the family, the two-parent working household fostered discomfort among the working-class. A married woman laboring outside her own home symbolized a husband’s failure to properly provide for his family, and a failure of the wife to exhibit proper femininity and domesticity. The bourgeois ideology of separate spheres was internalized by members of the working-class, and the failure of the separation of spheres reaffirmed their inferiority in comparison to the bourgeoisie.<sup>36</sup> Economic struggle and gender trouble went hand in hand in industrialized Spain.

The employment of working-class wives and mothers outside of their homes presented practical challenges as well. Childcare was an important issue for these women. Nelken explains: “Aquí una mujer con hijos, se necesita trabajar, no tiene otro remedio que el dejar a sus hijos abandonados, o el pagar por su custodia a alguna vecina setenta u ochenta céntimos diarios que ha de restar de su ya exiguo jornal.”<sup>37</sup> [Here a woman with children, if she needs to work, has no other redress but to leave her children abandoned, or to pay a neighbor seventy or eighty *céntimos* for their care, which she must deduct from her already meager pay.] One *peseta* was equivalent to four *reales* or one hundred

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<sup>35</sup> Nelken, *La condicion social de la mujer*, 98.

<sup>36</sup> Nash, introduction, *Mujer, Familia y Trabajo*, 42.

<sup>37</sup> Nelken, *La condicion social de la mujer*, 110.

*céntimos*. While Nelken previously imagined a scenario wherein a pair of working parents earned five *pesetas* daily; in reality, men and women were never awarded equal pay, and a woman's salary was barely enough to cover the unavoidable cost of childcare.

Pay discrimination in Spain before the Second Republic was blatant and severe. It was justified by the assumption that women labored temporarily or in order to supplement an apparently sufficient male income. The vast majority of Spanish women were uneducated, untrained, and unwelcome in labor unions. The combination of these factors meant that, on average, a woman worker would earn just 53% of what a male worker would earn.<sup>38</sup> This made sustained independent living for women a practical financial impossibility. Childcare was a financial setback for a married woman whose husband also worked, but it was insurmountable obstacle for a single mother or for a woman whose husband was unemployed.

Employment positions for Spanish women were less prestigious and poorly compensated, and the presence of women in professional fields was scant due to a firm belief in the intellectual inferiority of women. This prejudice was due to the same biological essentialism that denied the existence of women's sexual pleasure and emphasized women's reproductive role. Certain scientists and doctors at the turn of the century believed that the smaller volume of the female brain indicated a weaker intelligence. Brain size was presented as further biological proof of the legitimacy of the sexual division of labor along traditional lines.<sup>39</sup> The illusion of female unintelligence was perpetuated by the scarcity of women in higher education, or indeed in education

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<sup>38</sup> Nash, introduction, *Mujer, Familia y Trabajo*, 53.

<sup>39</sup> *Ibid*, 13.

beyond the elementary level.<sup>40</sup> According to the 1920 census, 46.4% of Spanish men and 57.8% of Spanish women were illiterate. By 1930, men's illiteracy rates dropped to 38.7% while women's actually rose to 58.2%.<sup>41</sup> An academic education was not part of the values of domestic femininity, so only the wealthy families or members of the intelligentsia invested in higher education for their daughters. These privileged women were still expected to abandon their educational careers when the time came for marriage.

Women's high rates of illiteracy and low rates of academic achievement were not taken as symptoms of the failure of women's education, but as evidence of women's innate inability to learn or to succeed in male-dominated fields. Catalan antifeminist Francesc Tusquets wrote in 1931: "Si la mujer ha brillado mucho menos que el hombre en el cultivo de las ciencias, de las letras y de las artes, este hecho sólo es debido en una parte muy pequeña a la diferencia de educación...diferencias de aptitudes...son innatas y, por consiguiente, fundamentales y permanentes."<sup>42</sup> [If the woman has shone much less than the man in the cultivation of the sciences, letters, and arts, this fact is due only in small part to the difference in education...differences in aptitude...are innate and, consequentially, fundamental and permanent.] Arguments against feminists' demands for gender equality employed pseudoscience in order to deny the sociological causes of women's second-class status.

The inferiority of women was taken for granted, and much of the Spanish social structure was built upon this assumption. Joaquim Civera i Sormaní (1886-1967) of Barcelona, agreed with Tusquets in his own antifeminist literature: "Nadie puede negar

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<sup>40</sup> Frances Lannon, "Gender and Change: Identity and Reform in the Second Republic," in *A Companion to Spanish Women's Studies*, ed. Xon de Ros and Geradine Hazbun (Woodbridge, UK: Tamesis, 2011), 275.

<sup>41</sup> Scanlon, *La polémica feminista*, 50.

<sup>42</sup> Francesc Tusquets, *El problema feminista*, in *Mujer, Familia y Trabajo en España (1875-1936)*, ed. Mary Nash (Barcelona: Anthropos, 1983), 72-73.

que el hombre es más apto para la creación mental. Generalmente en la mujer el sentimiento predomina por encima del pensamiento.”<sup>43</sup> [No one can deny that the man is more apt for mental creativity. Generally, in women, feelings dominate over thinking.] Women’s apparent lack of aptitude or skill prevented them from being taken seriously in the work force, and their labor (largely unskilled by definition) held very little value.

When confronted with evidence that a growing number of women, both married and unmarried, were entering the labor market, Tusquets insisted that a majority of these women did not really need to work, but were merely trying to earn extra money for luxuries or other nonessential goods. He minimized the presence of women who depended on their own income in order to support themselves independently or their family: “Hay que reconocer que las mujeres que se encuentran en alguno de estos casos...no constituyen la regla general entre las trabajadoras, sino tan sólo una minoría no muy numerosa.”<sup>44</sup> [One must remember that the women that one finds in one of these cases...do not constitute the general rule among working women, but rather only a minority that is not very numerous.] The existence of women workers who truly depended on their wages and needed a fair wage to survive was overshadowed in the minds of thinkers like Tusquets by the presence of women workers seeking only to supplement the incomes of their husbands or fathers for purposes of greed.

In the antifeminist bourgeois imagination, the presence of women in labor was symptomatic of an inappropriate desire among members of the working class to rise above their station. The penalty for this perceived self-indulgence was a reduced wage for women across the board, pushing women in poverty further still to the bottom of the

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<sup>43</sup> Joaquim Civera i Sormaní, “El verdadero feminismo” in *Mujer, Familia y Trabajo en España (1875-1936)*, ed. Mary Nash (Barcelona: Anthropos, 1983), 67.

<sup>44</sup> Tusquets, *El problema feminista*, 301-302.

social order. “Los que suponen que el bienestar en los hogares obreras depende de que la mujer trabaje tanto como el marido y esté tan bien pagada como él, demuestran discurrir con un simplísimo infantil.”<sup>45</sup> [Those that suppose that the well-being of working homes depends on the wife working just like the husband and that she is paid just as well as he, display simplistic and infantile reasoning.] This hostile and elitist discourse dismissed outright both the struggles of working-class women and the arguments of Spanish feminists.

Nelken focuses several chapters of *La condición social de la mujer en España* (1922) on women in the work force. She analyzes the working conditions of employed women of the petty bourgeoisie as well as the harsher conditions of women employed in factory work or physical labor. After training for years and passing an exam, female telephone operators earned only two *pesetas* per day.<sup>46</sup> A talented stenographer might work ten hours per day and earn thirty *pesetas* per month, which could not cover rent.<sup>47</sup> These positions were among the best jobs available to women, but they were mostly occupied by educated women from households of the petty bourgeoisie. An illiterate woman of the working class would not have been able to type documents on a typewriter, and a single woman could not have covered her expenses on these wages.

The few women who were able to find and maintain employment in factories or as physical laborers worked in substandard conditions for long hours and abysmal pay. Women were far less likely than men to be unionized, and they suffered for it.<sup>48</sup> Nelken shares an anecdote about a woman in the ninth month of her pregnancy who worked from

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<sup>45</sup> Tusquets, *El problema feminista*, 303.

<sup>46</sup> Nelken, *La condicion social de la mujer*, 57-58.

<sup>47</sup> *Ibid*, 59.

<sup>48</sup> Lannon, “Gender and Change,” 275.

five in the morning until eight at night carrying bricks but earned only six to eight *reales*, or one and a half to two *pesetas* per day.<sup>49</sup> Women who painted pottery by hand in ceramic factories earned about the same, but only after twelve or more years of experience.<sup>50</sup> Women's compensation for factory labor did not reflect either the long hours spent working or the effort expended in doing the work. Recall that women with families were still expected to maintain the household, cook, clean, and nurse even after shifts of ten hours or more.

Labor in the public sector was made unwelcoming and undesirable for women. Women who worked in factory jobs alongside men represented a threat to the value of men's labor. "El menosprecio del trabajo femenino es un gran peligro para el hombre, ya que, durante la guerra, en muchos países las mujeres han demostrado poder hacer casi todos los trabajos que hacen los hombres."<sup>51</sup> [The devaluation of women's work is a great danger for men, for already, during the war, in many countries women have demonstrated the ability to do almost all the jobs that men do.] Although Spain did not engage in the First World War, the enhanced presence of women's labor in other European nations during wartime proved to factory owners that they could depend on the quality of women's work even as they continued to pay them about half of what a man would be paid.

The awareness that they might be replaced by female workers was an uncomfortable realization for male workers. Some of these men even campaigned for women factory workers to be fired or prevented from being hired in the first place.

Nelken understood their frustration: "¿Quién le puede reprochar a un obrero que gana,

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<sup>49</sup> Nelken, *La condición social de la mujer*, 81.

<sup>50</sup> *Ibid*, 85.

<sup>51</sup> *Ibid*, 115.

por ejemplo, cuatro pesetas, el que exija el despido de una obrera que se contenta con ganar seis reales y no tiene, además, la menor noción de que no es un objeto en manos del patrono?”<sup>52</sup> [Who can reproach a male worker who earns, for example, four *pesetas*, and calls for the dismissal of a female worker who is content to earn six *reales* and, what’s more, doesn’t have the slightest notion that she isn’t an object in the hands of the employer?] Feeling that the well-being of their own households was put at risk by working alongside the wives and daughters of other men, a number of male factory workers blamed female workers for their own exploitation.

In light of the endless obstacles facing women in their pursuit of employment in the private sector, a majority of working women found employment in the private sector instead, working as maids, cooks, or domestic servants in the households of the upper class. Neither working conditions nor pay were better than those that could be found in factories, but domestic service positions were the most accessible for women. One-third of employed women worked in domestic service.<sup>53</sup> Ironically, the paid labor that reaffirmed the woman’s position as keeper of the household was one of the more miserable occupations available for women. Historian Frances Lannon describes domestic service in Spain as “a cruel caricature of the domestic haven that was so ubiquitously presented as a women’s privileged sphere.”<sup>54</sup>

Nelken criticized the industry of domestic service despite popular sentiment in support of the industry as an appropriate employer of women. “La realidad de ese trabajo en el hogar tan cantado por nuestros escritores sentimentales, es que nuestras obreras trabajan durante dieciséis a dieciocho horas diarias, para ganar un jornal que oscila entre

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<sup>52</sup> Nelken, *La condición social de la mujer*, 99.

<sup>53</sup> Lannon, “Identity and Reform in the Second Republic,” 276.

<sup>54</sup> *Ibid*, 276.

ochenta céntimos y seis reales, y trabajan, claro está.”<sup>55</sup> [The reality of this work in the home, so lauded by our sentimental writers, is that our laboring women work for sixteen to eighteen hours daily, in order to earn a wage that varies between eighty *céntimos* and six *reales*.] Domestic laborers who worked outside their own home worked even longer hours and earned lower wages than unskilled factory labor. No unions existed for the representation of domestic workers, thus “there was little protection against harsh employers or sexual harassment, and little redress.”<sup>56</sup> The sparse labor laws and regulations would not address the labor conditions of domestic service until 1925, making this sector one of the most miserable.<sup>57</sup>

The extremely low wages of domestic workers were a result of the social devaluation of all domestic work. A long-term consequence of the discourse of domesticity was the “redefinition of housework as non-work and services, thus leading to its invisibility, lack of monetary value and ultimately, its low social status.”<sup>58</sup> Women were expected to labor all day for the maintenance of their own home without any monetary compensation whatsoever. Domestic work, supposedly a part of the biological maternal instinct, came naturally to all women. Therefore, women’s labor in the home was fundamentally unskilled. When women worked for the maintenance of others’ homes, their labor did not rise in value, although it did lower in social prestige.

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<sup>55</sup> Nelken, *La condición social de la mujer*, 88.

<sup>56</sup> Lannon, “Identity and Reform in the Second Republic,” 276.

<sup>57</sup> Nash, introduction, *Mujer, Familia y Trabajo*, 53.

<sup>58</sup> Nash, “Un/Contested Identities,” 28.

*The Fallen Woman: The Lives and Experiences of Prostitutes*

If women who labored outside of their homes were considered offensive to the feminine ideal, women who engaged in prostitution for their livelihood were profaning femininity. The prostitute occupied a space at the absolute bottom of the Spanish social hierarchy in terms of both gender and class. Although many women who engaged in prostitution did so in order to support themselves or their families financially, the underlying social and economic causes for prostitution were ignored by many bourgeois moralists, who preferred to label prostitutes as vicious seductresses who confirmed their prejudices about the inherent immorality and senselessness of the working class.<sup>59</sup>

Prostitute women were prevented from adhering to the strictly gendered and classed rules of Spanish society. That is not to say that these women did not have a place in society; as discussed earlier, their function was to correct for the imbalance of sexual desire that was a part of gender constructions in the institution of bourgeois marriage. When a woman's scant options for economic support failed one by one, from marriage to work in the public sector to domestic work, the last profession that was always open to women was prostitution.<sup>60</sup> In some desperate cases, the cost of food, clothing, and shelter came at the high price of a woman's honor and reputation as defined by feminine ideals that stressed chastity and monogamy.

In 1927, Antonio Castro Calpe, a scholar of medical ethics, surveyed two-hundred female prostitutes who were patients at the Hospital San Juan de Dios in Madrid because they had contracted a disease such as syphilis, gonorrhea, or chlamydia. Of these two-

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<sup>59</sup> Scanlon, *La polemica feminista*, 106.

<sup>60</sup> *Ibid*, 104.

hundred women, two-thirds had suffered the death of at least one parent.<sup>61</sup> The death of a parent could mean economic ruin for working-class families who depended on the income of the deceased family member. In this group of prostitutes, 58.5% were unable to read or write, which was a shade above the national average of 57.7% in 1927.<sup>62</sup> This illiterate majority of women would have been disqualified from skilled work as a telephone operator or stenographer. Prior to engaging in prostitution, 54% of surveyed women had labored as domestic servants.<sup>63</sup> These statistics show a clear set of risk factors; it is apparent that single women in poverty who didn't have access to educational or vocational opportunities and were unable to earn a sufficient living in domestic work were more likely to turn to prostitution as a way to support themselves or their families.

In this same survey, Castro Calpe inquired as to the fees each prostitute charged for sexual favors. A vast majority of prostitutes reported charging between two and five *pesetas*, depending on the amount of time she and her customer spent together.<sup>64</sup> This amount of money was equivalent to the daily wage of the better employment positions for women or to the daily earnings of a male factory worker. Women prostituted themselves for different rates and in different areas of the city depending on the economic class of their target customer: “La calle Jardines y la calle Peligros...eran donde hacían la carrera las prostitutas, estas tenían una tarifa de 10 pesetas, que ya era para la clase media...Al lado de la Plaza del Congreso eran peseteras, ahora bien el género era terrible, verdad, en fin era para el obrero, el soldado.”<sup>65</sup> [Jardines Street and Peligros Street...were where the prostitutes made their careers, they had a rate of 10 *pesetas*, it was for the middle

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<sup>61</sup> Folguera, *Vida cotidiana en Madrid*, 147.

<sup>62</sup> *Ibid*, 147.

<sup>63</sup> *Ibid*.

<sup>64</sup> *Ibid*, 148.

<sup>65</sup> *Ibid*, 150.

class...Along the side of the Plaza del Congreso there were cheap women, however this type was terrible, really, so they were for the worker, the soldier.] Men of the bourgeoisie and working class alike were willing and able to dispose of their incomes by purchasing sex from prostitutes. The better a prostitute was able to market herself, the more she could earn. Prostitution could become more profitable for a woman than any other source of employment open to her.

These accounts of how much a woman could earn through her work in prostitution can be misleading. If a woman lived completely independently, she could potentially make enough to cover her cost of living through prostitution. However, a significant proportion of prostitution occurred within a brothel, where 38% of women surveyed by Castro Calpe lived and worked under madams who took at least half their earnings in exchange for a room in the building.<sup>66</sup> Brothels afforded male customers an accessible and easy-to-find site to purchase sex and allowed prostitutes a degree of privacy and personal safety as well as a reliable source of male customers. Despite these advantages, brothel conditions were, for the most part, miserable and unsanitary. A woman working in a brothel could be obligated to service up to twenty men per day, putting her at high risk for disease and injury.<sup>67</sup> Few women could achieve true economic independence as prostitutes. Brothels and madams kept many women in a state of economic dependence such that it was difficult to escape life as a prostitute.

Desperate women who hoped that prostituting themselves would be a temporary measure were sure to be disappointed not only by the exploitation of the brothel, but by the inexorable social stigma that prostitutes would carry the rest of their lives. Some

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<sup>66</sup> Folguera, *Vida cotidiana en Madrid*, 148.

<sup>67</sup> *Ibid*, 149.

prostitute women internalized the scorn that Spanish society heaped upon them. “Estoy deshonrada...soy mala, me arrastra el vicio,”<sup>68</sup> [I am dishonored...I am evil, vice drags me in,] lamented one woman. Many would have liked to get married, have children, and cultivate their own domestic refuges, but finding a man willing to marry an ex-prostitute was impossible. As antifeminist philosopher Edmundo González Blanco wrote in 1930: “A nosotros nos indignaría el supuesto de que una de esas desgraciadas, que alegraron la turbulencia de nuestra juventud, pudiera llamarse nuestra *novia*, y un día, ser la madre de nuestros hijos, y manchar nuestro nombre.”<sup>69</sup> [It is offensive to us the supposition that one of these unfortunate women, that lighten the turbulence of our youth, could call herself our *bride*, and one day, be the mother of our children, and stain our name.] Prostitutes were forever cast out of the Spanish feminine ideal and looked down upon for their failure to conform to the rigid confines of their gender.

### *Conclusion*

Traditional gender roles and gender hierarchy were legitimized by cultural norms (sometimes presented in terms of biological essentialism) in the nineteenth century, and these structures reigned supreme decades into twentieth-century Spain. The feminine domestic sphere’s separation from the masculine public sphere was strictly enforced, with legal, financial, and social consequences for women who broke the mold of femininity. Working class women and women in poverty were pressured to conform to a feminine ideal that was not constructed with their needs in mind. A Spanish woman’s options were limited, and when these few available options proved inaccessible for marginalized

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<sup>68</sup> Folguera, *Vida cotidiana en Madrid*, 149.

<sup>69</sup> Edmundo González Blanco, *La mujer según los diferentes aspectos de su espiritualidad*, (Madrid: Editorial Reus, 1930), 174.

women of the lower classes, prostitution felt inevitable. The purchase of sex by men was both legal and socially permitted due to the myth of the irrepressible male libido, but prostitutes themselves were demonized and pushed even further to the margins of society. The exploitative social institution of prostitution was tolerated as a necessary evil that maintained the rigid gender structure in which all women were confined. Thus, the same ideological system that produced prostitutes was in turn reinforced by prostitution.

## CHAPER TWO

### *Venereal Disease and the Regulation of Prostitution*

The Spanish sex trade became a vital commerce reinforcing the institution of marriage by supporting the moral-social expectations of male lust and female chastity. Assuming that prostitution was both eternal and inexorable, doctors and politicians argued in favor of a disciplined sex trade that could control vice by obscuring it and limiting its damaging effects on the health and decency of the nation. Prostitute women were maligned as the sources of venereal diseases, which carried a heavy stigma as the physical manifestation of moral corruption. Concern about venereal disease was part of a larger anxiety surrounding the urbanization of Spain and its development into a modern nation. Contagion threatened the health of the individual and that of the nation at large. Regulation of prostitution emerged in the nineteenth century as the expression of nationalist and paternalist impulses to engineer a healthy citizenry and a strong nation.

Control of prostitution and of prostitutes was one way by which the kingdom of Spain hoped to develop itself into a modern nation and cope with the shift from a rural and agricultural society to an urban and industrialized one. Subjected to police surveillance and repeated invasive medical inspection, prostitute bodies were caught up in the political maneuvering of a rapidly modernizing Spain. Regulationist laws located the source of social ills, both literal and figurative, in the brothels. Prostitution, venereal disease, and regulationist legislation met at the intersection of public health and public morality at a time when the strength of the body politic became a priority for the Spanish state.

### *Discourses and Objectives of Regulationist Policy*

The regulation of prostitution in Spain began in the nineteenth century, entwined with historical trends of modernization, secularization, and growing nationalism. State concern for the moral and physical health of the nation shaped paternalist policies that sought to control prostitute women in order to eliminate the threat of disease that they presented. Proponents of regulation assumed that prostitution, vile as it might be, had always existed and would always exist. Prostitutes, along with murderers, thieves, and drunks, embodied the inescapable dark side of human existence.<sup>70</sup> This outlook draws upon the Augustinian moral tradition that justified prostitution as a preventative solution for other, greater sins such as masturbation or rape. The teachings of Saint Augustine “established male fornication with women prostitutes as a lesser evil and a social necessity for the containment of potentially socially disruptive male lust.”<sup>71</sup> Regulationism drew upon these arguments to justify its pragmatism from a moralistic standpoint.

Previous attempts and failures to eradicate prostitution fueled the belief that prostitution was irrepressible. From the seventeenth century reign of Felipe IV (1605-1665), prostitution was prohibited and all previously tolerated brothels were closed. However, the shuttering of brothels was accompanied by increased street prostitution, the high visibility of which made prohibitionist law unpopular by the eighteenth century.<sup>72</sup>

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<sup>70</sup> Rosa M. Capel Martínez, “La prostitución en España: Notas para un estudio sociohistórico,” in *Mujer y Sociedad en España, 1700-1975*, ed. Rosa M. Capel Martínez (Madrid: Dirección General de Juventud y Promoción Socio-Cultural, 1982), 280.

<sup>71</sup> Ramón Castejón Bolea, “Doctors, Social Medicine, and VD in late-nineteenth- and early-twentieth-century Spain,” in *Sex, Sin and Suffering: Venereal Disease and European Society since 1870*, ed. Roger Davidson and Lesley A. Hall (New York: Taylor & Francis, 2010), 62.

<sup>72</sup> Jean-Louis Guereña, “Prostitution and the Origins of the Governmental Regulatory System in Nineteenth-Century Spain: The Plans of the Trienio Liberal, 1820-1823,” *Journal of the History of Sexuality* 17 (2008): 217.

At the same time, Spain underwent a process of industrialization that “brought with it urbanization and a more generalized wage economy [and] meant that prostitution probably existed on a scale not previously seen.”<sup>73</sup> At the dawn of the nineteenth century, prostitution was a more pressing concern than ever, with unprecedented numbers of women selling sex in highly visible spaces such as city streets, ports, and army garrisons. Higher rates of urban prostitution were correlated with higher rates of venereal disease in cities, and prostitution was identified as the source and vector of disease.

Regulationism sought to bring order back to public spaces by removing prostitutes and cloistering them in brothels where they could be tightly controlled by police and moral and sanitary authorities.<sup>74</sup> There, the sex trade would continue out of sight and mind, yet it would remain an accessible outlet for men’s unchecked sexual desire. “Prostitution was tolerated as a true enterprise of social prophylaxis, at one and the same time protecting female chastity and every family’s ‘honor,’ discouraging male homosexuality, reducing adultery, and avoiding social disorder.”<sup>75</sup> The regulation of prostitution was a compromise between those who argued that prostitution was unsanitary and those who believed it was necessary. As such, nineteenth-century prostitution laws enjoyed a supportive public reception. “Although there was significant ongoing opposition, the system of regulating prostitution was clearly supported by the weight of public consensus.”<sup>76</sup> Anti-prostitution voices would continue to express disdain for state control (and implicit support) of prostitution, though the movement to abolish prostitution gained little power until the Second Republic.

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<sup>73</sup> Guereña, “Prostitution and the Origins of the Governmental Regulatory System,” 219.

<sup>74</sup> Ramón Castejón Bolea, *Moral Sexual y Enfermedad: La medicina española frente al peligro venéreo (1868-1936)* (Granada: Universidad de Granada, 2001), 16.

<sup>75</sup> Guereña, “Prostitution and the Origins of the Governmental Regulatory System,” 218.

<sup>76</sup> *Ibid.*, 234.

As late as 1932, many people remained convinced that prostitution was an unchangeable feature of Spanish society. This argument was employed as a rebuttal to sex reformers' demands for the abolition of the sex trade. A 1932 newspaper editorial from *L'Opinió* employs an urgent metaphor:

La prostitución es la mala flor, es el fruto podrido que nace de la propia savia y de las más hondas raíces de árbol de la sociedad organizada. ¿Podar, cortar la rama? Eso proponen (en solución simplista) los partidarios de la supresión de la prostitución... Ciertísimo: la prostitución es un vicio; reglamentar ese vicio es odioso e intolerable. Pero, al extirpar la prostitución viciosa se fomentará un vicio peor aún.<sup>77</sup>

[Prostitution is the evil flower, the rotten fruit that comes from the same sap and from the deepest roots of the tree of organized society. Should one prune, cut the branch? This is the (simplistic) solution proposed by the supporters of the suppression of prostitution... Absolutely certain; prostitution is a vice; to regulate this vice is odious and intolerable. But, in rooting out vicious prostitution one will foster a vice greater still.]

Though the indulgence of prostitution was considered beneficial for society at large, regulationists could not and did not deny its depravity. It was the threat of a greater social danger—venereal disease<sup>78</sup>—that stimulated the Spanish regulationist movement and led to the adoption of a series of repressive prostitution laws.

Venereal diseases were considered to be the physical manifestation of sinful behavior and sexual transgression. Syphilis was of primary concern, but gonorrhea was included in this class of disease after the identification of its bacterium in 1879. Once thought to be the same disease, this discovery decidedly differentiated gonorrhea from syphilis.<sup>79</sup> Though venereal diseases had existed long before the nineteenth century, the

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<sup>77</sup> “Els problemas de la República: La prostitución,” *L'Opinió*, January 22, 1932, in *Mujer Familia y Trabajo en España, 1875-1936*, ed. and trans. Mary Nash (Barcelona: Anthropos, 1983), 272-3

<sup>78</sup> Also referred to as VD, used synonymously with sexually transmitted disease (STD) and sexually transmitted infections (STI).

<sup>79</sup> Castejón Bolea, *Moral Sexual y Enfermedad*, 141

concentration of Spain's population in cities increased human contact and consequently increased rates of infection. "Disease has been rewritten to take on a moral as well as a physical meaning, and the two meanings are collapsed into one."<sup>80</sup> In the case of prostitutes and their male clients, the contraction of such diseases represented a kind of cosmic punishment for the sin of fornication. However, a male client who purchased sex from an infected woman might then go on to infect his wife, and their children might in turn be put at risk. Thus, the unsanitary practices of unregulated prostitution could breach the sanctity of the private sphere and affect those who had not transgressed: the well-regarded wives and mothers of the bourgeoisie and their legitimate heirs. Venereal disease was a social symbol that represented an attack on the Spanish family and the bourgeois social order in ways that prostitution in and of itself did not.<sup>81</sup> Prostitution supported the bourgeois-capitalist social order, but it also threatened that order when coupled with the risk of venereal infection. The regulatory system sought to preserve the social benefits of prostitution while erasing its health risks.

Urgent concern for the social effects of venereal disease spread across Europe, prompting multiple international gatherings of medical authorities to address the rising threat. At the first International Conference for the Prophylaxis of Syphilis and Venereal Disease in 1899, held in Brussels, the syphilis specialist Dr. Alfred Fournier (1832-1914) outlined four different levels on which syphilis threatened society: first, at the level of the individual who experienced the damages of the illness; second, at the collective level that threatened the family; third, at the hereditary level that threatened fertility and therefore following generations; and finally on the level of the species, which would degenerate

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<sup>80</sup> Shannon Bell, *Reading, Writing, and Rewriting the Prostitute Body* (Indianapolis: Indiana University Press, 1994), 54.

<sup>81</sup> Castejón Bolea, *Moral Sexual y Enfermedad*, 54.

over time if disease ran rampant.<sup>82</sup> Fournier's analysis shows clear influence from Darwin's theory of evolution, allowing him to frame this medical issue as a problem of the survival of the human species. Soon, alarmist concern for venereal disease was expressed outside of the medical community in a greater public discourse. "The presence of the issue in the press—and not only in medical journals but also in the fast-growing popular press—gives a clear indication of the ongoing preoccupation and importance given to public health concerns throughout the nineteenth century."<sup>83</sup> Because venereal diseases were sexually transmitted and thus brought stigma upon the infected, the fear of syphilis and similar afflictions outstripped the fear associated with other non-venereal epidemics such as tuberculosis.

The epidemiology of venereal disease singled out the prostitute as the source and vector of transmission. Rafael G. Eslava, the chief of the Section of Hygiene in Madrid, wrote in 1900 that syphilis was more serious than the plague and as bad as leprosy. Eslava continues: "El vehículo humano de las enfermedades venéreas es la prostitución, y el verdadero peligro de esta dolencia moral, radica en la progresión del contagio de estas enfermedades."<sup>84</sup> [The human vehicle of venereal disease is prostitution, and the true danger of this moral sickness lies in the progression of the contagion of these diseases.] Infectious, threatening prostitute bodies were constructed, in the Foucauldian sense, by modern hygienist and eugenicist ways of thinking that gained support across Europe. "The hegemonic discourse of the Victorian period, the medical-legal-moral discourse...produced two master images of the prostitute, both profane: one a ruined,

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<sup>82</sup> Castejón Bolea, *Moral Sexual y Enfermedad*, 53.

<sup>83</sup> Guereña, "Prostitution and the Origins of the Governmental Regulatory System," 227.

<sup>84</sup> Rafael G. Eslava, *La prostitución en Madrid: Apuntes para un estudio sociológico* (Madrid: Rico, 1900), 89-90.

destroyed, victimized body; the other a destroying body, a disease that spreads and rots the body politic.”<sup>85</sup> The body of the diseased prostitute represented a threat to the health of the rest of the population, supporting the regulationist argument that the control of prostitution was a public health matter and a state responsibility.

The Spanish campaign against venereal disease was described by its members using militaristic terms such as a *lucha*, or fight, and as a matter of national defense. In enacting legislation to reduce the spread of disease, the Spanish state was not only attempting to secure the safety of its civilian citizens, but also the health and preparedness of its military. By the second half of the nineteenth century, sexually transmitted diseases were among the greater causes of hospitalization in Spain’s army and navy.<sup>86</sup> Soldiers and sailors, either single or separated from their families in ships or barracks, made up a sizable percentage of prostitution’s clientele. The nineteenth century medical model of venereal disease assumed that prostitutes primarily infected military men and not the other way around. Military authorities pressured governments to perfect a system for the public health regulation of prostitutes.<sup>87</sup> While Spain took decisive measures to protect its military from being infected by prostitutes; there were no regulations put on soldiers or sailors for the control of venereal disease until 1930.

The central objective of the regulation of prostitution was to halt the proliferation of venereal disease, with little regard for the overall welfare of prostitute women. The gradual elimination of the sex trade was never among the goals of regulationist policy.<sup>88</sup> The sexual labor of prostitutes accomplished functions for the benefit of the state;

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<sup>85</sup> Bell, *Reading, Writing, and Rewriting the Prostitute Body*, 44-45.

<sup>86</sup> Castejón Bolea, *Moral Sexual y Enfermedad*, 13.

<sup>87</sup> Castejón Bolea, “Doctors, Social Medicine, and VD,” 62.

<sup>88</sup> Mary Nash, introduction to *Mujer, Familia y Trabajo en España, 1875-1936*, ed. Mary Nash (Barcelona: Antrhopos, 1983), 34-35.

therefore the sex trade was allowed to exist as long as it remained inert and invisible. If prostitutes themselves were the only people damaged by prostitution, its controlled practice was tolerable. Early Spanish feminist Concepción Arenal (1820-1893) wrote about the miserable state of registered prostitute women and their medical treatment: “[Ella] pasa continuamente de los brazos de la lujuria a la cama del hospital, donde a nadie inspira compasión, donde a todos causa desprecio y asco, donde se la cura para que vuelva a servir, como a un animal que enferma y curado puede ser útil.”<sup>89</sup> [She passes continually from the arms of lust to the hospital bed, where she inspires compassion in no one, where she causes everyone disdain and disgust, where she is cured so that she may return to serve, like an animal that is cured of sickness so as to be useful.] Prostitutes were sexual laborers providing a service for the state, but they were also despised and dehumanized as beasts of burden whose sole value lay in their ability to continue performing work.

Instead of addressing underlying factors of poverty that contributed to the growth of prostitution, prostitute women’s bodies were hidden from public view to create the illusion (rather than the reality) of a healthy state. Jean-Louis Guereña draws a comparison between Spanish regulated brothels and British work houses. Both institutions were part of “a true operation of urban cleansing mirroring the progressive removal of the poor and ‘idle’ to make way for the construction of new spaces for urban sociability.”<sup>90</sup> Spanish urban spaces underwent a process of ghettoization or sanitation that compressed sites of the sex trade into smaller and smaller places on the map. Brothels were restricted to a certain neighborhood, then to a single street. For example,

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<sup>89</sup> Concepción Arenal, *La mujer del porvenir* (Madrid: Ricardo Fe, 1884), Chapter V.

<sup>90</sup> Guereña, “Prostitution and the Origins of the Governmental Regulatory System,” 234

the Calle Levante in Sueca, Valencia, housed all seven of the city's brothels in 1929.<sup>91</sup> The presence of prostitution on the urban landscape was reduced by ordering police forces to limit the movements of prostitute women. "Instead of locking the prostitute up in a prison or expelling her from the city, as had been done in the past, she was now restricted to a brothel where her freedom to move about the city was limited and her potential for spreading contagion was periodically controlled."<sup>92</sup> Restricting the freedoms of prostitutes was as much about punishing them for their sexual transgressions as it was about quarantining them in the interest of protecting bourgeois society from their moral and pathological contagion. The safety of the body politic came at the expense of the liberty of prostitute women.

Regulationism was a pillar of European public health policy in the nineteenth and early twentieth centuries. Influenced by prejudice against prostitute women, fear of venereal disease, military pressure, and foreign models of regulation, lawmakers in cities and provinces across Spain rushed to exert control over the bodies and movements of women in the sex trade. With modern society's problems projected onto them, prostitute women continued to be exploited for the benefit of the social order. Their human dignity was stripped from them by a system that used registration, routine inspections by doctors and police, and forced hospitalization as tools to control the spread of disease as well as oversee and harass those deemed responsible for its contagion.

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<sup>91</sup> Jean-Louis Guereña, *La prostitución en la España contemporánea* (Madrid: Marcial Pons Historia, 2003), 298.

<sup>92</sup> Guereña, "Prostitution and the Origins of the Governmental Regulatory System," 234

### *Origins of Spanish Regulationism*

The regulation of prostitution was part of a larger project of “regeneration” that defined Spain’s transition into the twentieth century. Concerned about its “Black Legend”—its reputation as a backwards, hyper-religious, and underdeveloped nation—Spain deployed a model of national development that drew from British and French examples. “The term ‘regenerationism’ referred generally to the attempt to modify all aspects of social life and state policy, in a modernizing direction... This aim incorporated important issues of public health, in which Spain was seen to be relatively deficient.”<sup>93</sup> Spain chose the French system as a model for its public health administration on issues related to prostitution.

The French model had been “promoted since the Restoration and developed according to the scheme designed by Dr. Alexandre Parent-Duchatelet.”<sup>94</sup> Parent-Duchatelet (1790-1836) was a leading figure in French hygienicism at the dawn of the regulationist period, and his posthumously published study *Prostitution in the City of Paris* shaped the attitudes of European medical and legal authorities on the subject of prostitution. It was Parent-Duchatelet who, in writing that prostitutes were more prone to disease than other women, helped to transform the prostitute body into “a socially diseased body and a body that can and must be kept clean of disease through social regulation.”<sup>95</sup> Reaffirming the Augustinian position that prostitution is a necessary, if

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<sup>93</sup> Castejón Bolea, “Doctors, Social Medicine, and VD,” 64.

<sup>94</sup> *Ibid.*, 63.

<sup>95</sup> Bell, *Reading, Writing, and Rewriting the Prostitute Body*, 48.

disgusting, practice, “Parent-Duchatelet regards prostitution as an indispensable excremental phenomenon that protects the social body from disease.”<sup>96</sup>

Much of the panic and anxiety over venereal disease and the blame placed on prostitutes for its spread can be attributed to the influence of Parent-Duchatelet’s work, considered groundbreaking at the time. The three central tenets of the French regulationist model include 1) the enclosure of prostitutes and their containment out of sight of children and honest women, 2) the constant supervision of prostitutes by authorities, and 3) the hierarchization and compartmentalization of prostitute women on the lines of age and class for the purpose of more efficient oversight.<sup>97</sup> Spanish regulationism adopted French goals, attitudes, and strategies in an attempt to attain France’s level of international prestige and influence.

Regulationism was put into practice in Spain in the mid-nineteenth century, decades later than in France. Individual cities and provinces developed their own systems to contain prostitution in response to the public health threat of venereal disease. Madrid was first to experiment with regulationism in 1847, and its approach was popular among hygienists, syphilis specialists, and doctors who were employed to conduct the legally mandated sanitary inspections of registered prostitute women.<sup>98</sup> As the leading city in the practice of regulationism, Madrid set the precedent that made prostitute women the central subjects of the Spanish anti-venereal fight. Article 9 of the charter for Madrid’s Section of Special Hygiene reads, “Deben ser incluidas en la matrícula todas las mujeres

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<sup>96</sup> Alain Corbin, *Women for Hire: Prostitution and Sexuality in France after 1850*, trans. Alan Sheridan (Cambridge, MA: Harvard University Press, 1990), 4.

<sup>97</sup> *Ibid*, 9.

<sup>98</sup> Castejón Bolea, *Moral Sexual y Enfermedad*, 30.

que se entregan habitualmente al vil tráfico de su cuerpo”<sup>99</sup> [All women who engage habitually in the vile traffic of their bodies should be included in the register.] Rosa María Capel Martínez explicates the nuance of the language of this article, namely the use of the verb *deber* [should] in place of a more firm imperative. According to this interpretation, Madrid’s prostitutes could voluntarily register themselves in the public record, but they were not obligated to do so. Failure to register risked judicial liability should a woman be caught in the clandestine sale of sex, but this was a risk prostitutes were free to take, at least in the capital city of Madrid.

Prostitute women seeking to abide by the law and register themselves were made to give up freedoms of movement and of association. Registered prostitutes agreed to avoid public ostentation and were barred from loitering in alleyways and public squares in hours of high traffic. They were not supposed to meet in groups of more than two women or linger on corners or in doorways. They could not speak with men publicly or even walk in a manner that suggested they were anything but “mujeres honestas,”<sup>100</sup> or honest women. It is clear that a major goal of the regulationist approach was to remove the prostitute from the urban landscape or at least conceal her presence there as much as possible. Alain Corbin identifies an additional punitive goal: “The history of regulationism was to be that of a tireless effort to *discipline* the prostitute, the ideal being the creation of a category of ‘enclosed’ prostitutes...who above all would not enjoy their work.”<sup>101</sup> Though registered prostitutes were no longer criminals under the regulationist system, they were still deviants whose sexual behavior was abhorrent even as it was recognized as a necessary element of the social structure.

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<sup>99</sup> Capel Martínez, “La prostitución en España,” 285.

<sup>100</sup> *Ibid.*, 285.

<sup>101</sup> Corbin, *Women for Hire*, 10.

Despite the repressive and spatially restrictive demands of the law, by the latter half of the century large numbers of women registered themselves as prostitutes and submitted to regular examination. “Between 1876 and 1899, the number of prostitutes annually registered in Madrid ranged between 1,574 and 2,000.”<sup>102</sup> The self-identification of women as prostitutes was part of the manufacturing of the modern prostitute identity. A century earlier, the sale of sex might represent merely an activity or occupation: “The sexual behavior of venal women in the eighteenth century did not yet strictly determine the identity of the person.”<sup>103</sup> By the nineteenth century, as a result of a total lack of upward mobility and the demarcating power of regulationist registers, the sale of sex potentially defined a woman’s sense of self. While prostitution had existed through much of human history, the modern prostitute identity was guided into existence through the symbolic power of registration.

Madrid’s example quickly caught on and was endorsed by provincial leadership across Spain during the Restoration (1874-1931). The 1874 Regulation for Houses of Prostitution for the city of Alcoy provides a typical example of municipal legislation as the regulationist approach became popular. Article 2 of the Regulation makes explicit the purpose of the Section of Special Hygiene: “Esta Sección tiene por objeto prevenir y evitar los malos efectos de la prostitución, disminuirla en lo posible, e impedir los contagios de las enfermedades secretas, así como los escándalos y los ataques a la moral pública.”<sup>104</sup> [The object of this Section is to prevent and avoid the bad effects of prostitution, to decrease it where possible, and to impede the contagion of the secret

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<sup>102</sup> Castejón Bolea, “Doctors, Social Medicine, and VD,” 64.

<sup>103</sup> Corbin, *Women for Hire*, x.

<sup>104</sup> “Reglamento para las Casas de Prostitución, Alcoy, 1874” in *Mujer, Familia y Trabajo en España, (1875-1936)*, ed. Mary Nash (Barcelona: Anthropos, 1983), 277.

diseases, as well as scandals and attacks on public morality.] The language of this regulation in particular is very telling in that it prioritizes the elimination of the bad *effects* of prostitution before the minimization of prostitution itself. This aligns with the regulationist assumption that prostitution was inevitable and necessary. If its repercussions were limited, the sex trade performed important work for the maintenance of the social order. The Article also employs militaristic language when it refers to *attacks* on public morality, inserting prostitution into a conversation about safety and security.

Reflecting the logic of the French system of regulation, Alcoy's 1874 Regulation divided prostitute women and into hierarchical categories by distinguishing between three different classes of brothels. Article 3 decreed that so-called *casas de recibir*, or receiving houses, made up the first class, houses run by madams made up the second class, and the third class was made up of prostitutes doing business from their own homes.<sup>105</sup> This delineation allowed authorities in Alcoy to exercise greater control over the city's brothels, and it also justified a gradation of taxes that brothels were required to pay to the Section of Special Hygiene. Article 5 demanded that brothels of the first class pay a monthly fee of sixty *reales*, the second class pay forty *reales*, and the third class twenty *reales*.<sup>106</sup> Individual transactions were not taxed, and no matter how much or how little traffic a brothel had during the month, it was still responsible for paying to keep from being shut down. This process of taxing prostitution on a fixed, monthly rate was a way for the anti-venereal campaign to attempt to pay for itself by placing the financial burden on prostitutes rather than on their male customers.

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<sup>105</sup> "Reglamento para las Casas de Prostitución," 278.

<sup>106</sup> *Ibid.*

The 1874 Regulation clarified the consequences of failing to register oneself as a prostitute or acting as an accomplice of a clandestine prostitute. As discussed in Article 8, “La mujer pública que se dedique clandestinamente a la prostitución, eludiendo los reconocimientos que exige la salud, sufrirá una multa de 10 a 30 escudos, sufriendo la prisión correspondiente en caso de insolvencia.”<sup>107</sup> [A public woman who dedicates herself clandestinely to prostitution, eluding the required health inspections, will suffer a fine of 10 to 30 *escudos*, suffering prison correspondingly in cases of insolvency.] It should be noted that an *escudo* was equal to two and a half *pesetas*, or ten *reales*, so a prostitute working out of her own home risked being fined fifteen months’ worth of fees if she chose not to register herself. In the same vein, if a madam allowed an unregistered prostitute to work in her brothel, she would have to pay a fine of five *escudos* for a first offense, fifteen *escudos* for a second offense, and if there was a third offense, the brothel would be forcibly shut down.<sup>108</sup> This Regulation incorporated a clear incentive to register, submit to examinations, and pay fees because the consequences for non-compliance were financially serious.

Compliant prostitute women could benefit from a degree of police protection if a male client threatened them with bodily harm. Article 27 of Alcoy’s 1874 Regulation demands a serious fine of up to one hundred *escudos*, equal to forty *pesetas*, from individuals who disrupt the peaceful operation of a brothel. “El individuo o individuos que diesen escándalo en una casa de prostitución, maltraten a la dueña o a las pupilas, o cometan alguna falta contra el orden o la moral pública, los intereses y seguridad de las

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<sup>107</sup> “Reglamento para las Casas de Prostitución,” 278.

<sup>108</sup> *Ibid.*

prostitutas, serán castigados gubernativamente con una multa de 2 a 100 escudos”<sup>109</sup> [The individual or individuals who make a scandal in a house of prostitution, mistreat the madam or her charges, or commit a trespass against public order or morality, or the interests and security of the prostitutes, will be punished governmentally with a fine of 2 to 100 *escudos*.] Again, the protection of public order and morality and the prevention of scandals are the main concerns of the authorities. However, the inclusion of a harsh fine demonstrated an interest in protecting prostitute women from violent abuse and harassment from clients or other threats. The matter of incentive is also clear: unregistered prostitutes had little legal recourse if harassed, but registered prostitutes could press charges against violent clients without being charged themselves.

By the turn of the century, the majority of Spanish cities had enacted their own versions of prostitution regulation. Even small towns of no more than 8,000-10,000 residents organized Sections of Special Hygiene and crafted their own laws targeting prostitutes and prostitution.<sup>110</sup> Guereña’s study of contemporary Spanish prostitution uncovered no fewer than seventy municipal and provincial regulations adopted between 1893 and 1931.<sup>111</sup> Diverse as these regulations were, they shared a number of common elements. For example, each municipal and provincial regulation combined the surveillance of prostitutes by police and the inspection of prostitute bodies by doctors into a single structure. Second, these regulations included taxes and fees that proved to be an important source of revenue for local governments. In 1882, Barcelona, one of Spain’s largest cities, gained 100,000 *pesetas* as a result of taxes placed upon brothels and

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<sup>109</sup> “Reglamento para las Casas de Prostitución,” 280.

<sup>110</sup> Guereña, *La prostitución en la España contemporánea*, 290.

<sup>111</sup> *Ibid.*

prostitute women.<sup>112</sup> If the social benefits of prostitute's sexual labor weren't easily quantifiable, the financial benefits of the regulation and taxation of that labor were considerable.

### *Regulation at the National Level*

Finally, amid the growing popularity of regulationism among provincial and municipal governments and in response to the inconsistency of prostitution law from city to city, Spain enacted a nationwide regulation in the form of a Royal Order in March of 1908, at which time “the regulation system became integrated within public health administration.”<sup>113</sup> With this development, the regulationist approach became Spain's official strategy for limiting the spread of venereal disease. The Royal Order of 1908 justifies itself by pointing to the inefficiency of the diverse, fractured regulations and the potential for corruption:

Existen reglamentaciones provinciales y locales sin unidad de criterio sanitario y sin las necesarias garantías para que un servicio de suma transcendencia social e higiénica corra el peligro de transformarse en motivo de explotación y de lucro inmoral para las entidades que están llamadas a vigilarle y dirigirle, con evidente perjuicio de la salud y de las costumbres públicas.<sup>114</sup>

[Provincial and local regulations exist without a unity of sanitary criteria and without necessary assurances, so that a service of great social and hygienic importance runs the risk of becoming subject to exploitation and immoral profit for the entities that are assigned to monitor and direct it, with evident harm to public health and manners.]

Various regulations across the country had set up unnecessary bureaucratic processes and structures that led to an overall inefficiency of the regulationist system and lent

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<sup>112</sup> Castejón Bolea, *Moral Sexual y Enfermedad*, 35.

<sup>113</sup> Castejón Bolea, “Doctors, Social Medicine, and VD,” 65.

<sup>114</sup> “Reales Órdenes de 1 y 16 de marzo de 1908” in *Mujer, Familia y Trabajo en España (1875-1936)*, ed. Mary Nash (Barcelona: Anthropos, 1983), 282

themselves to corrupt maneuverings. To disrupt this pattern, the Royal Order of March 1, 1908 broke away from several prevalent trends among provincial and municipal legislation by asserting a non-interventionist model of regulation and insisting on the separation of medical inspections from police discipline.

With the primary goals of securing the health of the public and preventing corruption, the 1908 regulation distinguished itself from regulationist precedent in Spain. Where some previous regulations allowed for the forced confinement of ill prostitutes in hospitals, this Royal Order eliminated the practice for fear that it prevented women who needed treatment from seeking help for fear of incarceration. For the same reason, the systems of fines and penalties for prostitutes who did not comply with inspection were struck down.<sup>115</sup> Additionally, brothels and individual prostitutes were given the right to choose their own doctor to perform inspections,<sup>116</sup> and aside from compensating their chosen doctor for weekly medical inspections, no other fees would be collected from brothels or from individual prostitutes.<sup>117</sup> These new rules were set in place to prevent the corruption of the regulationist system; doctors in the administration of anti-venereal campaigns were barred from lining their own pockets with various fees they themselves had imposed on brothels. The sanitary aspects of regulationism were further separated from the elements of police surveillance and control. Certifying prostitute women's health took priority over police suppression of prostitution.

Spain's first nationwide regulation of prostitution was very much a product of its precise historic moment, as is clear in the language of the Royal Order. In the preamble, prostitution is described as a *plaga social*, a social plague, rhetorically intertwining the

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<sup>115</sup> Castejón Bolea, *Moral Sexual y Enfermedad*, 45.

<sup>116</sup> *Ibid.*

<sup>117</sup> "Reales Órdenes de 1 y 16 de marzo de 1908," 285

sex trade with sexually transmitted disease. Echoing the earlier eugenicist concerns of Fournier and Eslava, the threat of venereal disease is significant because it affects not only the individual, but “la conservación de la raza”—the conservation of the race.<sup>118</sup> Furthermore, the Royal Order associates the regulationist model with modernity and progress and aligns the sexual labor of prostitutes with especially risky physical labor performed by industrial workers: “Se ha reconocido por todos los pueblos civilizados la necesidad de tolerar y tratar la prostitución como se trataría una industria dañina o un comercio peligroso”<sup>119</sup> [All civilized peoples recognize the need to tolerate and treat prostitution in the same manner as all damaging industries or dangerous businesses.] The toleration of prostitution became a characteristic of a civilized nation. With modernity came industrialization, which produced a series of new physically dangerous occupations for the working class. According to the language of this Order, the prostitute was yet another class of worker risking life and limb in the project of modernization.

Spain’s central government periodically restructured its national system of regulation, a process that French regulationism underwent as well. An important development was made in 1918 with the *Bases para la reglamentación de la profilaxis pública de las enfermedades venereo-sifilíticas* [Basic principles for the regulation of public prophylaxis of venereal-syphilitic diseases]. This reorganization of Spanish regulation granted more powers to hygienists and clinical venereologists by establishing them as medical officers and charging them with the creation of free clinics for venereal disease, the first of which were established in 1920.<sup>120</sup> Though the foundation of

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<sup>118</sup> “Reales Órdenes de 1 y 16 de marzo de 1908,” 282.

<sup>119</sup> Ibid.

<sup>120</sup> Alison Sinclair, *Sex and Society in Twentieth-Century Spain: Hildegart Rodríguez and the World League for Sexual Reform*, (Cardiff: University of Wales Press, 2007), 34.

dispensaries and free clinics demonstrated Spain's renewed commitment to control venereal disease in its population, there was public resistance to these new medical resources due to their association with prostitution. "Many dispensaries (seventeen in 1928) were still limited to providing periodic medical examinations and treatment of prostitutes... Many dispensaries offering anti-venereal services to men and 'decent' women were scarcely used due to a lack of demand."<sup>121</sup> The fear of being associated with prostitutes or even mistaken for a prostitute prevented some women from seeking treatment for their infections at the new free clinics.

Aside from the fact that prostitute women were social pariahs, being identified or misidentified as a prostitute could be dangerous for Spanish women. When the Penal Code was revised in 1928 during the Primo de Rivera dictatorship (1923-1930), it included measures that intensified discrimination against prostitute women while retaining the legality of prostitution itself. Prostitutes were defined as a distinct class, separate from the class of decent or honest women. In a clear example of discrimination and dehumanization, 1928 Penal Code lowered the penalties for the rape of a prostitute below those for the rape of any other adult woman.<sup>122</sup> The law also defined a "health crime," which criminalized the intentional spread of venereal diseases.<sup>123</sup> Nearly impossible to enforce, this law nonetheless targeted prostitute women and made them vulnerable to accusations of intentional infection.

Large numbers of prostitute women exercised agency under regulationism by refusing to register and publicly identify themselves as prostitutes. In refusing to comply with prostitution regulation, they could avoid invasive exams, discriminatory taxes, and

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<sup>121</sup> Castejón Bolea, "Doctors, Social Medicine, and VD," 67.

<sup>122</sup> Sinclair, *Sex and Society in Twentieth-Century Spain*, 53-54.

<sup>123</sup> Castejón Bolea, "Doctors, Social Medicine, and VD," 68.

the documentation of their sex worker status in the public record. Noncompliance was a risky choice, but a popular one, given that the numbers of clandestine prostitutes far outstripped those of registered prostitutes.<sup>124</sup> Engaging in the clandestine sale of sex independently of regulated prostitution allowed the prostitute woman to pass as a “decent woman,” giving her more freedom of movement and association, as well as the potential to keep her work a secret in the future should she earn enough (untaxed) income to enable her to quit the sex trade. The system of regulation depended on the registration of prostitutes and the periodic medical examination of these women. However, the consistently high rates of noncompliance and clandestine prostitution, in spite of the incentive of police protection and the disincentive of fines, undermined Spanish regulationism and contributed to the fundamental restructuring of the anti-venereal campaign after 1930, as discussed in the next chapter.

### *Conclusion*

Spain’s legislative efforts to keep the twin social ills of prostitution and venereal disease under control were enveloped in an ongoing process of modernization drawing from a French example. Convinced that the eradication of prostitution was impossible, regulationism settled for an erasure of prostitutes from the public view and strict control over their bodies. Panic surrounding the health risk and moral stigma of venereal disease injected a sense of urgency and priority into the regulationist mission. With the goal of becoming a strong, healthy, and prestigious nation for the coming age, Spain conscripted prostitute women into a system of heavily regulated sexual labor. The prostitute was the

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<sup>124</sup> Capel Martínez, “La prostitución en España,” 287.

scapegoat who bore responsibility for the corruption of society and whose body became the site of the nation's progression into a modern twentieth century.

## CHAPTER THREE

### *Sex Reform and the Brief Success of Abolitionism*

In the years leading up to the Spanish Second Republic, it was clear that the regulationist approach of suppressing prostitution through surveillance and control was a failure. Not only did the toleration, registration, and close surveillance of brothels fail to reduce clandestine prostitution, the central goal of reducing rates of venereal disease was not being met. Growing numbers of authorities in the fields of medicine and public health backed away from the regulationist program from the turn of the century onward. Inspired by eugenics, a new generation of Spanish doctors, psychiatrists, and lawyers supported reform that would work to abolish regulation and eliminate prostitution altogether.

Sex reform was an international intellectual movement that challenged modern nations to restructure gender hierarchies and sexual norms based on new scientific and sociological philosophies. Both eugenics-based sex reform and the sociological sex reform of the political left recommended the abolition of prostitution. However, the two different schools of sex reform disagreed in terms of strategy, values, and theoretical framework, causing tensions among abolitionist reformers. As Spain passed from an era of traditionalist monarchy into its progressive Second Republic in 1931, sex reformers of all political backgrounds gained power and influence, leading to the abolition of regulated prostitution in June of 1935. However, the growing instability of the Republic and the outbreak of the Spanish Civil War limited the efficacy of sex reform.

Regulationism was abolished for a short period, but the number of women making their living as prostitutes was not effectively reduced by the Republican government.

*Medical, scientific, and eugenicist arguments for abolitionism*

The abolition of prostitution differs from prohibition in that abolitionists sought to rescind laws that regulated prostitution on the grounds that these laws did more damage than good. State toleration of prostitution was undesirable if the goal was to reduce and eventually eliminate prostitution. “A policy might be characterized as a form of *prohibition* if its *aim* is to repress prostitution on the assumption that it is immoral. A policy might be characterized as a form of *abolition* if its *aim* is to reduce prostitution on the assumption that it is harmful to sex workers.”<sup>125</sup> In contrast to prohibition, abolition rejects the moralistic impulse to punish individuals for sexual transgression. Instead, abolition is driven by paternalist attitudes that seek to protect society and prostitutes themselves from the harm of the sex industry through discontinuing the sale of sex.

Where discussions of morality arise, abolitionists highlight the immorality of harmful regulationist policy and do not pass judgment on the moral character of individual prostitutes. It should be noted that the use of the word “abolitionism” to describe the campaign against prostitution was highly intentional. The movement to eradicate slavery, also called abolitionism, inspired early figures in the international movement to end prostitution, including British activist Josephine Butler (1828-1906): Alain Corbin argues that “Butler...based her crusade on the model of the abolitionist campaign, which had developed in the same milieus and had led to the abolition first of

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<sup>125</sup> Peter de Marneffe, *Liberalism and Prostitution* (New York: Oxford University Press, 2010), 30.

the sale and then of the enslavement of blacks.”<sup>126</sup> Just as slavery was an immoral and harmful institution, so too was prostitution in the eyes of those who would end the sale of women’s bodies. For this reason, anti-prostitution activists adopted the term “abolitionism” to describe their movement.

Nineteenth-century regulationism, as discussed in the previous chapter, was a paternalist project in that members of an elite class restricted the freedom of prostitutes for the greater good of the nation. The regulationist brand of paternalism was exclusive rather than inclusive; the health and well-being of prostitutes was not a regulationist priority. “A policy might be characterized as a form of *regulation* if its *aim* is not to reduce prostitution on the assumption that it is immoral or harmful, but only to reduce the associated ills, such as customer violence, ancillary crime, disease, public nuisance, and child sexual exploitation.”<sup>127</sup>

A more inclusive paternalist impulse inspired abolitionists to advocate for the deconstruction of the exploitative system of prostitution on the grounds that the harm done to prostitutes was equally serious as the harm prostitution did to society at large. “The paternalistic case for prostitution laws does not rest on the prohibitions characteristic of traditional sexual morality. It rests on the view that prostitution commonly harms sex workers and that prostitution laws reduce this harm by reducing the amount of prostitution that is done.”<sup>128</sup> Where regulationist policy sought to inoculate the nation against the harms done by prostitution, abolitionist movements concerned

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<sup>126</sup> Alain Corbin, *Women for Hire: prostitution and sexuality in France after 1850* (Cambridge, MA: Harvard University Press, 1990), 217.

<sup>127</sup> de Marneffe, *Liberalism and Prostitution*, 30.

<sup>128</sup> *Ibid*, 45.

themselves with the overall harm done by prostitution, including harm done to prostitute women.

Abolitionists campaigned against regulated prostitution across Europe beginning in the 1870s, though they achieved little success in Spain until greater numbers of the medical elite began to turn away from regulationism and favor abolitionism as the new anti-venereal strategy. This shift began in the first decade of the twentieth century, parallel to the Spanish state's standardization of prostitution regulations. Doctor and syphilis expert Juan de Azúa Suárez (1858-1922) spoke out in 1904 in direct rebuttal to Rafael Eslava's comments on morality and prostitution, discussed in the previous chapter. According to Azúa Suárez, "Las cuestiones de orden moral relacionadas con la prostitución son tan complejas y heterogéneas, que no es pertinente ni posible encasillarlas en un Reglamento de la misma... Lo moral (concepto variable) es la profilaxis de la prostitución, pero no la terapéutica de los daños morbosos que produce."<sup>129</sup> [Questions of moral order in relation to prostitution are so complex and heterogeneous that it is neither pertinent nor possible to encase them in one Regulation of the same... Morality (a variable concept) is the prophylaxis of prostitution, but not the therapy for the morbid damages it produces.] Azúa Suárez took issue with the moralistic and punitive undertones of prostitution regulation, arguing that they failed to alleviate damages incurred by prostitution both on women and on the rest of the populace. The issue of prostitution was too morally complex to be effectively regulated, and invasive and discriminatory regulationism only added to the suffering of women prostitutes.

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<sup>129</sup> Ramón Castejón Bolea, *Moral Sexual y Enfermedad: la medicina española frente al peligro venéreo (1868-1936)* (Granada: Universidad de Granada, 2001), 38.

Moral debates aside, the greatest blow to regulationism in the twentieth century was the increasing awareness among health officials that it was unsuccessful in achieving its central objective of reducing the spread of venereal disease. The pragmatic logic of regulationism failed to stand up to close inspection. Routine medical inspection for prostitutes working in brothels was criticized because it left male clients unexamined and ignored unregistered prostitutes. Additionally, opponents of regulated prostitution pointed out that medical inspection could not possibly occur frequently enough to ensure that all infections were detected before they were passed on. “The transmission of disease is more effectively reduced, they maintain, by legal restrictions on prostitution that reduce the number of unhealthy transactions overall.”<sup>130</sup>

Antonio Navarro Fernández, another specialist in venereal diseases at the Hospital San Juan de Dios in Madrid, produced a study in 1909 entitled *La prostitución en la villa de Madrid* [Prostitution in the town of Madrid] and concluded that regulation was ineffective in controlling clandestine prostitution, which presented the most serious threat of contagion due to the unmonitored health status of unregistered prostitutes.<sup>131</sup> Regulationism was a broken system to the point where it was no longer worth its own expense; the anti-venereal campaigns of Spain’s largest cities quickly sought new alternatives to protect the public health.

One proposed solution to control the spread of venereal disease was to expand the process of regular, mandated medical examinations to populations beyond that of Spain’s prostitutes. Dr. Pedro Blanco y Grande, of Madrid’s Section of Hygiene of Prostitution, suggested that prostitutes were not the only at-risk population that ought to be under state

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<sup>130</sup> de Marneffe, *Liberalism and Prostitution*, 9.

<sup>131</sup> Castejón Bolea, *Moral Sexual y Enfermedad*, 52.

surveillance. In 1909, he proposed that medical inspections ought to include wet nurses, soldiers, sailors, prison inmates, vagrants, beggars, and hired laborers. Blanco y Grande was also a proponent of the legislation of health crime for the entire population, a law that was implemented in Miguel Primo de Rivera's Penal Code in the 1928.<sup>132</sup> This proposal for an expansion of medical inspections and surveillance went unadopted, but it reveals the impulse of certain public health officials to conduct a kind of crusade against the spread of venereal disease, for which the working class continued to be blamed.

In the following decade, the very foundations of regulationism were challenged by urban health authorities. More and more officials became convinced that a total revision of anti-venereal strategy was necessary in order to achieve its goals. As Inspector General of Health, Manuel Martín Salazar (1854-1936) expressed his doubts about the system in 1919. According to Martín Salazar, venereal disease ought to be approached just like any other infectious disease, such as tuberculosis. The moral panic surrounding this classification of illness prevented the rational pursuit of its prevention, as did the unfair scrutiny of the hygiene of prostitutes, which was only a small part of a larger problem.<sup>133</sup>

The anti-venereal movement needed to expand beyond the regulation of prostitution if it hoped to succeed in ensuring the health of the Spanish public. It should be noted that while the majority of anti-venereal campaigners from Madrid and other large cities were abolitionist, there was a certain amount of pushback from provincial *Inspectores de Sanidad* [Health Inspectors], who preferred the regulationist system, at

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<sup>132</sup> Castejón Bolea, *Moral Sexual y Enfermedad*, 51.

<sup>133</sup> *Ibid*, 66.

least for Spain's smaller towns and rural areas.<sup>134</sup> Bureaucrats clung to regulation despite its growing unpopularity among the medical elite because they earned their living through their participation in the bloated, tangled politics of prostitution regulation.

By the 1920s, the campaign against venereal disease began to incorporate programs of sex education to increase public awareness of high-risk sexual activities and methods of personal protection against sexually-transmitted disease. This new approach targeted clients of prostitutes and advised them that sex with prostitutes incurred a higher risk of transmission than sex within marriage. "Knowledge of the dangers associated with illicit sex became the means of avoiding the spread of these diseases. In this way, it was supposed, legitimate sexual relations—free of disease—would receive the reward they deserved."<sup>135</sup> The licentious Don Juan archetype was not sustainable, and public health authorities began a campaign to de-romanticize the act of serial romantic conquest.

This new anti-venereal approach incorporated printed propaganda, again targeting young Spanish men and delivering a message that it was their sexuality, rather than that of prostitutes, that ought to be kept in check for the good of the nation. Some anti-venereal posters achieved this end through an illustrative demonization of women. Whether they were explicitly figured as prostitutes or simply as sexually adventurous, images of women were linked with personifications of Death in posters distributed by the Central Anti-venereal Committee in 1927. The following year, clinical venereologist Julio Bravo, as head of the Social and Health Propaganda Office, shifted the tone of the campaign's posters: "They did not limit themselves to warning men of the danger of

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<sup>134</sup> Castejón Bolea, *Moral Sexual y Enfermedad*, 82.

<sup>135</sup> Ramón Castejón Bolea, "Doctors, Social Medicine, and VD in late-nineteenth and early-twentieth-century Spain," in *Sex, Sin and Suffering: Venereal Disease and European Society since 1870*, ed. Roger Davidson et al., (New York: Taylor & Francis, 2010), 71.

frequenting prostitutes or women. The subjects of the posters aimed at inculcating male responsibility and emphasizing the obligation to take care of family, society, and race.”<sup>136</sup>

This emphasis on male sexual responsibility demonstrated an important shift in the tone and strategy of anti-venereal public health projects. However, the emphasis on racial preservation, a legacy of nineteenth-century regulationist dialogues, remained a central part of anti-venereal rhetoric.

Eugenics, the idea that the racial qualities of a nation could and should be improved by control of reproduction and sexual health, was a crucial element in the twentieth-century sex reforms that hoped to supplant the dated regulationist system. Gender, sexuality, and reproduction were central themes in eugenicist thought. Thus, sex, childbirth, and parenting demanded close attention, and the sexuality and motherhood of prostitutes was of special concern to eugenicists. “The eugenic ideal of a perfect form of motherhood has a companion interest in the fate of all those who fall short of the ideal, not least in the form of prostitutes and women impeded from realizing maternity in exalted form.”<sup>137</sup> While they were considered failures as mothers or potential mothers, prostitutes continued to be blamed as the source of venereal disease, which threatened healthy reproduction even at the higher strata of the social hierarchy. For this reason, eugenicist thinkers, including many doctors, psychologists, and lawyers, sought the elimination of prostitution and the closure of brothels as sites of “pathological behavior.”<sup>138</sup>

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<sup>136</sup> Castejón Bolea, “Doctors, Social Medicine, and VD,” 70.

<sup>137</sup> Alison Sinclair, *Sex and Society in Twentieth-Century Spain: Hildegart Rodríguez and the World League for Sexual Reform*, (Cardiff: University of Wales Press, 2007), 29.

<sup>138</sup> *Ibid.*, 35.

Despite overall disapproval of the sex trade, debates on morality were relatively absent in the eugenicist position on prostitution. Prostitutes as individuals were not necessarily immoral or criminal, but they were not ideal candidates for reproduction due to the fact that a majority of prostitutes were in poverty and had a reputation of poor health. A woman who engaged in prostitution supposedly had a greater risk of exposure to venereal disease, the contraction of which could compromise her reproductive capability and thus prevent her from bearing healthy, desirable children. Motherhood was every woman's duty to the nation, and prostitution prevented women from doing their eugenic duty.

Within the eugenic theoretical framework, prostitution was conceptualized as an unhealthy institution rather than an immoral one, granting the male-dominated field of medicine the authority and jurisdiction to address it. "Despite the rejection of the language of sin, it is important to note that the medical discourse around sex reform and birth control never questioned women's primary maternal function, and thus was focused around the (mostly male) management of that function rather than the liberation of female sexuality."<sup>139</sup> Eugenic sex reformers might have had goals in common with more political sex reformers from the socialist and anarchist camps, but social justice did not necessarily intersect with eugenics. A reconfiguration of gender roles was not central to the eugenic process, and individual positions on the subject of feminism varied widely among eugenicists. At its heart, eugenics discriminated on the basis of class and was intertwined with race-obsessed Social Darwinist thinking.

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<sup>139</sup> Mary Nash, "Un/Contested Identities: Motherhood, Sex Reform and the Modernization of Gender Identity in Early Twentieth-Century Spain," in *Constructing Spanish Womanhood: Female Identity in Modern Spain*, ed. by Victoria Lorée et al., (Albany, NY: University of New York Press, 1999), 36.

### *The World League for Sexual Reform*

By the turn of the century, leaders in the fields of medicine and psychology held a significant amount of social cultural influence in Spain. Mary Nash argues that doctors had replaced the clergy as the shapers of cultural norms and values, and that gender politics was an important aspect of this shift in power from the sacred to the secular. “The appropriation of gender discourse by doctors was an effective device in their strategy to gain political recognition of the sociocultural status of the medical profession in Spanish society.”<sup>140</sup> The scientific discourse on gender became a part of the national conversation, as evidenced by Alison Sinclair’s study of Spanish print media: “Greater public attention was secured through the daily press. A sample scan of *El Sol* for 1920 reveals numerous articles on or by Marañón, Pistaluga, Juarros and Haro while Lafora wrote every two to three weeks on topics relating to medicine, psychiatry, and medical education.”<sup>141</sup> Popular science was on the rise in Spain, and access to developing theories of psychology and eugenics were made widely available to literate citizens up until 1923 and the establishment of the Primo de Rivera dictatorship.

Doctor Gregorio Marañón (1887-1960), mentioned above as a contributor to *El Sol*, was among the more influential doctors to engage in sex reform discourse. Marañón was known for his insistence on the equality of the sexes and his criticism of Spain’s rigid gender hierarchy. Though he did not value men over women, Marañón considered the sexes to be essentially different yet complementary. There were limits to the progressivism of his views: “Despite his admission of the principle of equality, Marañón qualified it with the incontrovertible recognition of biological difference. Thus the

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<sup>140</sup> Nash, “Un/Contested Identities,” 33.

<sup>141</sup> Sinclair, *Sex and Society in Twentieth-Century Spain*, 38-39.

individual subject was sexed and consequently predetermined as a person.”<sup>142</sup> Though his position on gender equality placed him at the left end of Spanish politics, Marañón did not align with the more liberal Spanish feminists of the time, who rejected the determination of gender roles based on biological difference.

Doctor César Juarros (1879-1942), a psychiatrist and writer also featured in *El Sol*, was a fierce proponent of the abolition of prostitution as part of medical sex reform. Juarros observed five damaging aspects of Spanish masculinity, cited in Chapter One, the fifth being “Comprar el amor no es humillante”<sup>143</sup> [To buy love is not humiliating]. Convinced that the opposite should be true, Juarros formed the *Sociedad Española del Abolicionismo* [Spanish Abolitionist Society] in Madrid in 1922. The two main agenda items of the Society were the suppression of regulated prostitution and a campaign against the inclusion of health crime in Primo de Rivera’s Penal Code.<sup>144</sup> Despite the growing traction of sex reform discourse in the media in the early 1920s, sex reform was not accepted by the Spanish government under Miguel Primo de Rivera’s military dictatorship. The *Sociedad Española del Abolicionismo* accomplished neither of its goals during its brief existence. Dr. Juarros, however, would continue to promote abolitionism and sex reform for years to come as part of the World League for Sexual Reform.

An international organization run by intellectuals who proposed to revise traditional sexual norms based on the theories of Sigmund Freud and Havelock Ellis, the World League for Sexual Reform (WLSR) held a variety of conferences across Europe during the 1920s and 1930s and help shape the sex reform agenda internationally.

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<sup>142</sup> Nash, “Un/Contested Identities,” 33.

<sup>143</sup> César Juarros, *El amor en España: características masculinas*, (Madrid: Editorial Paez, 1930), 46-47.

<sup>144</sup> Jean-Louis Guereña, *La prostitución en la España contemporánea*, (Madrid: Marcial Pons Historia, 2003), 385.

Eugenics and paternalism were clear influences on the WLSR's approach to sex reform. "It advocated 'conscious parenthood,' and thus control of conception, it supported eugenics, and set out to protect various vulnerable parties, namely the (unmarried) woman and her child, and those who would be affected by prostitution and the dangers of venereal disease."<sup>145</sup> The ten planks of the World League for Sexual Reform platform included "Prevention of prostitution and venereal disease,"<sup>146</sup> demonstrating that these two problems, still entwined, remained a priority in the minds of WLSR-affiliated sex reformers. At the Third Congress of the WLSR, held in London in 1929, the League drafted a resolution declaring that "the problem of dealing with Prostitution and Venereal Disease should be approached with science and sympathy and not with moral disapproval."<sup>147</sup> This resolution dismissed moralism and embraced an inclusive paternalist approach that advocated for the health and well-being of prostitute women even as it sought to limit their procreation on eugenic grounds.

Like César Juarros' *Sociedad Español del Abolicionismo*, the World League for Sexual Reform faced significant government pushback in Spain because it was deemed obscene by the Primo de Rivera government. Attempts to establish a Spanish chapter of the WLSR faltered in this political climate between 1923 and 1930: "An organization with more explicitly sexual interests was the Spanish chapter of the WLSR, whose attempt to hold some *Jornadas eugénicas* [eugenic conferences] (after the Second International Congress) was suppressed in February 1928 by the dictatorship as

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<sup>145</sup> Sinclair, *Sex and Society in Twentieth-Century Spain*, 73.

<sup>146</sup> *Ibid.*, 17.

<sup>147</sup> Richard Cleminson, "'Science and Sympathy' or 'Sexual Subversion on a Human Basis'? Anarchists in Spain and the World League for Sexual Reform," *Journal of the History of Sexuality* 12 (2003): 110.

‘pornographic entertainment.’”<sup>148</sup> Though the WLSR successfully established branches in Britain, France, Germany, and the Netherlands, the formation of a Spanish branch was impeded by the conservatism of the political leadership of the 1920s. This government suppression of reform helps explain why the regulationist system remained in place for more than ten years after it ceased to be popular in urban anti-venereal campaigns.

The more liberal environment of the Second Republic, declared in April of 1931, proved much more accepting of reform in general and sex reform in particular. In 1932, Gregorio Marañón and César Juarros re-established the Spanish chapter of the World League for Sexual Reform as president and vice-president, respectively, “with the intent to campaign for sexual reform, ‘given the natural environment of tolerance offered by the Republic.’”<sup>149</sup> Hildegart Rodríguez (1914-1933), secretary of the new Spanish chapter of the WLSR and its only female member, described the Second Republic as an “‘excelente campo de experimentación’ [excellent field for experimentation].”<sup>150</sup> The Spanish chapter, known as the *Liga española para la reforma sexual sobre bases científicas* [Spanish League for Sexual Reform on a Scientific Basis], was organized into five sections, including a section devoted to prostitution and prevention of venereal disease that was spearheaded by three doctors: psychiatrist César Juarros and the venereologists José Sanchez Covisa and Enrique Sáinz de Aja.<sup>151</sup>

Despite the atmosphere of promise and progress in the Second Republic, the *Liga española para la reforma sexual sobre bases científicas* didn’t attract as many members

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<sup>148</sup> Thomas F. Glick, “Sexual Reform, Psychoanalysis and the Politics of Divorce in Spain,” *Journal of the History of Sexuality* 12 (2003): 70.

<sup>149</sup> *Ibid.*, 70.

<sup>150</sup> Alison Sinclair, “The World League for Sexual Reform in Spain: Founding, Infighting, and the Role of Hildegart Rodríguez.” *Journal of the History of Sexuality* 12 (2003): 102.

<sup>151</sup> *Ibid.* 95.

as it had hoped. “While coming into being in the early years of the Republic might have seemed ideal for a new organization, the Republic brought its own problems: intense debate about issues and difficulties failed to result in the bringing forward of practical measures that might impact on those issues.”<sup>152</sup> The leadership of the *Liga* was comprised mainly of doctors, psychiatrists, and lawyers with decidedly eugenic leanings. The fact that its membership was almost exclusively male and bourgeois served to alienate certain feminists and socialists who might otherwise have aligned themselves with the *Liga*’s agenda. “The reformist/radical division expressed in the anarchist press reveals tensions if not a complete split in Spain’s ‘sex reform’ movement.”<sup>153</sup> This inability to make alliances inhibited the political reach of the *Liga*, and friction between moderate and radical reformers became a setback for comprehensive sex reform in the Second Republic.

### *Socialism, Anarchism, and Abolitionism*

The European radical left had a history of opposing the regulation of prostitution, and the Spanish left was no different. In the eyes of Spain’s socialists and anarchists, prostitution was a damaging and wholly unjust institution that exploited working class women. Although radical thought dictated that a woman ought to be free to use her body for whatever purposes she decides, abolitionists of the left argued that the personal damage and suffering incurred by social stigma and exposure to venereal diseases was so extreme that prostitution ought to be discouraged wherever possible. Though abolitionism has explicit paternalist undertones that seem to contradict leftist thought,

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<sup>152</sup> Sinclair, “The World League for Sexual Reform in Spain,” 104.

<sup>153</sup> Cleminson, “‘Science and Sympathy’ or ‘Sexual Subversion on a Human Basis?’” 121.

early twentieth-century Spanish gender politics and sexual standards were so oppressive that the elimination of prostitution was deemed necessary to affect positive change in the lives of Spanish women. This conclusion rested on the assumption that the vast majority of prostitute women would not have chosen to sell sex if they were not in a desperate economic situation caused by gendered labor inequalities. In light of the depreciated value of women's labor, the rising numbers of single working-class women in urban settings, and the harsh stigma placed upon prostitution, this was a reasonable assumption to make in pre-Republican Spain.

Marxist theory explicitly criticizes prostitution and advocates for its eradication as a necessary part of communist social revolution. Friedrich Engels (1820-1895), German philosopher and father of communist theory, wrote that prostitution and adultery were made inevitable by the unjust organization of society and that marriage differed little from prostitution: prostitutes rent their bodies on a nightly basis while married women sell theirs for a lifetime.<sup>154</sup> There was no logic in shaming women for engaging in prostitution if marriage, being the only acceptable female aspiration, was simply another form of selling sex. Therefore, the institution of prostitution was immoral, but prostitute women were not. Engels predicted a social revolution that would begin a chain reaction; the end of capitalism would destroy the practice of hereditary inheritance, which would bring down gender inequality, prostitution, and adultery along with it.<sup>155</sup> In other words, when the sexual purity of wives and mothers was no longer socially necessary to ensure the patrilineal transference of property, both men and women could experience sexual liberation and free love, supposedly eliminating the demand for prostitution.

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<sup>154</sup> Geraldine M. Scanlon, *La polémica feminista en la España contemporánea: (1868-1974)*, (Madrid: Siglo XXI de España Editores, 1976), 228.

<sup>155</sup> *Ibid*, 229.

Employing a similar framework, anarchist theory posited that cultural change and social activism could bring about the end of prostitution as a prelude to revolution rather than as an aftereffect: “More than Marxists, anarchists viewed change under capitalism as part of the process in which the state and capitalism itself would be destroyed. This process of destruction need not be postponed to an indefinite future, when the proletarian dictatorship withered away.”<sup>156</sup> For anarchists at the turn of the century, sex reform was a small but integral part of comprehensive social and economic change, and the elimination of prostitution was a central concern of that reform. The sexual labor of prostitutes supported an unsustainable capitalist system; the elimination of the sex industry and the removal of this support would thus contribute to the collapse of the system so that it might be replaced.

Spanish anarchism promoted a broad sex reform movement beginning in the late nineteenth-century,<sup>157</sup> and the movement only grew more powerful as reform came to the forefront of the national conversation in the 1920s and 1930s, parallel to the popularization of eugenics. However, Spanish politics of the 1920s were equally unfriendly to sociological sex reform as they had been to eugenicist sex reform. Lawyer and socialist politician Luis Jiménez de Asúa (1889-1970) faced censure due to his lectures advocating reforms that included abolishing legalized prostitution, free treatment of venereal disease, sex education, birth control, therapeutic abortion and sterilization, and free love.<sup>158</sup> Articles written by Basque physician Isaac Puente (1896-1936) in the anarchist publications *Generación Consciente* and *Estudios* were routinely threatened by

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<sup>156</sup> Cleminson, “‘Science and Sympathy’ or ‘Sexual Subversion on a Human Basis?’” 112.

<sup>157</sup> Ibid, 111.

<sup>158</sup> Scanlon, *La polémica feminista*, 239.

ensorship under Primo de Rivera.<sup>159</sup> Abolitionist sentiment was strong in socialist and anarchist circles, but radical organizations were hindered in their promotion of sex reform to the larger Spanish public.

Ideological differences on issues of class prevented a meaningful alliance between eugenicist sex reform and radical sex reform in Spain, though a handful of individuals did indeed involve themselves in both sides of the movement. Though socialist engagement in the WLSR was minimal,<sup>160</sup> a few prominent members of the Spanish *Liga* identified with socialist politics. Aligning with eugenics on the issue of sterilization, Luis Jiménez de Asúa worked with the *Liga* after its re-establishment in 1932 as part of the section responsible for drafting legislation. José SáCésarnchez Covisa (1881-1944), medical doctor and member of the *Liga* section on prostitution and venereal disease, praised the progressive nature of abolitionism, which was “una doctrina mucho más liberal, mucho más en consonancia con el espíritu progresivo del hombre moderno,”<sup>161</sup> [a much more liberal doctrine, much more in consonance with the progressive spirit of the modern man].

Though anarchist doctor Isaac Puente was also invited to become a member of the *Liga*, he adamantly and publicly refused by publishing an Open Letter in *Estudios* in July of 1932, just before the *Liga* was set to publish its first issue of its journal *Sexus*.<sup>162</sup> Although eugenicist sex reform and anarchist sex reform shared a variety of common goals, Puente was dissatisfied with the classism of the *Liga*, amongst other shortcomings:

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<sup>159</sup> Isaac Puente, “Carta abierta a la Liga Española Para La Reforma Sexual Sobre Bases Científicas.” *Estudios* (1932), 23.

<sup>160</sup> Cleminson, “‘Science and Sympathy’ or ‘Sexual Subversion on a Human Basis?’” 111.

<sup>161</sup> Castejón Bolea, *Moral Sexual y Enfermedad*, 81.

<sup>162</sup> Cleminson, “‘Science and Sympathy’ or ‘Sexual Subversion on a Human Basis?’” 117.

La LIGA es una Agrupación de personas de relieve social, que luego de proponerse unos bellos fines estatuarios, sólo sirve para lucirse en determinadas ocasiones...En la sociedad burguesa, hay tantas ligas como problemas: contra la tuberculosis, contra el cáncer, contra la trata de blancas, contra la inmoralidad, abolicionista, etc., etc. Se trata solamente de demostrar que se siente preocupación por los problemas, pero no para solucionarlos.<sup>163</sup>

[The LIGA is a grouping of people of social import that, after proposing some lovely statues, only uses them to show off on certain occasions...In bourgeois society, there are as many leagues as there are problems: against tuberculosis, against cancer, against white slavery, against immorality, abolitionist, etc., etc. They serve only to demonstrate that one feels concerned about these problems, but not to solve them.]

Puente was dedicated to the abolitionist cause, but wholly uninterested in allying himself with the bourgeois medical elite in order to further that cause. As an anarchist, he valued immediate action within the community rather than tedious debate within a committee.

### *Abolitionism in the Second Republic*

For intellectuals, political radicals, and the reformers, the declaration of the Second Republic in April of 1931 was a long-awaited turning point in Spanish history. The transition from a monarchical system to a republican one promised to bring about a vast array of fundamental changes to Spanish law and culture. This process of change began immediately: the Constitution of 1931 inscribed gender equality into the Republican legal structure, declaring in Article 2 that “All Spaniards are equal before the law” and in Article 25 that “There can be no foundation for juridical privilege in nature, lineage, sex, social class, wealth, political ideas, or religious beliefs.”<sup>164</sup> Spain’s new resolution to deconstruct the ingrained gender privilege and class privilege indicated that sex reform and abolition would be a part of the official government reform agenda. After

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<sup>163</sup> Puente, “Carta abierta,” 23.

<sup>164</sup> Frances Lannon, “Gender and Change: Identity and Reform in the Second Republic,” in *A Companion to Spanish Women’s Studies*, ed. Xon de Ros et al., (Woodbridge, Suffolk, UK: Tamesis, 2011), 277.

seven years under the censorship and suppression of the Primo de Rivera regime, the reformist environment of Spain's new democracy was a welcome change for eugenicist and leftist sex reformers alike.

Sex reformers enjoyed enormous political success in the first elections of the Second Republic. Three prominent members of the *Liga*, Gregorio Marañón, César Juarros, and Luis Jiménez de Asúa, were elected as representatives to the 1931 Constituent Cortes. The social and political influence of the medical field was very clear in the 1931 elections: "No fewer than forty-eight of those elected were in the medical profession, more than 10 per cent of the total, so that matters of medicine, sanitation and reform were well placed for obtaining public support."<sup>165</sup> Finally released from censorship and suppression, the movement for Spanish sex reform was free to develop and to affect real legislative change.

Concern about prostitution as a public health threat and national scandal heightened in the 1930s due to rising rates of prostitution. During the first year of the Republic, a notable increase in the number of prostitutes in Spain's cities was attributed to the world economic crisis. The 1930 census estimated a very conservative figure of 9,510 women who were either prostitutes or beggars, but neurologist Gonzalo Rodríguez Lafora (1886-1971) estimated in 1933 that 40,000 women worked as prostitutes in the cities of Madrid and Barcelona alone.<sup>166</sup> Rising rates of prostitution could not be ignored by the Republican government for long, especially due to the prominence of abolitionist representatives in the Cortes. César Juarros wasted no time in campaigning for legislative change on prostitution: "In a debate on November 27, 1931...Juarros wanted

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<sup>165</sup> Sinclair, *Sex and Society in Twentieth-Century Spain*, 64.

<sup>166</sup> Guereña, *La prostitución en la España contemporánea*, 391-392.

additional amendments: one mandating the periodical examination of prostitutes, ‘women who have committed no crime other than being poor and unlucky.’”<sup>167</sup> Mandated medical examination of prostitutes was a legacy of regulationism, but Juarros argued that examination and treatment should both be provided free of charge so as not to put a further burden on prostitute women, whom he saw as victims of an inhumane law under which “women are oppressed and a license of piracy is granted to men.”<sup>168</sup>

Despite the fact that César Juarros had a number of abolitionist allies in the Cortes, the dismantling of the regulationist system was delayed amid Republic’s mercurial political environment. A number of pressing and complicated issues faced the new government, and although sex reform was definitely a part of the Republican agenda, it was forced into the background as the government attempted to stabilize. “In 1931 the end of the monarchy and the arrival of democracy, the future position of Catalonia within Spain, the threat to the social and cultural dominance of the Catholic Church, and disputes over wages and property rights were all fundamental and riveting matters that demanded attention.”<sup>169</sup> Prostitution reform, as a subset of sex reform, experienced further setbacks due to the decentralization of its control, the finer details of which were still decided at the provincial and municipal levels despite national attempts to standardize prostitution legislation.<sup>170</sup> Again, regulationism was still favored by bureaucrats operating outside of large urban centers.

Spain’s transition to democracy could not and did not incur an immediate reversal of prostitution policy. However, the political momentum still moved toward reform, and

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<sup>167</sup> Glick, “Sexual Reform, Psychoanalysis and the Politics of Divorce in Spain,” 92.

<sup>168</sup> Ibid.

<sup>169</sup> Lannon, “Identity and Reform in the Second Republic,” 280.

<sup>170</sup> Sinclair, *Sex and Society in Twentieth-Century Spain*, 33.

certain steps were made early on to prepare for later policy changes. In 1932, the Second Republic annulled the previous Penal Code that had criminalized the willful transmission of venereal disease and replaced it with a new Code based on the 1931 Constitution.<sup>171</sup> The new government also increased funding for dispensaries which provided outpatient treatment for venereal disease. Between 1931 and 1934, the number of dispensaries increased from seventy-three to one-hundred and sixteen.<sup>172</sup> On April 7, 1932, the Republic issued a Decree suppressing taxes imposed on brothels, a portion of which had been allocated to the *Lucha Oficial Antivenérea* [Official Anti-venereal Campaign].<sup>173</sup> Abolitionism did not disappear from the national conversation despite its low priority during the first unsteady years of the Republic. In May 1932, Madrid's abolitionists, among them César Juarros, organized a week dedicated to spreading propaganda calling for the abolition of prostitution.<sup>174</sup> These actions represented important steps in the slow dismantling of the regulationist system, a process that was overdue but increasing in momentum.

Though the Republic was on a clearly abolitionist path, there was not a complete consensus among all medical authorities that the dismantling of regulationism would provide the anti-venereal solution Spain was looking for. Following the lifting of taxes on prostitution, venereologist Luis Diaz Villarejo declared: "España sería muy pronto abolicionista, porque así lo querían cuatro señores confeccionadores de la nueva ley sanitaria...tenemos la sospecha, de que este abolicionismo del nuevo proyecto, va a ser

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<sup>171</sup> Castejón Bolea, *Moral Sexual y Enfermedad*, 79.

<sup>172</sup> Castejón Bolea, "Doctors, Social Medicine, and VD," 68.

<sup>173</sup> Castejón Bolea, *Moral Sexual y Enfermedad*, 43.

<sup>174</sup> *Ibid*, 82.

más reglamentarista que el reglamento del antiguo reglamentarismo”<sup>175</sup> [Spain will be abolitionist very soon, because that is the wish of the four creators of the new health law...we suspect that this new abolitionist project is going to be more regulationist than the regulation of the old regulationism]. Villarejo predicted that a new system abolishing regulation would be just as fraught with bureaucracy, inconsistency, and ineffectuality as the previous system. There were doubts that legislative change would translate into social change the way that reformers hoped and expected.

More than four years after the founding of the Second Republic, the Cortes issued a Decree on June 25, 1935 that abolished regulationism and declared prostitution illegal. Article 1 of the Decree read, “El ejercicio de la [prostitución] no se reconoce en España a partir de este Decreto como medio lícito de vida,”<sup>176</sup> [As of this Decree, the practice of prostitution is not recognized in Spain as a licit way of life]. However, the new law dismantling regulationism and outlawing prostitution had little power. First, the consequences for selling sex were unclear; the decree did not specify whether or not prostitutes ought to be jailed, fined, or even arrested. Though the Decree stated that prostitutes no longer needed to submit to regular medical exams or provide certification of their health, it was ineffective overall in suppressing brothels and the purchase and sale of sex.<sup>177</sup> Second, there was no mechanism in place to prevent provincial health authorities from refusing to comply with the new abolitionist legislation. Noncompliance was a reality among smaller, more conservative municipalities that still subscribed to regulationism as the best system to suppress disease and punish prostitutes, at least in the

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<sup>175</sup> Castejón Bolea, *Moral Sexual y Enfermedad*, 81.

<sup>176</sup> Guereña, *La prostitución en la España contemporánea*, 395.

<sup>177</sup> Sinclair, *Sex and Society in Twentieth-Century Spain*, 34-35.

rural context.<sup>178</sup> The June 25<sup>th</sup> Decree abolished regulation in name, but in practice the law had few practical results.

Seeking to justify the inadequacies of the June 25th Decree, the Cortes issued a clarifying order in October 1935 insisting that this legislation was merely meant to pave the way for a future rewriting of the *Ley de Sanidad* [Health Law], and that more reform was on the way.<sup>179</sup> However, the political turbulence leading up to the Spanish Civil War again prevented abolitionist sex reform from becoming a priority for the faltering Republic. In the end, the ineffectual decree became more a symbolic act than a true accomplishment for sex reform. The Second Republic's top-down approach at legislating sex reform was both too abrupt and too delayed to produce significant improvement in prostitute women's lives. "Changing the social reality experienced by so many Spanish women of poor education, low wages, and insecurity could not be the work of just a few years. It required decades. It therefore relied upon the Republic becoming firmly established... This, however, was never the case."<sup>180</sup> By the time the Republic made laying the foundation for sex reform a priority, it had lost the support of a wide swath of the Spanish population and civil war was on its doorstep.

The Spanish Civil War can be described as a culture war between a leftist, secular, urban population that included urban professionals and industrial laborers and a traditionalist rural sector that stressed Catholic values and resisted the reformist Republican agenda. Geraldine Scanlon indicates that Republican legislation attempted to determine social and moral norms faster than national public opinion could keep up; labor laws, rights for illegitimate children, divorce, and the abolition of prostitution were

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<sup>178</sup> Castejón Bolea, *Moral Sexual y Enfermedad*, 86.

<sup>179</sup> Guereña, *La prostitución en la España contemporánea*, 396.

<sup>180</sup> Lannon, "Identity and Reform in the Second Republic," 284.

all enacted even though a significant number of Spanish citizens still opposed a number of these changes.<sup>181</sup> Frances Lannon's analysis concurs with Scanlon's: "Radical and simultaneous change on so many different fronts, many of them not specifically to do with women, proved unacceptable to social groups which felt their religious values, political traditions, or class interests were threatened."<sup>182</sup>

War spelled doom for sex reform and abolitionism in Spain. At first, the chaos of the Civil War allowed for a radicalization of Republican legislation and anarchist organization that brought about a few final transformative decrees. For example, César Juarros pushed through major legislation legalizing therapeutic abortion that would not have been able to pass in a stable and representative political environment.<sup>183</sup> The fate of sex reform was tied to the fate of the Republic; when Nationalist troops succeeded in overthrowing the government seat of Madrid in April of 1939, each of the Republic's reforms was wiped away. "The Franco regime revoked the Republic's new deal for women, together with democratization, secularization, devolution, and property reform, for several long decades."<sup>184</sup> As Spain's repressive military dictator, Francisco Franco (1892-1975) brought regulationism back to Spain. The promise of the Second Republic was left unfulfilled for abolitionists and for those women who continued to be exploited in the sex trade.

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<sup>181</sup> Scanlon, *La polémica feminista*, 262.

<sup>182</sup> Lannon, "Identity and Reform in the Second Republic," 278.

<sup>183</sup> Glick, "Sexual Reform, Psychoanalysis and the Politics of Divorce in Spain," 93.

<sup>184</sup> Lannon, "Identity and Reform in the Second Republic," 278.

### *Conclusion*

The first four decades of the twentieth century were extremely turbulent for Spain. Conflicting ideas about the way society ought to be structured and the way politics ought to function battled with each other, literally and figuratively, for much of this time. Prostitution was frequently a topic of debate among those that wished to build a better future for Spain, whether that be a future in which all citizens reflected the eugenic ideal or one in which women's sexual labor was no longer exploited at the expense of public health. For a brief time, the Second Republic enacted startling shifts in Spanish society based upon progressive political theories. The abolition of prostitution was meant to be a part of this cultural shift. However, the conservative backlash to Republican liberalism eventually resulted in a violent civil war that destroyed the abolitionist project.

## CHAPTER FOUR

### *Spanish Women against Prostitution*

Despite women's limited liberty to participate in political discussion in Spain in the nineteenth and twentieth centuries, a small number of elite women spoke openly about the need to abolish prostitution in Spain. As with their male counterparts, abolitionist women came from disparate political backgrounds and disagreed on issues of strategy and theory. Elite, conservative feminists approached the problem of prostitution using a moral maternalist framework. Their strategy was to rehabilitate prostitute women by transforming their moral character and setting them back on the traditional feminine path toward marriage and motherhood. This sanctimonious approach was harshly criticized by socialist and anarchist feminists, who believed that a systemic revision of Spain's social and economic structure was the only legitimate strategy to eliminate prostitution once and for all.

Women's activism against prostitution was limited both in scope and in efficacy for decades. Low participation and poor support limited the value of the maternalist approach in the Restoration period. During the Second Republic, women leaders of the left turned their backs on sexually explicit discourse in order to protect their political potential. Not until the chaos of the Civil War, which anarchists took to be the beginning of the long-awaited revolution, were practical grassroots solutions put into place. Early Spanish feminism viewed prostitutes either as morally inferior women or as pitiful victims. Feminists across the political spectrum saw prostitutes as women in need of their help because they were unable to help themselves. Commenting on prostitution from an

educated, bourgeois position, abolitionist women tended to patronize prostitute women, romanticize their supposed fall from grace, and deny their agency as individuals.

### *Maternalist Feminism*

Public discourse on the subjects of prostitution and venereal disease was dominated by men because the ideological separation of the public and private spheres dictated that women had no right to engage in political discussion, debate, or activism. Women who subverted this ideology and asserted their political voice were considered out of place, and few women challenged the male monopoly on politics.<sup>185</sup> Political participation put one's femininity into question; the *ángel del hogar* was intended to cultivate a welcoming space in the home removed from the heated discussions and debates of public life. Prostitution and venereal disease were hotly contested political topics, but they were taboo subjects for women due to their explicitly sexual themes. Respectable women were not supposed to have any exposure to prostitute women, let alone entertain opinions on prostitution's regulation or abolition.

Despite the overall silencing of women's political opinions, feminist groups began to form in Spain in the late nineteenth century and continued to grow in the twentieth century, though the women in these groups strategically limited their discussion to "sociocultural demands that entailed the defense of their social and civil rights, access to quality education and professional training, integration into the labor market and a voice on social issues" rather than address issues of political rights and suffrage.<sup>186</sup>

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<sup>185</sup> Mary Nash, "Género, cambio social y la problemática del aborto," *Historia Social* 2 (1988): 20.

<sup>186</sup> Mary Nash, "Un/Contested Identities: Motherhood, Sex Reform and the Modernization of Gender Identity in Early Twentieth-Century Spain," in *Constructing Spanish Womanhood: Female Identity in*

Feminists were a minority among women, and the women who spoke out against prostitution were a minority among feminists, though small numbers of elite women subverted the norm in order to speak out against the taboo subject of prostitution. Of these upper-class women, a few engaged humanitarian efforts intended to redeem the so-called “fallen women” who sold sex in brothels and on the streets.

Women’s engagement in political discourse, limited as it was, can be understood in the context of a slow and subtle shift in the construction of Spanish femininity that developed after the turn of the century. Though women’s identities remained firmly rooted in maternity and motherhood, one’s maternal identity could also be expressed as community service and charity. “Many doctors espoused the view that women’s maternal duties went beyond biological motherhood to embrace ‘social motherhood.’ Maternalism allowed women who were not mothers to develop their social mission of motherhood as a service to the community.”<sup>187</sup> Social motherhood thus became an expression of Spanish women’s citizenship. As long as the political participation of women did not challenge the overall gender ideology, cautious steps into the public sphere were an acceptable component of maternal duty. This new feminine archetype was called the “*Nueva Mujer Moderna*, the ‘New Modern Woman’—an ‘ideal’ woman already in vogue in many European countries and in North America.”<sup>188</sup>

Examples from abroad helped to conceptualize this limited colonization of the public sphere by Spanish women. Josephine Butler was already well known in Europe as an impassioned British abolitionist and opponent of the Contagious Diseases Acts, which

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*Modern Spain*, ed. Victoria Lorée Enders et al, (Albany, NY: State University of New York Press, 1999), 31.

<sup>187</sup> Nash, “Un/Contested Identities,” 35.

<sup>188</sup> *Ibid.*, 31.

made up Britain's system of regulation. "For Josephine Butler, the 'French system' [of regulating prostitution] and the Contagious Diseases Act that had been inspired by it, were doubly evil: they caused the enslavement of women and encouraged immorality in men. They were, therefore, an attack on both liberty and morality."<sup>189</sup> American suffragist Jane Addams may have been another role model for abolitionist feminists; her 1912 book *A New Conscience and an Ancient Evil* explicitly criticized prostitution as a manifestation of slavery.<sup>190</sup> The fact that women in Britain and North America were making names for themselves in protesting against prostitution lessened the sense of transgression that came with women's discussion of the subject in Spain.

Early Spanish feminist Concepción Arenal (1820-1893), was among the first women to participate in the abolitionist campaign in Spain and one of the first Spanish feminists to identify abolitionism as a feminist cause. In her essay on the future of women *La mujer del porvenir*, Arenal argues that the human misery experienced by prostitutes ought to motivate her feminist peers to take measures against prostitution. "¿Quién puede mirar sin profunda lástima aquel ser tan infeliz y tan degradado, que lleva su extravío hasta hacer gala de lo que debía darle vergüenza?"<sup>191</sup> [How can one look without profound sadness upon a being so unhappy and so degraded, who carries her loss as if to flaunt what should give her shame?] Arenal reasserts the moralistic idea that prostitution is inherently immoral and shameful, yet she urges others to recognize the humanity in prostitutes and sympathize with their struggles.

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<sup>189</sup> Alain Corbin, *Women for Hire: Prostitution and Sexuality in France after 1850*, (Cambridge, MA: Harvard University Press, 1990), 216.

<sup>190</sup> Peter de Marneffe, *Liberalism and Prostitution*, (New York: Oxford University Press, 2010), 59.

<sup>191</sup> Concepción Arenal, *La mujer del porvenir*, (Madrid: Ricardo Fe, 1884), 10.

In appealing to her readership's sense of empathy, Arenal denies the possibility that any woman could be happy or content as a prostitute, even momentarily. "La mujer deshonesto es profundamente desgraciada; cuando dice otra cosa, miente, y mentiras son su gozo cuando parece alegre, su contento cuando canta y su satisfacción cuando ríe... si la felicidad fuera posible, no duraría más que su hermosura, que dura bien poco."<sup>192</sup> [The dishonest woman is profoundly unhappy; when she says otherwise, she lies, and lies are her pleasure when she seems happy, her happiness when she sings and her satisfaction when she laughs...if happiness were possible, it would not last longer than her loveliness, which lasts shortly enough.] Arenal actively worked to silence these women's thoughts, feelings, and interpretations of their own lives, instead imposing a narrative in which each and every prostitute is cast as a tragic victim of her own poor decisions and lack of resources.

Concepción Arenal's arguments against prostitution were typical arguments employed by both the scientific and sociological sectors of the abolitionist movement. In addition to claiming that the existence of prostitute women was essentially unhappy, she linked prostitution to venereal disease and appealed to eugenics as an argument for its abolition. "La prostitución aumentará a medida de la miseria y la ignorancia de las mujeres, y en la misma proporción aumentarán las enfermedades vergonzosas que degradan las razas."<sup>193</sup> [Prostitution will increase with the poverty and ignorance of women, and in the same proportion the shameful diseases that degrade the races will increase.] Adopting a sociological perspective, Arenal attributes prostitution to the lack of opportunities for women in labor and education. In the same breath, she affirms a

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<sup>192</sup> Arenal, *La mujer del porvenir*, 10.

<sup>193</sup> *Ibid*, 19.

eugenicist perspective that the racial degradation of the nation is a major consequence of prostitution. Like much of the abolitionist discussion of the nineteenth century, Arenal's writing never translated into direct practical action against prostitution.<sup>194</sup>

Spanish feminism became more established and organized in the early twentieth century, and a few select organizations lent themselves to the abolitionist cause. One of these, the *Asociación Nacional de Mujeres Españolas* (ANME), or the National Association of Spain Women, officially formed in 1918 and incorporated an abolitionist stance into its program.<sup>195</sup> Abolitionism was understood as an expression of maternalism, or an impulse to do charitable works for women in need. Women held a certain moral superiority as mothers or potential mothers, and feminist campaigns against prostitution operated within this framework. Feminist ideals constantly needed to relate back to family values in order to be considered legitimate; campaigns for better job opportunities and education argued that Spanish families and children would directly benefit from such reform.<sup>196</sup> For example, in the 1920s, the ANME actively campaigned for a reform of the Civil Code and the suppression of legalized prostitution among other items such as equal pay, access to professional occupations, and education.<sup>197</sup> These demands were ignored by Primo de Rivera's traditionalist government.

While prostitution within Spain's borders was a tenuous and difficult subject for even feminist women to engage in, the subject of sex trafficking and forced prostitution appealed to the social motherhood of Spain's most elite women. In this context, the term "sex trafficking" refers to the transportation of young, white women out of Europe for the

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<sup>194</sup> Guereña, *La prostitución en la España contemporánea*, (Madrid: Marcial Pons Historia, 2003), 351.

<sup>195</sup> *Ibid*, 374-375.

<sup>196</sup> Geraldine Scanlon, *La polémica feminista en la España contemporánea: (1868-1974)*, (Madrid: Siglo XXI de España Editores, 1976), 200.

<sup>197</sup> *Ibid*, 206.

purpose of forced prostitution. Contemporary sources refer to this trafficking as *la trata de blancas*, best translated as “white slavery.” Spanish publications reflected a growing paranoia that droves of young Spanish women were being trafficked to places like South America, a mythologized process that French reporter Albert Londres (1884-1942) called *Le Chemins de Buenos Aires*, or the Buenos Aires Road.<sup>198</sup> The term *trata de blancas*, in its emphasis on the whiteness of its victims, reflects a certain racist paranoia. The Spanish press imagined that virginal white women and girls were being sold into sex slavery in exotic foreign locales, where lascivious racial others would corrupt and exploit them in a reversal of Spain’s own colonial exploitation of the Americas.

In response to heightened concern about sex trafficking, regardless of how prevalent it actually was, the Spanish state created the *Patronato Real para la Represión de la Trata de Blancas* [Royal Patronage for the Repression of White Slavery] by royal decree in 1902. The *Patronato*, under the supervision of Spain’s most elite women, namely the queen regent María Cristina and the infanta Isabel, was the first Spanish institution specifically dedicated to the problem of “white slavery.”<sup>199</sup> The elite women involved in the *Patronato* focused their efforts on protecting young Spanish girls from men who would force them into sexual slavery abroad. While Spanish police forces were investigating charges of trafficking, women fulfilled the roles of sponsors or advocates for the cause.

A Royal Order on February 10, 1903 clarified the jurisdiction of the *Patronato*: “El Patronato Real tiene personalidad suficiente para ejercer...las funciones de vigilancia, reintegración y tutela, a fin de reprimir...la trata de mujeres, amparando sobre

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<sup>198</sup> Guereña, *La prostitución en la España contemporánea*, 376.

<sup>199</sup> Scanlon, *La polémica feminista*, 115.

todo a las menores de edad, que deben ser protegidas hasta contra sus mal aconsejadas determinaciones.”<sup>200</sup> [The Royal Patronage has sufficient legal capacity to exercise...the functions of vigilance, reintegration, and guardianship for the purpose of repressing the trade of women...protecting female minors above all, who must be protected even against their misguided determinations.] This document demonstrates clearly the maternalism of the *Patronato*, whose members believed they were protecting young women and girls not only from traffickers, but also from themselves. By assuming legal guardianship of girls determined to be at-risk, the *Patronato* literally took on a maternal role.

The anti-trafficking efforts of the *Patronato* were limited in their scope as well as in their accomplishments. The group established two asylums just outside of Madrid: one in San Fernando del Jarama and another in El Pardo, whose purpose was to take in, or *recoger*, women who were under the protection of the *Patronato*.<sup>201</sup> The use of the word *recoger* to describe the activities of the *Patronato* recalls the Church’s historical project of detaining and re-educating prostitute women in convents under the tutelage of nuns, and in some cases to perform domestic work for those nuns. The work of the *Patronato* was a state-sponsored continuation of this project. In 1903, the *Patronato* reported that it had reclaimed fifty-eight young women; Jean-Louis Guereña calls this “una gota de agua en el océano de la prostitución”<sup>202</sup>—a drop of water in the ocean of prostitution.

The work done by the *Patronato* against the sex trafficking of young Spanish women was criticized for its inefficacy as well as its hypocrisy. On one hand, the Spanish state seemed to endorse (or at least condone) prostitution because of the legalization and

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<sup>200</sup> Guereña, *La prostitución en la España contemporánea*, 378.

<sup>201</sup> *Ibid*, 380.

<sup>202</sup> *Ibid*, 381.

regulation of brothels. On the other hand, the State condemned sex trafficking and the luring of young women into a life of prostitution. Abolitionists accused the *Patronato* of creating a false distinction between women in Spanish brothels and women in the international sex trade. Drawing attention to this contradiction, Julián Juderías (1877-1918) asked, “¿Qué es la trata de blancas sino el hecho por virtud del cual se reclutan las mujeres que ha menester el vicio reglamentado? Y si esto es así, ¿por qué se la persigue?”<sup>203</sup> [What is white slavery if not the act by whose virtue one recruits the women necessary for regulated vice? And if this is so, why does one persecute it?] Although the *Patronato* was created to prevent women from being pressured or tricked into prostitution, it cannot be considered an abolitionist society. For abolitionists such as Juderías, there was no distinction between the sex slavery of trafficked young girls and the sex slavery of government-registered women working in brothels.

The methods of the *Patronato* and of other maternalist anti-prostitution societies drew heavy criticism from abolitionists for being wholly ineffective and impractical. The *Patronato* campaigned for prostitute women’s access to education, as long as this education stressed the importance of modesty, the virtues of honest work, and the value of marriage.<sup>204</sup> In making the assumption that prostitutes had failed to learn these life lessons, conservative feminist societies placed the culpability for prostitution on the heads of individual women. According to abolitionists of the political left, the causes of prostitution went much deeper. “Socialists criticized the bourgeois feminist movement

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<sup>203</sup> Guereña, *La prostitución en la España contemporánea*, 384.

<sup>204</sup> Scanlon, *La polémica feminista*, 107.

for believing that the answer to prostitution was a modification of personal morality rather than a fundamental change in society.”<sup>205</sup>

Feminist and writer Margarita Nelken (1894-1968) was among those socialists who decried the *Patronato* and other conservative feminist societies for their theatrical, ineffectual anti-prostitution campaigns. In *La Condición Social de la Mujer en España* (1922), she composed a biting criticism of anti-trafficking groups: “[Crean] que lo más importante que pueden hacer con las hospitalizadas de San Juan de Dios, por ejemplo, es enseñarles a cantar salves.”<sup>206</sup> [They believe that the most important thing they can do for the hospitalized women of San Juan de Dios, for example, is to teach them to sing hymns.] Nelken rejected the idea that personal moral failings were responsible for the suffering of prostitute women who found themselves in the Hospital San Juan de Dios, a facility specializing in venereal disease. The *Patronato*’s brand of social motherhood was more self-serving than humanitarian; it was officially dissolved in June of 1931 at the dawn of the Second Republic.<sup>207</sup>

### *Women of the Liberal Intelligentsia*

Maternalist feminism was not the only brand of Spanish feminism that asserted an anti-prostitution position; a handful of highly educated upper- and middle-class women of the political left made their abolitionist positions clear. Rejecting moralistic arguments, socialist and anarchist feminists attributed the existence of prostitution to the economic and social exploitation of women in general. The capitalist system was built to ensnare

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<sup>205</sup> Peter Baldwin, *Contagion and the State in Europe, 1830-1930*, (New York: Cambridge University Press, 2004), 490.

<sup>206</sup> Margarita Nelken, *La condición social de la mujer en España: Su estado actual, su posible desarrollo*, (Barcelona: Minerva, 1922), 152.

<sup>207</sup> Scanlon, *La polémica feminista*, 265.

certain vulnerable women into prostitution; these women were again seen as helpless victims leading unhappy lives, but they were not blamed for their own suffering.

Though Margarita Nelken came from a wealthy background and received a university education that set her apart from the majority of Spanish women, she was very concerned with issues of feminism, socialism, and abolitionism. *La condición social de la mujer en España* was her first book on the subject of feminism, and Nelken devoted an entire chapter to prostitution. She conceptualized prostitution as a national embarrassment for which the state was responsible: “Dios sabe todavía hasta cuando la prostitución española seguirá siendo una vergüenza, no para las prostitutas, sino para todo el país socialmente culpable y responsable.”<sup>208</sup> [God only knows how long Spanish prostitution will continue to be a shame, not for prostitutes, but for the entire country that is socially culpable and responsible.] Through abolishing prostitution, Spain could enhance its international prestige and cease to be seen as a backward nation.

Regulationism was particularly infuriating for Nelken because it sought to guarantee the health of male visitors to brothels; meanwhile, no measures were taken to protect the health of prostitutes from their clients.<sup>209</sup> The prohibitionist laws of North America and Germany that banned brothels altogether were more justifiable in comparison, but Nelken was also against their criminalization of the sale of sex: “Es menester que también nosotros comprendamos que la prostitución no es un crimen que debe castigarse, sino una desgracia que se debe evitar y remediar.”<sup>210</sup> [It is necessary that we understand that prostitution is not a crime that should be punished, but a misfortune that ought to be avoided and remedied.] Jailing or fining prostitutes would only

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<sup>208</sup> Nelken, *La condición social de la mujer*, 154.

<sup>209</sup> *Ibid*, 139.

<sup>210</sup> *Ibid*, 152.

compound the financial troubles these women often experienced; Nelken emphasized that programs of social outreach and empowerment ought to be prioritized over police crackdowns.

Part of Margarita Nelken's frustration with the *Patronato* was that there was no clear plan for creating meaningful change in the lives of prostitute women. She outlines her own plan in *La condición social de la mujer*. Among her suggestions is the abandonment of the practice of confining prostitutes in brothels as an attempt to save them from themselves; instead, Nelken proposes the foundation of *casas de educación*, or houses of education, where women could choose to stay voluntarily and learn marketable skills to increase their employment opportunities.<sup>211</sup> Nelken also demanded better funding for the clinics and hospitals specializing in venereal disease which, without proper resources, could become sites of infection in and of themselves.<sup>212</sup> These pragmatic, practical solutions stood in contrast to the moralistic and ineffective solutions of the *Patronato*.

Although Margarita Nelken wrote about prostitution despite its taboo quality, over time prostitution became less and less prominent in her writing. By the 1930s, Nelken focused her attention on other political discussions such as the debate over women's suffrage (which she opposed, arguing that women were still too undereducated to make an informed vote). The first female lawyers of the Colegio de Abogados, feminists Clara Campoamor (1888-1972) and Matilde Huici (1890-1965) also drew back from the topics of prostitution and abolitionism. Thomas Glick argues that these professional women's reluctance to engage publicly in abolitionist discourse can be

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<sup>211</sup> Nelken, *La condición social de la mujer*, 153.

<sup>212</sup> *Ibid*, 154.

linked to their political aspirations in the Second Republic: “Possibly because of their political ambitions, they cultivated a lower profile in the more sexually explicit aspects of the [sex] reform campaign, concentrating instead on the traditional issues of political feminism.”<sup>213</sup> This strategy paid off; Nelken, Campoamor, and Victoria Kent (1898-1987) were the first three women elected to the Cortes in 1931. Though Nelken and her female peers held valuable insights on the subject of prostitution, their own political ambitions prevented them from committing themselves fully to the Republican abolitionist movement.

The more progressive feminists of the 1920s and 1930s backed away from the eugenics movement to which earlier feminists like Concepción Arenal had been drawn. Matilde Huici and Clara Campoamor in particular were frequently at odds with the World League for Sexual Reform and its Spanish chapter, the *Liga española para la reforma sexual sobre bases científicas*.<sup>214</sup> Though the *Liga* held the political, social, and sexual equality of the sexes as a fundamental part of its platform, the patriarchal structure of the organization revealed that commitment to this ideal was rather weak.<sup>215</sup> Hildegart Rodríguez (1914-1933), trained in law and fervently in favor of eugenics, was the only female member of the *Liga* during its short period of activity.

Hildegart Rodríguez was raised by her mother, Aurora Rodríguez Caballería, to support eugenicist thought and also serve as a model for the success of proper puericulture. Highly educated at a very young age, Hildegart became the secretary of the *Liga* at seventeen and produced a series of essays on eugenics, birth control, and other

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<sup>213</sup> Thomas F. Glick, “Sexual Reform, Psychoanalysis and the Politics of Divorce in Spain in the 1920s and 1930s,” *Journal of the History of Sexuality* 12 (2003): 69.

<sup>214</sup> Ibid.

<sup>215</sup> Ralf Dose, “The World League for Sexual Reform: Some Possible Approaches,” *Journal of the History of Sexuality* 12 (2003): 6.

elements of sex reform. Like her conservative male peers in the *Liga*, Hildegart emphasized the essentially maternal role and duty of women.<sup>216</sup> In her study on the life of Hildegart Rodríguez, Alison Sinclair observes that Hildegart turned her attention toward the subject of prostitution in 1933, producing more writing on the abolitionist debate than any other member of the *Liga*.<sup>217</sup> It is impossible to predict whether her written engagement would have evolved into more active abolitionist engagement; Hildegart was shot and killed in June 1933 by her own mother for reasons unknown. Whether or not this tragedy directly contributed to the disbanding of the *Liga*, the Spanish chapter of the WLSR did not continue to operate long after its secretary's death.<sup>218</sup> Hildegart's life was a short and singular one, but she stands out in the history of Spanish sex reform and abolitionism as a particularly prolific and enthusiastic writer on the subject.

Among abolitionist feminists, Federica Montseny stands out in that she was in the best position to affect change from the top down. A member of the Federación Anarquista Ibérica (FAI), Montseny wrote extensively for the anarchist press, especially for *La Revista Blanca*, a publication which her family owned. Like Margarita Nelken, Montseny came from privilege but espoused very radical political views. Also like Nelken, Montseny criticized the ineffectuality of halfhearted conservative feminist attempts to rehabilitate prostitutes. She wrote: "La prostitución es sobre todo hija de la miseria y no puede curarse con una taza de té, un pastelillo y unas sentencias morales."<sup>219</sup> [Prostitution is, above all, the daughter of misery and cannot be cured with a cup of tea,

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<sup>216</sup> Alison Sinclair, *Sex and Society in Twentieth-Century Spain: Hildegart Rodríguez and the World League for Sexual Reform*, (Cardiff: University of Wales Press, 2007), 49.

<sup>217</sup> *Ibid.*, 70.

<sup>218</sup> Richard Cleminson, "'Science and Sympathy' or 'Sexual Subversion on a Human Basis'? Anarchists in Spain and the World League for Sexual Reform," *Journal of the History of Sexuality* 12 (2003): 121.

<sup>219</sup> Federica Montseny, "Una jornada de las Prostitutas," *Revista Blanca* 100 (1927): 111.

some cake, and some moral judgements.] Montseny agreed with the sociological aspect of abolitionism; for her, prostitution was a systemic problem rather than an individual one.

In 1936 the Spanish left dominated the political elections and Federica Montseny became the first Spanish female cabinet member, as Prime Minister Francisco Largo Cabello's Minister of Health and Social Assistance. With this new access to power, Montseny devoted her attention to issues of public health, with projects devoted to reproduction, prostitution, and venereal disease.<sup>220</sup> Montseny took office in November of 1936, months after the regulation of prostitution had officially been abolished by decree. She was not optimistic that this change in the law would have any real effect: "La prostitución representa un problema de carácter moral, de carácter económico y de carácter social que no se puede resolver radicalmente. Que la prostitución será abolida en el momento en que las relaciones sexuales se liberen."<sup>221</sup> [Prostitution represents a problem of moral character, of economic character, and of social character that cannot be resolved radically. Prostitution will be abolished the moment that sexual relations are liberated.] Montseny predicted accurately that legislative change from above would do little to change the status of prostitution if the character of Spanish society did not undergo fundamental changes first.

Though Federica Montseny created and sponsored campaigns to eliminate prostitution as Minister of Health and Social Assistance, she perceived that she was fighting a losing battle. "Montseny herself admitted that her campaign in the Ministry of Health and Social Assistance to eradicate prostitution had failed. Regulation and the

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<sup>220</sup> Nash, "Género, cambio social y la problemática de aborto," 28-29.

<sup>221</sup> Scanlon, *La polémica feminista*, 309.

creation of rehabilitation centers for prostitutes were inadequate, according to her, if the basic sexual culture of Spanish society did not change.”<sup>222</sup> The problem of prostitution was not only the great number of flaws in the laws that had regulated it, but the very way that sexual relations were interpreted and perceived in Spanish culture. Summarizing her experience years later, Montseny wrote:

“While sexual morality is hypocritical and prudish, while the satisfaction of sexual needs is not considered something logical, as elementary as the satisfaction of the appetite, while changes in the mentality of men and women are not achieved, while Spain does not overcome its sexual morality, . . . the abolition of prostitution is impossible.”<sup>223</sup>

Federica Montseny did not agree with regulationists in assuming that prostitution was eternal and inevitable, but she recognized the ways in which prostitution was embedded into the culture as a result of the structure of sexual morality and gender norms. While these could and should be subject to reform, it was a process that required much more time than the short life of the Second Republic was able to grant.

### *Wartime Anarcha-feminism*

Mujeres Libres was an anarchist women’s organization founded on the eve of the Spanish Civil War with the purpose of bringing women’s concerns to the forefront of anarchist politics. Made up entirely of women and with branches in major cities across Spain, the group was co-founded by openly lesbian militant anarchist Lucía Sánchez Saornil (1895-1970), Amparo Poch y Gascón (1902-1968), who was the director of social assistance at the Ministry of Health and Social Assistance under Federica Montseny, and Mercedes Comaposada (1901-1994). The mission of Mujeres Libres was to address the

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<sup>222</sup> Mary Nash, *Defying Male Civilization: Women in the Spanish Civil War*, (Denver, CO: Arden Press, 1995), 161.

<sup>223</sup> Ibid.

role of women in the anarchist revolution to come, and to advocate for women and women's issues where mainstream anarchist organizations neglected them.

In contrast to mainstream anarchism, which supported the abolition of prostitution but never made it a priority, *Mujeres Libres* adopted the central mission of eradicating prostitution from Spain. This was intended to be their first step in revolutionizing society: “La empresa más urgente a realizar en la nueva estructura social es la de suprimir la prostitución.”<sup>224</sup> [The most urgent enterprise to carry out in the new social structure is that of the suppression of prostitution.] According to *Mujeres Libres*' framework, prostitution was a direct result of unjust social and economic gender inequalities. The group also promoted Emma Goldman's idea that all women who depended on men for a living were, in a sense, prostitutes, and the separation between “honest women” and “fallen women” was therefore an artificial one that ought to be destroyed.<sup>225</sup> The overall goal was to build a better society; the short term goal was to rid society of the social category of prostitute.

*Mujeres Libres*, the magazine published by the group of the same name, articulated these arguments and called its readers to action. According to one article, all Spanish women ought to be active opponents of prostitution and identify with prostitute women as sisters-in-arms: “Todas las mujeres españolas habremos de ponernos ahora mismo a esta empresa liberadora...No más pasivas conmisericordias de mujeres distantes. No es problema de ellas, sino nuestro, de todas las mujeres y de todos los hombres.”<sup>226</sup> [All Spanish women must give ourselves immediately to the liberation enterprise...No

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<sup>224</sup> “Liberatorios de prostitución,” in *“Mujeres Libres”: España 1936-1939*, ed. Mary Nash, 183.

<sup>225</sup> Martha A. Ackelsberg, *Free Women of Spain: Anarchism and the Struggle for the Emancipation of Women*, (Bloomington, IN: Indiana University Press, 1991), 137.

<sup>226</sup> “Liberatorios de prostitución,” 183-184

more passive commiserations by distant women. It is not their problem, but ours, it belongs to all women and all men.] *Mujeres Libres* called out to all Spanish women to recognize that prostitutes were women too, and that they suffered the same kinds of structural inequalities, merely in different manifestations. Training women to fight for political and economic equality, they argued, would not only liberate prostitute women, but prevent prostitution in the future.<sup>227</sup>

*Mujeres Libres* planned to manifest its campaign against prostitution in the *liberatorio*, or a resource center for prostitute women focusing on empowering them to leave the sex trade behind. The proposed functions of the *liberatorio* were published in the *Mujeres Libres* magazine:

1. Investigación y tratamiento médico-psiquiátricos. [Medical and psychiatric inquiry and treatment.]
2. Curación psicológica y ética para fomentar en las alumnas un sentido de responsabilidad. [Psychological and ethical therapy to instill in the students a sense of responsibility.]
3. Orientación y capacitación profesional. [Professional orientation and training.]
4. Ayuda moral y material en cualquier momento que les sea necesaria, aun después de haberse independizado de los liberatorios.<sup>228</sup> [Moral and material aid whenever it is needed, including after one has become independent of the *liberatorio*.]

Though *Mujeres Libres* criticized the older rehabilitation practices of the *Patronato*, the *liberatorio* model can be interpreted as an altered kind of asylum for prostitute women. The *Liberatorio* also drew from Margarita Nelken's proposal for *casas de educación* in that internment was voluntary and included practical job training, but the process "psychological and ethical therapy" echoed that of re-education in the *Patronato*'s two

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<sup>227</sup> "El problema sexual y la revolución," in "*Mujeres Libres*": *España 1936-1939*, ed. Mary Nash, 168.

<sup>228</sup> "Liberatorios de prostitución," 184.

asylums. *Mujeres Libres* certainly saw itself as a progressive group, but the echoes of paternalism and moralism reverberated throughout the *liberatorio* project proposal. However, the project was more sophisticated than just “a cup of tea, some cake, and some moral judgments” and due to the close working relationship between co-founder Amparo Poch y Gascón and Federica Montseny, *liberatorios* gained the support of the Ministry of Health and Social Assistance.<sup>229</sup>

As *Mujeres Libres* and its *liberatorios* gained traction and influence after 1936, the Civil War intensified, disrupting Spanish life and causing prostitution to be an even greater presence in Republican war zones. As Mary Nash observes, “War has generally been regarded as conducive to sexual laxity, and such was the case during the Civil War.”<sup>230</sup> Together with the loosening of strict sexual norms, the economic imbalance between men and women intensified during wartime. As published in *Mujeres Libres*, young male soldiers had more money on hand than ever; meanwhile many women were newly homeless refugees seeking security in the Republican strongholds of Madrid and Barcelona. “De esta abundancia y de aquella pobreza...ha sobrevivido—consecuencia natural—una agudización considerable de la prostitución.”<sup>231</sup> [From this abundance and that poverty...as a natural consequence, a considerable exacerbation of prostitution has survived.] Women in *Mujeres Libres* groups witnessed refugee women resort to prostitution against their will in order to support themselves and their children, and soldiers—many of them of the working class, some identifying as anarchists themselves—provided ample demand for this new supply of prostitute women.

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<sup>229</sup> Nash, *Defying Male Civilization*, 163.

<sup>230</sup> *Ibid*, 156.

<sup>231</sup> “El problema sexual y la revolución,” 167.

According to *Mujeres Libres*, prostitution was the most immediate problem facing Spanish women, yet the problem only intensified as the war developed. Though many anarchists interpreted the Civil War as an opportunity for social revolution, for *Mujeres Libres* the violence was counterproductive. Particularly infuriating for these anarchist women was the participation of their male anarchist peers in the sex trade, which they called a *depravación burguesa*, a bourgeois depravity.<sup>232</sup> *Mujeres Libres* published the following plea in January of 1937:

COMBATIENTES: No seáis vosotros, nuestros propios camaradas, los que entorpezcáis una labor de por sí tan difícil. Ayudadnos a que todas las mujeres sean libres, dueñas y responsables de su dignidad humana. Buscad en vuestras relaciones sexuales el intercambio completo, purificaros la sangre y el espíritu. Resolved el problema de una manera sana, con mujeres “limpias” y conscientes. Ayudadnos a que todas las mujeres sean pronto así.<sup>233</sup>

[COMBATANTS: As our own comrades, do not be like those who hinder a task that is so difficult in and of itself. Help us so that all women might be free, responsible mistresses of their own human dignity. In your sexual relations, look for a complete give-and-take, purify your blood and your spirit. Resolve the problem in a healthy manner, with “clean” and mindful women. Help us so that all women will soon be so.]

This call to action draws upon several tactics of persuasion; it attempts to recruit soldiers into the abolitionist movement in order to liberate women. The appeal argues that sexual relations among equals are inherently better—they are “purifying” rather than tainted. However, this message to soldiers draws upon old pejorative stereotypes about prostitute women: they are unclean, irresponsible, and undignified. Though *Mujeres Libres* was in support of prostitute women, the way they wrote about them was inconsistent at best and hypocritical at worst.

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<sup>232</sup> *Mujeres Libres*, “*Ruta*,” 21 January 1937, in “*Mujeres Libres*”: *España 1936-1939*, ed. Mary Nash, 186.

<sup>233</sup> *Ibid.*, 186-187.

The *liberatorios* project was well-intended and certainly had more potential for creating positive change than the *Patronato*'s asylums, but the anarchist women in *Mujeres Libres* had difficulty challenging their socially ingrained prejudices against prostitute women. Despite their recognition that prostitutes were women with the same right to equality and empowerment as any other woman, the *Mujeres Libres* leadership failed to recognize prostitute women's agency as individuals. While a *liberatorio* may have proved to be a helpful resource for many prostitute women seeking a way out of the sex trade, members of *Mujeres Libres* felt they were acting to liberate these women, rather than empowering them to liberate themselves.<sup>234</sup>

*Liberatorios* provided psychological aid assuming that all prostitute women were psychologically damaged, financial aid assuming that they were in poverty, and job training assuming that they were unskilled. However, as Nash points out, there are very few records from this period documenting the ways in which prostitute women lived and the ways they interpreted their own lives: "Lack of documentary sources prevents us from reconstructing prostitutes' views of the *liberatorios*. The question remains, however, as to whether prostitutes wanted to be saved and how to interpret the question of female initiative on this issue."<sup>235</sup> Though they were repeatedly cast as victims, there are scarcely any records giving insight as to whether prostitute women felt victimized, whether they wanted to quit the sex trade, or even whether or not they enjoyed their work. One woman spoke to Dr. Antonio Castro López about her desire to quit prostitution and raise a family.<sup>236</sup> Another woman abandoned prostitution to become an

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<sup>234</sup> Nash, *Defying Male Civilization*, 164.

<sup>235</sup> *Ibid*, 164.

<sup>236</sup> Pilar Folguera, *Vida Cotidiana en Madrid: el primer tercio del siglo a través de las fuentes orales*, (Madrid: Consejería de Cultura y Deportes, 1987), 149.

active member of Mujeres Libres.<sup>237</sup> However, these are just two out of thousands of prostitute women who have been silenced throughout history; their names and their own words did not appear in any of the accessible sources.

In the end, the *liberatorios* project, like much of Spain, was destroyed by the Civil War. The project became unsustainable and was deprioritized within the larger anarchist movement. “Refugees were constantly pouring into the major cities from areas taken by Franco’s troops. Increasingly, Mujeres Libres’ limited resources were needed for basic education and for shelters for newly homeless women and children.”<sup>238</sup> The women of Mujeres Libres were forced to abandon their mission to end prostitution and adapt traditionally feminine duties of care and nursing. Prostitution persisted across Spain, clandestine yet unabated in the Republican-controlled zones and regulated once more in regions controlled by Francisco Franco’s Nationalist troops. “Revolutionary ideas were buried under a morass of traditional patriarchal views on male sexuality and conduct, which remained unchanged despite the revolution and the innovative initiatives by women.”<sup>239</sup> In spite of the passion and commitment of Mujeres Libres’ abolitionist mission, their efforts to end Spanish prostitution through grassroots action would ultimately fail in part because of a lack of resources, but also because prostitution and gender hierarchy were so deeply ingrained into the culture.

### *Conclusion*

The history of Spanish prostitution is also a history of Spanish women; therefore it is crucial to highlight women’s stories and women’s activism in examining the

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<sup>237</sup> Ackelsberg, *Free Women of Spain*, 136.

<sup>238</sup> Ackelsberg, *Free Women of Spain*, 139.

<sup>239</sup> Nash, *Defying Male Civilization*, 165.

tumultuous period of change from the Restoration to the Spanish Civil War. Feminists across the political spectrum transgressed rules of propriety and femininity in order to engage in abolitionist debate and work against the institution of prostitution. Though abolitionist women came from positions of privilege and often failed to subvert paternalistic and moralistic constructions of prostitute women, many activist women were deeply committed to improving the lives of those whom they saw as downtrodden and exploited. It is a paradox that although women as a whole enjoyed the least amount of agency in the political sphere, they were in the best position to affect real, lasting change in the lives of prostitute women. Prostitution was far more than a women's issue in Restoration-era and Republican Spain, politically active women claimed it as their own and implemented their own innovations. Though not all abolitionist feminists were very radical in their politics, to campaign against prostitution as a woman was to subvert gender norms and fight (consciously or unconsciously) against the patriarchal structures that acted upon all Spanish women.

## CONCLUSION

Prostitution and the women who engaged in the sale of sex were continually discussed and debated by intellectuals across Spain between the Restoration and the final days of the Spanish Civil War. As the nation shifted from a traditional monarchy to a democratic republic before dissolving into war, the anxieties produced by these social changes were reflected in the constructed image of the prostitute woman. She became more symbol than subject, an allegory of the social ills both literal and figurative that plagued Spain's cities. A deep concern about prostitution and its social implications prompted prominent Spanish thinkers to produce laws, literature, debate, and discussion about how to address the problem of prostitution, yet this problem would remain unsolved.

Who was the Restoration-era Spanish prostitute? Under the regulationist gaze, she was the unstoppable source of moral and physical corruption that must be monitored and controlled to protect the nation and the race from her influence. Like an infant at risk for disease, Spain's developing nationhood demanded protection from negative social elements. Under the abolitionist gaze, the prostitute woman was a helpless victim of circumstance, a downtrodden and pitiful figure without any agency of her own who must be rescued and rehabilitated by humanitarian organizations in order to cleanse Spanish cities from the shameful presence of prostitution. The question remains unanswered: how did turn-of-the-century prostitute women in Spain interpret their own identities and experiences? It is a tragic historical phenomenon that the voices of women, especially working-class women, are systematically silenced and erased from the historical record,

their names and identities forgotten over time until they become shadowy, nebulous figures buried deep within the archives.

There is much that cannot be known about prostitute women and their lives in Spain during its turbulent transition from traditional to modern, rural to urban, monarchical to republican. In order to create a more complete and more just historical account, historians must do their best to infer what it meant to be a prostitute woman in this context based upon the available sources. Thus, the positionality of primary sources, from rigid regulationists to fierce abolitionists, must be addressed and critiqued in order to tease out a new historical truth.

To reconstruct prostitute women's lives and experiences, we must examine the common threads of women's lives. For centuries, Spanish women were explicitly second-class citizens with limited rights and opportunities. However, the modernization of Spain witnessed greater numbers of women began living independently in cities as the Spanish economy transformed into an industrial wage economy. Fierce discrimination in labor and education created further obstacles for women; it can be inferred that some women became prostitutes and thus transgressed norms of sexual propriety in order to support themselves financially. However, it cannot be concluded that each and every prostitute woman engaged in the sex trade out of desperation; likewise it cannot be assumed that each of these women considered herself a victim or experienced overwhelming suffering over the course of her life, as was so often assumed in paternalist discourse. Nonetheless, the fact that more than half of all Spanish women at this time were unable to read or write means that few if any prostitute women were able to produce a record of their own lives, which limits historians' understanding of their histories.

Future studies of Spanish prostitution might pick up where this thesis leaves off. For example, what did prostitution look like during the Franco dictatorship (1939-1975)? An investigation of that period could create oral histories of prostitution while women who were active as prostitutes in the 1960s and 1970s remain able to tell their own stories. Additionally, the issue of race might figure more prominently in future historical investigations of the nineteenth and twentieth centuries; though the sources consulted in this thesis remain silent on the subject, there may be some archival material referring to prostitute women of color in Spain, especially considering the Iberian Peninsula's proximity to North Africa. Studies on Spanish sex work in the new millennium should consider factors of immigration and global sex trafficking of women from sub-Saharan Africa, Latin America, and China.

The history of prostitution and of sex work is rich and dense, and contains important insights into gender, class, national identity, politics, and much more. Prostitution is not simply "the world's oldest profession," because the sale of sex bears significantly different meanings across history, across cultures, and between individuals themselves. In the investigation and analysis of these meanings and their comparison across historical contexts, we gain a more complete and comprehensive understanding of the history of prostitution, not simply on an individual level, but on national and global levels. The vivid complexities contained within histories of prostitution are vital to the discipline of history and central to its project of recovering silenced narratives.

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