



Challenging the “Prostitution Problem”: Dissenting Voices, Sex Buyers, and the Myth of Neutrality in Prostitution Research

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All research and policymaking on the prostitution system is deliberated and decided in the shadows of fundamentally incompatible positions. We recognize these positions along broadly similar lines as Benoit, Smith, Jansson, Healey, and Magnuson (2018) (although, as we shall discuss, with crucial differences): to legitimate prostitution as a form of labor, or recognize it as a form of male violence against women and girls. Over the past decade, the latter approach has gained significant momentum. The Equality (or Nordic) Model, pioneered in Sweden in 1999, is now in place (with localized variations), in Norway and Iceland (2009), Canada (2014),¹ Northern Ireland (2015), France (2016), and the Republic of Ireland (2017) (Bindel, 2017; Tyler et al., 2017). The decriminalization of selling sex, combined with provision of exiting support, criminalization of buying sex, and public education, is rooted in recognition not only that prostitution and trafficking for sexual exploitation are related systems of male violence against women, but that their very existence reflects and reproduces women’s inequality. Patriarchy, racism, and capitalism require a hierarchy of human value. Feminists who advocate for the abolition of prostitution do so from a position that seeks to end these hierarchies, to challenge male entitlement to profit from women’s bodies and Indigenous lands, and create a world where women and girls can live free from male violence or threat of male violence.

In contrast to the Equality/Nordic Model, older systems of legalization (as found in the Netherlands, Germany, and the Australian states of Queensland and Victoria) and total decriminalization (as found in New Zealand) are based around principles of harm reduction, rather than harm abolition. This leads us to ask: How much harm is acceptable for women to live with if harm reduction is the goal? And who decides this? (Graham, 2014). The underlying ideology of sex-as-work does not allow for a challenge to male entitlement or systems of patriarchy and racism, choosing instead to monetize them.

We start our response to Benoit et al. (2018) against this background. One of our concerns is their problematic conflation, and therefore obfuscation, of the Equality/Nordic Model with total criminalization (which largely emanates from archaic “decency,” public nuisance or “law and order” approaches that punish prostituted persons). These different approaches, with different philosophical underpinnings, are both categorized by Benoit et al. as “repressive.” There are deep divisions in academic and policy debates about prostitution, but to ignore or misrepresent the basis of differing positions generates more heat than light. Here, we suggest that Benoit et al. do not fully engage the ideological underpinnings of work that promotes total decriminalization and thus tend to overstate the claims of empirical support, while underestimating the possibility of transformational social change to challenge the sex industry on a more fundamental level. We also argue that the separation of gender and sex from “social inequalities” is misleading and confusing. Finally, we note key elements of research on systems of prostitution, in particular the racism inherent in prostitution and men’s entitlement to sex on demand that need to be engaged with further by those promoting total decriminalization.

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¹ See Edwards (2015) for a fuller discussion of the introduction and implementation of the Nordic model in Canada.

The Myth of Neutrality in Prostitution Research

Indigenous, decolonizing, and feminist researchers have long claimed that no research is value-free. When Benoit et al. (2018) argue that “researchers ideological biases also weaken much of the scholarship on prostitution,” their argument assumes that viewing prostitution as harmful is a problematic value perspective, and that research that begins from a perspective of sex work-as-work does not have this “problem.” Indeed, the lopsided example provided does not account for the ways in which a sex work perspective diminishes or discounts the violent material realities and analyses of prostitution as shared by women who have survived it, an issue we return to below. As Boyle (2012) argued writing in response to Weitzer’s appraisal of feminist research on pornography: “Feminist researchers have long argued that ‘the appearance of objectivity’ is precisely that: an appearance... [t]o declare oneself ‘neutral’ on this issue is a politicized position in itself” (p. 507). It is impossible, even disingenuous, to claim that an epistemological starting point (even if unacknowledged) does not influence research design, sampling strategies, construction of interview guides, coding frameworks for analysis, and how data are presented in terms of the language used to describe the prostitution system and people involved in it (e.g., prostitution/sex work, prostituted women/sex workers, pimps/managers).

Gender and Social Inequalities: An Incoherent Conceptual Categorization

Benoit et al. (2018) argued that an analytic lens of gender as a hierarchy prevents comparison of the specific experiences of “men and trans people in prostitution studies.” Yet a gender analysis does not preclude exploring how gendered norms and practices are relevant here. It also holds in sight both sides of the prostitution system: that the overwhelming majority of those selling sex in prostitution are women and that men are overwhelmingly the purchasers of sex from all prostituted persons. The prostitution system is a “market for men” (O’Neill, 2001, p. 155), and it is misleading, at best, to ignore this fundamental structure. “Gender” is not synonymous with “women”; it involves engaging with practices of masculinity (rather than an essentialist biological sexual drive) in the motivations of men that pay for sex. As Waltman (2011) has noted in his important work on the Equality/Nordic Model in the context of Sweden: “the gender disparity in using and being used in prostitution is not complex and should be theoretically addressed—not evaded” (p. 455). We return to this point again later.

Furthermore, separating gender inequality from social inequalities is impossible. Gender only exists within the social:

Gender is a set of practices that create a hierarchical social division between women and men based on embodied sex difference (Connell & Pearse, 2015). Oppression based on sex and enacted through gender is changed and deepened by intersections with race/ethnicity and class. That women’s lived experience varies by location within these social structures of inequality does not diminish a sex-based analysis that is particularly relevant to the commodification of (predominantly) female bodies in prostitution. As a conceptual framework then, it makes little sense to separate sex and gender from the category of “social inequalities.” Such a distinction serves to take gender out of the social and into the realm of individual morality. If Benoit et al.’s (2018) intention is to criticize perspectives that focus solely on “gender,” this is an important argument.

Women of color and Indigenous women have written and spoken powerfully about how sex industries are built on racism and histories of colonialism. For example, Carter (2004) has made critical connections between the prostitution of black women and slavery (see also Carter & Giobbe, 1999; Nelson, 1993); Butler (2015) has applied a critical race feminist perspective to prostitution and its impacts on women of color; Stark (2014), Smiley (2016), Farley, Lynne, and Cotton (2005), and Farley et al., (2011), among others, have examined the ways that the prostitution of Indigenous women and girls is also connected to ideologies and processes of colonization. Numerous individual women and feminist women’s groups outside of academia have also developed important analyses in regard to the foundational roles that racism and colonization play in the prostitution of women of color and Indigenous women.² Intersecting with patriarchy and racism are the ways in which poverty funnels women into prostitution (e.g., Martilla, 2008; Monroe, 2005). These are all crucial social contexts that are central to feminist analyses of the prostitution system.

So, framing analyses of prostitution as either about gender and sex, or about social inequalities, create a false separation that make it impossible to analyze gender as a social structure of inequality within white supremacist capitalist patriarchy.³ This ripples through Benoit et al.’s (2018) policy typology, where policy regimes that criminalize the purchase of sex on the grounds that prostitution is incompatible with women’s equality (Sweden) are conflated as “repressive” with locations where all or most aspects of prostitution are criminalized in a social nuisance/morality framework (the U.S.).

² See, for example, activist and advocate for Indigenous women Fay Blaney, founding member of the Aboriginal Women’s Action Network in Canada, and Jean Enriquez, Executive Director of Coalition Against Trafficking in Women—Asia-Pacific.

³ The term “white supremacist capitalist patriarchy” is taken from the work of bell hooks (see, e.g., hooks [2013]).

Dissenting Voices

Too often, women who have survived prostitution, and those currently in prostitution, are used to advocate for politicized positions. Here, questions of voice and perceived legitimacy become central: claims that only “sex workers” can speak frequently slides into only “current sex workers” and/or only those with a specific perspective. Benoit et al. (2018) fail to adequately address the material realities and analyses of those who are in prostitution or have survived prostitution that do not view prostitution as sex work and, instead, analyze their experiences as part of a continuum of male violence against women (e.g., Grootboom, 2018; Moran, 2013; Norma & Tankard-Reist, 2016; Sahu, Mondol, Khatoon, Chetry, & Khatoon, 2017; Stark, 2006). Just as there are women in prostitution who claim that sex work is work, there are women in, and exited from, prostitution who advocate for the Equality/Nordic Model. Given the centrality of “listening to sex workers” for arguments in support of total decriminalization, we must also consider how and why certain analyses are marginalized (Bindel, 2017; Tyler, 2016).

Further, stating that we must “listen to [only certain] sex workers” is problematic in that this way of working with women not only reinforces what Boyle terms “the myth of objectivity,” as if researchers are gathering information and analyzing it outside of their biases and positions. It also pressures women who may be involved in prostitution or who have exited prostitution to speak publicly about experiences they may not want to revisit in order to be deemed “legitimate” in discourses regarding prostitution. The realities of prostitution research are that there are many women who will not share their experiences or analyses because they choose not to and, in some cases, because they are no longer alive.

Feminist scholars who are critical of prostitution recognize that, as a result of many factors, women will have a wide variety of analyses of their experiences, and while it is not possible to critique a woman’s individual experience, it is possible to disagree and debate with a woman’s analysis of her experience. Being willing to challenge women’s analyses presumes that she is intelligent, capable, and articulate as opposed to a patronizing presumption of women as only capable of sharing experiences and/or unable to develop or further develop an analysis through discussion, debate, and disagreement. As we go on to discuss, it is also evident that the “listen to [certain] sex workers” approach ignores the voices of men who buy sex and men who profit from prostitution (Bindel, 2017). These men have much to say about the sex industry and what they think about “sex work” and those who do it.⁴

⁴ See, for example, the Invisible Men project at <http://the-invisible-men.tumblr.com>.

Men Who Buy Sex

Important and emerging research on “sex buyers” is not considered by Benoit et al. (2018) in their Target Article. Work on male sex buyers is imperative, not only because it has often been a neglected research area, but also because it breaks with older literature on prostitution which has tended to focus on the potential public health threats of women in prostitution (Farley & Kelly, 2000), and the dominance of more recent work on sexually transmitted infections. Across differing positions in prostitution research, emphasis has been placed on women, obscuring or rendering invisible the role of men who purchase sexual access to women in systems of prostitution. A growing number of studies are addressing this gap from a variety of perspectives (e.g., Bishop & Robinson, 1999; Coy, Horvath, & Kelly, 2007; Earle & Sharp, 2007; Holt & Blevins, 2007; Macleod, Farley, Anderson, & Golding, 2008; Milrod & Weitzer, 2012; Ondrasek, Rimnacova, & Kajanova, 2018; Williams, Lyons, & Ford, 2008; Yonkova & Keegan, 2014), including research that highlights objectification (Coy, 2008), men’s violence against women (Jovanovski & Tyler, 2018; Rosario-Sanchez, 2016; Tyler & Jovanovski, 2018), and the characteristics of men who purchase sex (Farley, Golding, Matthews, Malamuth, & Jarrett, 2017).

One of the most vital findings that research on male “sex buyers” demonstrates, whether or not it is critical of systems of prostitution overall, is that men’s demand for paid sexual access to women is socially constructed. The evidence base reveals that motivations for buying sex rely on notions of masculinity and sexual behavior. In turn, this means that men’s demand is not an immutable given that must be presumed or accepted as a starting point for addressing the harms of prostitution. The normalization of purchasing sexual access to women has especially harmful consequences for particular groups of marginalized women, as well as having broader effects on the status of women as a class. Directly addressing men’s demand in systems of prostitution, and how this affects the status of all women, is another area that requires further engagement from those advocating for the decriminalization of sex buying.

Links Between Prostitution and Trafficking

Finally, Benoit et al. (2018) briefly quote critical feminist analyses that draw parallels between prostitution and trafficking as evidence of conflation, and thus flatten these arguments. As Outshoorn (2004, p. 10) has noted, attempting to distinguish between prostitution and trafficking “is a move that de-genders, as the link to prostitution reminds us who is usually being trafficked, for whom and to what purposes.” Pointing out that the two phenomena are related, even “analogous,” is not the same

as saying they are one and the same. While trafficking for sexual exploitation is a specific activity defined in international human rights instruments and translated into domestic law (Madden Dempsey, 2017), women are trafficked into existing prostitution markets. Turner (2012, p. 33) summarizes thus: “[i]f trafficking is the method and the means of delivery, prostitution is the end game... [p]rostitution, it seems, can be tolerated, but the means of delivering women into prostitution cannot.” European and international studies show that where prostitution markets expand in legalized policy regimes, inflows of trafficking are also larger (Cho, Dreher, & Neumayer, 2013; Jakobsson & Kotsadam, 2013). Taking these arguments and findings into account—and they are curiously omitted from Benoit et al.’s review—means thinking differently about the inseparability of prostitution and trafficking. Stating that prostitution and trafficking are two separate and distinct actions poses questions that do not have clear answers. For example, how does one differentiate between a woman who is a sex worker and a woman who is trafficked? Do we rely on her statement that she is there willingly, when we know that there are cases where women do not speak out of fear of retaliation? How, too, would we differentiate between sex buyers who purchase sex workers and those who buy trafficked women so that we make sure to stop the demand for sex trafficking, but not the demand for sex work? Studies show that some sex buyers neither know nor care if women have been coerced or trafficked (e.g., Yonkova & Keegan, 2014). In attempting to offer empirical support for how policy approaches can address women’s safety and the harms of prostitution, it is unhelpful to disregard the multilayered links between prostitution and trafficking.

Conclusion

There can be little doubt that the debates around prostitution research and policy will continue to be fractured for the foreseeable future. There is no hope for moving forward, however, if the aim continues to be a misleading and unattainable “objective” approach. We must acknowledge that there are multiple possible readings of the available evidence and that these occur through a particular lens. That those who argue for the complete decriminalization of the sex trade as a form of a labor—a model the sex industry businesses tend to prefer—come from a particular ideological position as do those researchers, like us, who argue for the Equality/Nordic Model based on the understanding that prostitution is both a cause and consequence of women’s unequal social, economic, and political status in relation to men.

One of the key, but often unacknowledged, differences between these two positions is that the first tends to accept male demand and the sex trade as inevitable; that there is something natural about its existence and that attempts to alter male

demand are simply “repressive,” so the best way forward is to accept a level of harm and to minimize it within a broader system of prostitution. The approach that we share does not accept the inevitability of a sex trade and highlights prostitution as an abusive element of white supremacist capitalist patriarchy, rooted in racism and colonization (Bhattacharya, 2016; Butler, 2015). From this vantage point, assuming that the demand for sexual access to women in the sex trade is socially constructed means it can be challenged and changed. As Miriam (2005, p. 2), drawing on Pateman, has noted: “the root question of an abolitionist approach to prostitution is not whether or not women ‘choose’ prostitution, but why men have the right to demand that women’s bodies are sold as commodities in the capitalist market.” The growing momentum of the Nordic/Equality/Nordic model shows that this question is one that policymakers are grappling with, and we contend that it should be considered, indeed centered, in any discussion of claims, evidence, and policy outcomes on prostitution.

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