



SEX FOR SURVIVAL:  
PROSTITUTION, POVERTY, & INEQUALITY

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What has often been referred to as the oldest profession in the world can also be considered the oldest form of female oppression. Prostitution has been a long-lasting form of inequality for women. Prostitution can have many different manifestations, but sexual exploitation is always a violation of a person's humanity. Facing issues of marginalization and stigmatization, prostituted women often bear their suffering unassisted, overlooked, and blamed.

For this topic, there has been a significant amount of work directly on prostitution and the accompanying theoretical or moral arguments. My aim is to analyze the different arguments on prostitution policy and select the one I believe is most conducive with alleviating poverty and respecting the dignity of every person. In sum, the three major suggestions I will look at are: criminalization of both parties involved, partial decriminalization, and full decriminalization. From current research and work experience, I support the partial decriminalization in favor of the "seller." The intersectionality of the topic will intertwine race, poverty, power relationships, and gender related issues to give a holistic view of sexual exploitation. It is ineffective to address prostitution by viewing it as its own isolated problem.

Through the lens of equality, the systemic issue of prostitution can be addressed. It is obvious that sexual servitude/exploitation affects women more than men. Women are the primary people facing sexual exploitation. Men are also prostituted but at far smaller numbers in the US and globally. Equality for women within a positive sexual culture is important in this work. What this equality and positivity surrounding sex looks like is debated amongst feminist scholars. True equality is being able to live without fear of violence, discrimination, or any other ills while also being acknowledged as an equal citizen by society. In the light of major attention following the investigation and death of Jeffrey Epstein and other scandals such as Backpage,<sup>1</sup> it

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<sup>1</sup> Jeffrey Epstein is a well know American Financer who was convicted of sex trafficking, exploitation, and child abuse that gained national attention. His case brought to light the ring of trafficking that was occurring at the

is important for the United States to stand firm in its support of women who face sexual violence and exploitation worldwide.

The root of prostitution and sexual exploitation is debated. Over the past few centuries secularization has illuminated some issues that have often been understood as immoral choices. Sex Trafficking is defined as the action or practice of illegally transporting people from one place to another for the purpose of sexual exploitation. Sex Trafficking in comparison to prostitution has the benefit of an overly negative connotation to the public as it appeals to moral convictions of freedom. Prostitution is defined as the practice or occupation of engaging in sexual activity with someone for payment. Prostitution does not always have this benefit when it can be seen as a choice for “lazy” women. I argue, based on the intersectionality of issues, that sexual exploitation and prostitution are not that different and can be addressed similarly. Coercion of any kind for sexual is oppressive and continues the unequal politicization of the female body.

When addressing the problem, considering all of these options and their pros and cons must play into justice for all people. Empowering women must understand and push for equality in all the places men are privileged. Prostitution is the result of many different systemic problems that have occurred for millennia. The overarching policy choice of punishing buyers does not cover the whole of sex work but addresses those perpetuating oppression. What tends to be misunderstood about prostitution is the intersectionality of the issue (such as race, gender, and class) that fuel its cyclical trap.

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highest echelons of society. Accusations against other celebrities and politicians followed. Backpage is a website for advertising that had become widely used for selling and soliciting sex over the internet. It aided human trafficking and its lack of censorship got the website shut down by the federal government.

## **METHODOLOGY**

Approaching the policy suggestions for prostitution requires an ethical and empirical approach. Ethics need to work from a clear viewpoint in establishing agreed upon norms of equality, that is supported by empirical data. Much of the available data on prostitution comes from rescue groups or arrest data. These sources are reliable, but it may not account for the full population involved in the sale of sex. Data about sexually transmitted diseases, assault, brothel registrations where it is legal, etc. are all necessary for understanding all the necessary areas for change and rehabilitation within policy. Again, people are not claiming income from prostitution on a W-2 for tax purposes. Similar to the exclusion of income from drug deals, gambling, arms deals, hitmen, etc. Prostitution is an intersectional issue. Its causes and effects are like a massive web of inequality. Most of my argument relies on the ethical and moral theory that pertains to feeder facets of the issue at hand such as gender, race, and class. As many scholars have specifically pointed out that, “prostitution itself has an internal hierarchy based on class, race, and gender.”<sup>2</sup>

In examining the problem of sexual exploitation and sex trade, there are a multitude of ways to go about in assessing data. For my research I rely heavily on a qualitative framework. The approach I use is in attempts to emphasize the humanity of those affected by sexual violence. Statistics are extremely helpful but can be difficult to understanding the nuanced intersectionality of the issue at hand. I believe that qualitative data allows for a deeper interpretation of statistics and other representational data, including thought processes. In the development of gender and sexuality studies, prostitution is a contentious topic. Sexual liberation and gender equality look quite different for many people. Deciding what true equality looks like

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<sup>2</sup> Debra Satz, “Markets in Women’s Sexual Labor,” *Why Some Things Should Not Be for Sale*, December 2010, pp. 13

and putting it into pragmatic application is difficult when there has never really been an equal society to look back on. My gender theory is heavily influenced by Martha Nussbaum's conception of equality, Judith Butler, Marilyn Frye, and Marion Iris Young on gender, and Catherine MacKinnon's view on prostitution. Butler and Young bring political and psychosocial analysis to support the opinions of MacKinnon. Martha Nussbaum's conception of capabilities and functionings is the cornerstone of this understanding. Her philosophy allows me to analyze other theoretical works as they apply to policy and the issue of prostitution. From this perspective, prostitution is violation of basic human dignity and denies essential capabilities necessary for equality.

Nussbaum offers a view of equality that is essential for understanding the intersectional reality of life. Her acknowledgement of circumstance and orientation as contributing factors to the development of citizens is key to progressive policy. There is not full control over the social sphere we are born into. This lack of control over circumstance that affects who we become requires active awareness of the inequalities. True equality would mean regardless of the lot in life we are given there is equal opportunity is available. Establishing what equality entails is difficult. Within the framework of political liberalism offering the best chance for this equality, Nussbaum offers what every person must be guaranteed for equality and a dignified life. "The capabilities approach...focuses on the protection of areas of freedom so central that their removal makes a life not worthy of human dignity."<sup>3</sup> These individual "rights," we can call them, then point back to the importance of political liberalism within a representative democracy.

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<sup>3</sup> Martha C Nussbaum, "The Central Capabilities," in *Creating Capabilities, The Human Development Approach* (Cambridge, MA: Belknap Press, 2011), pp. 31

Her breakdown respects the autonomous individual. Her focus on the individual rejects that idea that there is some form of utilitarianism that can excuse the devaluing of a person's life. Each person, though endowed with different innate characteristics and skills, should be equal in capability. Capabilities are what a person is able to do and to be. She uses "capabilities" in order to emphasize that the most important elements of people's quality of life are plural and qualitatively distinct: health, bodily integrity, education, and other aspects of individual lives that cannot be reduced to a single metric without distortion.<sup>4</sup> Ensuring capabilities is necessary for a normal and dignified life. Without capabilities, Nussbaum believes, that we would not be living a life worth living. These are comparable to inalienable rights. Capabilities can be internal or as givens in the political arrangement (I will give her list later on). Internal and combined capabilities must be supported by the government and society because "functionings are beings and doings that are outgrowths or realizations of capabilities."<sup>5</sup> Without the ensured capabilities, our functionings would be limited. This viewpoint allows an understanding of necessity and equality for every person.

What Nussbaum attempts to uphold is the value of reasonable pluralism in society, individualism, and agency. People attempting to agree on an issue is difficult but discussing an issue from the basis of guaranteed rights may make an issue agreeable. Nussbaum offers a basic list of liberties that can exercised in many different ways. What basic, defined capabilities does is promote self-determination and agency free of coercion. The ability to choose is essential to understanding the capabilities approach and the idea of freedom. One reasonable caveat to the capabilities approach is that what is guaranteed to you must be guaranteed to all. This is

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<sup>4</sup> Martha C Nussbaum, "The Central Capabilities," in *Creating Capabilities, The Human Development Approach* (Cambridge, MA: Belknap Press, 2011), pp.18

<sup>5</sup> *Ibid.*, pp. 25

reasonable until the exercising of capabilities and functionings are disagreed upon. The biggest obstacle is the idea of security or safety as granted in social contracts. The political or societal structure should try to provide safety while not infringing on freedom or being paternalistic. This ensures that each person can choose his own definition of the good life while being adequately supported in this pursuit.

**10 central capabilities condensed list:<sup>6</sup>**

- 1) Life
- 2) Bodily health (including reproductive health)
- 3) Bodily integrity (secure against violent assault, including sexual or domestic violence; opportunities for sexual satisfaction and choice in reproduction matters)
- 4) Sense, imagination and thought
- 5) Emotions
- 6) Practical reason
- 7) Affiliation
  - a. In particular Nussbaum's second definition: having the social bases of self-respect and non-humiliation, someone worth the equal of others
- 8) Other species
- 9) Play
- 10) Control of one's environment (political and material)

The capabilities approach differs from other political philosophy and justice initiatives because “[it] is concerned with entrenched social injustice and inequality, especially capability failures that are the result of discrimination or marginalization.”<sup>7</sup> Nussbaum is aware that though the list of capabilities may be abstract or intangible, its application is not. With those that have been systematically disenfranchised in mind, equality must be on an individual level. Often other approaches to freedom and justice have allowed for discrimination and marginalization to occur.

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<sup>6</sup> Martha C Nussbaum, “The Central Capabilities,” in *Creating Capabilities, The Human Development Approach* (Cambridge, MA: Belknap Press, 2011), pp. 33-34

<sup>7</sup> *Ibid.*, 19

After applying this framework to the broad issue of prostitution, my starting point for research depended on country case studies and perceived failures. I used the theory readings to support the idea of equality and justice that would suggest punishing those that are already oppressed, or disadvantaged, is not conducive to fixing a perceived problem. These case studies are not included within my research as they were preliminary. On top of a “blind” theoretical lens (Nussbaum), I include some justification for the additional theory work included in my literature review. My goal is to justify the policy solution I found most conducive to justice and equality. If dismantling an entire social structure is required for equality, when engaging in legislation for prostitution, we must think about what will do the most to push for true equality. This is the genesis of my thought process. Starting with the sources I cite in my literature review I used the bibliographies and other accounts to process the different views on sexual labor or exploitation. The point of discussing gender equality as a whole is to help determine what an equal and just society free of gender inequality would look like. It does not seem justifiable to dismantle an institution or forms of legislation and replace with something equally or more oppressive. This requires an understanding of more abstract ideas such as oppression and power relations. Understanding why society operates in the manner it does adds to our understanding of equality.

Gender theory from Young, Frye, MacKinnon, and Butler engage in different areas of feminism. Many of these authors engage with their opponents within their works. These sources can allow for well-rounded discussion but also are reputable sources. It is equally important to discuss counterarguments and why they have some merit as well as flaws. Gender cannot really be addressed with quantitative data unless an issue is specified. Theory allows a place for moral and ethical argument. Using these works from women as the starting place for my arguments I can create a logical thought process on why female equality means partially decriminalized

prostitution in the favor of women. Specifics in policy require a top down approach. Prostitution has persisted in history for a long time for a multitude of reasons and depends on gender injustice. “Prostitution is a gendered form of survival.”<sup>8</sup> To exclude the category of gender, means we end up talking about sexual violence broadly, which still requires the discussion of gender. Society is mired in gender, to ignore it is to ignore one of the most permeating ideologies of our society. I use both abstract and prostitution specific sources that engage with gender, norms, sexuality and other aspects of female existence.

There is less philosophical theory on class in my work. This is intentional, it does not seem necessary to understand the origins of class distinction rather than the affects it has on people. Class like the other broader categories are all considered intersectional. Scholarship on economics and the financial status of those that have engaged in prostitution can give a more applicable insight to how class affects prostitution (from the perspective of the buyer and/or seller). Class allows us to work with more quantitative data. The interpretation of economic data requires a broad application and abstract connection to the issue of prostitution in some cases. I use logical flow of information and thought processes to explain how these sources can be applied.

I am more concerned with the race of the women being prostituted and how that affects their experience. Many people that write on prostitution and objectification of women use exoticism as an explanation for the higher demand and abuse of women of color. I use one book that is specifically about race theory in America that covers aspects of racial inequality that may or may not be as specifically pertinent to the topic of sexual servitude. Race, gender, and class do not offer clear starting place for addressing prostitution. If we can pick a place in the web to

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<sup>8</sup> Melissa Farley, “Risks of Prostitution: When the Person Is the Product,” *Journal of the Association for Consumer Research* 3, no. 1 (2018): p.97

begin, logic and recognized connections make understanding a complicated problem both more difficult and clearer.

### **Limitations, Bias, and Strategy**

There is no way for me to address a smaller group of prostituted women to apply to a global whole. Within different social strata there will be differences on the individual level. Addressing an issue that straddles economic, physical, mental, and emotional health requires individualized perspective for every woman. Respecting the dignity and humanity of women is an important aspect of this research. There will never be a fix all solution of the problem of prostitution. Prostitution is comparable to the parable of the drowning kids in the river. Though there needs to be efforts to help the children still drowning, or the women engaging in prostitution. There must also be efforts to stop the source of inequality and other contributing factors, like in the parable when a fence is built to keep kids from falling in or stopping the person throwing them in.<sup>9</sup> Theoretical approaches allow us to contemplate a multitude of views and solutions for the problem. Solutions need to respect the autonomy of individuals. Quantitative data is helpful as supporting evidence for my political claims. People that do economic research have the ability to apply quantitative data to their efforts. On the more theoretical topics of race and gender, only after certain political measures are in place, can some quantitative data collection be done. This limitation requires my research to look at case studies of countries that differ from the US in legislation. The intricacy of these feeder issues cannot be completely covered in one work. For example, race requires a very deep analysis of colonization, lasting effects of racism, and the further disparity that women of color face. There is not one

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<sup>9</sup> “The Parable of the River,” Unbound, (<https://unbound.com/books/why-did-the-police-man-cross-the-road/updates/the-parable-of-the-river>).

source that offers a holistic explanation of how race is deeply intertwined with prostitution. Not to address it would be a flaw to my work but trying to cover racial justice thoroughly would require more than one paper. Additionally, prostitution looks very different in every country; its taboos and processes are captured in literature and media pieces different. Theory also is often refuted and not widely accepted. Prostitution carries a heavy stigma that needs a lot of effort to reform. This stigma means that applied theory not directly pertaining to prostitution can be dismissed. Besides a heavy approach from the philosophical side, it is hard to drop bias when doing this kind of research. It has been clear to me this whole time, I had to hold a very strong opinion from the beginning. Unless you are adequately convinced you are mistaken, there is almost no chance that you concede to the counter argument. This may be one of the hardest parts when engaging with feminist politics. Until we are granted some sort of objective insight on equality or through trial and error will we know what the right decision was. Unfortunately, trial and error can set us back even further. Personal bias and personal research limitations are difficult humps to overcome in this paper.

### **Literature Review**

Judith Butler's "Undoing Gender" allows for a discussion of what gender and sexuality largely play out as in society. If we can reimagine gender and what it means, there may be some insight into the reason women are hypersexualized and exploited. Her works point out the need for belonging, and other aspects that force people to accept the position they are in and willingly conform. "The Hegelian tradition links desire with recognition, claiming that desire is always a desire for recognition and that it is only through the experience of recognition that any of us

becomes constituted as socially viable beings.”<sup>10</sup> Gender has been treated as a determinant for level of acknowledged humanity. Two distinct categories of existence offer an avenue of oppression through alienation, dependency, and submersion. Binary spectrums of gender and sexuality mean that our social structure does not accommodate or include those that fall outside of norms. “If I am a certain gender, will I still be regarded as part of the human? Will the “human” expand to include me in its reach?”<sup>11</sup> Men are fully human, unless deemed unequal by another factor like race, class, ability, etc. Women are deemed unequal by the same standard, but also face a higher rate of objectification and commodification because of sex characteristics and sexuality. Butler suggests that “[gender] is a practice of improvisation within a scene of constraint.”<sup>12</sup> Her approach to gender and sexuality can inform why equality is made difficult by the inherent gendered nature of our social and political systems. If our social structures are based on a binary gender distinction, then inequality will follow. This distinction enables the idea that women are inferior. If we seek validation from others our gender performance may conform to the oppressive stereotypes that are already established and validated by society. Belonging and visibility can perpetuate inequalities due to distinct “otherness” being ostracized. This view allows us some room to analyze and generalize about the causes and logic of women who “choose” to engage in prostitution.

Marion Iris Young offers a political view on the female body in her essay “Throwing Like a Girl.” Her take on female involvement and spatial interaction give us another view on what equality should look like. Young is arguing that women experience existence on all planes as different from men. All facets of existence, such as the different social spheres women operate

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<sup>10</sup> Judith Butler, “Introduction: Acting in Concert,” in *Undoing Gender* (New York, NY: Routledge, 2004), pp. 2

<sup>11</sup> *Ibid.*, pp. 2

<sup>12</sup> *Ibid.*, pp. 1

in, are done within the confining distinction of femininity. The physical experience of existence is very important for evaluating the oppression of women in sexual labor. The psychological effect of poverty and oppression will play into engagement of space and the body as well. The distinction of a “feminine essence” can help explain the objectification of the female body and the response engagement physically. Feminine essence is the idea that women are eternally and naturally set apart in some distinct and unexplainable way from men. This carries into the belief that women are psychologically and behaviorally different from men, often at an inferior level. Young claims women engage with space inwardly, as a result of the idea that a woman needs to protect her body physically, possibly creating a self-controlled environment. This philosophy can be applied to examining how sexual abuse and poverty can affect prostituted women. The patriarchal society has dictated how women are supposed to experience their bodies, or how others are entitled to experiencing them. This experience of the oppressed self would manifest itself in many other realms like the political realm. Being marginalized in society compounds the point Young makes that being seen by others includes the threat of bodily space being invaded. The threat of assault, unwanted attention, rape accompany a woman’s daily life. Prostituted peoples fit well into her idea of motility.<sup>13</sup> Considering Young’s explanation of a woman’s engagement with the physical world and society, it seems fair that those facing sexual exploitation are not treated as equal human beings.

Using power dynamics as an abstract informant for areas of intersection, I have looked at Paulo Freire’s *Pedagogy of the Oppressed*. Freire helps explain in his first chapter what it looks like to help those who have been oppressed. For someone to be oppressed someone else must be privileged. Those with privilege are the buyers who perpetuate a system of objectification and

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<sup>13</sup> Iris Marion Young, “Throwing Like a Girl: \*,” *On Female Body Experience*, 2005, pp. 27-45

submersion. These women have been marginalized in society and a disproportionately affected by the criminal justice system. When applying Freire's concepts of power relations to prostitution we are tasked with helping prostituted people "recover their lost humanity."<sup>14</sup> Within any sexual encounter there is an understood power dynamic that has historically favored male dominance and pleasure (sometimes at a cost for the woman involved. Restoring power requires not a softening of oppression but a restructuring of the system. This is why partial decriminalization is the best policy option. Legalization or full criminalization just perpetuates the oppression of these vulnerable people. Support and dignity look like equality in all senses. Punishing those who sell sex for survival does not affirm their humanity but treats them as a subhuman, immoral other.

The shift from a society built on religious, specifically Judeo-Christian, morality to one of diverse secularization has been difficult for women when it comes to gender expression and norms. It has opened many new opportunities, but the dismantling of the older societal norms has not been easy. Mary Wollstonecraft and Iris Marion Young aid my belief that the unequal treatment has disproportionately affected women and their liberty and economic mobility. Since women have long been objectified and denied political agency, it is important to cover why equal treatment and participation of survivor's voices is required in a democracy. Additionally, I wanted to clarify my stance on prostitution versus sex trafficking. In a quick snapshot Farley suggests that, "wherever prostitution thrives, so does sex trafficking."<sup>15</sup> Though the two differ in some respects, I do not believe there should be a moral distinction between the two. Both can be addressed with similar legislative and rehabilitation efforts. Prostitution carries the connotation that it is a choice made by consenting participants. On the other hand, sex trafficking carries the

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<sup>14</sup> Paulo Freire, *Pedagogy of the Oppressed* (New York: Bloomsbury Academic, 2018), p.44

<sup>15</sup> Melissa Farley, "Unequal," *The Nation*, September 13, 2005) p.2

negative and empathetic interpretation for most people. The problem with the two being distinguished based on a Judeo-Christian moral view of sex and modesty, is that prostituted women do not receive the help they may need. Viewing sex trafficking and prostitution in the same light allows for us to drop the negative or judgmental connotations surrounding prostitution and view it as an abuse of inequalities facing women. Prostitution and sex trafficking are issues that through ethics and empirical evidence are not that different in their causes and effects on women in a broad sense. Every individual will have a different story. If prostitution is treated like a false choice, which my approach necessitates, there is less difference between women who may have been kidnapped or forced into the trade to begin with versus those coerced or “choosing” to prostitute themselves. Many prostitutes, as Vance’s piece suggests, face barriers to leaving and may not have ever had a choice to begin with. Prostituted and trafficked women both are subjugated to dehumanizing practices and abuse centered around their sexuality and other identity factors and capabilities. “Prostitution itself has an internal hierarchy based on class, race, and gender.”<sup>16</sup> Within these subcategories that contribute to prostitution, they may also apply to sex trafficking as well.

What is most important is the exploration of different policy possibilities. Most policy measures have not been made out of care for women but focused on maintaining a strict moral image that is outdated and oppressive. Hiding the visible ailment of poor sex workers perpetuates the invisibility of those continually hurt by the systems in place. The Nordic model offers visibility and support to those facing dehumanization while hopefully rehabilitating buyers through the criminal justice system. When sex is still taboo, prostitution is treated as a self-

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<sup>16</sup> Debra Satz, “Markets in Women’s Sexual Labor,” *Why Some Things Should Not Be for Sale*, December 2010, pp. 137

inflicted poverty problem. Even in a society more comfortable with sex, we do not know how to appropriately address those who have the false choice of sex as work. The openness around sex and the acceptance of casual sex as a norm outside the confines of a relationship has made sex work less taboo. “Sex work” is not sex positive or empowering but objectifying and a major setback for equality. This will likely face pushback from pro-sex work feminists. Viewing prostitution as oppressive will rely heavily on the idea that the female body is not a workplace. A healthy sex positive culture ensures the equality of all persons involved. When women are being purchased and treated as disposable receptacles, there is a lack of respect and entitled equality others are granted. This objectification is not temporary as it may be when two consenting people engage in sex. Prostitutes face dehumanizing circumstances all the time. Money being involved allows buyers to disrespect normal boundaries on the basis of temporary ownership. This kind of job is different from female athletes, models, chefs, etc. that use their bodies as vessels/canvases/etc. as a means of work. There is respect that is not given to prostituted women because of the negative sex culture that was pervasive in society.

Class statistics can give us some insight into why women “choose” to prostitute or are targeted by Johns. The information can be applied on a larger scope as to why the Nordic model is more applicable for the US rather than the current legislation or full legalization. We know that mobility is being tracked back to the 1940’s for US families. This data collected by Raj Chetty has shown that mobility between economic classes is difficult for everyone. It is somewhat safe to assume this is more difficult for women. The gender pay gap and other issues of inequality would make it harder for women to gain better financial footing. These numbers can be subdivided by race and gender. What research like Chetty and others offers is the proof that people in low income situations struggle to move up economically and likely their children

will as well. For example, when analyzing United States economic data on class mobility we can see that mobility between classes is very difficult.<sup>17</sup> This lack of mobility requires and understanding of cyclical poverty and privilege. Again, class and the continuation of class distinction is an intersectional issue as well as one dependent on power structures. Logically, if prostitution is seen as a false choice selling sex or surviving, it would make sense that most women engaging in prostitution are from these lower classes. Class and poverty will likely be a large driving force for women engaged in prostitution, but to say that the issue overall is independent of other forces is naïve. Feminist and identity politics as well as unequal power relations contribute to the understanding of class and poverty as they relate to prostitution. Prostitution scholars do point out that, “unfortunately, political philosophers and economists, who have focused instead on inequalities in income and opportunity, have largely ignored this form of inequality.”<sup>18</sup> Focused quantitative data may point us toward the conclusion that addressing poverty will be a fix-all solution. It is apparent that addressing poverty is an extremely difficult problem. People not having enough to get by does not lead to prostitution, it is an agglomeration of social and economic forces.

Engaging in prostitution is far more likely for women in the lower socioeconomic classes than the wealthy as is most under-paid unskilled labor. It is detrimental to assume that all prostitutes freely choose to sell sex when considering the legal and rehabilitation efforts for prostituted women. Women commodify themselves and choose to continue to make money by selling sex, but these “choices” are always coerced. It makes no sense for the courts to punish

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<sup>17</sup> Raj Chetty et al., “The Quarterly Journal of Economics Volume 129 November 2014 Issue 4 - Front Cover,” *The Quarterly Journal of Economics* 129, no. 4 (January 2014): pp. 1-72)

<sup>18</sup> Debra Satz, “Markets in Women’s Sexual Labor,” *Why Some Things Should Not Be for Sale*, December 2010, pp. 147

women for prostituting when coercion by money or force is involved. Alas the driving force of financial need and lack of avenues for opportunity perpetuate the necessity and market supply of prostituted women. Frye explains coercion well. “To coerce someone into doing something, one has to manipulate the situation so that the world as perceived by the victim presents the victim with a range of options the least unattractive of which in the judgment of the victim is the act one wants the victim to do.”<sup>19</sup> The victim never has true agency and is being presented with ‘options’ that push them toward a choice made for them. Coercion can occur on a conscious level or within unequal institutions that govern or dictate parts of our lives. I believe that both occur within prostitution. The threat of violence, income insecurity, destitution, etc. all contribute to decisions made by a woman in that position. Coercion is more than physical force, and it is more often mental or circumstantial.

Some of the other extremely influential social forces are race relations that contribute to the market for sex. Racial and ethnic stereotypes and expectations feed into and influence the market. When it comes to race relations and oppression, there is a myriad of research on inequality and their differing histories. Colonization, ethnic identity, and religious motivations have all contributed to the prejudices minorities have faced in history. In addition to understanding Freire’s pedagogy of the oppressed, understanding phenomenon like Orientalizing is also helpful when analyzing how race plays into sexual exploitation. Orientalizing is the separation of all non-Western cultures/states into a distinct “other” that has a separate history from the West. This occurs in scholarship as well as in assumptions and prejudices that affect interaction. The creation of an “other” in society is an important lens to address prostitution from. Others do not belong to the group that holds power. Otherness means competition and

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<sup>19</sup> Marilyn Frye, *The Politics of Reality: Essays in Feminist Theory* (Trumansburg, NY: Crossing Press, 1983), p. 57

inferiority to those who have the power to name. Because of many different events that have occurred in history, “orientalism is the discipline by which the Orient was (and is) approached systemically.”<sup>20</sup> Because of scholarship and unaddressed biases, those from the Middle East and Asia have been treated as others, completely separate from the West. This for the most part, has dismissed the contribution and flow of thoughts, ideas, and people between Europe, Africa, and Asia that occurred before the Christianization of the West. This understanding of otherness and exclusion can help us glean at why there has been difficulty for those with power to relinquish prejudices that maintain their privilege. Orientalizing can be broadly applied to those who have been disenfranchised over history. The Eurocentric imposition of morality and other beliefs has deeply internalized many systems of oppression that have been taken for granted as natural or “predestined.” Said says, “let us briefly outline the history as it proceeded through the nineteenth century to accumulate weight and power, “the hegemonism of possessing minorities,” and anthropocentrism in alliance with Eurocentrism.”<sup>21</sup> This idea of possessing minorities aligns us again with the power relations between the oppressed and their oppressors. Through prostitution those with engrained superiority complexes have the ability to literally purchase and dehumanize those they deem inferior.

Focusing more on American racial literature, Brown offers us a comparison of two race theories that plague the US. His book highlights the effects of racism on African Americans and how it has perpetuated the disadvantages faced by this minority. Racism cannot succeed without causing inequality in other aspects of life. “Historically, class inequality has exacerbated racial inequality, and the present is no different.”<sup>22</sup> Here Brown clearly shows us that race cannot be

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<sup>20</sup> Edward W. Said, *Orientalism: Edward W. Said* (New York: Vintage Books, 2003) p.73

<sup>21</sup> *Ibid.*, 98

<sup>22</sup> Michael K. Brown and Martin Carnoy, *Whitewashing Race: The Myth of a Color-Blind Society* (Berkeley: University of California Press, 2005), p.2

separated from class. In other reproaches to racial inequality “Ruth Milkman explains, ‘this approach...fails to capture the depth with which gender discrimination and the norms associated with it are embedded into the economic order—in fact, they are embedded so deeply that a willful act of discrimination is not really necessary to maintain gender inequality.’”<sup>23</sup> Because of how deeply intersectional issues of poverty are, it is impossible to separate all facets for individual analysis. Attempting to deny racial inequality because there is no apparent racist act or intention does not deny that current inequality is built on past systems of oppression. For example, when prostitution affects more black women in the US than any other race, it is hard to imagine this has no relation to the remnants of America’s slave trade and subsequent racist political ploys. Breaking a pattern of inequality and oppression requires conscious reversal and reparation not just a forward looking ‘color blindness.’ In the case of prostitution, exoticism and other fetishes may play off the buyers’ desire to maintain power dynamics. Dominating people that have psychologically threatened your dominance in society with violence, sexual or physical, could contribute to the disproportionate affect prostitution has on women of color.

Seeing how racial inequality has already intersected with gender and class, “the distribution of wealth is central to any account of racial inequality, but it is not the only dimension of racial accumulation and disaccumulation.”<sup>24</sup> Healthcare access, housing, job opportunity, etc. all can contribute or be byproducts to perpetual racial inequality. Racial inequality’s intersectionality with gender inequality contributes to the heightened disadvantage for women of color. For example, black women are subject to hiring discrimination based on ‘professionalism’ surrounding their natural hair, they are underpaid in comparison to women of

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<sup>23</sup> Michael K. Brown and Martin Carnoy, *Whitewashing Race: The Myth of a Color-Blind Society* (Berkeley: University of California Press, 2005), p.17

<sup>24</sup> *Ibid.*, p.24

other races (already lower than male counter-parts), black women are less likely to be believed and cared for adequately when claiming to have health issues often because of racist stereotypes. There is nothing that would biologically predispose someone to engaging in prostitution in their lives, there is not some inherent inequality amongst women of different races either; the combined social stigmas and lack of equal opportunity may make it more likely that a woman of color chooses to engage in prostitution as a form of income. It seems unlikely that one day a woman wakes up and decides to sell her body for income when it is socially frowned up in most places. It would not be rational nor logical for someone to continue to disadvantage themselves going forward if they happened to be in a position of struggle. “Racial equality requires social and political changes that go beyond superficially equal access and treatment.”<sup>25</sup>

## **ANALYSIS**

If someone is being oppressed, then someone is being privileged. The abuse and dehumanization faced by women in prostitution creates an unequal power dynamic between the prostituted woman and the John or pimp. Both buyers of sex and those that “protect” and sell the women play off of many already existing inequalities in society. Thinking about privilege and power relationships can help us examine why equality requires legislation targeted at the oppressor rather than the victim.

Prostitution stretches far beyond just the sale of sex. Many other practices that objectify and hypersexualize a woman’s body for other’s pleasure are just as problematic. Escort services that may seem to offer more respect are also deplorable and fall under the umbrella of prostitution. Many escorts are expected and paid for sexual experiences or perks. Cliental may

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<sup>25</sup> Michael K. Brown and Martin Carnoy, *Whitewashing Race: The Myth of a Color-Blind Society* (Berkeley: University of California Press, 2005), p.3

offer more than just money but the purchasing of another person for “companionship” still puts them under the dominion of the buyer. Prostitution can be on the street, in a legal brothel, a massage parlor, or any other location. As long as a woman is being paid for sexual experiences it is prostitution. This also includes stripping, pornography, topless bars, etc. Though there may be, no touching rules, these women are often subject or encouraged to prostitute for more money. The treatment and threat of violence undergone by sex workers aligns them with all other prostituted peoples. Many strippers are also paying fees to a club owner, who could then be considered a pimp. Some scholars argue, “that prostitution, like contract pregnancy, is wrong insofar as the sale of women's sexual labor reinforces broad patterns of sex inequality.”<sup>26</sup> The sexual pleasure is paid for by men, who feel entitled to the bodies of the women they are paying. From the practices I believe constitute prostitution, the common thread is payment as coercion of sexual acts. Hypothetically, within a state of true equality this would be a completely different conversation.

From the list of Nussbaum's required capabilities, prostitution denies bodily integrity. These women are not guaranteed safety from violent assault, including sexual or domestic violence, or opportunities for sexual satisfaction and choice in reproduction matters that are not coerced. This denial of bodily integrity stems from the objectification that accompanies/is required by prostitution. In prostitution, respect is minimal from others. Bodies as a commodity is a difficult argument to make because of other human labor services. The inside of a woman's body is not a workplace, there is nothing being produced but oppressive pleasure for men.<sup>27</sup> The

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<sup>26</sup> Debra Satz, “Markets in Women's Sexual Labor,” *Why Some Things Should Not Be for Sale*, December 2010, pp. 135

<sup>27</sup> Julie Bindel, “Prostitution Is Not a Job. The inside of a Woman's Body Is Not a Workplace,” *The Guardian* (Guardian News and Media, April 30, 2018), <https://www.theguardian.com/commentisfree/2018/apr/30/new-zealand-sex-work-prostitution-migrants-julie-bindel>)

objectification of women as commodities to be purchased also can lead to increased chance of violence. “Researchers have found that the poorer she is, and the longer she's been in prostitution, the more likely she is to experience violence.”<sup>28</sup>

The loss of sexual autonomy requires the commodification of sex. The objectification of a woman's body dehumanizes her. This dehumanization allows for numerous kinds of abuse.

“Prostitution was understood as a dominating transformation of a woman into a special commodity in which the man who buys her shapes her into his own physical and psychological masturbatory entity.”<sup>29</sup> Prostituted women are treated as receptacles for men's desires and other baggage. Men purchasing sex are doing so to be satisfied in a way that may be more than physically. Some may have means to consensual sex, but they may not be able to do or say some things to women who are socially forbidden from being abused. The taboo sexual arousal of complete control or other aspects of BDSM may satisfy needs related to oppressive power dynamics, gender expectations, or belonging. BDSM are often painted as experimental or fetish subcategories broken up by bondage/discipline, dominance/submission, and sadism/machoism. The normalization of some of these sexual desires particularly for those purchasing sex reinforce ideas of what is “right” and “natural” for gendered interactions, especially sexual ones. “For efficient subordination, what's wanted is that the structure not appear to be a cultural artifact kept in place by human decision or custom, but that it appear natural.”<sup>30</sup> Some women, such as wives, partners, daughters, mothers, sisters, etc., have social inclusion and some sexual autonomy in the eyes of men. Prostituted women can be viewed as outcasts with minimal consequences for unacceptable behaviors. “Elizabeth Anderson, for example, discusses the effect of

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<sup>28</sup> Melissa Farley, “Unequal,” *The Nation*, September 13, 2005) p.1

<sup>29</sup> *Ibid.*, p.1

<sup>30</sup> Marilyn Frye, *The Politics of Reality: Essays in Feminist Theory* (Trumansburg, NY: Crossing Press, 1983),

commodification on the nature of sex as a shared good, based on the recognition of mutual attraction. In commercial sex each party now values the other only instrumentally, not intrinsically. And though both parties are thus prevented from enjoying a shared good, it is worse for the prostitute.”<sup>31</sup> This commodification is complicated because, “prostitution, like pornography, is not easily separated from the larger surrounding culture that marginalizes, stereotypes, and stigmatizes women.”<sup>32</sup>

Prostitution also infringes on a woman’s ability of affiliation. Prostitutes are often not treated as equals of others in many different ways. This also focuses immensely on the idea of non-humiliation and social basis of self-respect. On a basic equality level this is denied immediately by gender. Sexual and individual autonomy inequality for women is compounded by prostitution. For people of all genders, sexuality has been heavily linked to expected gender norms. Women are expected to be attracted to men and their subordination to the *higher* gender means that their sexuality is only for the exploitation and pleasure of men. As Iris Marion Young claims, women are confined to their experience in relation to not taking up the space of a man.<sup>33</sup> “We acquiesce in being made invisible, in out occupying no space.”<sup>34</sup> Frye seems to agree with the idea Young puts forward that the way women engage with space is oppressed already. Willingly conforming to this oppressive expectation means that women continue to shrink their presence and opportunity, specifically in affiliation. These norms that, as Butler suggests, we conform to in hopes of being validated and recognized as a member of society in all reality continue to degrade the equality of women. Invisibility is required in prostitution if it is viewed

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<sup>31</sup> Debra Satz, “Markets in Women’s Sexual Labor,” *Why Some Things Should Not Be for Sale*, December 2010, p. 143

<sup>32</sup> *Ibid.*, p. 148

<sup>33</sup> Iris Marion Young, “Throwing Like a Girl: \*,” *On Female Body Experience*, 2005

<sup>34</sup> Marilyn Frye, *The Politics of Reality: Essays in Feminist Theory* (Trumansburg, NY: Crossing Press, 1983), p. 2

as an illegal practice. Being seen means arrest or other forms of issues such as a social ostracization or physical abuse from buyers or pimps (leading to humiliation). As a portion of one of the largest illegal markets, people allow the benefits gained to outweigh the importance of the humanity of others. The objectification of people as solely economic pawns allows a person's humanity and dignity to become secondary to self-interested benefits of sexual pleasure, boosted ego, power security, lack of responsibility or consequences, economic gain, etc. Prostitution is an infringement on the dignity of people. I do not believe a person with ample opportunity and supported capabilities would freely choose to participate in a trade that is oppressive. This lack of equal opportunity is often seen most as a result of lower socioeconomic status. These people, men and women, face being treated like unequal "others." Resentment toward the poor is very common. With this resentment and social ostracization comes the objectification of the poor. The poor are easily employable for low wages, desperate for sustenance, and vulnerable to a multitude of abuses. As we saw with slavery and the industrial revolution, treating people as dispensable property has never been an issue for the wealthy. This is a mentality pimps carry as well. Prostituted women are constantly manipulated into believing they cannot survive without the pimp because society would ignore them, and they would be worse off. Internalizing objectification is a common problem for women on different levels. By conforming to gender norms, we reinforce female inequality which is inherent disrespectful to the self. Humiliation through violence and dehumanization is the basis of prostitution.

Affiliation and bodily integrity play heavily into the other guaranteed capabilities of bodily health and control over one's environment. Specifically referencing prostitution, "those who go pro lose their sexual autonomy."<sup>35</sup> Prostitution requires women to give up their claim to

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<sup>35</sup> Vanessa Place, "Chapter 8: The Ballad of Mac the Pimp." *The Guilt Project: Rape, Morality, and Law*, (New York: Other Press, 2010.) p. 147

their bodily autonomy and safety for money. This is by definition coercion. If we think of consent as not coerced for typical sexual encounters, there is mutual relinquishment of control but there is expected safety and respect. Prostituted women, because they are viewed as objects for purchase, are by contract not guaranteed the safety and respect for bodily health and autonomy. This autonomy is guaranteed on bodily health as well. Control over one's functionings and decisions on one's safety. Which again feeds into bodily integrity. It is an infringement of personal rights that Martha Nussbaum claims are required for capabilities and functionings.<sup>36</sup> Catherine MacKinnon offers that "women will remain a perpetual economic, social, and political underclass. Women's inferiority, powerlessness, relative negligibility will continue, both through positive acts of government and neglecting, hence permitting, social practices like marital rape and the pornography industry."<sup>37</sup> This powerlessness denies control of environment, especially politically. Violence and required dehumanizing submission require giving up control of one's material world as well.

Historically this played out quite obviously in the continued inequality women were faced with in the Declaration of Human Rights. Catherine MacKinnon points out that, "Article 23 encouragingly provides for just pay to "[e]veryone who works."<sup>38</sup> If the Declaration on Human Rights is for all humans, why are women still facing gender pay gaps and work discrimination based on sex? Is it because when writing about human rights, we immediately dismiss women as humans? Constitutionally guaranteed protection is not applied equally to all. As we are well aware, laws that are meant to help the poor often end up hurting them more. An

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<sup>36</sup> Martha C Nussbaum, "The Central Capabilities," in *Creating Capabilities, The Human Development Approach* (Cambridge, MA: Belknap Press, 2011).

<sup>37</sup> Catherine MacKinnon, *Are Women Human?* (Cambridge, MA: The Belknap Press of Harvard University Press, 2006) p. 72

<sup>38</sup> *Ibid.*, p. 42

underlying issue in laws against prostitution or ones aimed at alleviating poverty is that they are inherently exclusive. Instead of addressing real issues of inequality and suffering, these laws cover up or punish women for attempting to survive.

Control over one's environment includes, as it is combined with other capabilities, agency and individual pursuit of the good life. As we circle back to a basic understanding of promoted capabilities and functionings, intersectionality of reality must be kept in mind. Frye offers, "the experience of oppressed people is that the living of one's life is confined and shaped by forces and barriers which are not accidental or occasional and hence avoidable, but are systematically related to each other in such a way as to catch one between and among them and restrict or penalize motion in any direction."<sup>39</sup> As Frye points out, we do not get to completely control our experience. The government and society we operate in should attempt to grant agency where it is possible. We do not live without affecting others or being affected by the decisions of others and institutions. MacKinnon challenges us to consider agency in this light, "If I have any agency, it is opened up by the fact that I am constituted by a social world I never chose. That my agency is riven with paradox does not mean it is impossible."<sup>40</sup> Nussbaum would suggest that with agency, though there will be obstacles, is still necessary for a dignified life.

Women are unequally treated within their socioeconomic class by lack of autonomy and education. Mary Wollstonecraft in *Vindication of the Rights of Woman* argues for equal education options for women. Education is a major determinant for people in poverty. We see globally less educational achievements in areas with high poverty rates. The subjugation of women to domestic spheres and expectations of raising families and caring for her husband seem

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<sup>39</sup> Marilyn Frye, *The Politics of Reality: Essays in Feminist Theory* (Trumansburg, NY: Crossing Press, 1983), p.4

<sup>40</sup> Judith Butler, "Introduction: Acting in Concert," in *Undoing Gender* (New York, NY: Routledge, 2004), p.3

to predispose poor women to view prostitution as a form of viable labor. In comparison “necessity never makes prostitution the business of men’s lives; though numberless are the women who are thus rendered systemically vicious.”<sup>41</sup> Wollstonecraft continues to point out that equal education opportunity for women may mean “business of various kinds, they [women] might likewise pursue, if they were educated in a more orderly manner, which might save many from common and legal prostitution...sink them almost to the level of those poor abandoned creatures who live by prostitution.”<sup>42</sup> Wollstonecraft realizes that lack of education plays into the impoverishment and reliance of women on men. Women cannot financially support themselves but have no opportunity to do so. Education helps make women more independent/autonomous in many different ways. Nussbaum even cites education as a necessary capability that has to be supported equally by the government in place. Education is one of the differentials in class that still exists today. Education may help us identify those who are most at risk for prostitution and help us prevent it. Though Wollstonecraft is an older writer, her understanding of education and political participation has contributed to feminist movements and is still relevant. A woman is only an equal citizen if she is granted the same support for her capabilities and functionings.

As stated above, education contributes to class mobility and class distinctions are a major indicator for those involved in prostitution. Income inequality is one of the most visible aspects of prostitution, yet often dismissed as an enabler for prostitution. Poverty can be a determining factor for those who will end up or remain in sex trade. Often through an idealized vision of autonomy, prostituted women are assumed to have chosen to actively participate in sex work. Women who are not initially forced into prostitution receive little grace from those who view her

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<sup>41</sup> Mary Wollstonecraft and Janet Todd, *A Vindication of the Rights of Men; A Vindication of the Rights of Woman; An Historical and Moral View of the French Revolution* (Oxford: Oxford University Press, 2008) p.143

<sup>42</sup> *Ibid.*, p.229

situation. Financial distress and need for survival will drive people into labor they would not otherwise choose. Many people claim plenty of upper-class women choose to prostitute themselves, but this is not the norm. Some people believe that a false choice is not coercion. Through Nussbaum's framework, and Frye's explanation of coercion, prostitution is a violation of agency through coercion. "It is by this kind of reasoning that we are convinced that...prostitution is a freely chosen life, and that all slaves who have not risen up and killed their masters or committed suicide have freely chosen their lots."<sup>43</sup> There are many issues within class itself that contribute to the likelihood of a woman entering the prostitution market. Class is more than a distinction of financial ability; it is a social marker that allows those in the upper echelons to exclude other people—denying affiliation and sometimes life valued as equal.

Class or subsequent poverty does not do much for understanding prostitution without addressing how it disproportionately affects women and then women of color. In the US, the severe history of disenfranchisement has resigned people of color to less class mobility and unequal opportunity. The remnants of racism and racist institutions can still be seen today but are very obvious in the sex market. For those women of color that enter the sex trade, they are often pigeonholed to the stereotypes that reinforce other dehumanizing assumptions about prostitution. "One Korean-American survivor of prostitution grew up in the US but was forced by pimps to fake poor English because johns liked that: the image of the exotic as well as the vulnerability of nowhere to run. Johns can't tell where she's from, they simply ask for 'something different.'"<sup>44</sup> The ability to assert male dominance and also cultural dominance increases the "otherness" of the survivor. The woman is "something different" but has to comply enough to the dominant

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<sup>43</sup> Marilyn Frye, *The Politics of Reality: Essays in Feminist Theory* (Trumansburg, NY: Crossing Press, 1983), p.55

<sup>44</sup> Melissa Farley, "Unequal," *The Nation*, September 13, 2005) p.1

persons desire to make them feel like they wield some kind of control. Say the woman had spoken in Korean, would the John have been angry and quickly abused or charmed? Having nowhere to run and submitting again requires there to be a perceived awareness from the woman being exploited. Without awareness the victim is almost the equivalent of an inanimate object. The difference between purchasing a human for sex as compared to say a sex toy is the humanity of the object. Though they are not treated as equals, power relationships do require the subjugation of another recognized human being. “Racial hatred is sexualized by making every racial stereotype into a sexual fetish.”<sup>45</sup> When thinking about the performance of gender Butler offers, it may be helpful to imagine the racial identity performances prostituted people put on. Women would likely be expected to market themselves in a desirable way when working. If you know your client prefers a specific race of woman, it is likely because of an attached stereotype perception he has. Like with the Korean American example above, it would make sense to utilize and conform to these roles to make more money. Stereotypes such as the angry, hood black woman, or the Latina with an attitude, or daddy’s little White girl are all sexualized and dominated. All of these stereotypes sell, making the commodified woman marketable. They are perpetuated in media and fetishized repeatedly by those seeking to assert dominance when feeling insecure.

So why the Nordic Model? In sum the Nordic Model does a few things:

- Criminalizes the buyers and pimps
- Decriminalizes Prostitutes

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<sup>45</sup> Catherine MacKinnon, *Are Women Human?* (Cambridge, MA: The Belknap Press of Harvard University Press, 2006) p. 87

- Offers rehabilitation efforts to get people out of prostitution
- Educates the public/raises awareness for contributing causes including abuse, poverty, etc.

Policy approaches can be holistic, or they can be detail-oriented, dependent on addressing a population or an individual. Examining theory on larger categories such as race, gender, and class may help us address policy from a top down approach. I suggest the Nordic model because its aim has been the best example of how to target oppression and inequality in the many different aspects of life or society. “Sweden has a genuinely progressive prostitution law in which buyers and sellers of women are criminalized but prostituted people are not. Trafficking has plummeted in Sweden since the law was passed.”<sup>46</sup> The targeting of those driving the market (buyers) decreases demand that also perpetuates inequality and oppression. There should not be punishment for women trying to support their livelihood but broader efforts to create jobs, equal opportunity, and health care access would likely decrease a woman’s need to sell her body.

Since “historically, equality law and philosophy have been created in a vacuum of critical attention to sex as an inequality. Sex has been more typically been a counterexample to equality arguments.”<sup>47</sup> Partial decriminalization, I think Nussbaum and others would agree, tries to push for equality regardless of sex. Legal approaches should be holistic and equally applied to all. Addressing social ills, economic disparity, education, health, anything necessary for the accommodation of the capabilities of individuals is required if we are to respect the dignity of every person. Prostitution is an intersectional issue. As Butler points out, “discrimination against women continues—especially poor women and women of color, if we consider the differential

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<sup>46</sup> Melissa Farley, “Unequal,” *The Nation*, September 13, 2005, pt. 2

<sup>47</sup> Catherine MacKinnon, *Are Women Human?* (Cambridge, MA: The Belknap Press of Harvard University Press, 2006), p. 71

levels of poverty and literacy not only in the United States, but globally—so this dimension of gender discrimination remains crucial to acknowledge.”<sup>48</sup> If we fail to understand the intersectionality of the problem, we run the risk of further damaging the autonomy of women by picking policies that are harmful.

When it comes to an issue as complex as prostitution, it is impossible to isolate and analyze different areas of the problem. A solely economic approach to prostitution reinforces that people are only economic actors or objects for profit. Economics and full criminalization of prostitution also perpetuate objectification. This again removes empathy from legislators and bystanders. We are required to engage with the human victims of a vicious form of systemic oppression. Inclusion and social engagement with society is an important aspect of curtailing prostitution as it affects people’s ability to exercise functionings and capabilities. The Nordic Model acknowledges that prostituted people are equally deserving in society. These women are often isolated and already excluded from society in some form. As Katherine MacKinnon offers, “if women were human, would we be a cash crop shipped from Thailand in containers into New York’s brothels...sold for sex because we are not valued for anything else?”<sup>49</sup> Treating women with respect and offering supported capabilities, means not punishing them for the failures of the systems they did not choose to be born into.

Some feminists want there to be a normalization of prostitution, so that it can be viewed as a “legitimate form of work.”<sup>50</sup> I think in a world where women are treated as equals and are not forced to exist differently than men, then selling sex would not be problematic. This would

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<sup>48</sup> Judith Butler, “Introduction: Acting in Concert,” in *Undoing Gender* (New York, NY: Routledge, 2004),

<sup>49</sup> Catherine MacKinnon, *Are Women Human?* (Cambridge, MA: The Belknap Press of Harvard University Press, 2006)

<sup>50</sup> Rebecca Whisnant, “Trafficking and Prostitution Reconsidered: New Perspectives on Migration, Sex Work, and Human Rights. Kamala Kempadoo with Jyoti Sanghera and Bandana Pattanaik,” *Hypatia* 22, no. 3 (2007): pp. 210

require complete detachment from the typical emotional perception of sexual intercourse. If intimacy could be void of power dynamics and gendered expectations, the experiencing of someone else's body would not be objectifying. Even in the case of male prostitutes, penetration and sexual violence seem to reflect an internalized gendered power dynamic. Regardless of the sex of the prostitute, those being dominated are perceived in a feminine light which makes any form of prostitution a perpetuation of inequality. To further refute this viewpoint, the commercialization of any human is quite problematic. Commoditization is dehumanizing and can lead to other forms of inequality and problematic power dynamics. Even if we remove gender, there is no equality in being able to purchase the body of another being.

What can be agreed upon by pro-sex work (as real labor) feminists and those that want partial decriminalization is that those engaging in prostitution should not be treated like criminals.<sup>51</sup>

There is a shared belief that women are treated unequally in this world. Where the two diverge is on what will make women equal. "If in fact no causal relationship obtains between prostitution and gender inequality, then I do not think that there are good reasons, at least not among the reasons I examine, for thinking that prostitution is, by itself, especially morally troubling."<sup>52</sup> No one who cares for the equality of women would deny their sexual liberation. This liberation just should not perpetuate a system that has rendered so many women powerless. If the female sexuality was constructed and enforced in relation to submission to male dominance, then how can they be liberated by continuing to do the same thing just for pay?

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<sup>51</sup> Rebecca Whisnant, "Trafficking and Prostitution Reconsidered: New Perspectives on Migration, Sex Work, and Human Rights. Kamala Kempadoo with Jyoti Sanghera and Bandana Pattanaik," *Hypatia* 22, no. 3 (2007): pp. 212

<sup>52</sup> Debra Satz, "Markets in Women's Sexual Labor," *Why Some Things Should Not Be for Sale*, December 2010, p. 136

From a desire for ensured equality of every human being, prostitution needs to be addressed with the Nordic model. While ensuring protection from violence and other dehumanizing practices, it also supports capabilities and functionings of those that had been harmed. In a truly equal world, sexual liberation would not come at the price of one's dignity or humanity. My hope is that by deeply reflecting on what female equality looks like, we can pick the right policy effort.

## Citations

- Bindel, Julie. "Prostitution Is Not a Job. The inside of a Woman's Body Is Not a Workplace." *The Guardian*. Guardian News and Media, April 30, 2018. <https://www.theguardian.com/commentisfree/2018/apr/30/new-zealand-sex-work-prostitution-migrants-julie-bindel>.
- Brown, Michael K., and Martin Carnoy. *Whitewashing Race: the Myth of a Color-Blind Society*. Berkeley: University of California Press, 2005.
- Butler, Judith. "Introduction: Acting in Concert." In *Undoing Gender*, 1–16. New York, NY: Routledge, 2004.
- Chetty, Raj, Nathaniel Hendren, Patrick Kline, and Emmanuel Saez. "The Quarterly Journal of Economics Volume 129 November 2014 Issue 4 - Front Cover." *The Quarterly Journal of Economics* 129, no. 4 (January 2014): 1–72.
- Farley, Melissa. "Risks of Prostitution: When the Person Is the Product." *Journal of the Association for Consumer Research* 3, no. 1 (2018): 97–108.
- Farley, Melissa. "Unequal." *The Nation*, September 13, 2005.
- Freire, Paulo. *Pedagogy of the Oppressed*. New York: Bloomsbury Academic, 2018.
- Frye, Marilyn. *The Politics of Reality: Essays in Feminist Theory*. Trumansburg, NY: Crossing Press, 1983.
- MacKinnon, Catharine A. *Are Women Human?* Cambridge, MA: The Belknap Press of Harvard University Press, 2006.
- McNeill, Maggie. "Lies, Damned Lies and Sex Work Statistics." *The Washington Post*. WP Company, March 27, 2014. <https://www.washingtonpost.com/news/the-watch/wp/2014/03/27/lies-damned-lies-and-sex-work-statistics/>.
- Nussbaum, Martha C. "The Central Capabilities." In *Creating Capabilities, The Human Development Approach*, 17–44. Cambridge, MA: Belknap Press, 2011.
- Place, Vanessa. "Chapter 8: The Ballad of Mac the Pimp." In *The Guilt Project: Rape, Morality, and Law*, 147–81. New York: Other Press, 2010.
- Reeves, Richard V., and Eleanor Krause. "Raj Chetty in 14 Charts: Big Findings on Opportunity and Mobility We Should All Know." *Brookings*. Brookings, January 11, 2018. <https://www.brookings.edu/blog/social-mobility-memos/2018/01/11/raj-chetty-in-14-charts-big-findings-on-opportunity-and-mobility-we-should-know/>.
- Said, Edward W. *Orientalism: Edward W. Said*. New York: Vintage Books, 2003.

- Satz, Debra. "Markets in Women's Sexual Labor." *Why Some Things Should Not Be for Sale*, December 2010, 135–53.
- Siegfriedt, Julianne. "When Sex Trafficking Victims Turn Eighteen: The Problematic Focus on Force, Fraud, and Coercion in U.S. Human Trafficking Laws," 23 *Wm. & Mary J. Women & L.* 27 (2016), <https://scholarship.law.wm.edu/wmjowl/vol23/iss1/4>
- "The Parable of the River." Unbound. Accessed April 20, 2020. <https://unbound.com/books/why-did-the-policeman-cross-the-road/updates/the-parable-of-the-river>.
- Whisnant, Rebecca. "Trafficking and Prostitution Reconsidered: New Perspectives on Migration, Sex Work, and Human Rights. Kamala Kempadoo with Jyoti Sanghera and Bandana Pattanaik." *Hypatia* 22, no. 3 (2007): 209–15.
- Wollstonecraft, Mary, and Janet Todd. *A Vindication of the Rights of Men; A Vindication of the Rights of Woman; An Historical and Moral View of the French Revolution*. Oxford: Oxford University Press, 2008.
- Young, Iris Marion. "Throwing Like a Girl: \*." *On Female Body Experience*, 2005, 27–45.