

Monica O'Connor

The Sex Economy

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Reviewed by Rebecca Whisnant, 2019

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Quote: "Drawing on feminist theory, international research, and her own empirical research with women prostituted in Ireland, O'Connor places herself squarely in the abolitionist camp; the book, she says, aims to '[challenge] the framing of prostitution as . . . a legitimate and acceptable form of work which can and should be regulated as a normal part of the market economy.'"

Few debates within feminism are as acrimonious, indeed sometimes toxic, as that concerning prostitution. Conflicts between "sex-work" advocates and feminist prostitution abolitionists play out not only in the pages of academic journals, but across a complex network of NGOs, governmental agencies, and national and international research bodies that influence makers of law and policy (Bindel 2017). This is not an ivory-tower debate unconnected to events on the ground; rather, moves both toward and away from prostitution legalization in various countries have been shaped and influenced by academic arguments in numerous fields, from philosophy and sociology to psychology and legal theory.

Monica O'Connor's *The Sex Economy* is a comprehensive and useful contribution to this field, both for those well versed in the debate and for those relatively new to it. Drawing on feminist theory, international research, and her own empirical research with women prostituted in Ireland, O'Connor places herself squarely in the abolitionist camp; the book, she says, aims to "[challenge] the framing of prostitution as . . . a legitimate and acceptable form of work which can and should be regulated as a normal part of the market economy" (1). Throughout, she disputes the central claims of what she calls "sex work discourse," contending--with substantial evidence--that "prostitution violates Article 5 of the Universal Declaration of Human Rights which states that 'No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment'" (7).

Those who follow this debate will find much familiar ground traveled here. O'Connor's arguments and evidence address, most centrally, the following three issues:

- whether the prostitution contract or exchange is inherently unequal, exploitative, and/or damaging;
- the effects of prostitution's legalization (especially as compared with the Swedish or Nordic model); and

- the broader social implications of prostitution and its normalization, including (centrally) for the prospect of gender equality.

This review summarizes a few key points made concerning each of these issues, focusing especially on observations that are novel and promising, about which more needs to be written (by O'Connor or others) and further research pursued.

The prostitution contract

According to sex-work discourse, if the prostitution contract is carried out under the right conditions, it can be “an equal, respectful, commercial sexual exchange where any harmful or negative consequences are minimized and through which the rights of both the worker and the consumer are respected” (1). By contrast, feminist abolitionists view the selling and buying of sex as inherently unequal and exploitive, indeed as existing on a continuum with numerous other forms of male violence against women. O'Connor echoes a point made by numerous feminist abolitionists: people who want to have sex do not have to be paid to do it. As Kajsa Ekis Ekman has put it, “There are two people in this exchange--one of those people wants to have sex and the other doesn't. . . . In prostitution, we're talking about a kind of 'sexuality' where one person doesn't want to be in a sexual situation and so the other has to bribe her” (Murphy 2014).

O'Connor draws on extensive research showing that the unwanted and unequal sex of prostitution--not to mention the requirement that one feign enthusiasm and enjoyment--carries with it significant harms to women's mental and physical health. Furthermore, in study after study, it is the sexually invasive nature of the “work”--not the external conditions under which that “work” is performed--that women identify as upsetting and harmful, and as giving rise to the need for dissociative strategies.

Sex-work advocates place a classically liberal emphasis on women's right to choose prostitution, accusing abolitionists of disregarding women's agency in favor of framing them as “victims.” O'Connor observes, as have numerous others, that one can acknowledge and honor women's agency--their ability to make decisions and act--while also recognizing the often brutal structural constraints under which those decisions are made. Although sex-work theorists sometimes acknowledge that poverty, drug addiction, grooming, coercion, and trafficking all play a role both in women's and girls' entry into prostitution and in keeping them there, the main focus of discussion is always on the relatively few “individual women where none of these factors apparently apply” (13).

O'Connor responds at length to the argument, commonly made within sex-work discourse, that the selling of sex is meaningfully comparable to--and no more harmful than--the selling of other intimate and/or bodily activities and services. Sex-work theorists have assimilated prostitution to domestic labor (such as the cleaning of toilets), as well as to beauty and health treatments such as massage and waxing. They point out that individuals in these occupations, like those in prostitution, often perform substantial emotional labor, including demarcating certain aspects of their bodies and selves as off limits. O'Connor's responses to these comparisons are cogent and powerful. She points out that “in no other occupation is the body of the person the commodity itself where the consumer can act upon and penetrate the body; in prostitution the woman is the object of another person's physical, emotional and sexual demands and it is *her* body that is violated” (48). Furthermore, she observes, “Suggesting that one can place the same limits in the

prostitution context, as with other bodily tactile services such as massage, is to ignore that the very boundaries women create in these professions are *specifically* put in place to protect against bodily intrusion and/or sexual harassment” (65). What must be guarded against in these other occupations is the very point and content of prostitution.

O’Connor also discusses the effects on prostituted women of male customers’ increasing demands for intimacy--that is, their resistance to the very boundaries and limits discussed above. Prostitution buyers complain endlessly, for instance in online reviews, about women who seem “cold” or “rushed” or who act like they don’t care and don’t enjoy what they are doing. Buyers feel entitled to at least the illusion of intimacy, affection, and mutuality, with many seeking the so-called “girlfriend experience” (GFE) that includes flirting, dating, kissing, and other features of a normal and unpaid relationship. Women’s success or failure in providing the kinds of experiences that customers want is evaluated in scrupulous detail in online forums, where buyers write detailed reviews to guide other buyers in making their choices. As O’Connor points out, women read their own reviews and feel pressure to perform sexual acts they find degrading or repulsive, and/or to feign enthusiasm more convincingly, in order to avoid negative reviews.

External conditions and legal regimes

When prostitution is framed as legitimate work, O’Connor observes, “the focus of feminist concern must shift from the act of being prostituted to address adverse and unacceptable conditions in which that work is carried out” (69). Such a shift of focus is endorsed by sex-work advocates, whose key demand is for the condition of illegality to be reversed, as well as for other kinds of rights enjoyed by workers elsewhere in the economy. According to sex-work discourse, “the state should and can establish a legal and regulated sex market where sex workers can operate within safe, protected labour environments and where the stigma attached to sex work will disappear” (71).

Because this point is so often obscured by sex-work advocates, it is important to clarify that everyone who is a serious party to this debate supports decriminalizing women and others who sell sex. The disagreement lies in whether one also supports freedom from legal penalty for those who buy sexual access to prostituted persons, and for third parties who control and/or profit from such transactions (that is, pimps). As O’Connor observes, there is a “serious flaw . . . at the heart of the language of rights and recognition for sex workers through legalizing the sex trade, as if those rights can be upheld without the ‘rights’ of buyers, pimps, and sex businesses being upheld” (92).

Another point of agreement among all parties is an opposition to trafficking, as well as to violence against women and others in prostitution. Sex-work advocates contend that legalizing or decriminalizing prostitution, with no legal penalties for any party involved therein, will diminish its characteristic harms, including trafficking and violence. O’Connor thoroughly and comprehensively undermines this argument, primarily via an extensive discussion of the consequences of prostitution legalization in the Netherlands--and, more briefly, in Germany, whose giant mega-brothels offering “flat-rate” sex are now notorious (Diu 2013). In the Netherlands, the legalization policy was explicitly based on a distinction between forced and voluntary prostitution, with the assumption being that legalization would minimize the former while allowing the latter. A comprehensive evaluation undertaken in 2007, seven years into the

policy's adoption, found it "virtually impossible to ascertain" whether involuntary prostitution had decreased (75). It also found that the number of women controlled by pimps was unchanged, that the emotional well-being of women in the industry had declined and their use of sedatives had increased, and that there was extensive evidence of pimping, trafficking, and exploitation "even within the highly regulated De Wallen district of Amsterdam" (75).

Prostitution abolitionists find none of this information surprising, having long argued that, by creating a legally risk-free zone for pimps and buyers, legalization creates incentives for both activities. It increases consumer demand, which is unlikely to be fully met by willing women living within a given country, and thus it also incentivizes trafficking. None of this is at all mysterious, and O'Connor's discussion usefully fleshes out these dynamics. The expansion of the prostitution market, she observes, "inevitably results in worsening conditions for the majority of those selling sex, in particular, migrant and trafficked women. . . . [L]egalization has brought with it an expanded and more profitable market with increased competition, higher costs and diminishing earnings" (93-94). She also points out that, even if one rejects the claim that prostitution is inherently harmful, the legalization strategy "relies on the compliance of a sector resistant to regulation and [on] sufficient resources for police and local authorities to inspect and prosecute transgressions in the legal sector and investigate the illegal sector, neither of which have been evident to date" (78).

O'Connor contrasts the state of affairs in the Netherlands with that in Sweden, which adopted a sharply diverging approach in 1998, criminalizing sex-buying and pimping while decriminalizing those who sell sex. The Swedish law, which has since been emulated in several other countries in what is now called the "Nordic model," also defines prostitution as a problem of gender inequality and violence against women, offers services and support for those exiting prostitution, and sponsors an extensive campaign of public education about the harms of prostitution. A 2008 inquiry found that both the percentage of men buying sex and the numbers of women in prostitution had sharply decreased, and that--contrary to the claims of the law's opponents--there was no evidence of increased violence against women in prostitution since the law's adoption. Although trafficking rates are notoriously difficult to pin down, O'Connor notes that "it is the *scale* and the *demand* of the sex industry that is the defining factor in the number of trafficked women supplied to the market" (84); thus, there is every reason to think that Sweden is a far less fertile environment for traffickers than its more prostitution-tolerant neighbors.

Broader social effects of prostitution's normalization

O'Connor points out that, even apart from the manifest failures of legalization regimes, there are principled questions about whether sex should be part of the market economy at all, or whether instead it is among the aspects of human life that ought not be commodified. Surveying the arguments of Margaret Radin, Debra Satz, and Michael Sandel, she emphasizes the promise of a view like Sandel's, which, appealing to the "corrosive tendency of the market," warns that important human goods are corrupted by putting a price on them (100). O'Connor follows Scott Anderson in rejecting the argument (made, in different forms, by both Radin and Satz) that we should legalize prostitution in order to provide an economic option for disadvantaged and desperate women: doing so, she points out, "[sets] aside the norms of labour law and protections afforded to 'other' women in the labour market and [applies] different standards of what we consider acceptable behaviour and dignified work as defined within international law" (102).

In her final chapter, on the moral limits of markets, O'Connor details the broad social harms of the normalization of prostitution (and, relatedly, of pornography), supporting her claim earlier in the book that prostitution "is not simply a private sexual transaction; it [is] a public institution which constructs, re-enforces and promotes a model of sexuality based on the subordination and degradation of women" (6). Promoting such a model of sexuality by accepting and normalizing prostitution, she argues, undermines feminist efforts to create gender equality in both public and private contexts.

In summary, *The Sex Economy* effectively mobilizes what is by now an extensive body of research and theory demonstrating that prostitution is harmful both to those within it and to women as a class. It will be of significant use both to those already immersed in these debates and to those just beginning to investigate an abolitionist point of view.

References

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