

## Notes for Prostitution Presentation

**Slide 3:** Prostitution is the act of providing sexual services to another person in return for payment. The legal status of prostitution varies widely from country to country. In the map we can observe countries that have legalized prostitution but it is not regulated (blue); legalized and regulated (Green); where it is illegal (Red) and where there is no data available (Grey). When a country legalizes prostitution, that simply means that prostitution is not prohibited. Regulation refers to the measures put in place by the state to control prostitution which can vary from having health checks to having prostitutes be licensed.

There are different attitudes relating to prostitution include: positions against it or prohibitionism (where prostitutes and clients are perceived as criminals), abolitionism (where the selling of sex is legal but the surrounding activities such as brothels, pimping and buying of sex are banned),

Furthermore, the main attitudes that tolerate prostitution are regulation (which involves legalizing and regulating prostitution) and decriminalization (where prostitution is legal but not regulated, prostitution is a normal job).

**Slide 4:** In Hollywood, the life of a prostitute is portrayed as an optimistic lifestyle in which the women can say "Who, What, When and Where" as stated by Julia Roberts in the movie *Pretty Woman*. In reality, we all recognize that prostitution has many faces. The most infamous is child prostitution and the child slave trade. Then there are just regular women who are trying to make a living and suffering from STDs and diseases, the consequences of their unfortunate life styles. Finally, you have escorts who work for private companies and service the rich and famous. Beyond the many faces of prostitution, there are lives of many women and men who are directed affected by the deregulation of prostitution. In the case of child prostitution, we must consider how legalizing prostitution will affect the less fortunate. Will there be an age limit? On the other hand, the question to ask is does the risk not legalizing prostitution and letting it continue unregulated outweigh the other possible "what if" questions?

**Slide 5:** These are some examples of coverage on prostitution in the media on a world level.

Here we can see examples of the position of different countries.

In the first example we see the situation on America. In 2009, Nevada's brothels, pay taxes on the area where they are established, but only a \$100 business license fee to the state. George Flint, the director of the Nevada brothel Association, has proposed the idea of making the brothels in Nevada pay an entertainment tax. Nevada is one of the two states where prostitution is legal; about 300 women are licensed as prostitutes. Mr. Flint perspective is that by paying taxes, this business would have an "insurance policy" against being taken out of business by new Legislature.

In Ukraine on the other hand, with the upcoming Euro 2012 (UEFA championship), the women's movement FEMEN staged a topless protest against what they believe are UEFA's plans to turn the country into a destination for sex tourist.

In France, sex workers in Paris hold a protest against the initiative of the French parliament to consider criminalizing paying for sex and that way abolishing prostitution.

Finally, prostitutes in the city of Bonn must carry a ticket from a new parking meter while working the streets or face fines with the authorities. In Germany, prostitutes are supposed to pay

income tax but compliance is difficult. Sex tax meters, allows prostitutes to purchase a ticket for 6 Euros per night, this will ensure that the tax system is being implemented.

**Slide 6:** Currently, Ireland has taken a decriminalization stance on prostitution, where it is legalized but not regulated. Different groups all with different perspectives that are trying to change the legal status. Two examples are "Turn Off the Red Light," a reference to the song "Roxanne" by the Police and Sex Workers Alliance Ireland (SWAI).

"Turn Off the Red Light" is a campaign to end prostitution and sex trafficking in Ireland. Multiple organizations make contributions to this campaign. Communications Womens' Union, Domestic Violence Advocacy Service, and Dublin Rape Crisis Centre are just a few of the contributors. Their aims are to raise awareness about the dangers of prostitution and sex trafficking and to prompt the government to end exploitation in the sex industry. They advocate that the best way to combat sex trafficking and prostitution is by tackling the demand for paid sex by criminalizing the purchase of sex.

On the other hand, Sex Workers Alliance in Ireland hold a different point of view. Their aim is to promote "the social inclusion, health, safety, civil rights and the right to self determination of female, male and transgender workers". They state that the movement of "Turn Off the Red Light" is putting trafficked women and men into the same basket as non trafficked women and men. This change in legislation would mean that all buyers of sex would be considered criminals.

Turn Off the Blue Light is yet another association of sex workers in support of the decriminalization of sex work. This group, which has led a widespread poster campaign across Ireland, was created in response to 2011's turn off the Red Light Project. Turn off the Blue Light insists that criminalization of sex work will drive the entire industry underground once more, creating a dangerous and vulnerable atmosphere for sex workers as well as for the johns. Turn Off the Blue Light works to create awareness of sex work in Ireland and approach the issue free of religious agendas.

**Slide 7:** There has always been major controversy surrounding the topic of legalising prostitution. Prostitution has remained prevalent if anything in our lifetime so we must consider what role prostitution plays within our society. Throughout the years, it has been viewed negatively in most societies, especially religious one where sexual immorality was viewed as sin. Whether it is immoral or not, shouldn't individuals have the right to decide what they do with their bodies? Other people simply believe sex is not illegal and neither is payment for a service so why not combine the two? Prostitution has always been a part of society; thus, it most likely will always be. We can either let it continue to run rampant in the streets or we can accept it and try to keep it under control.

**Slide 8:** There is a strong argument against the legalisation of prostitution as a highly socially unacceptable aspect of society. As some people believe legalising prostitution including enforcing health checks, others believe that legalisation will bring about a rise in sexually transmitted diseases. There is an idea that prostitution is no one's 'first choice' and if they had other options they would use them. Many feminists charge that to legitimize prostitution through legalisation, society would be to accept what is considered an "exploitative, harmful, and an expression of gendered sexual dominance." (Waltman, 2011) Legalising prostitution may allow for increase in sex trafficking, expansion of the sex industry, and the increased social acceptance, demand and prevalence of both legal and illegal prostitution.

**Slide 9:** Regulation as a form of protection from disease: According to current evidence, roughly half of the street prostitutes in Washington, D.C., and New York City are HIV-positive. In Newark, New Jersey, the estimate is that close to 60% of all prostitutes carry the AIDS virus. Yet, in the relatively "free market" of Nevada, where prostitution is legal, not one (as of 1989) of the state-licensed prostitutes has ever tested positive for AIDS. Nevada's policy, which regulate and zone prostitution as well as punish third parties (such as pimps) have led to legal brothels. According to Brents and Hausbeck's 2005 research, the state is able to regulate the health of the sex workers through legal brothels. Workers are tested weekly for STI's and are prohibited to work if they are found to be HIV+. Brothels are also punished if they employ workers who have HIV. The brothel system is also meant to control street prostitution which is typically still illegal under regulated prostitution.

Regulation as a form of protection from violence: In the brothel system of regulation, rooms are often auditorily monitored to keep workers safe and many are equipped with panic buttons. Brothel owners are encouraged to keep their establishments safe in order to attract workers. In the Nevada study, most of the women interviewed reported feeling safe in their places of work with such measures. If a worker does experience violence on the job, they have at least the opportunity for legal recourse unlike when prostitution is criminalized. (Brents and Hausbeck, 2005)

Regulation also functions as a tool for bargaining power for sex workers. Under regulation, unions of sex workers can emerge giving them more bargaining power and control in their economic lives.

Furthermore, like the all-too-publicized war on drugs, the war on prostitution is yet another battle being waged with tax dollars rather than common sense. Let's look at the price tag for a moment. It is estimated that one in every ten police officers works on vice-related activities. Currently, it is assumed that as much as one-half of a typical urban city's prison female population are prostitutes. In fact, the city of Los Angeles alone spends close to 100 million dollars annually dealing with illegal prostitution. The real cost, of course, is that these public resources could have been used to protect law-abiding citizens from real criminals. There is also evidence that such incarceration (if ostensibly meant to discourage prostitution) is actually counterproductive in that prison sentences have been shown to actually lengthen the amount of time a woman is involved in street prostitution. (Norton-Hawk, 2001)

**Slide 10:** Sadly, also like the war on drugs, the war on prostitution is futile and forever doomed to fail. There is no effective way to close down a market between willing buyers and sellers. At best, stringent local harassment may affect where prostitutes work, but it will never stop them altogether. According to a study done by the Rand Corporation, for instance, the city of Los Angeles' policy of "shooing away streetwalkers has done nothing except push them across the city's boundaries." This is related to the fact that criminalization of prostitution does

Of course, the most important argument for the legalization of prostitution services is that such prohibitions violate one's most basic and inherent rights. Prostitution is the voluntary sale (or rental) of a labor service. Individuals own their own bodies and their own labor services and have the absolute right to decide how those labor services should be used. As long as the prostitution transaction is voluntary, there is no justification for governmental interference. Indeed, such interference constitutes an infringement of the privacy and personal liberty of the individuals involved.

The government does have a legitimate role to play in the prostitution market. As with all markets, it should ensure that all exchanges are truly voluntary. In short, it should protect individual rights to property, especially the right not to be coerced.

**Slide 11:** Abolitionist policies are important to note because they are a middle ground between legalization (with or without regulation) and criminalization. For instance, Sweden's policy in which the buying but not the selling of sex has been shown to be extremely effective not only in eliminating the demand for prostitution in Sweden but also in limiting trafficking in Sweden. (Waltman, 2011)

**Slide 12:** Recently the Irish Minister for Justice Dermot Ahern revealed that adjustments to the law regarding prostitution were being considered after observing Sweden's strict prohibition against the buying, but not the selling of sex. As the first country to criminalise prostitution in order to promote gender equality, Sweden now has one of the highest degrees of equality in the world with the female employment rate at 70% and women's representation in government at 50%. Most research that provides evidence against decriminalising and regulating prostitution focuses on the physical and emotional damage that would be forced on a new generation of legal prostitutes as well as the violation of human rights. Some studies have revealed suicide attempts as high as 75% and 40% of prostitutes had children with only half in their custody (Farley, 2000).

Research has shown penalising those involved can be highly effective in stopping prostitution with recidivism rates in the US as low as 2% to 7% when court ordered programs called "John schools" have been employed (Center for Problem Orientated Policing , 2012).

**Slide 13:** Victoria, Australia has seen many increases in problems regarding sex trafficking since legalisation, most noticeably vast increases in child prostitutes. This displays evidence that decriminalisation not only fails to reduce prostitution but in fact strengthens the industry and many of its negative aspects. Additionally in Victoria the industry has seen somewhat of a boom since legalisation with increases in tourists visiting brothels and thus providing incentives to further increase the industry. This clearly adds to the moral dilemma of prostitution and may make it a more socially acceptable occupation.

**Slide 14:** Research that provides evidence against the regulation of prostitution is vastly morally based and tends to ignore the health and safety benefits. Research has however been successful in rejecting many beliefs in the potential benefit of legalisation like reductions in immigrant and child prostitution and the enhanced protection of prostitutes themselves. A study by the Coalition Against Sex Trafficking in Women International revealed that even with decriminalisation 80% of sex workers were still suffering physical abuse at the hands of their pimps and the majority of those interviewed revealed that the legal prostitution establishments which they belonged to did little to protect them.

**Slide 15:** Legalisation clearly is a controversial solution for the problem of prostitution for many reasons. If the goal of a society is to eliminate prostitution, then legalisation is clearly not the best route since it has been shown to lead to increased amounts of prostitution and higher amounts of human trafficking. Research has shown however that when it comes to public health, legalisation can be a powerful tool in not eliminating prostitution, but rather controlling it to the extent that limits its health risks for the population. We can also clearly see how criminalisation is not necessarily a suitable alternative to legalisation either as it has not been able to eliminate prostitution but rather can serve as a driving force for disease and other dangerous situations for

prostitutes. However throughout our research we have learned that there is a middle ground between regulation and criminalisation; that is abolition, which criminalises the buying but not the selling of sex. This has been shown to be very effective in eliminating prostitution and human trafficking in Sweden and is currently being adopted by other states in order to control prostitution. Thus, it is our final recommendation that if a society wishes to eliminate prostitution effectively and stem human trafficking, laws that prohibit and or criminalise the demand for sex are more effective than either regulation or criminalisation policies.

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