

# WORK, VIOLENCE, OR BOTH? FRAMING THE SEX TRADE AND SETTING AN AGENDA FOR JUSTICE

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## **Abstract**

This paper examines the feminist debate over the sex trade. It highlights two primary sets of activists and their creation of opposing frames and policy agendas. The paper briefly describes how each side has socially constructed issues pertaining to the sex trade industry. The paper draws upon Benford and Snow's (2000) conceptions of framing processes to identify how each group has accomplished core framing tasks in pursuit of a specific policy agenda. Utilizing notions of master frames, framing resonance, and frame credibility, the essay explores each group's successes and challenges in setting the desired agenda. Finally, the author applies Kingden's (1995) "criteria for survival" and Nelson's (1987) notions of valence and position issues to analyze the context in which each group has met with success or resistance.

*"I tell a woman  
 what work I do for money  
 Don't you ever feel afraid?  
 ...Yes, I'm afraid  
 Sometimes I try not to feel afraid  
 Four months ago I was raped  
 I was afraid of being tortured or killed."*

— Carole Leigh from "Telling a Woman/Driving at Night"  
 (Delacoste and Alexander 1998)

*"...being a sex worker I've never felt like a victim  
 I've felt more in control of my life than I ever did before."*

— Kelly (Weatherall and Priestley 2001)

**I**n the epigraphs above, Carole Leigh and Kelly offer two very different views of life in the sex trade. Their contrasting snapshots are representative of the two poles of today's feminist debate over the sex industry. Radical feminists argue that the sex trade is inherently exploitive and an ultimate manifestation of systemic violence against women. They therefore argue for the abolition of the sex trade entirely and may aptly be called abolitionists (Saunders 2005). On the other hand, liberal feminists argue that autonomy over one's body includes the right to offer a sexual service in exchange for money, goods, or other services. In this way, liberal feminists view participation in the sex trade as work, and in turn call for decriminalization and/or regulation of the industry and may be referred to as "non-abolitionists." This paper explores the ways in which each set of feminist activists construct their claims, both independently, and in response to one another.

The emergence of these two distinct feminist conceptions of the sex trade industry and their respective calls to action can be best illuminated by applying the fundamental concepts of social construction scholarship, including collective action framing and agenda-setting. First, Benford and Snow's (2000) conceptions of framing processes are used to identify how each group has accomplished core framing tasks in pursuit of a specific policy

agenda. Utilizing notions of master frames, framing resonance, and frame credibility, the essay then explores each group's successes and challenges in setting the desired agenda. Finally, Kingden's (1995) "criteria for survival" and Nelson's (1987) notions of valence and position issues are employed to analyze the context in which each group has met with success or resistance. This paper does not attempt to reconcile the tensions that exist among feminist views of the sex trade. Rather, it aims to explore the frameworks of a rapidly growing and increasingly heated debate, the strategies utilized by both sides to advance their cause, and the potential areas of common ground from which activists may strengthen their ability to improve the lives of women in the sex trade.

This paper will refer to "women in prostitution," "women in the sex trade," and "sex workers" in an effort to acknowledge the range and complexity of the conflict that permeates the language used to describe women within the sex industry. Many feminists, helping professionals, and women engaged in the sex trade have shifted their use of language when referring to the act of exchanging money, goods, or services for the performance of a sex act. More and more, scholars, activists, and political lobbyists have replaced the word "prostitute" with "sex worker." "Sex worker" may be used to describe not only women in prostitution, but also women who are compensated as strippers, exotic dancers, actors in pornographic films, escorts, brothel workers, and telephone sex line operators, to name a few of the activities that constitute the sex trade.

In addition to qualifying the choice of terms throughout this paper, it is important to acknowledge the limitations of this analysis. This paper focuses primarily on the issue of illegal sex work, as it manifests on the street, in brothels, in upscale escort services, behind closed curtains in strip clubs, at private parties, and in numerous other settings. While legal sex work may include afore mentioned acts like stripping, acting in pornographic films or photographs, and providing sexual stimulation over the phone, and while these industries often lead to and/or can be conflated with prostitution, legal sex work introduces additional discourse and agenda-setting efforts beyond the scope of this paper. Furthermore, although some female sex workers service other women, and while male prostitution and prostitution by individuals who are transgendered exist and deserve special attention and consideration, this paper will focus on the phenomena of women

trading sex acts for goods, money, or privileges that are provided by male customers, or “johns.” Such a focus intentionally reflects the disproportionate representation of women as the sellers and men as the buyers of sex acts (Weatherall and Priestly 2001).

Despite significant ideological differences between those who would abolish prostitution and those who would instead reform policies impacting the sex trade industry, both groups construct the same diagnostic frame. That is, both identify the problem as a gendered issue where women in the industry face marginalization and oppression. Both groups note the disproportionate representation of women as sellers of sex and men as buyers of sex, and the fact that prostitution is illegal and largely constructed as a vice by American society. The feminist diagnostic frame, therefore, demands that women currently engaged in the sex trade have access to safe and autonomous lives. This may be seen as an “injustice frame” (Benford and Snow 2000) or a frame that would identify the subjugation of a group of individuals. It logically follows that members of the subjugated group and their advocates would attempt to locate the source of that group’s subjugation. What Benford and Snow call the “attributional aspect of diagnostic framing” (2000, 616) is often a point of contention among groups or individuals advocating for social change that will benefit the same group. And so it is with feminists’ differing views of the source of sex workers’ oppression.

Again, radical feminists seek to abolish prostitution, which they define as inherently exploitive and coercive (Wahab 2004; Weatherall and Priestly 2001). Proponents of this view believe that prostitution is rarely (if ever) entered into freely and claim the reasons women stay in prostitution are similar to the reasons women stay in abusive relationships. To support this claim, they cite high rates of physical, sexual, and psychological violence in the lives of women in prostitution, both before and during their engagement in the sex trade. This abolitionist view sees the high rates of prostitution among homeless women and girls and a preponderance of women trading sex for survival needs as evidence of the exploitive nature of the sex trade. Intersections between prostitution, racism, and classism, as well as high numbers of women and girls entering the sex trade before the age of eighteen, are all underscored by the abolitionist position that sees the sex trade as preying on society’s most vulnerable groups

(see Carter and Giobbe 2006; Farley 2006; Center for Impact Research 2002; Mayor's Office on Domestic Violence 2006).

In this way, radical feminists understand the sex trade to be embedded in patriarchy in particularly severe and overt ways. The sex trade is thus equated with sexual exploitation more generally, but in this context, radical feminists place special emphasis on the accountability of those who buy sex as well as third-party "managers" or "pimps," since they are the ones creating the demand for the trade. For radical feminists, the sex trade is a distinct form of violence against women and the quintessential manifestation of patriarchy (Kesler 2002).

Liberal feminists view radical feminists' opposition to the sex trade as paternalistic and contrary to the feminist ideals of female self-determination and sexual liberation. While advocating for the rights of women in prostitution and working to de-stigmatize the sex trade, liberal feminists reject the notion that sex workers are victims in need of rescue (Wahab 2004; Weatherall and Priestly 2001). Instead, they conceptualize participation in the sex trade as sex work, which allows sex workers to be viewed and respected as legitimate laborers deserving the same rights as other workers.

The opposing frames of the sex trade, as violence and as work, act not only as frames in and of themselves, but also as counter frames to one another. For instance, while Melissa Farley (2006) demands the elimination of commercial sexual exploitation, she argues that framing prostitution as work normalizes the sex trade and silences the violent and exploitive reality of the industry. In turn, Joanne McNeil (2008), a supporter of the rights of women to engage in sex work, maintains that views like Farley's subvert notions of gender equality by infantilizing women.

Radical and liberal feminism are not the only categories of feminism or social theory with which to frame the sex trade. Radical sexual pluralist theorists (Wahab 2004), domination theorists (Wahab 2004), and sex radical feminists (Weatherall and Priestly 2001) all attempt to define the sex trade industry. But since radical and liberal feminism reflect the influential theories, this paper is focused on them. It is relevant to note, however, that the contributions of Marxist feminists (Kesler 2002) are never far from these two perspectives, contributing an emphasis on the role of capitalism in the oppression of sex workers (Wahab 2004; Weatherall and Priestly 2001). Radical

feminists seeking to abolish prostitution will sometimes equate the sex trade with the exploitation of sex workers based upon the Marxist feminist premise that all work is potentially exploitive (Wahab 2004). At the same time, feminist groups supporting prostitution will use the same frame to point out the misguided attempts of anti-prostitution advocates to eradicate that which is no more exploitive than other forms of work (Kesler 2002).

These contentious diagnostic frames lead to distinct prognostic and mobilization frames as each group employs a call to action that emphasizes respective prognoses. Benford (1993b) refers to “vocabularies of severity, urgency, efficacy, and propriety” (Benford and Snow 2000) used by social movement organizations (SMOs) to advance each group’s respective motivational frames. Both sides of the feminist sex trade debate utilize framing activities that fit within those vocabularies. Since framing activities vary from SMO to SMO (Benford and Snow 2000), the discourse that results from completion of framing tasks has the potential to incite both sides to defend their frames against the other’s criticism, as well as to prepare their frames in anticipation of the criticism they know is to come.

An example of this process is the liberal feminist argument that those calling for the abolition of the sex trade inflate statistics of sex workers experiencing violence (McNeil 2008) and ignore the statements of many sex workers who testify that prostitution is a viable and freely chosen employment option (see Farley 2004).

In light of the glaring polarity of the two groups’ prognostic frames, it is interesting to note the similar strategies with which each side strives to enhance the resonance of their message. Both groups engage master frames and call upon empirical evidence to lend credibility to their stance. Given the marginalized status of all work pertaining to the sex trade, however, both groups struggle to establish “experiential commensurability,” which is a measurement of how closely targets of mobilization can identify with the frame utilized by any group (Benford and Snow 2000).

This challenge will become clear after highlighting how both abolitionists and non-abolitionists pursue frames they hope will advance their respective policy and organizational agendas. As abolitionists and non-abolitionists put forth their respective agendas, they utilize a mobilization framing vocabulary and a master frame to garner support for each agenda item. An analysis

of the degree to which each side achieves resonance and credibility for their frame reveals that the cultural credibility of both frames potentially fails in the social arena beyond the feminist movement.

The agenda of those seeking to abolish the sex trade includes demand deterrence campaigns, laws that invoke greater penalties for purchasing sex and for “pimping,” as well as outreach and education efforts aimed at service providers, including police officers, public defenders, domestic violence and sexual assault workers, case managers, advocates against homelessness, emergency shelter staff, DCFS workers, etc. (Farley 2006; Raphael and Shapiro 2002; Mayor’s Office on Domestic Violence 2006).

This approach is perhaps best illustrated by Sweden’s response to the sex trade. In 1999, legislation was passed which made the purchase of a sex act illegal while ensuring that the exchange of sex for money would bring no legal penalty (Ekberg 2004). The law reflected the position of the Sweden’s Women’s Movement, which long advocated for legislation that would strike at the demand for the sex trade and avoid the re-victimization of women in prostitution.

Jeness and Broad (1994) have identified the language of sexual terrorism as one of very few “master frames” prone to achieving cultural resonance (as cited in Benford and Snow 2000) and radical feminists indeed equate the sex trade with sexual violence directed against women. In order to mobilize support, they use the language of severity and efficacy, while providing empirical evidence that highlights the experience of violence among women in the sex trade. For example, Farley (2003) draws attention to the occurrence of posttraumatic stress disorder in 68% of sex workers surveyed in nine countries (2004)<sup>1</sup> and draws a parallel between prostitution and state-sponsored torture: “Like the state’s torture experts, pimps and traffickers threaten to kill children and family members as a means of establishing control. Pimps’ use of torture ensures that the prostituted woman will comply with any demands of johns or pimps... physical assaults (called seasoning by pimps) are used against women in prostitution” (2006, 117). In another example, the Center for Impact Research (CIR 2002)<sup>2</sup> draws attention to the percentage (nearly one-fourth) of women in prostitution who have been raped more than 10 times, and they report that this figure is essentially the same among women selling sex from the streets, from within their own home, and through escort agencies.

Feminist advocates of the sex trade employ their own master frame, namely choice. Indeed, one of the hallmarks of feminist thought is the right to have autonomy over one's own body, and liberal feminists believe that attempts to abolish prostitution violate that right (Wahab 2004). They argue that if sex work is work like any other, perhaps even work that is more empowering and more lucrative than jobs like waiting tables (Wahab 2004), and if sex workers are to be viewed and respected as legitimate laborers who deserve the same rights as other workers, then sex workers who have chosen the profession must be given the rights to regulate their trade, have legal recourse for abuses incurred on the job, and the right to unionize (Saunders 2005). Because liberal feminists do not emphasize a sex worker's exposure to physical danger, despite often making recommendations for harm reduction efforts, they rely on a framing vocabulary of propriety, invoking the full realization of women's self-determination as the principled, just, or "proper" thing to do.

Of course, as Benson and Snow (2000) point out, framing credibility relies heavily on the internal consistencies within a movement, and both sides of this debate struggle to maintain that credibility. On the one hand, radical feminists calling for the elimination of the sex-trade exhibit an agenda that contradicts feminist notions of self-determination, sexual autonomy, and treating each woman as the expert on her own life. Similarly, liberal feminists run the risk of minimizing both obvious and subtle forms of violence against women in prostitution, including forced prostitution and rape, as well as the act of "choosing" sex work as a viable option because one has no other means to survive.

Each side of the debate is further challenged by a lack of saliency within society at large. According to Benford and Snow (2000), saliency has three parts: centrality to audience targeted for mobilization, experiential commensurability, and narrative fidelity or "cultural resonance" of the frame to the targeted audience. Liberal and radical feminists clearly target one another in their counter frames, and they certainly also target women in the sex trade for mobilization. For each of these groups, framing saliency will almost certainly exist on all three fronts. Consistent with the overall feminist frame, both liberal and radical feminists will necessarily target society as a whole, or to be more specific, the patriarchal society in which Americans live. From this



perspective, the greatest obstacle to framing saliency for both groups is the subject matter itself. Society's general response to the sex trade often fails to take a critical view, reducing sex work to either a biological normalcy of the unbridled male libido or a threatening aberration from the moral fabric of American life. The public discovery of former New York Governor, Eliot Spitzer's purchase of sexual services from a woman at an escort agency has unleashed a whirlwind of press coverage, not the least of which pays significant attention to a "boys will be boys" defense of Spitzer's behavior and a surge of daytime news programming offering women tips on how to stop their husbands from straying, including suggestions to take strip tease classes (Stanley 2008). The public response to this sex work "scandal" reflects an important difference between the agendas and beliefs of those engaged in the feminist debate over the sex trade and those of society at large.

Saliency is not only important in terms of its framing efforts, but also as it applies to SMO's actual agendas. The same forces that would frame the lives of sex workers as either a natural object of male sexual desire or as a moral threat to the integrity of the American family would likely work against both groups' agendas. Agendas on both sides of the debate lack what Kingden (1995) would call "value acceptability," one of the criteria necessary for an agenda's survival. One way SMOs have the potential to increase their value acceptability is through domain expansion (Jeness 1995). Indeed, abolitionists have already found a degree of success by incorporating their agenda into the larger and more established arenas of domestic violence, sexual assault, and homelessness. Evidence of this success in Chicago is apparent in the work of the Mayor's Office on Domestic Violence as well as the Chicago Coalition for the Homeless Prostitution Alternatives Roundtable. Similarly, non-abolitionists have found increased support by aligning their agenda with queer activism (Kesler 2002) and harm reduction activities, particularly in conjunction with HIV/AIDS outreach and prevention (see Jeness 1990).

Both groups have a positive degree of technical feasibility (Kingden 1995) since the policy agendas for which each side advocates already have existing templates available for emulation. Abolitionists will of course call upon Sweden as an example of best practices (Ekert 2004), but Sweden's overt efforts "to create a contemporary and democratic society where full gender equality

is the norm” (Ekert 1995, 1188) may differ somewhat from the current political climate of the United States and its perspective on the role prostitution plays in the pursuit of gender equality. Advocates of the sex-trade arguably have the advantage in terms of technical feasibility, given that more models of legalization and regulation of the sex trade exist than those that criminalize the buyer and decriminalize the seller, including policies employed by Canada, Mexico, the Netherlands, and the state of Nevada.

Again, the greatest future constraint facing both sides of the debate is likely the level of value acceptability to society at large (Kingden 1995). Nelson (1984) draws an important distinction between valence issues and position issues, describing valence issues as problems that are constructed in a non-controversial way and position issues as problems whose source lies with structural forces. While activists on both sides of the debate can arguably craft a frame and corresponding agenda for change that would constitute a valence issue (violence against women is wrong; government should not stand in the way of your personal freedoms), both sides of the feminist debate on the sex trade clearly construct the problem as a position issue. Despite their disagreements, those who call for the elimination of the sex trade and those striving to lift restrictions and stigma from sex work identify a capitalist patriarchy as the root threat to the safety and autonomy of women impacted by the sex trade (Overall 1992).

Thus, an examination of two major feminist perspectives on the sex trade reveals a significant divide among feminists identifying as advocates for women in prostitution. This divide impacts the framing activities of the two groups as well as their respective agenda setting processes and the likelihood that their agendas will be implemented. Given the divisive nature of the debate and each group’s potential to hinder the movement of the other in the future, it is imperative to recognize that the individual women in the sex trade likely identify with both sides of the issue, both at different points in their participation in the sex trade, and simultaneously in any given moment of their lives (Weatherall and Priestly 2001). As Christine Overall (1992) suggests, the divisive nature of the debate among feminists and sex workers, as well as the patriarchal function of “divide and conquer,” has insidiously crept into the work of feminist advocates working toward autonomy and safety for women. Given the mainstream views of

prostitution outlined above, it seems unlikely that real change can be accomplished in the lives of women impacted by the sex trade if their advocates remain fundamentally divided from one another.

Perhaps advocates for women in the sex trade can find common ground in the lived experiences of those for whom they advocate. Perhaps they can join together to fight the capitalist patriarchy itself, instead of one another.

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## NOTES

<sup>1</sup> Farley’s (2004) article, “Bad for the Body, Bad for the Heart: Prostitution Harms Women Even if Legalized or Decriminalized,” has been criticized by Ronald Weitzer (2005) for methodological research flaws resulting from “ideological blinders” (934). Farley (2005) has published a response to Weitzer’s criticisms, and both works are listed in this paper’s references. These articles reflect the tension and distrust that characterizes much of the debate regarding harm associated with the sex trade.

<sup>2</sup> Ronald Weitzer’s (2005), “Flawed Theory and Method in Studies of Prostitution,” also criticizes research results of The Center for Impact Research.

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