

## **Buying Sex Should Be Legal: A Response to Rachel Moran**

Rachel Moran's 2015 New York Times op-ed piece "Buying Sex Should Not Be Legal" not only criticizes Amnesty International's recommendation that prostitution be decriminalized but offers an emotionally wrought account of her own time in sex work beginning at age 15.

My first reaction to the piece is that I don't know anyone who advocates legalizing underage sex work. In fact, separate and apart from sex work, sex with an underaged person is illegal and would remain illegal under any prostitution decriminalization scenario. But, since Moran is attacking Amnesty International, I will assume she intends her remarks to apply to adult prostitution.

Maggie McNeill, who was a call girl, a madam and a librarian who ultimately married one of her clients, blogs under the name "the Honest Courtesan." See her March 11, 2014 entry entitled "Played Out" about Rachel Moran. There are those who view Moran as a fraud. But I'll set those very antagonistic views aside and see where Moran's article takes us.

Moran tells us that at 14, a year before she began sex work, she was placed in the care of the state after her father committed suicide and because her mother was mentally ill. Soon, she was on the streets, homeless with no education or job skills and, ultimately, a cocaine user. I will assume that Moran's life was a horror while she was a sex worker. I will also assume that she desperately needed help and didn't get it, and that it is a stain on any community that does not help a 14-year old who is homeless and without education or job skills. But none of this tells us whether taking money for sex was what made her suffer.

I read her article trying to find out how and why she suffered and how taking money for sex made her suffer, but, rather than tell me, she wants to do what so many do in this politicized area: she wants to use buzzwords to create a sense of disgust without explaining what happened

to her while selling sex or what is wrong with selling sex. Instead of explaining what really happened to her when she became a sex worker, she throws out emotive terms and phrases like “fresh meat,” “commodity” “bought and sold” “using my body,” “ritual degradation.” She can get away with this because we are programmed to open ourselves to the emotional impact of this way of talking without asking what in hell was actually going on. Take “using my body” as an example. We are supposed to recoil in horror when a sex worker uses that phrase, although, as scholar Frances Shaver points out, “owners of baseball teams have greater command over the use of their player’s bodies than a client has over the “use” of a prostitute’s body.”

I’ll go through and try to pick out points that she sort of makes, but at the outset I’ve got to point out that buzzwords are not the only thing she just throws out hoping no one will ask questions. She says most enter prostitution while underaged. This is the kind of pronouncement that is very frustrating to read. It is a bogus fact that keeps getting repeated despite what legitimate research finds. There was a study that found that the average age of entry into prostitution was 14, but that was a study of only those who entered as minors! That is, if you just look at underaged prostitutes, you come up with an average entry age of 14. The studies on sex workers overall give markedly different results. There are Canadian studies giving an average entry age of off-street workers as 22 and 19. An Australian study found most off-street workers entered when they were 19 or older. The youngest were street workers, 20% entered at 16 but 48% entered after 19.

### **Coercion**

Moran refers to “psychological coercion,” but she does not tell us what she means by that phrase or how that variety of coercion was effectuated. Indeed, she does not feel that she needs to explain at all. The reader will just accept it—after all, we’re talking about prostitution! Of

course, we might think the point is that at 15, she was easily persuaded and didn't know what she was doing so we should interpret that as coercion. Whether that makes sense or not, it has nothing to do with Amnesty's proposal that adult sex work be decriminalized.

Perhaps the point is that she had no economic options to sex work. Well, very seldom do people have no other options. When economic necessity does "compel" a sex worker, usually sex work is her best option because she is very poor and has few marketable skills. But I'm never sure what to make of that argument, if it is supposed to actually be an argument. My housekeeper is poor, from Guatemala, with limited English-language competence. I assume she has few economic options. But is that a reason I should be thrown in jail for paying her to mop my floor? Moran says she was on the streets with no home, education or job skills. If we are not going to give her a home, education or job skills, it is not clear what attitude we should have toward the guy who gives her money for sex. What are we supposed to say: the guy should be prohibited from given her money for sex just because that is the only way she can make money? Economic destitution is a reason to address economic destitution, not a reason to criminalize her only economic option.

Coercion does not characterize sex work in the U.S. (or perhaps anywhere), and there is no reason to think it does or that only a small minority of sex workers sell voluntarily. When you see claims that the vast majority of sex workers are coerced, just ask yourself why no one tells you what justifies that claim, and why people keep repeating that claim without any justification.

But it is difficult to argue the point because the meaning of "coercion" can be easily manipulated to fit the facts, any facts. Prohibitionists like to use the word "coercion" no doubt because they know in the public's mind it brings up a gun-to-the-head threat or its equivalent.

But if you show prohibitionists that doesn't happen, they will say "well, the woman was pressured and that means she was coerced." But how is it she was pressured? "Well, because sex work was her best option and she would have preferred to have more and better options." So that was coercion? Isn't that the circumstance of most working people in the country? And then you bring in any number of sex workers who indignantly say they are not children and they do what they choose to do. "Well, those women are suffering from a 'false consciousness.'" Why do you say they are suffering from a "false consciousness"? "Because they won't admit they are coerced and we know all sex workers are coerced."

I'm not just imagining this. Swedish activist Pye Jacobsson says the law makes all sex workers into victims. "If you scream and shout that you're not a victim," she says, "then you're [supposedly] suffering from a false consciousness." One researcher found that in this polemical atmosphere "any consent of prostitute is construed as illusory." Another researcher found this interesting perspective: "The depiction of sex workers as mere victims of male desire and violence who must be saved has been described as a reinscription of patriarchy, implying that women cannot be responsible for their own sexuality."

McNeill writes that often sex workers half-jokingly criticize other women for giving their sexual favors away. She describes a twitter hashtag "#banfreebies" under which sex workers from around the world lampooned the arguments of those trying to prohibit prostitution by joking that women who don't charge "suffer from 'false consciousness,'" are "'victims' in need of 'rescue,'" and that "unpaid sex is a form of rape."

After all the heat and manipulative arguments, it's refreshing to find simple honesty with no glorification of the work, but no claim of coercion either. Alison Bass writes about a number of sex workers. She refers to one named "Maddy." "To Maddy, sex work is simply a well-

paying job, a way to support herself and her child. ‘Sometimes it’s fun, and sometimes it’s just real hard work,’ she says.” And she talks about Julie Moya who “has no problem finding over 21 year old women to work in one of her midtown (NY) brothels. In fact she has to turn away many more women than she accepts.”

To me, however, the most impressive example of simple honesty comes from Thailand’s national sex worker organization, Empower. In their 2016 statement, they say, “We love our work, hate our work, and, like most workers in any job, are often somewhere in between.” They plead for understanding that for them sex work is a way out of generational poverty and that migration is their solution, not their problem. And, “We want to know, if society were asked to think of us, not as criminals, immoral women, or helpless victims, but as humans, mothers, workers, and family providers, what laws and systems could be imagined?”

None of this detracts from or minimizes whatever suffering Rachel Moran endured. This is not a competition. It is not as if we have to balance her pain against the liberty of others. Redressing her homelessness, her drug abuse, her lack of skills, and whatever real coercion she experienced is quite compatible with respecting the sexual autonomy rights of consenting adults’.

### **Degradation**

Moran refers to the “ritual degradation of strangers’ using my body to satiate their urges.” She packs as many vacuous emotive triggers as possible into that sentence! But I want to know what that sentence means about her other than the fact that she felt really bad about selling sex. Yes, she may indeed have suffered psychologically because she sold sex and she may indeed have needed counseling. Imagine a fundamentalist Muslim woman giving in to temptation and

French kissing on a first date (while hiding from the Chaperon). Now imagine she is consumed with guilt, feelings of degradation and of having permanently lost some kind of purity that she will never get back. She may genuinely suffer and need counseling. But neither Moran nor fundamentalist Muslims have any business claiming that the private conduct of other men and women is somehow inherently degrading—whatever that may mean.

If Moran wants to use the term “degradation” to impose on all sex workers a mirror image of her own painful, subjective experiences, hers will be a hard case to make. A 1980 study found that 97% of a sample of call girls, 50% of the brothel workers and 8 percent of street workers reported an increase in self-esteem after they began working in prostitution. Another study found that three-quarters of the studied indoor prostitutes (most of whom worked in bars) felt that their life had improved after entering prostitution. The remainder reported no change; none said it was worse than before.” A 2001 comparison of indoor workers and an age-matched set of non-sex worker women in Australia found no differences between them in mental health, self-esteem, or their assessment of their physical health or the quality of their social networks. In another Australian study, 70 percent of 103 call girls and 102 brothel workers, all working legally, said they would “definitely choose” this work if they had it to do over again. Half of each group felt their work was a “major source of satisfaction.” On an individual level, a call girl who writes under the name Aphrodite Phoenix tells of a heroin addicted streetwalker who claimed the only “compassionate sex” she’d ever had was with “Johns.”

And then there is Mirha-Soleil Ross’ online monologue produced in reaction to a 1990s Toronto effort to shame and intimidate customers. She complains that the “sweetest” of her clients feel guilty and she has “to spend extra time playing political therapist, having to reassure them that no, they are not hurting my sense of self... That if I feel exploited at a hundred and fifty

bucks an hour, I need a serious reality check and that yes, they should continue seeing me cause otherwise I'll be stuck with only stinky assholes to sleep with as clients. . . . There is something in my clients, in their tenderness and gestures towards me that I find deeply moving.”

None of this means that there are not women who suffer psychologically because they are selling sex. But it does make it hard to say selling is inherently harmful or degrading. And it does mean that it's fair to ask Moran why she isn't telling us what it was about her sex-selling that was “ritual degradation.”

Try to imagine what it would have been like to be gay or lesbian in the 50s. People say your intimate life is degrading, but they refuse to tell you why they say such a thing. They just have this sort of philosophical, sort of religious, attitude that says you are harming yourself in some deep sense. Imagine them reading somewhere that homosexuals experience guilt, depression, eating disorders, insomnia, and high suicide rates. They will have no doubt that these problems are triggered by the inherently degrading and damaging effects of your sex life. They never once consider that perhaps the vicious and pervasive stigma and, at times, penal sanctions, that surround your life just may have something to do with these findings of psychological problems. What would you say to them? It's hard to refute someone who just stares at you and says you should just *know* that your behavior is degrading.

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