

## Prostitution: People, people, people, what are we doing?

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*"The vast majority of those who sell sexual services do not do so by choice. We view the vast majority of those involved in selling sexual services as victims."*

- Justice Minister Peter MacKay discussing Bill C-36 dubbed the protection of communities and exploited persons act; (CBC - June 5, 2014)

Canada has been in an uproar since the Supreme Court of Canada struck down the country's prostitution laws. What to do? We're all going to hell in a handcart. But wait, just what is all the hubbub about?

*Prostitution in Canada is legal, as there are no laws prohibiting the exchange of sex for money. On the 20th December 2013, the Supreme Court of Canada found the laws prohibiting brothels, public communication for the purpose of prostitution, and living on the profits of prostitution to be unconstitutional. (Wikipedia)*

Wait. What? Yes, that is pretty confusing to me too. How crazy is it to realise sex for money is legal but offering sex for money is illegal? Splitting hairs, aren't we? But the crux of the matter is that the laws struck down were found to make life more difficult if not more dangerous for sex workers. Nevertheless, support agencies, the current government, and moralists took this as opening the flood gates of sex for hire in Canada and that's considered a bad thing.

I stand back with a furrowed brow taking in all the moral indignation and wonder just what the right answer is. When I say "right answer" in air quotes, I am taking about peace, love, and understanding for all, a chicken in every pot, and universal sunshine, lollipops and rainbows. But I do have to make note of the following.

Prostitution is called the world's oldest profession and I am assuming this cliché is not without merit. Our society has looked down on it, vilified it, ostracised it, criminalised it, legislated against it, rounded up both prostitutes and johns then thrown them in jail and all for naught. The trade, if I can call it that, existed a thousand years ago and will exist a thousand years from now. We, the collective we, have completely failed to deal with this issue and it is very likely that going into the future, we will continue to fail to properly deal with this issue.

Why?

What's the issue? Our prudishness about anything related to sex? Our moral indignation about exchanging sex for money? Our outrage at the exploitation of people, victimisation, abuse, and human trafficking? We want to stop it. But we haven't. We have failed. And yet we persist.

*"Insanity: doing the same thing over and over again and expecting different results."*

- Rita Mae Brown (b 1944), author (misattributed to Albert Einstein)

## **We must stop the exploitation of people**

Who wouldn't agree with that? But when we think of exploitation why do we think about sex? Are workers exploited at Wal-Mart getting the minimum wage of \$7 per hour which is deemed far below the poverty level? Are workers exploited overseas in so-called sweat shops? Are migrant workers exploited on farms? Sex? Is the problem sex or is the problem exploitation? Some people have exploited other people for gain since the beginning of time. Sometimes it's called slavery; sometimes it's called the minimum wage, but some people get ahead from the labour of other people. What's reasonable pay for that labour and what's exploitation?

## **But what are the facts?**

Since I started a blog in 2010, I have researched and written numerous articles on a variety of topics. If there is one common denominator to all these stories, it is the vast amount of misinformation and outright lies being passed around as the gospel truth. You have no concrete proof that what you are saying is true, but you say it anyway. Independent scientists doing independent research can independently arrive at the same conclusions using a university sanctioned analytic model of a statistically significant cross-section of society. Two plus two does not equal five no matter how often you repeat it. Nevertheless, fallacies are deeply embedded in our culture and it is an uphill battle changing what is considered "common knowledge". Despite being confronted with the truth, people continue to believe what they believe. Faith is more important than facts.

*"We cannot properly address an issue if misinformation prevents us from properly assessing the issue."*

-Irene Graham, libertus.net, anti-censorship crusader

Justice Minister Peter MacKay stated that "The vast majority of those who sell sexual services do not do so by choice." Is that statement, in fact, true?

I tweeted the question to several people with a link to a newspaper article reporting on McKay's press conference.

*"the vast majority of those who sell sexual services do not do so by choice" True?*

The first response I received came from Maggie McNeill.

*Not unless you consider roughly 2% to be the "vast majority", or have a really weird definition of "choice".*

Ms. McNeill writes the blog *The Honest Courtesan*: “Frank commentary from a retired call girl”. I find Ms. McNeill to be an intelligent mind, an excellent writer, and an astute observer of the human condition: BA (English), University of New Orleans in 1987; MLIS (Master of Library and Information Science), Louisiana State University in 1993. Here is a woman who just doesn’t talk about sex work, she has done sex work. This is the voice of experience. Through her writing, she educates by presenting the facts and dispelling the myths and correcting misinformation.

The Honest Courtesan - Oct 7/2013  
Frequently Told Lies by Maggie McNeill

*LIE: Most prostitutes are driven to it by financial need, and 9 out of 10 prostitutes would like to exit prostitution immediately.*

*TRUTH: These statements are probably true, but if there is any normal job (not an elite career occupied by a tiny fraction of the population) to which they do not apply, I’d like to know what it might be. What makes this a lie is the pretense that it applies to sex work to a higher degree than to other jobs, which it does not; one Australian study found that half of all prostitutes ranked their work as a “major source of satisfaction” in their lives, and 70% said they would definitely choose prostitution again if they had their lives to live over.*

Before anybody goes ah-ha, let me clarify something.

I have a job. The reason I have this job is because I was “driven to it by financial need”. I need to pay my rent and buy food. I’d love to “exit immediately” but until I get a better offer or I win the lottery, I have to stay.

Prostitution? Heck, I’m prostituting myself every day. If I knew what sex work paid (I’ve heard in some cases a lot), maybe I would have found other work.

*LIE: Prostitutes only do the work because they have no meaningful choices.*

*TRUTH: 93% of escorts say they like their work for the money, 72% for the independence and 67% for meeting people. And a 2011 study demonstrated that most American escorts are women with “high opportunity cost”, in other words those who have many other meaningful options.*

Do I have choices? Yes. I could work at the drive-through window at Burger King. I could dig ditches. But I would like to do something I find meaningful and which makes me the most money. Yes, I have choices but I would be foolish to make a choice for less meaning and less money.

### **How far does the misinformation go?**

On March 27, 2014, The Washington Post published “Lies, damned lies and sex work statistics” by Maggie McNeill in which the author details the statistical malpractice typical of research into sex work carried out by a *media-fueled moral panic over sex trafficking*.

Ms. McNeill talks about how The Dallas Morning News, in a November 2013 editorial, wrote, “In Houston alone, about 300,000 sex trafficking cases are prosecuted each year.” Dallas defense attorney Mark Bennett then pointed out in his blog that the actual number was two. Not 200,000; just two. Ah, “*media-fueled moral panic over sex trafficking*”?

The article goes on to describe outrageous and preposterous “facts” with links to reference sources pointing out the inaccurate “facts” or outright lying going on in our society. What’s the point? A political and moral agenda. It’s not a question of the truth; it’s a question of I know what’s right and I am going to force this on everybody else. My faith trumps your facts.

How can any of us understand what’s going on? How can any of us properly address any issue when we all we get is a distorted or incorrect picture of that issue? Scare tactic: 300,000 sex trafficking cases are prosecuted each year. Reality: 2.



### Statistics Laundering

In the Fall of 2010, I wrote a series of articles about pornography (gasp!) and discovered that a great deal of the information supporting the sky is falling moral apocalypse end of civilisation rhetoric is either a distortion of the facts, I mean the true, real, verifiable facts, or outright lies. Yes, lies. It would seem a number of people come to the table with their own faith-based view of the world and they couldn’t give a rat’s ass about the truth

because they are determined to force their worldview on everybody else. I’m not satisfied with believing what I believe; I must make you believe it too.

In my article “Pornography: Statistics Laundering”, I discuss the phenomenon whereby numbers are passed from one source to another and gain credibility according to the respectability of the source. Nobody bothers to verify the numbers; everyone just accepts that because the source is respectable, the numbers have to be credible. I couldn’t help comparing this to the superstitions of our ancestors. Somebody walks off in that direction and disappears. Conclusion? The Earth is flat and they fell off the edge. Admittedly, that sounds funny now but I am seeing this same phenomenon going on all the time. People repeat stuff but nobody does any checking. Nobody digs in to find out what happened to that person. Did they really fall off the edge or is something else going on?

### Prohibition

The collective we decides booze is leading us down the path to sin so we decide to outlaw it. How did that work out? As we sit out on a terrace somewhere on a nice sunny day enjoying a sparkling white with a plate of tapas and having one of those moments when we feel life is quite grand, let me put a little perspective on this issue.

World Health Organisation: Global Status Report on Alcohol - 2004

*The World Health Organization (WHO) estimates that there are about 2 billion people worldwide who consume alcoholic beverages and 76.3 million with diagnosable alcohol use disorders.*

That means 3.8% of those who consume alcohol have a problem with it. That means 96.2% of the people appear to be drinking responsibly. Today, would you, would any of us, consider bringing back prohibition? Yes, there are problems with the consumption of alcohol but would we consider the solution to that problem involves depriving the vast majority who enjoy alcohol without any issues?

Sounds crazy. But just how crazy can crazy get?

Slate - Feb 19/2010

The Chemist's War By Deborah Blum

The little-told story of how the U.S. government poisoned alcohol during Prohibition with deadly consequences.

*Frustrated that people continued to consume so much alcohol even after it was banned, federal officials had decided to try a different kind of enforcement. They ordered the poisoning of industrial alcohols manufactured in the United States, products regularly stolen by bootleggers and resold as drinkable spirits. The idea was to scare people into giving up illicit drinking. Instead, by the time Prohibition ended in 1933, the federal poisoning program, by some estimates, had killed at least 10,000 people.*

Holy Hannah! At the height of the war on booze, the United States government poisons ten thousand of its own citizens. Hey! We outlawed booze. You drank it when you weren't supposed to. If you die, it's your own fault. That'll teach ya!

But what else happened in making alcohol illegal?

*After several years, prohibition became a failure in North America and elsewhere, as rum-running became widespread and organized crime took control of the distribution of alcohol.*

-Wikipedia: Prohibition

Criminalising booze brought in crime.

### **You can't stop the river**

People like their pleasures and they are not going to stop even if it's illegal. Drink, drugs, and dames, ya ain't gunna dam this river. Or should I say "damn" this river?

Today, we all accept alcohol. We accept that 4% of the drinkers have a problem with it and will not over-react to that issue by depriving the other 96% who enjoy the experience. We, the collective we and here I mean government, has set up controls to govern the distribution and sale of alcohol. We have enacted laws about drinking and driving for instance to ensure the

consumption of this product is done responsibly for the greater good. Prohibition proved you can't stop the river but today's approach to alcohol shows that we can have some control on the flow of the river. You can enjoy your pleasure but can do so responsibly and legally.

If this idea works for alcohol, can it work elsewhere?

### **What about the people who want to get out of prostitution?**

Make it illegal. Arrest people. Throw them in jail. Give them a criminal record. Wait. What? Cut off their livelihood; take away their income. They end up with no money to pay their rent and buy food. Convict them of a crime and give them a permanent record which means it is more difficult to find legitimate employment.

Excuse me? You're trying to help? You're making things worse. Why not offer financial assistance, education, and job opportunities?

But we end up coming back to the statistics. And what are the correct stats? Country after country, government after government, era after era has failed completely, totally, and abysmally to stop prostitution. Canada's Conservative government's Bill C-36? The so-called Nordic model? I would put forward that the acronym for Fat Chance is spelled FFC. You can't stop the river. And I would think we the people should stop thinking that poisoning our fellow citizens is leading to any good.

### **I have never paid for sex services**

I'm going to be 62 this year. If you ask me why I've never done this, the simple answer is that it never seemed to come up. Would I do it now? Curious you should ask.

A few years ago, I ran across the story of a suburban housewife, 43 years old, married for years, and a mother of two children, who suddenly felt the need to "go out there" and find herself sexually. (Book Review: Shameless by Pamela Madsen) Her adventures included erotic massage, BDSM, and an introduction to sexual liberation. Ms. Madsen has since turned her journey into a personal quest to help other women discover their "inner goddess" and lead them to sexual empowerment. This is a feel-good story with a happy ending in more ways than one. I say that jokingly but I would be quick to point out there is nothing sordid in this; this is very much a good thing for all involved.

In the lead-up to the Canadian federal election on May 2, 2011, a story broke which was pretty much designed to smear the good name of Jack Layton, head of the National Democratic Party. It came out that in 1996, Layton got a massage in a parlor that turned out to be a "suspected" bawdy house and there were questions flying all around if Mr. Layton had received a "rub and tug", an illegal activity. He hadn't but shame on him nonetheless.

In my piece "Pamela Madsen, Jack Layton, and an erotic massage", I compared these two

stories. *Pamela went out and had an erotic massage and while you may feel that the word "erotic" may have overtones of something good, sexual but good - better overtones than the expression "rub and tug" - I would remind you that the final result was the same. She had an orgasm at the hands of a paid man who was not her husband. Now switch the sexes and think about the same idea. Man has an orgasm at the hands of a paid woman who is not his wife.*

Is what's good for the gander also good for the goose?

In looking at this entire issue, as a man, I recognise the following. If I am hungry, I can go to a restaurant and have a woman prepare and serve me food. If I want a haircut, I can go to a salon and have a woman give me a trim. If I'm feeling stiff or sore, I can pay a woman to give me a massage. But if I wanted to have some sexual relief and was willing to pay a woman for this service, I could be arrested, possibly throw in jail, be convicted of a crime, and given a record for the rest of my life. I could very well be refused entry into the United States for being a felon.

Now you may say the law is preventing me from exploiting the woman and making her a victim. Out of curiosity, I looked up a few escort services and one of them wanted \$400 per hour and I had to pay all expenses, transportation, dinner, and possibly entertainment with a minimum of two hours. Geesh, I wish I earned four hundred dollars an hour. Please, exploit me.

If I went to a bar tonight, met a woman, and convinced her to come back to my apartment for consensual sex, nobody would say anything. But if I went out to a bar, met a woman, and the two of us negotiated and mutually agreed upon the exchange of money for the same consensual sex, I'd be in trouble. I'm having a hard time understanding why a private negotiation between myself and a woman is okay for anything other than sex and nobody says anything about exploitation and victimisation. Isn't that poor girl working for minimum wage behind the counter at McDonald's serving me my Big Mac being exploited?

## **Final Word**

Bill C-36 is a failure. The Nordic model is a failure. Any and all policies which aim to stop prostitution outright are failures. How many times are we collectively going to do the same thing over and over and over again and fail before we realise we're not looking at this in the right way?

We tried to make alcohol illegal and we kept on using it. We've made drugs illegal but we continue to take them. We've outlawed abortions but we continue to get them. Do I see a pattern? Making something illegal doesn't stop it. It criminalises it and that leads to crime. It doesn't control it; it drives it underground where it is not regulated and is more dangerous to the consumer.

For years, drugs have been illegal. How many risks did I run as a crazy teenager when somebody passed me a joint for a toke? Lucky for me, I wasn't caught but how many were and had their lives ruined with a drug conviction? What a shock; what a surprise to see the states of Colorado and Washington on November 6, 2012, legalise the sale and possession of cannabis

for recreational use. Holy Hannah, I never thought I'd live to see the day.

Isn't it about time society re-examined its stance on prostitution? Isn't it about time we all got some facts, some real verifiable facts about the issue and took a better look at our consistent rate of failure and decided we need a new approach? Isn't about time we all reconsidered sex in general? I think peace, love, and understanding is a good thing. And I think it's achievable. But only if we stop relying on faith and start paying attention to facts.

## References

Wikipedia: Prostitution in Canada

*There is a general agreement that the status quo of prostitution in Canada is problematic, but there is no consensus on what should be done. There is an ideological disagreement between those who want to see prostitution eliminated, generally because they view it either as an exploitative or unacceptable part of society, and those who view prostitution as a transaction between consenting adults and advocate decriminalisation.*

HuffPost - Aug 14/2008

Prostitution: A User's Manual by Anya Strzemien and Verena von Pfetten

*In light of Eliot Spitzer's recent announcement that he was involved in a prostitution ring, the HuffPost Living editors have put together this handy-dandy list of everything you need to know about the world's oldest profession. Then we want you to tell us below in comments what you think of prostitution, if you think it should be legal, if you've ever used a prostitute (no judgment here!), and what we've left out.*

The Washington Post - Mar 27/2014

Lies, damned lies and sex work statistics by Maggie McNeill

*This sort of statistical malpractice has always been typical of prostitution research. But the incentive to produce it has dramatically increased in the past decade, thanks to a media-fueled moral panic over sex trafficking. Sex-work prohibitionists have long seen trafficking and sex slavery as a useful Trojan horse. In its 2010 "national action plan," for example, the activist group Demand Abolition writes, "Framing the Campaign's key target as sexual slavery might garner more support and less resistance, while framing the Campaign as combating prostitution may be less likely to mobilize similar levels of support and to stimulate stronger opposition."*

Sex Work Research - Jul 8/2013

Popular Claims vs. Evidence-Based Conclusions in Human Trafficking

by Ronald Weitzer, Professor of Sociology at George Washington University in Washington DC.

*I think there are four major claims that are made frequently about human trafficking, and I want to*



*evaluate each one of those claims, and suggest that some of them – maybe all of them – are based on fairly thin ice. The first is that the magnitude of trafficking is huge – some people use the term “epidemic”. The second is that the problem is growing, there are increasing cases of victims over time. Third, that it’s the second or third largest organised crime enterprise in the world, after drug trafficking and arms trafficking. And fourth, that sex trafficking is much more prevalent than other types of trafficking – labour trafficking, agricultural, industrial and so on. So those are the four, I think, core claims that have been made frequently, both in research and by activists and government officials.*

*Are these claims evidence-based? Well, I would argue that they may be true. Each one of those four. But, so far, I’ve seen no compelling evidence to support any of the four claims. And one could even question whether those claims can be substantiated at the macro level – and when I say macro I mean at the national level or internationally. There was a study done by Sheldon Zhang at San Diego State University, who examined over a hundred academic articles based on trafficking, and found that very few of them used any original data, and most of them treated the claims of government organisations and NGOs as evidence. Very little in the way of empirical data collection to address these claims.*

AlterNet - July 28/2013

Apple, Walmart, McDonald's: Who's the Biggest Wage Stiffer? By Paul Buchheit

*Walmart: Underpaying the Most People*

*Walmart employs about 2.1 million workers, two-thirds of them in the United States. Its 2012 revenue is three times that of Apple, and about 15 times that of McDonald's. The company claims its average full-time wage is \$12.78 per hour. That's just under \$26,000 per year. (IBISWorld says Walmart pays associates \$8.81 per hour.)*

*Based solely on its U.S. business, Walmart makes over \$13,000 in pre-tax profits per employee (after paying them), which comes to more than 50 percent of the earnings of a 40-hour-per-week wage earner.*

*A little-known fact about Walmart that impacts most of us: A study in Wisconsin by the U.S. House Committee on Education and the Workforce determined that a typical Walmart store costs taxpayers over \$1.7 million per year, or about \$5,815 per employee.*

*Not mad enough yet? Four members of the Walmart family made a combined \$20 billion from their investments last year. Less than half of that would have given every U.S. Walmart worker a \$3 an hour raise, enough to end the public subsidy.*

2014-06-07