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Victims Without a Choice? A Critical View on the Debate About Sex Work in Northern Ireland

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Abstract In this paper, I argue that the implementation of the "Swedish model"—the criminalization of the purchase of sex—in Northern Ireland in 2014 provides an example of a morality-driven policy process in which the actual concerns of sex workers were distorted and dismissed. In the policy debate, sex workers were portrayed as victims who had no choice—a claim passionately refuted by many sex workers. As a result of the narrow focus on "victim vs. free choice," there has been little room to discuss the actual working conditions of sex workers and the structural constraints that inhibit their freedom and negatively affect their well-being. In this paper, I present the contradictions and conflicts between the personal opinions of Northern Irish policy-makers on one hand and the actual experiences and views of sex workers on the other. By juxtaposing these views, I facilitate a belated conversation between policy-makers and sex workers—a conversation which can inform policy debates in other jurisdictions.

Keywords Sex work · Agency · Moralities · Criminalization of prostitution · Sex trafficking · Northern Ireland

Introduction

In December 2014, the Northern Ireland (NI) Assembly passed a law that criminalizes those who pay for sex (i.e., the clients of sex workers)—the so-called Swedish model, as a similar law was first implemented in Sweden in 1999. The law was part of the *Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act*, driven by Lord Maurice Morrow, a member of the Democratic Unionist Party (DUP). Before this move toward criminalizing clients, the law in Northern Ireland focused on prostitution as a public nuisance: Neither selling nor buying sex was criminalized, as long as the transaction was between two consenting adults and out of the public view. Soliciting, kerb crawling, and running brothels, however, were already illegal under the *Sexual Offenses (Northern Ireland) Order 2008.*

Proponents of the sex purchase ban argue that it will significantly reduce the level of demand for commercial sex, which, in turn, will reduce trafficking for sexual exploitation. In Northern Ireland, lobbying for the criminalization of sex workers' clients was led by Lord Morrow and his fellow party members in the DUP, which espouses conservative evangelical values and is closely linked to the creationist Free Presbyterian Church. The act was sponsored by *Christian Action Research Education* (CARE), a Christian lobby group that opposes, among other things, abortion, divorce, same-sex marriage, and pornography. Internationally, the sex purchase ban is a hotly contested policy measure, with sex worker groups, sex work researchers, and human rights organizations such as Amnesty International[1] arguing that the Swedish model does not in fact reduce trafficking but instead exposes sex workers to more violence and exploitation and inhibits their options to report crimes committed against them (see Sanders and Campbell 2008; Kingston 2010; Mai 2013; Huschke et al. 2014). Locally, however, there was comparably little resistance

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[1] *Amnesty International* recently took a stance for the human rights of sex workers at their International Council Meeting in Dublin in 2015, see https://www.amnesty.org/en/latest/news/2015/08/global-movement-votes-to-adopt-policy-to-protect-human-rights-of-sex-workers/.

to Lord Morrow's proposal. Those who did offer critical views of the proposed law, such as sex worker Laura Lee and researcher Graham Ellison, faced harsh questioning and personal attacks during the Justice Committee sessions where the Bill was debated, and were effectively marginalized in the debate.[2] As a postconflict society, Northern Ireland is struggling with issues of conflict resolution, equality, and power sharing. Sex work was not on the political agenda until Lord Morrow's Bill was introduced, and there was a lack of thorough academic research (and public engagement) on the topic prior to the debate. There was also no visible sex worker rights movement in Northern Ireland at the time the new law was proposed.[3] Combined, these factors led many policy-makers to uncritically agree with the sex purchase ban, supporting the enticing narrative that it would "rescue" sex workers and reduce sex trafficking. This included members of the Irish Republican party Sinn Féin, currently the second largest party after the DUP in the Northern Irish Assembly. Sinn Féin is a left-wing party that stands for progressive, liberal social policies and espouses secular democratic socialism. In many ways, they are diametrically opposed to the DUP and its policy approach. In the past, Sinn Féin has disagreed with the DUP for example in regard to same-sex marriage (which they would see legalized) and the lifelong ban on gay men to give blood (which they would see lifted). The further criminalization of sex work constitutes one of the rare occasions where the DUP and Sinn Féin agreed on a social policy issue. In the final Assembly vote on the Bill, members of the Green Party and Alliance Party did voice their disapproval of the sex purchase ban but were outvoted 10 to 81.

The aims of this paper are to juxtapose the dominant views expressed by policy-makers in support of the sex purchase ban with the views and experiences of sex workers and to highlight the ways in which the debate misrepresented and ignored their voices. I focus on the issue of "choice," that is, the question whether or not the majority of sex workers "freely choose" to sell sexual services, as this constituted a key theme for those supporting criminalization. Proponents portrayed sex workers as victims who had no choice—a claim passionately refuted by many sex workers.

The views of sex workers presented in this paper are drawn from two pieces of research, an independent exploratory study conducted in 2013 and a larger study on the Northern Irish sex industry, commissioned in 2014 by the Department of Justice (DoJ) Northern Ireland[4] in order to inform the policy debate on the Bill proposed by the DUP. As the study was only commissioned in April 2014, most of the debate had already taken place when the research findings were published in October 2014. However, similar findings from my previous research as well as results presented by Northern Ireland-based researcher Graham Ellison were made available to the Justice Committee at the beginning of the consultation phase. The Justice Committee also received 138 written submissions which included evidence from researchers, sex workers, and service providers on the ground highlighting the realities of commercial sex and flaws of the proposed law. These critical submissions were generally dismissed as irrelevant, and those in opposition to the proposed law were cast as villains who "pretend(…) that they were in favour of rights for sex workers or in favour of civil liberties, but (…) [really] had a very substantial pecuniary interest in this trade of trafficking women" (Justice Committee member Mr. Jim Wells/DUP, Assembly 9 December 2014). Furthermore, the Assembly refused to postpone the final vote on the Bill to allow a discussion of the findings of the DoJ study, despite calls for further evidence and consideration of this evidence from various stakeholders, including local organizations such as Victim Support NI and Nexus, organizations who provide services to victims of rape and sexual assault.[5] Instead, the final vote took place just 4 days after the report was published. It was argued by members of the DUP that there was no need to consider research evidence from Northern Ireland as "there was ample evidence on those areas [prostitution and trafficking]" already available (Justice Committee member Mr. Paul Givan/DUP, 20 October 2014).

With this refusal to engage with critical research evidence in mind, I posit in this paper that the arguments presented by proponents of the sex purchase ban were essentially moralistic rather than evidence-based and failed to acknowledge and respect the experiences of sex workers. It is likely that the implementation of the ban in Northern Ireland will revive similar campaigns in other jurisdictions such as Scotland, where it was originally rejected in 2012; England, where it was dropped in 2014 before even going to a vote and is currently under consultation again; and the Republic of Ireland. It is therefore essential to expand the critique offered by others (e.g., Skilbrei and Holmström 2013; Ellison 2015; Levy 2015; Dodillet and Östergren 2011; Kingston 2010) and to continue unpacking the myths and stereotypes employed in support of the criminalization of commercial sex. In this paper, I present the contradictions and conflicts between the personal opinions of most Northern Irish policy-makers on one hand and the actual experiences and views of sex workers on the other. By juxtaposing these views, I facilitate a belated conversation

[2] The video recordings of these oral evidence sessions are available online: https://www.youtube.com/watch?v=ve-0ykxdyS0 and https://www.youtube.com/watch?v=1iG1AOOeDRE

[3] As a result of the discriminating public debate and in reaction to the implementation of the sex purchase ban in NI, the sex worker movement across Ireland (represented by the *Sex Worker Alliance Ireland* (SWAI)) has grown and is slowly becoming more publically visible.

[4] From the outset of the debate, Justice Minister David Ford (Alliance Party) was skeptical about the effectiveness of the sex purchase ban as a measure to reduce trafficking.

[5] Written submissions available here: http://www.niassembly.gov.uk/globalassets/documents/justice-2011-2016/human-trafficking-bill/written-submissions

between policy-makers and sex workers—a conversation that should have taken place while the sex purchase ban was under consideration and which can inform policy debates in other jurisdictions.

Methods

This paper is based, firstly, on an explorative study of the Northern Irish sex industry conducted in 2013 by the author and, secondly, a co-authored, mixed methods study commissioned by the DoJ, Northern Ireland in 2014. The explorative study included four in-depth interviews and an online survey with sex workers which generated 100 responses (in the following referred to as survey 1). The larger study conducted in 2014 was the first comprehensive research on the Northern Irish sex industry and was designed to provide policy-makers with previously unavailable empirical data to inform the debate on the Bill (Huschke et al. 2014). The mixed methods research design included, among other methods, 19 face-to-face interviews with sex workers and a 58-item online survey (in the following referred to as survey 2). One hundred seventy-one sex workers participated in the online survey. Both online surveys were available in several different languages, including Romanian, Bulgarian, and Portuguese, in order to increase the number of migrant participants. Face-to-face interviews were conducted in English.

Both research projects included a small number of male and transgender sex workers. In the debate, however, the choices and experiences of male and trans* sex workers were not considered. The focus was on how *women* in the sex industry are exploited by men.[6] Consequently, I focus on female sex workers in this paper in order to juxtapose the dominant views expressed in the policy debate with the views of those sex workers who are imagined to be the beneficiaries of the sex purchase ban.

The majority of research respondents worked as "escorts": They advertise on one of the various escort websites and accept bookings with clients in hotels, rented apartments, or in the client's home. This mirrors the recent decline of the street-based sex work in Northern Ireland, which was never particularly extensive to begin with, due to 30 years of ethno-political conflict, which significantly reduced nightlife in the urban centers. Consequently, indoor, online-based sex work constitutes the largest section of the Northern Irish sex industry (Huschke et al. 2014; Ellison 2015, p. 9). The majority of participants worked independently, both in the indoor and street-based sector. Less than a fifth said that they worked with or for someone else. In Northern Ireland, this either means working with an agent who arranges meetings with clients in hotels and private apartments or working in so-called micro-brothels: houses run by an agent who employs several sex workers working in shifts.

All of the face-to-face interviews were conducted with sex workers working in Northern Ireland; both online surveys, however, also included sex workers that live and work in the neighboring jurisdictions, that is, the Republic of Ireland and Scotland/England. It was methodologically and analytically not feasible to only include sex workers based in Northern Ireland. First, the websites used by sex workers operate across borders; they either include the entire island of Ireland or the entire UK. Second, the mobility of sex workers needs to be taken into account. The majority of sex workers in the indoor sex industry are mobile, i.e., they work several places across the UK and Ireland, a practice referred to as "touring." Sex workers also constantly adapt to changing industry: A sex worker who only works in Dublin today may start working in Belfast tomorrow.

The analysis presented in this paper is based on a qualitative content analysis (see Mayring 2014) of all interview and survey data with sex workers and publically available transcripts of the 16 Assembly debates and Justice Committee sessions that referred to the sex purchase ban between September 2013 and December 2014, using NVivo software.

Theoretical Framework: Conceptualizing Choice and Agency

The sex purchase ban was promoted in Northern Ireland by a coalition of right-wing Christians and radical feminists, united—despite other ideological differences—in their "revulsion for transactional sex as a societal evil" and their quest to send out the message that "prostitution is an abomination which must be routed out and eradicated for the good of all" (Meredith 2013). The language used and arguments presented by proponents of the law borrowed from radical feminist rhetoric, portraying sex work in all its variations as exploitation and abuse, inevitably linked to men's mastery over women and the role of women as (sexual) servants of men. From this point of view, commercial sex "encodes meanings that are harmful to women as a class" (Fraser 1993, p. 179) and needs to be eradicated entirely (e.g., Jeffreys 2008; Barry 1995; Stark and Whisnant 2004). Sex workers are termed "prostituted women" to "symbolize the lack of choice women have over being used in prostitution" (Jeffreys 1997, p. 330). Radical feminists argue that selling sex cannot (ever) be understood as an expression of agency, as an exercise of choice, irrespective of the specific circumstances. For example, discussing the practice of engaging in sex without a condom with a client to earn more money, Jeffrey argues that the "'choice' between the chance of death from HIV/AIDS and the ability to feed

[6] This exemplifies how proponents of the sex purchase ban tend to homogenize the sex industry and fail to acknowledge the complex realities of those who sell sex.

and school her children does not offer sufficient realistic alternatives to qualify as an exercise in 'agency'" (2009, p. 20). The question then arises: What kinds of choices have to be available to a person to qualify as an exercise of agency? Raymond provides an answer to this: Only mainstream middle-class professions, such as "medicine, law, nursing, or politics" constitute "real options," and selling sex is merely a "survival strategy" and not a choice (Raymond 2004, p. 324). From a radical feminist point of view, the choices that sex workers *claim* to make can be viewed as an expression of "false consciousness," that is, they are simply not (yet) aware of the harm that is done to them as they engage in commercial sex and normalize it in order to cope (e.g., Jeffreys 1997).

The theoretical framework employed in this paper acknowledges the power of hegemonic discourses and social institutions, such as patriarchy and the capitalist market. I further agree with radical feminists that as people, we are not necessarily aware of own oppression within these structures. Simultaneously, however, I agree with Stanley and Wise that "the idea of 'false' and 'true' consciousness, with 'true consciousness' being what revolutionaries [or, in this case, proponents of the sex purchase ban] have is offensively patronizing" (2002, p. 122) and thus contradicts a commitment to equality, solidarity, and collective liberation from oppressive social forces. As Paulo Freire writes: "Attempting to liberate the oppressed without their reflective participation in the act of liberation is to treat them as objects (…) and transform them into masses which can be manipulated" (1972, p. 40). Using terms such as "victims" and the passive "prostituted women" clashes with notions of solidarity as they establish a hierarchy between the researcher/activist feminists—the empowered and usually white women who were able to choose between medicine, law, nursing, or politics, as opposed to sex workers—the poor women, often people of color, who have ended up selling sex to make a living.

In opposition to the radical feminist framework, pro-sex work researchers and activists argue that sex work does not differ fundamentally from other types of service labor (with all the inherent problems) and that those selling sex should be viewed as agents (e.g., Kempadoo and Doezema 1998; Agustín 2007; Doezema 2010; Day 2007). These authors acknowledge that *some* women are physically forced to sell sex and that economic hardship or difficult biographies may shape pathways into the sex industry. This, however, does not automatically eradicate choice and agency, as this would challenge "virtually all choices poor [or otherwise disadvantaged or marginalized] people make about how to structure their lives" and would constitute a "pointless and patronizing attack on self-determination" (Yuracko 2003, p. 13, see Wojcicki and Malala 2001, p. 107). From this point of view, "what needs to be transformed are cultural meanings (about sex, dominance, gender, and labor) and structural relationships between men and women" (Showden 2011, p. 138) in order to address the patriarchal as well as racist or classist norms that may be embedded in commercial sex.

Building on this view, I define agency as the capability to reflect on one's choices and to subsequently take action to reach one's life goals or improve one's living conditions. In some cases, a person's actions serve to reproduce oppressive social structures (Giddens and Pierson 1998, p. 83). Thus, even if we were to accept that, generally, women selling sex to men reproduces patriarchal norms, we may still allow that an individual sex worker has agency (see Hays 1994, p. 62). This view differs profoundly from the perspective of radical feminists, who argue that agency is expressed in "resistance to (…) oppressive institutions, not in women's assimilation to them" (Raymond 1990, p. 109), e.g., in *leaving* prostitution but not in entering it.

Radical feminists as well as many pro-sex work researchers make an important point, however, by stressing the need for academics and activists to pay attention to the way social factors constrain agency and structure choices. As Bourdieu (1977) has noted, people may make certain choices over others, think about them beforehand, and weigh options. Nevertheless, the choices available and those that can be *imagined* are determined by our socialization and dispositions, which, in turn, are significantly shaped by one's subject position (Archer 2003, p. 11), that is, stratifying factors such as class, ethnicity, gender, and nationality. Referring to Durkheim, Hays states that "agency in this sense is not a matter of 'pure will' or absolute freedom; instead, it is the individual and collective autonomy made possible by a solid grounding in the constraining and enabling features of social structure" (1994, p. 65).

In regard to the tension between individual freedom and social structure, radical feminists have argued that the problem with the notion of consent/choice is that it puts the responsibility on the individual and "make[s] harm invisible" (Jeffreys 1997, p. 136). I share the critique regarding the notions of *free agents* and *free choice* that sometimes underlie pro-sex work rhetoric, portraying a "form of prostitution for the rational, choosing individual" (Jeffreys 2008, p. 9). This framing is rooted in a neoliberal idealization of responsibility and freedom of the individual and an understanding of human actions as based on rational choice (see Pateman 1988). In an attempt to counteract this discourse, radical feminists then declare the consent/choice to be irrelevant in regard to prostitution. The problem with this conclusion, however, is that it conflicts with the views expressed by many sex workers who insist on their agency and ability to make choices.

In this paper, I thus approach sex workers' experiences from a perspective that acknowledges the structural constraints and personal struggles that limit agency while at the same time taking a pro-sex work stance in solidarity with sex workers in Northern Ireland and elsewhere. It is the point of view of the person who is acting that matters and whether or

not *she* feels that the action she took "open[ed] up or reorder[ed her] life circumstances in some positive way" (Showden 2011, p. xi) within the given social, economic, and political context.

Results

Flaws of the Dominant View on Commercial Sex

Proponents of the sex purchase ban in Northern Ireland claimed that sex work is inherently harmful and that the majority of women who sell sex are doing it against their will and therefore need to be rescued:

> You either believe that prostitution and trafficking for prostitution is the taking of the innocence of a woman and selling her to multiple males for money, the abuse of that woman, giving her no control over her destiny, taking away any dignity that she has, and forcing her—either through circumstances, by a pimp or by violence—into something that no woman would ever want to do when all that she wants to do is get out of it, or you believe that prostitution is a career choice and that it is a woman's right to choose to go into prostitution, a woman's right to be abused and a woman's right to have her body taken from her by 20 or 30 men a day in a dark and seedy room somewhere. (…) These women are subjugated, terrorized, and forced to do something that no human being should be asked to do. (Jim Wells/DUP, Assembly, 23 September 2013)

To prove the point, proponents of the law invoked shocking pictures and overly simple or even blatantly unrealistic scenarios. The above description was offered by one of the most prominent supporters, Mr. Jim Wells, a DUP member of the Assembly and a creationist Christian, known for his opposition to homosexuality and abortion. Mr. Wells invokes what Doezema calls the "pervasive and tenacious cultural myth (…) of the 'duped innocent'" (1998, p. 43) by referring to the "dignity" and "innocence" of women, which is lost when they sell sexual services. To make his point, he overestimates the number of clients a sex worker sees on average. In my research, I found that rather than having 20 or 30 clients a day, sex workers across Ireland have on average about 15 clients a week. Moreover, the study revealed that encounters usually take place in hotels or apartments, or in people's homes, much less frequently in cars or outdoors, and rarely in "dark and seedy" rooms.

In Mr. Wells' speech, women who sell sex are also cast as helpless victims who are being sold by a man to other men. This view is echoed by other policy-makers, including some members of the progressive leftist party Sinn Féin:

> I do not believe that any woman chooses prostitution, and I do not believe that prostitution is not harmful to women. (…) I find that what happens to women who are engaged in prostitution deeply hurtful. Their bodies are being touched, grabbed, and penetrated again and again, usually on a daily basis, having different men dictate what they want to do (Ms. Caitríona Ruane, Assembly, 20 October 2014).

Education Minister Ms. Ruane expressed her own *personal* view ("I find…" and "I believe…") of what it means for women to sell sex to men and cites no evidence. Rather than acknowledging that this view (like anyone's view) is idiosyncratic and reflective of her own moral values, she presented it as the truth and thereby extends her own judgment (as a non-sex worker) to sex workers, positioning her personal, moral view above the views and experiences of sex workers. In contrast to the narratives presented by Ms. Ruane and Mr. Wells, however, less than 5 % of sex workers stated that they had ever been controlled by anyone or worked for a gang or mafia (survey 2). The face-to-face interviews confirmed that while some sex workers worked for or with an agency or a manager, few described this relationship as being controlled; it was generally viewed as a contract or employment relationship similar to agency work in other areas, e.g., the film or modeling industry. For example, Aileen, a sex worker from a poor working class community in Belfast who works in a "house," a small brothel with sex workers working in shifts and appointments made beforehand via phone or internet, described her relationship with the man who runs the house:

> Aileen: I have refused people and just said no, and this guy who does the thing [runs the house], he always says, if somebody turns up and they're rotten, or they're nasty, and you refuse that's fine.
> Susann: So what do you call him, what is the term for what he is?
> Aileen: I used to say he is my agent.

At the same time, some sex workers also reported abusive practices, such as "managers" and "agents" arranging meetings with clients known to be violent. Most sex workers also describe negative or violent experiences with clients; the worst cases in this study included being beaten and raped. Sophie, a former sex worker who used to sell sex on the streets of Belfast City Center, recounted the following story:

> I always had a rule that I was never going to take anybody in the car drunk, and it was one night that I was so skint… there was nobody about all evening, and I think they'd been in Katy Daly's or the Limelight or something [local clubs], and they came round and asked for a lift, and they said they'd give me a fiver each, and that's

> a tenner. You know, they were just, sort of, drunk… and I always swore I would never go with anyone drunk… And then when we were on the way up they asked me if I was working [as a sex worker] and I said yes; and they were just being lads and eejits,[7] but I just kinda thought, I really need the money, I really, really need the money… So I ended up doing something, again, that I would never do, which is go to someone's house. They were living in student accommodation, and I went into the house… There was meant to be just one of them that I was going to do business with, and then the other one that I'd got a bad vibe from from the start, anyway…

In the interview, Sophie chose not to describe how she was raped by the two young men. She also never reported the crime to the police out of fear to be exposed as a sex worker.

Violence is a very real threat to sex workers in settings where they have to hide, work alone, and are not protected by the law. Crucially, however, these experiences constituted exceptions in the narratives of sex workers, not the norm. For most sex workers, it is not the work *as such* that causes the most harm. Rather, it is the stigma attached to earning an income through sex work in a context where it is criminalized (see Moen 2012). In survey 2, issues related to stigmatization constituted the two most common responses to the question "What do you not like about selling sexual services": "I feel like I have to lie about what I do" (38 %) and "I feel like I have to hide what I do" (37 %). These responses were ranked above fear of violent clients (24 %), fear of violence from other people such as strangers, people that they work for, partners, and the police (13 %), being worried about not earning enough money (12 %), being worried about the health risks (10 %), and feeling that selling sex harms their emotional and mental well-being (6 %). In the interviews, sex workers discussed how stigmatization affects them:

> One thing I hate about this job is the secrecy and having to slink around and pretend to always to be doing something that I am not because I like what I do and I really hate that part of this. (Carol, Belfast escort)

> It's the whole taboo thing, isn't it, that it's illegal in people's eyes, it's dirty, like if my mum was ever to find out, she'd completely disown me. (Alison, Belfast escort)

> [What I don't like is] these people that run around trying to save you, [when] you're in a hotel they try to get you kicked out, or they give you not very nice things on the phone (…). In Limerick (…) they held Bible meetings in the streets, and sang in the streets, to help the prostitutes. (…) And they thought they were doing this brilliant thing, you know, it's really going to help them, and I was like, really? It would be better if they would just go and give them a flask of coffee and some condoms. (Sarah, Strabane escort)

In sum, the proponents of the sex purchase ban opined that selling sex is undignified, dirty, and damaging to the women involved and that a woman in their right mind could not possible choose to engage in sex work; they must be forced into it by men. Sex workers, on the other hand, clarify that while there is physical coercion and abuse in the sex industry, it is not their everyday experience, and the sex purchase ban is not viewed as a helpful remedy against it. Contrary to the personal beliefs of policy-makers in favor of the sex purchase ban, sex work as such is not experienced as emotionally or mentally damaging by the majority of sex workers. It is the stigma and public shame attached to commercial sex and perpetuated by the dominant views expressed in the policy debate that are felt to be most harmful and degrading.

"Forced by Circumstances": Socioeconomic Position and Choice

A common variant of the "no choice" argument found in the policy debate was the view that personal circumstances "force" women into the sex industry. Thereby, the proponents of criminalization indirectly acknowledged that selling sexual services provides sex workers with a much-needed income, and not everyone is actually *physically* forced into prostitution. Instead, they stated that economic hardship, drug addictions, and/or past experiences of sexual abuse force women into selling sex, as for example Mr. Paul Givan (DUP), a member of the Justice Committee, argued

> The vast majority of women involved in prostitution did not have a choice: they came from broken homes, they had a drug problem, they had an alcohol problem, they had mental problems. Those people may not have been trafficked into Northern Ireland (…), but they are almost exclusively vulnerable adults who have issues. Are they really consenting adults? (20 February 2014, Justice Committee)

The response most sex workers would give to Mr. Givan, had they been asked, is yes. With few exceptions, the sex workers who participated in this research felt that they did have the "capability to have done otherwise" (Giddens and Pierson 1998, p. 78). Importantly, this is true not only for well-educated independent escorts who would commonly have a wider range of employment opportunities open to them. Sex

[7] Irish slang for *idiot.*

workers who have little or no education come from places with few employment opportunities (e.g., Romania or Brazil, two of the most common countries of origin of sex workers in Northern Ireland) and/or sell sex to finance a drug addiction—those whose agency is constrained by their socioeconomic position and personal circumstances—equally defended their ability to make choices, however limited they may be.

In line with previous research findings (see Weitzer 2009, p. 217–8), those with limited choices are more often found in the street-based sex industry. Sophie,[8] for example, grew up in a working class family in rural Northern Ireland. When I met her in 2014, she had left the sex industry and worked full time as a social worker. Looking back, she described her family background as difficult; she was the primary carer for her alcohol-dependent mother:

> She's quite controlling. We didn't have money and we literally lived in a room about this size [pointing at the 10 sqm office that we were sitting in] with mice, rats, no TV—like, it was terrible.

To finance her college studies, Sophie worked odd jobs—in a clothes shop, at the canteen in the government building, as a babysitter—until she found a part-time job as a social worker, which she loved. But after a bad breakup with a girlfriend, she tried heroin. After a year of smoking heroin, she needed about £500 per week to buy the amount of drugs she needed to keep going. Despite her difficult social and personal situation at the time, Sophie, looking back, felt that she made choices:

> Yeah, I had reasons and I was desperate, but I wasn't doing anything against my will—I chose to go into town [to sell sex], I chose to earn money, and that money kept me functioning for a long time. It wasn't a great time of my life and it wasn't an ideal career choice or a job, but it did keep me going for a while.

Another sex worker who would fit the stereotypical image of a "victim without a choice" was Lara, a Romanian woman now in her late 20s, who started selling sexual services at the age of 17. Back then, she had just recently moved to a bigger city and needed helped finding work. She entered a relationship with a man who introduced her to the sex industry. Her boyfriend kept all her earnings. They moved to Austria, where the relationship became more and more abusive. Lara eventually left him and presented herself to the police as a victim of human trafficking. As the police could not find her "pimp," as she calls him now, and could thus not verify her trafficking experience, Lara was deported to Romania. After trying to make a living by working in restaurants and clubs in Romania, Lara eventually decided to go to Spain, where she started working as a sex worker in a club, later moving on to independent escorting in Ireland. When interviewed, she angrily defended her biography and positioned herself as an agent rather than a victim:

> Lara: I worked in a restaurant, I worked in a club, I worked in a supermarket (…)—I've done everything. I had a choice, and I chose to do this.
> Susann: Why?
> Lara: You know, you work in a restaurant, in a supermarket, whatever. You need to be a certain time there, you need to do what your boss says—oh, which I hated! You know when you're going, but you never know when you're coming home. It's less money, a lot more work, and it's like, I wasn't able to pay all my things. I never wanted a luxury life, or things like that, but I wasn't able to buy my own cigarettes, or to buy myself food, or I wasn't able to buy a pair of socks; because everything I was earning I was giving either for rent, for electricity—you know? And it wasn't enough, and I wanted more—that was the only reason. I don't think I'm too stupid to do something else, and I don't think that most of the girls that are in the business [are in it] because they cannot do anything else. (…) I'm not stupid—nobody's stupid. We just chose to do this.

Why Women Sell Sex

Supporters of the sex purchase ban claimed to understand why women sell sex: They were either forced by a pimp or trafficker, or they are "vulnerable adults who have issues" and thus cannot be considered consenting adults. This research found, however, that most sex workers understand and explain their biographies and experiences rather differently. Sex workers offered a variety of reasons why they considered sex work to be their best option within the given socioeconomic context.

Sophie and Lara's reasons to enter the sex industry are typical: The majority of sex workers reported that the main reason to sell sex is that it allows them *to earn more money in less time*. In survey 1, 90 % of the participants stated that by selling sexual services, they earned more than before in other jobs. In survey 2, the most common response to the question why respondents started to sell sex was "I needed money to survive." Paying off debt was the second most common reason why people started selling sexual services. The third most common response referred to needing money to "finance education," indicating that steadily increasing fees for higher education may lead some women to start working in the sex industry (or more precisely, online escorting), as this constitutes one of the few jobs that allows women to study while

[8] All names of sex workers have been changed to ensure anonymity.

earning enough money to pay the bills and university fees (see Sagar et al. 2015).

In addition, working fewer and more flexible hours (particularly in the online industry) allows sex workers to look after children or elderly family members or to simply enjoy free time. Furthermore, some women explained that they found sex work less boring than other jobs available to them, despite all its downsides. For example, a Polish sex worker commented in survey 2: "I learn new languages, new cultures, and new customs," and the Irish escort Annabel, who worked in the finance industry before she became a sex worker, compared her previous work to selling sexual services: "banking was soul-destroying, corporate prostitution, and I met some of the most abhorrent individuals there." Sex workers also referred to being able to buy nice clothing, electronics, or a new car, i.e., being able to participate in consumption as the expression of the "good life" in postmodern capitalist societies (Schor 1999). For example, Aileen explained:

> So now … if [my daughter] needs a new pair of trainers at £70 I would go out and buy her them. (…) I can now do that and I was able to take her on holiday to Mallorca for a week. Just me and her in June all inclusive, I actually did spoil her rotten.

Last but not least, the reasons why women sell sex are linked to *global* inequality: A large proportion of sex workers in the UK and Ireland (as elsewhere in the EU) are migrants, including both EU and non-EU migrants (TAMPEP 2009). In this study, 44 % of the participants were non-UK/Irish nationals (survey 2). As one female sex worker put it bluntly in survey 2: "I came here [to Northern Ireland] to look for a job because Romania didn't satisfy me financially."

Gaps in the Debate: (Not) Discussing Working Conditions

In the last sections, I have highlighted the tensions and contradictions between the dominant views presented by policymakers and the marginalized views of sex workers in regard to what it means and feels like to sell sex and the reasons why women sell sex. In this section, I report the views of sex workers regarding their working conditions—a topic that has no counterpoint in the policy debate despite its relevance to the people affected by the proposed law. One effect of the no choice argument found in the NI debate on the sex purchase ban was that sex work was framed as not *real* work. Consequently, the policy debate involved no meaningful discussion on the working conditions of sex workers and possible harm reduction measures. In line with the aim of this paper—to facilitate the conversation that *should* have happened during the policy debate—I draw attention in this section to the concrete, ordinary realities of selling sex.

For sex workers, it is, first, the location that matters (see Sanders et al. 2009, pp. 19–20): Street-based sex work is more likely to be an income-generating activity for people who are in desperate socioeconomic circumstances, such as drug addiction and stark poverty, and who need an easily accessible way to make money. Online escort work in contrast attracts people from various social, economic, and cultural backgrounds (see Bernstein 2007a, p. 70). It is usually better paid, with prices starting at £30 for 15 min and going up to £300 per hour, compared to prices for common services such as "hand jobs," oral sex, and vaginal sex in the street-based sector in Northern Ireland averaging between £20 and £50, depending on the sex worker and the service provided.

As discussed above, flexibility is viewed as one of the key positive aspects of sex work. However, to what extent sex workers are able to decide *when* to work and for *how long* depends on the sector and the work arrangement. Independent escorts are essentially self-employed and thus enjoy the freedoms (as well as the insecurities) of this type of work. People who work for an agency, in a micro-brothel, or on the street may have less flexibility regarding their work time, in the case of the former two because they are not self-employed, in the latter case because street-based sex work generally takes place in the evenings and because one needs to work a lot more to actually earn enough money.

Most importantly, however, sex workers in Northern Ireland—as elsewhere (e.g., Petro 2010; Bernstein 1999; Sanders 2005)—view their work in relation to their choice to (not) provide particular services and to choose the client, as Ramona, a Polish woman in her early 20s, and Lucy, a British woman in her late 30s, explained in interviews

> Well, to be honest, I don't kiss. I don't do girlfriend experience. I don't do so many things (…) I don't want to do some things, it's my choice, you know, I want to leave some things for myself. (Ramona)
>
> What I like is the fact that I'm independent, as a woman. I can travel, I can see things, I can earn a good income to look after myself and maintain the lifestyle I'm used to, and I have choices, basically, of what I want to do, and that kind of thing. I guess it's the self-employed thing. (Lucy)

The majority of the people selling sex in Northern Ireland, regardless of whether they work independently or with an agency, in a micro-brothel or on the street, *do* have a say regarding what they want to offer. However, because selling sex is highly stigmatized and partially criminalized in the Irish context (on both sides of the border) and therefore, to an extent, forced underground, work relationships are more open to abuse than employer-employee relationships in legal businesses. In the interviews, some sex workers reported exploitation, violence, and abuse by employers and felt that their

wishes and decisions regarding what to provide and to whom were not always respected. Sex workers with drug addictions and/or those who are desperately poor may jeopardize their safety and well-being by accepting clients or practices they would rather refuse.

When asked in survey 2 how prostitution should be dealt with by government, the most common response was "prostitution should be treated as a normal job/should be legalized." The interviews with sex workers supported this picture. They further indicated that support for legalization and opposition to the sex purchase ban comes from sex workers across the board, including street-based sex workers and sex workers who have experienced violence and abuse like Sophie and Lara, not only from those "high-end escorts" who may not encounter violent clients or abusive managers.

In the surveys, sex workers furthermore offered a number of recommendations that would improve their working conditions more than the sex purchase ban. Firstly, they asked policy-makers to put an end to the practice of arresting sex workers who work in the same apartment as a way of rendering their work safer. Currently, this would be categorized as "brothel-keeping," and both sex workers would be charged (i.e., they are considered to be pimping each other, even though both work independently).[9] Secondly, sex workers asked for more services, including health care provision and legal advice. There is currently only one dedicated service for sex workers in Northern Ireland, the Commercial Sex Worker Service run by the Belfast Health and Social Care Trust which caters mainly to street-based sex workers and is not well-known among sex workers due to limited resources and a lack of advertisement of the service (Huschke et al. 2014). Thirdly, sex workers suggested that a designated liaison officer within the Police Service Northern Ireland would help to encourage sex workers to report crimes committed against them, which might also help with preventing violence in the first place as the potential perpetrators would actually have to fear consequences.

Discussion

Neoliberal Capitalism and the Issue of Choice

The question whether or not women like Lara and Sophie were in the position to exercise agency is a theoretical and ideological one, not a question of "truth," as it depends on how agency is defined and what is accepted as choice (see Agustín 2008, p. 81). As outlined above, I refute that women who "end up" in sex work are essentially to be seen as powerless victims. At the same time, the constraints that shape choices deserve attention. Both Lara and Sophie grew up in poor working class families, with little support for education. Selling sex provided them with an income that was significantly higher and earned in less time than any other job available to them in the labor markets in the UK and Ireland, characterized by a growing low-wage sector and an ever-flourishing gender pay gap (currently at 19.2 % in the UK (Equal Pay Portal 2015) and 14.4 % in the Republic of Ireland (European Commission 2015)). The results presented in this paper thus shed light on the link between the choice to enter the sex industry and the UK (and Irish) governments' neoliberal austerity politics, including insufficient social welfare and child support, which negatively affect working class communities and particularly working class women and single mothers (Carline and Scoular 2015, p. 108; Fawcett Society 2011, 2012; Sanders 2005, p. 39). The growing normality of household debt in the UK and Ireland, encouraged by a lack of regulation in the finance markets, constitutes another factor that shapes choices—as expressed in the significant number of sex workers who started selling sex to pay off a debt. Last but not least, sex work needs to be understood in relation to migration regimes and global (im)-mobility. The dream of creating a better life for oneself and one's family—whatever that might mean for the individual—constitutes the driving force for a large proportion of human mobility, both within and across national borders (see Castles et al. 2013). At the same time, labor markets in the global North are only open to varying degrees to non-nationals whereas capital flows relatively freely across the world. The informal sex industry constitutes one way of making money as a migrant when other options are unavailable due to visa and work regulations (see Mai 2013).

These factors that shape the choice to enter the sex industry are by no means unique to Northern Ireland (see, e.g., Day 2007; Weldon 2010; Gülçür and İlkkaracan 2002; Anarfi 1998; Watenabe 1998; Swendeman et al. 2015; Shah 2014). Across the world, "[s]ex work is both exponentially more lucrative and often more pleasant than the varieties of labour advocated by anti-trafficking activists in the wake of 'rescue', such as domestic service, piecework, and factory labour" (Berg 2015, p. 149; see Blanchette and Da Silva 2011; Montgomery 2011; Katsulis 2010; Bernstein 2007a). In sum, the narratives presented by sex workers offer insights into flaws of the current economic system, locally and globally, and could inspire policies that aim toward a labor market that offers more jobs with better pay, more flexibility, and less boredom to women, particularly poor working class women, single mothers, and migrant women.

Moving Beyond "Force vs. Free Choice"

The sex workers who took part in this study passionately refused to be treated and portrayed as "stupid" and "out of their mind." This included women like Sophie and Lara who

[9] No efforts have been made in Northern Ireland to address this problematic practice despite the lip service paid to the protection and decriminalization of sex workers throughout the debate.

found themselves in difficult personal and economic circumstances and would fit nicely into the victim narratives presented by proponents of the ban (see Koken 2010, p. 42; Kempadoo and Doezema 1998). In the context of limited options available to working class women, and particularly migrant women, sex workers defend their decision to sell sex as a way of improving their life, whether that may be paying off a debt, financing their studies, escaping other menial or "soul-destroying" jobs, or simply paying the rent and buying their children Christmas presents.

Importantly, however, these narratives of choice also need to be read in light of the stigma they face in their everyday lives. It would seem that this framing is partially a "defensive practice" (Petro 2010, p. 165–7)—an argument that has been made similarly by radical feminists (e.g., Jeffreys 1997). Radical feminists conclude that the claim to agency needs to be dismissed as irrelevant in the context of prostitution as male oppression and violence against women. I argue, however, that reducing sex workers to victims and denying them any agency only leads many sex workers to stress choice and "free will" even more and shuts down conversations about their actual working conditions and the structural constraints that inhibit their freedom and negatively affect their well-being.[10]

Sex work incorporates diverse practices, arrangements, and experiences, and to understand what selling sex means to those involved, we need to move beyond simplified, homogenizing, and moralizing views of sex work. As Moen (2012, p. 4) highlights

> [E]xploitation can take place in most professions. This does not establish that these professions are harmful. The fact that construction work performed 15 h a day without safety equipment is harmful does not establish that construction work is harmful. Similarly, the fact that selling sex 15 h a day without safety equipment is harmful does not establish that selling sex is harmful. It only establishes that selling sex can be practiced in a harmful manner, which is uncontroversial.

Northern Ireland provides an example of a morality-driven policy process in which the *actual* concerns and critiques of sex workers were distorted and dismissed, "sacrificing sex workers on the altar of public morality" (Day 2009, p. 3). The dominance of the force vs. free choice debate has marginalized the issues, or "meaningful thematics" in Freire's terms, that sex workers highlight if asked what matters to *them*, that is, in many cases, the *conditions* under which they work and how to improve these, not how to best eradicate prostitution altogether or how to facilitate their exit out of the industry (see Showden 2011, p. 155). The latter question would perhaps find more interested listeners and respondents among sex workers if there actually *were* more well-paid, flexible, and interesting jobs available to women, particularly working class and/or migrant women, or if we created an entirely different way of organizing subsistence, e.g., through unconditional basic income for all (see Weeks 2011). In the absence of these alternatives at this moment in time, however, we need to ensure that there is room to "identify, publicly and collectively, what [sex workers] wish to change about how they are treated as workers without them being told that the only solution is for them to exit the sex industry" (Grant 2014, p. 39).

The Moral Message: Ostracizing Fallen Women

By presenting "facts," as distorted as they may be, the proponents of the ban avoided to discuss what lies at the core of any debate about commercial sex: morals. In regard to the moral views underlying anti-prostitution lobbying in the US context under the Bush administration, Zimmerman (2013, p. 156) has argued that

> the social degradation of women that so deeply troubled many secular feminists (…) was not the primary point of departure (…). Holding all sexual activity outside of hetero-sexual monogamous marriage to be de facto immoral, a disapprobation of non-marital sexual activity was its central premise.

The same point can be made in regard to the policy process in Northern Ireland: The anti-prostitution stance introduced to the Assembly by the DUP is intimately linked to a view of selling sex as *immoral*. From a conservative Christian standpoint, sex work is perceived as a "sexual deviance, as a cause of moral decay, and as a threat to marriage because it breaks the link between sex, love, and reproduction" (Weitzer and Ditmore 2010, p. 332).

It is important to highlight that in this way, the ideologies underlying the implementation of the sex purchase ban in Northern Ireland differ from those in Sweden, where the sex purchase ban was first implemented. In Sweden, the legal change was driven by feminists rather than conservative Christians and was implemented because of its "gender-equal symbolic value" (Dodillet and Östergren 2011, p. 2; see Bucken-Knapp and Karlsson 2008). In Northern Ireland, the feminist rhetoric is merely used as a way of packaging sex-negative, repressive policy measures based on conservative Christian values, thereby rendering them more appealing (see Campbell and Zimmerman 2014; Doezema 1998, p. 45). The DUP takes a conservative stance on other gender-related issues such as women's reproductive rights and same-sex marriage, and party members have been known, for

[10] The mixed methods design of the study was therefore crucial. The 1–2–h-long semi-structured interviews provided the space to explore these tensions and to discuss the complexity of selling sex with participants, including negative *and* positive aspects.

example, to describe sex work as "an activity which is illegal, sordid, degrading, and biblically sinful [along with] homosexual groups, paedophiles, and drug dealers" (Rev Ian Paisley, former leader of the DUP, cited in Meredith 2003), to announce that children who are raised by homosexual parents are "far more likely to be abused and neglected" (Mr. Jim Wells, cited in BBC 2015, a comment which led to his resignation as a Health Minister), and to propose a law that would make it legal for business owners to refuse service to members of the LGBT community on the grounds of religious belief (the "conscience clause," see Kane 2014). In this context, as Ellison has noted, their "commitment to gender equality (…) has a somewhat hollow ring to it" (2015, p. 12).

It was a very effective rhetorical move, however: The discursive conflation of sex trafficking and sex work and the framing of all sex work as violence against women silences opposition, because clearly, "[n]o one is 'for' human trafficking" (Zimmerman 2013, p. 21), or "for" gender-based violence. As a result, Sinn Féin voted in support of the DUP Bill and allowed the sex purchase ban to pass, even though it can be assumed that members of this liberal left-wing party do not necessarily share the underlying conservative moral views regarding family, gender, and sexuality.

Conclusion: Increasing Women's Choices

In this paper, I have shown that the arguments presented by proponents of the sex purchase ban in their "moral crusade" (Weitzer and Ditmore 2010) fail to represent the range of experiences and opinions of sex workers. Women "involved in prostitution" are uniformly cast as helpless victims. As others have observed, this stereotypical portrayal of "female bodies (…) as passive objects of male violence" (Andrijasevic 2007, p. 26) constitutes one of the key discursive devices of anti-trafficking campaigns across the world (see Kinney 2014). Thereby, they are turned into subjects to be "protected," that is, governed and regulated by those in power through their incorporation into the "rescue industry" (Agustín 2007), into programs run by organizations such as Women's Aid in Northern Ireland and Ruhama in the Republic of Ireland that "rehabilitate" former sex workers. As Hill summarizes, the fallen woman is "refashion[ed] (…) as a modern victim who is either amenable to reform or recalcitrant" (Hill 2014, p. 94). And although the critique presented here is not new, I posit that as long as laws that ultimately alienate, stigmatize, and harm those they claim to protect continue to be enacted, the role of sex work researchers is to provide critical analyses of these dynamics.

In my analysis, I have sided with sex workers in their claim to agency and presented their views on the choices they make, their "decisions about taking risks in order to get ahead in life" (Agustín 2010, p. 26). However, I stress that it would also be a mistake to construct sex workers or indeed, anyone as "free agents." It is crucial to account for one's biography and socio-economic position, and larger social and political forces at work, such as the UK (and Irish) governments' neoliberal austerity politics, the growing normality of household debt in the UK and Ireland, steadily increasing fees for higher education, and last but not least global inequality that drives transnational migration.

In their responses to interview and survey questions, sex workers highlighted the flaws of the employment opportunities available to them outside of sex work, ranging from low pay for a lot of work, to inflexible contracts that clash with their care responsibilities or educational aspirations, to boring work environments that offer few opportunities to acquire new skills (see Pitcher 2015). Thus, what governments need to offer are solutions to the "urgent issue (…) of employment opportunities for working women and their control over the conditions of their employment" (Nussbaum 2008, p. 400). However, these issues were ignored in Northern Irish debate in favor of graphic imaginations of violent sex. As Bernstein explains, this approach "locates social problems in deviant individuals rather than mainstream institutions (…) [and] leaves intact the social structures" (2007b, p. 137) that shape and limit sex workers' choices (see Hill 2014, p. 79).

Although supporters of the sex purchase ban claimed to be concerned about the choices women (can) make, they offered no practical or even visionary solutions: How exactly criminalization of clients, unaccompanied by a radical restructuring of our economy and society, is meant to widen the options available to current sex workers remains a mystery. There has been no effort made to offer realistic alternatives to all those women who were meant to be freed from the sex industry through the criminalization of their clients. Instead, conservative Christians and radical feminists successfully lobbied for a law that will further inhibit sex workers' capacity to actively shape their working conditions, to keep themselves safe, and to make a living and which is at the same time unlikely to reduce sex trafficking in the jurisdiction (Huschke et al. 2014).

This analysis of the Northern Irish case shows that sex workers need to be much more involved in the policy-making process, and to achieve this, policy-makers need to be willing to see beyond their own preconceptions of what selling sex means. In this paper, I have shown how the dominant views represented in the policy debate fail to acknowledge and address the realities of commercial sex. Consultation processes should, according to the UK government, specifically address and include the people and organizations most affected by the policy (Cabinet Office 2016). Criminalizing the purchase of sex is portrayed as a policy measure to reduce violence and exploitation in the sex industry and to support those currently involved in sex work. Surely, then, their voices should matter. In other jurisdictions, where the sex purchase ban is currently under scrutiny or might be in the future, it is thus paramount

that policy-makers take sex workers seriously as agents, include them in the conversation in a meaningful way and listen to what they have to say about the choices they make, their reasons to do so, and the structural changes that would improve their lives:

> [Sex work] is work. It may be work that you personally would not do, but so what? You might not want to clean toilets. Who cleans the ones at your home and office? It is very well paid per hour compared to lots of jobs. That gives a freedom that can be difficult to get elsewhere. Don't take that away. Do not damage the lives of people who have made choices about their own lives in the name of "protecting" those with few choices. Give those latter people more choices! (English escort in survey 2)

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Compliance with Ethical Standards

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Ethical Approval All procedures performed in studies involving human participants were in accordance with the ethical standards of the institutional research committee and with the 1964 Helsinki Declaration and its later amendments or comparable ethical standards. The explorative study was approved by the Ethics Committee of the School of History and Anthropology at Queen's University Belfast in May 2013, and the comprehensive mixed methods study was approved by the Ethics Committee in the School of Law at Queen's University Belfast in March 2014.

Informed Consent Informed consent was obtained from all individual participants included in the study.

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