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Book Review: Making Sex Work: A Failed Experiment in Legalized Prostitution

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Making Sex Work: A Failed Experiment in Legalized Prostitution. Mary Lucille Sullivan. 2007. North Melbourne, Australia: Spinifex Press Pty Ltd. 413 pp. (+ viii, notes, index). Illustrated, with tables. \$18.95 (paperback).

Reviewed by Nnenna Lynn Okeke¹

In everyday discourse, the terms “sex worker” and “prostitute” are used interchangeably, with very few people questioning the implications of such an easy association. It is this unquestioned synonymy (implied by this association), which suggests that prostitution could be considered “work,” that acts as the starting point of contention in Mary Lucille Sullivan’s *Making Sex Work*. In this thoroughly researched project, Sullivan gives a comprehensive account of the dire effects of the legalization of prostitution in Victoria, Australia—effects that arise from the state’s legitimation of prostitution as legal work.

The 1984 legalization, she shows, came as a result of the collusion of certain feminists, the state, and prostitute rights groups, all of which ideologically viewed prostitution, first and foremost, through the lens of worker’s rights, and hence advocated the state’s regulation based on standard industrial protocol. The rationale of legalization promised a number of benefits for prostitutes, many of which focused on the curtailment of their economic and sexual exploitation. Under state regulation, legalization advocates argued, prostitutes would utilize their right, as workers, to a safe work environment, which meant they would no longer face the threat of violence or the rampancy of sexually transmitted diseases (STDs)—incidences that became defined as “occupational hazards” under the worker’s rights framework. Legalization, of course, would also lead to wider societal benefits, such as the containment of prostitution within certain areas, as well as the curtailment of the spread of STDs into the general population.

Sullivan shows that the understanding of prostitution through an industrial rights framework has sufficiently failed in the protection of prostituted women. For one thing, such a framework, she suggests, intrinsically disregards the inherently unsafe and violent nature of prostitution, and no degree of worker protection can change this. Protocol for the negotiation of STD prevention remains precarious, and sexual assault remains a very real part of the industry. Not only has legalization failed in this respect, but it has also led to some other unintended consequences, not limited to the explosion of both the legal and illegal sectors, as well as the corporate control of the sector—both of which have resulted in an intensified economic exploitation of prostituted women. In exploring how and why these grave consequences came into being, Sullivan explicates how the normalization of prostitution as work “gravely undermines women’s workplace equality and contradicts other avowed government policies designed to protect the human rights of women” (2).

The book starts off with a broad contextualization of the debates surrounding the legalization of prostitution, in Victoria and beyond. Sullivan puts forth an adequate overview of the global policies, discussions, and contestations that have arisen as a result of the ever-expanding trade in sex that continues to operate regionally and internationally. For the reader, informed or otherwise, this section provides a concise overview of how the trafficking in women and children, the relevancy of a human rights framework, and

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the status of morality play into global understandings of the legalization debates. Here, we are also given a useful outline of the conceptualization of prostitution by radical, socialist, liberal, and libertarian feminists and politicians. These distinctions are extremely important in understanding the general debates that would surround the legalization of prostitution in Victoria, as well as the introduction of new policies after its inception.

In chapter 2, Sullivan continues with a detailed history of Victoria's legalization process. The dominant framework within this process was underpinned by a specifically liberal agenda, through which rhetoric of personal freedom and free trade became the tropes used to present legalization as a viable option. With this framework setting the tone and limits of the legalization debates, feminists of differing ideological dispositions were forced into working within this agenda. Sullivan lays bare the predicament surrounding the socialist feminist support for legalization. It was strongly believed by influential socialist feminists in Victoria that the subsuming of prostitution under an industrial rights framework—i.e. legalizing, and hence normalizing, it as work—would protect women from the gravest abuses endemic to the trade. That is, these women would be able to legally negotiate their rights to safety and equality. In taking this line, Sullivan says, socialist feminists, like their liberal counterparts, not only inadvertently sanctioned the bodies of women as acceptable commodities, but it also unconsciously aided in the institutionalizing of the rights of men as purchasers of these bodies. The radical feminist perspective was invisible in these major debates, as this position questioned three fundamental assumptions of the debates: that women's bodies could be purchased for sex, that men had the right to make these purchases, and that prostitution in any situation was acceptable.

Chapter 3 chronicles a slice in the history of the Prostitutes' Collective of Victoria (PCV), giving insight into how legalization facilitated the normalization of prostitution, not only as work, but more importantly, as an institution rooted in sexual freedom and expression rather than in sexual and economic exploitation. The PCV, a prostitute's rights organization, has its roots in the 1970's women's liberation movement and initially came to prominence with a socialist feminist line. Under an industrial rights framework, it initially advocated for a prostitute's right to be liberated from oppression under a patriarchal and capitalist order. By the 1990's, however, the organization had become explicitly anti-feminist. Co-opted by the state starting in the 1980's, as a result of its willingness to act as a partner in the containment of the HIV/AIDS epidemic, the organization would eventually soften its line on the dangers within the prostitution industry. Rhetoric became centered on the benefits of prostitution within society as a whole, and, in essence, legitimating the use of the service as a source of "therapy." PCV also posited prostitution as a manifestation of women's sexual autonomy. The organization, furthermore, extended its constituency beyond the prostitutes themselves, and became an avenue for the voices of big business brothel owners. These shifts eventually collapsed the lines between sexual exploitation and autonomy, as well as between the exploiter and the exploited. As a result, any analysis based on gender and economic oppression became virtually impossible under such an ideological framework.

In the rest of the book, Sullivan addresses in great detail the detrimental consequences of Victoria's legalization policy. Chapter 4 discusses the realities of big business's control over the industry. In Victoria, brothel ownership and management is a

source of much revenue for many wealthy entrepreneurs, as investment in the prostitution industry has increasingly become viewed as a legitimate lucrative venture. The industry has reached a point of legitimacy in which it can now successfully market itself as a viable investment area for Australian citizens. This heightened level of big business involvement within the prostitution industry has inevitably led to further economic disenfranchisement of the prostitutes, as their working lives are heavily governed by big business interests and not, as legalization promised, by themselves. Those prostitutes who try to escape the potential economic exploitation of larger scale brothels by choosing to work independently face many legal barriers to doing so. Therefore what exists, as Sullivan shows, is a system where the state and big business interact in the further economic exploitation of a constituency whose members, more than likely, entered the trade out of economic desperation in the first place.

Chapter 5 focuses attention on the extent of the illicit sex trade. Despite Victoria's emphasis on the containment of the sex industry, many of its sectors remain poorly regulated. Sullivan explores the unsuccessful attempts of the state to regulate illicit brothel operation, child prostitution, street prostitution, table top dancing, and trafficking for sexual slavery. In the case of the latter, Australia, as a result of its leniency toward prostitution, has increasingly become viewed internationally as a profitable destination for trafficked women. In addition, as made clear at various points in the book, the expansion of the illegal industry has occurred in tandem with the explosion of the legal sector.

In the following chapters, Sullivan expounds on the various harms women continue to face under legalized prostitution, paying particular attention to the inadequacy of the government in negotiating preventative solutions. Chapter 6 focuses on how the Occupational Health and Safety (OHS) regulations, standards that extend to all legal work, inadequately deal with the problem of STDs. Standards set by OHS guarantee workers the right to a safe working environment. With the positioning of prostitution as legitimate work, STDs became redefined as occupational hazards. Sullivan critiques the government's approach to these acknowledged hazards on ideological and practical levels. For one, she provides evidence of the state's conception of prostitutes as purveyors of disease. This, in turn, has led to the responsibility of preventing STD transmission beyond the brothel boundaries falling primarily on the prostitutes themselves. The reality, however, is that it is the buyers of sex that should be the main concern of the state, as it is they who are likely to create the bridge of disease from the brothel to the general public. Sullivan critiques the inability of the government of Victoria to deal with this reality, and furthermore, exposes the limits that the unequal relationship between buyers and prostitutes places on women's ability to negotiate safe sex.

The theme of safety carries into next chapter, in which Sullivan discusses interventions by the state and prostitute rights organizations in dealing with the realities of violence within the industry. Here, she triumphantly makes the case that OHS standards become futile when violence—physical, emotional, psychological, and social—is built into the institution of prostitution itself. She also critiques the attempts of prostitute rights organizations to curtail this violence, because these organizations start from the notion that violence is an uncharacteristic, rather than intrinsic, part of the industry. According to Sullivan's critique, in positing prostitution as work, the state and

these prostitute rights organizations cast as mere “occupational hazards” that which in other domains would normally be seen as crime.

Of the several strengths of this work, the most promising is her recommendation for the way forward. She does not stop at mere critique, but instead also points the reader in the direction that Victoria—and the rest of the world—can take towards eliminating the abysmal effects of legal and illegal prostitution. She turns our gaze, in the final chapter, towards Sweden, a state with what she sees as a model stance on prostitution. The Swedish government, unlike that of Victoria, acknowledges that prostitution arises out of the interaction between a primarily male demand for commodified sex and the poverty-induced desperation of many prostitutes. Their response, then, was to curtail this demand by criminalizing the act of buying sex, and hence delegitimizing the rights of men (and a negligible number of women) to purchase predominantly female bodies for sexual gratification.

In this thoroughly researched work, the one omission is the lack of an adequate analysis of race and racism as it relates to the state’s sanctioning of the prostitution industry. Sullivan thoroughly investigates the relationship between gender and class, particularly how stratification based on these markers signifies who will be prostituted on the one hand, and who will dictate the terms of this prostitution on the other—i.e. who will be the prostitute, the brothel owner, or the buyer. But given that Australia has a significant immigrant population, and given that the Aboriginal population remains as second-class citizens, it would have been interesting to see how race fits into this system of industry stratification. Nevertheless, *Making Sex Work* is an extremely important work, as it moves the debate about the legalization of prostitution out of the realm of speculation and conjecture, and into the domain of the hard facts concerning its potential detriments. This work will be of interest to anyone interested in issues concerning legalized prostitution, public policy, and labor ethics, regardless of whether or not they are interested in learning specifically about Australia. Because its style is straightforward and lucid, this book is a work that will be easily understood by all.