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OPINION

A Misguided Moral Crusade

Ending Demand Won't Stop Prostitution



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BEATEN. Burned. Branded with a hot code or with a pimp's name carved into her



people in the sex trade, and it is fueling deeply flawed campaigns against prostitution.

Galvanized by public outrage and advocacy groups, policy makers have started to push to eradicate all prostitution, not just the trafficking of children into the sex trade. Under the catchphrase “no demand, no supply,” they advocate increasing criminal penalties against men who buy sex — a move they believe will upend the market that fuels prostitution and sex trafficking.

These tactics have gained significant momentum, prompting an initiative by the [National Association of Attorneys General](#), law-enforcement stings and sweeps across the country, and even attempts to prosecute clients as traffickers. The problem is that the “end demand” campaign will harm trafficking victims and sex workers more than it helps them.

In a ballroom at Boston's upscale Westin Copley Place Hotel this spring, more than 250 law-enforcement officers, advocates and survivors of the sex trade, sat riveted, some openly weeping, as they watched a video of a young woman in a dreary motel room, taking her clothes off, telling her grim life story to one uncaring, unhearing man after another. The videos's final message: If men didn't buy her, pimps couldn't sell her.



A brothel near Beatty, Nev.
 HDR IMAGE BY LES WALKER / ZUMA PRESS — CORBIS

For these modern-day abolitionists, ending all prostitution is the only solution. As Lina Nealon, director of Demand Abolition, told the gathered participants through tears, “Because of the work you are doing, my 2-year-old daughter and my soon-to-be-born daughter will find the idea of buying people for sex as incomprehensible as separate water fountains are to me.”

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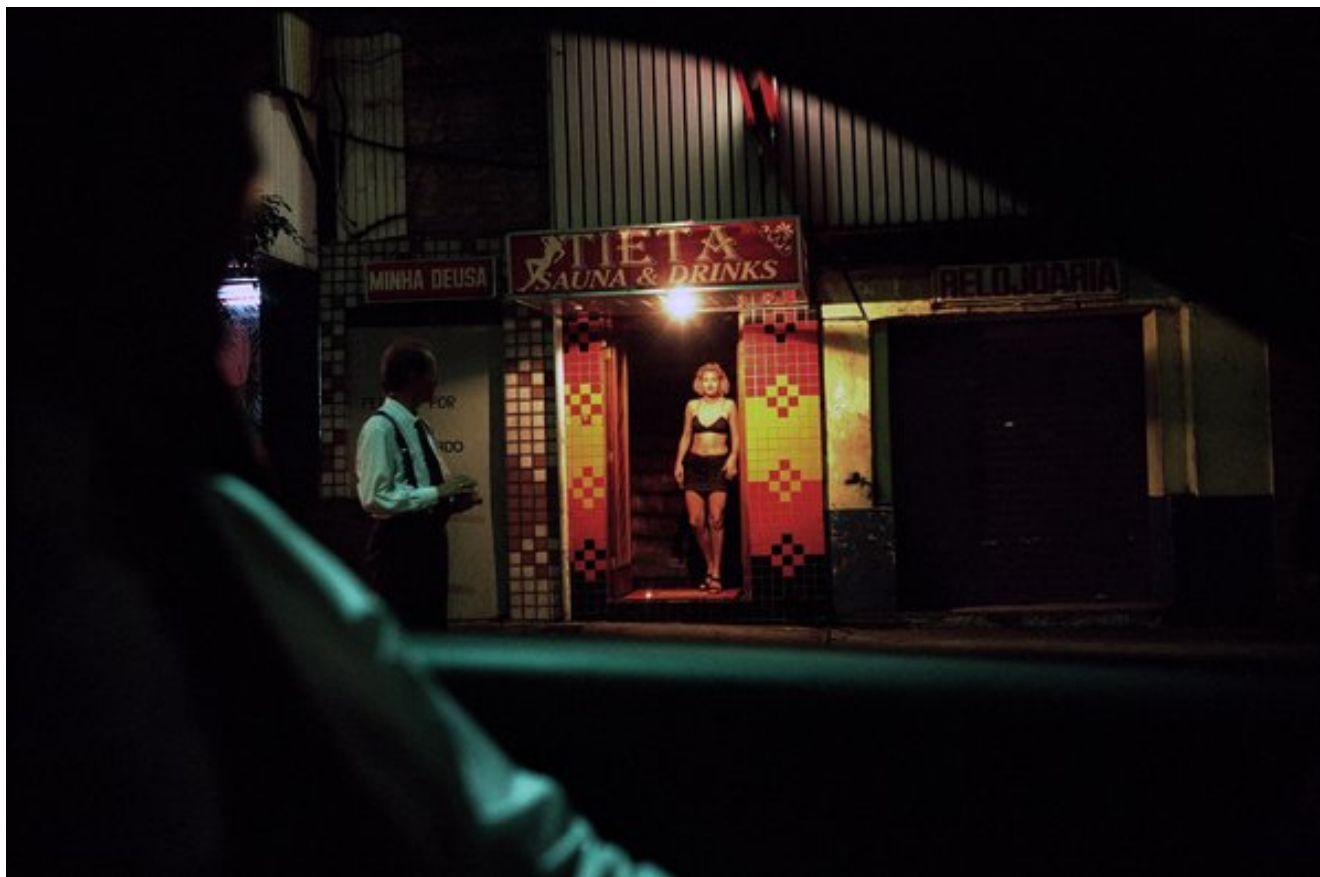
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End-demand advocates' prototypical victim — an abused teenage girl raised in the blight of the inner city and forced into the sex trade by an older man — does exist. But they disregard the fact that individuals, including boys, men and transgender people, enter the sex trade for a variety of reasons. The pimped girl who has inflamed the public's imagination needs government services and protection, not to be made into a symbolic figure in an ideological battle to eradicate the entire sex industry, which, like many other sectors, includes adults laboring in conditions ranging from upscale to exploitative, from freely chosen to forced.

Unfortunately, despite their righteous anger, the end-demand crowd is quick to dismiss what many sex workers actually have to say. Some activists have gone so far as to brand those who criticize their campaign as “house slaves” unable to recognize their own oppression.

The end-demand crusade is premised on the idea that all prostitution is inherently exploitative. Some end-demand advocates came to their position from their work against pornography in the 1980s; others worked with a coalition of conservatives and evangelical Christians during George W. Bush's presidency to abolish prostitution. Not surprisingly, these abolitionists ignore the legal distinctions between prostitution and human trafficking. Federal law states that trafficking for forced prostitution occurs only when a commercial sex act is induced through force, fraud or coercion, or when the person induced to perform it is under 18. Indeed, not all prostitution is trafficking, and not all trafficking — as those exploited and sexually assaulted in homes, fields and factories across our nation know too well — is prostitution.



A prostitute in the red-light district of São Paulo.
PATRICK ZACHMANN / MAGNUM PHOTOS

Although it emerged out of anti-trafficking rhetoric, the end-demand campaign is actually a movement to change prostitution policy from our current legal framework — the criminalization of both buying and selling sex — to the “Swedish model,” in which selling sex is not illegal, but buying sex is a criminal offense. (Two other models exist: full legalization with government regulation and registration of sex workers, as in the Netherlands, and full decriminalization of both buying and selling sex with minimal state oversight, as in New Zealand.)

Based on an appealing, proactive vision of gender justice, the Swedish model has caught on in Iceland and Norway — even though it hasn’t panned out as planned in Sweden, where street-level prostitution dropped temporarily after the law took effect in 1999, only to climb again. Sweden’s sex workers say they are forced to rush negotiations and have to rely more on intermediaries to access wary clients. Prostitution hasn’t gone away; it’s simply gone underground.

Translating Swedish laws into an American context presents even more problems. America lacks the extensive services of Sweden’s social welfare state, which are vital to anyone leaving the sex trade. And American politicians don’t want to be seen as soft on crime or morally lax, making it unlikely that selling sex could ever be decriminalized here.

In this environment, any uptick in law-enforcement actions aimed at buyers inevitably results in increased criminalization of those selling sex. New York City's "Operation Losing Proposition" earlier this year resulted in nearly 200 arrests; the operation allegedly targeted the demand side of prostitution, but it netted 10 individuals who sell sex as well. Attempting to implement the Swedish law in our punitive environment would most likely mean the criminalization of even more of those it's intended to help — without a Scandinavian-style safety net for those leaving the life.

"You will see that in any country, when you criminalize both parts, the police go for the women," said Kasja Wahlberg, a Swedish detective and the country's rapporteur on human trafficking. According to Meagan Morris, a Colorado researcher who has studied law-enforcement approaches to prostitution, even so-called "victim-centered" approaches disproportionately hurt women, leaving them more vulnerable to trafficking and exploitation because they have criminal records, which limit their access to affordable housing and sustainable-wage jobs.

End-demand strategies could also lead to more pressure on sex workers from pimps and traffickers. "Pimps don't accept the rationale that there's a new law and fewer johns now," said Paul Holmes, a counter-trafficking expert and former Scotland Yard official. "So if a girl is working 16 hours, she'll have to work 20, and under more brutality. You'll also drive the trade underground, which makes it more dangerous for them and more difficult for us."

However well-intentioned law-enforcement strategies might be, they have been engineered with little attention to the wants and needs of sex workers — and to the violence many of them have faced from government employees.

A study in Illinois found that police account for 30 percent of all reported abuse, compared with just 4 percent arising from pimps. According to one young person cited in the [Young Women's Empowerment Project's study](#): "I was going to meet a new john. It turned out to be a sting set up by the cops. He got violent with me, handcuffed me and then raped me. He cleaned me up for the police station, and I got sentenced to four months in jail for prostitution."

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In New York, a woman who was trafficked into the sex trade as a minor told me sometimes "the cops are the ones abusing you, taking your money, beating you up" and they offer no help "even if I get raped" by a john. "I've had to provide services more than once in exchange for not being arrested," she added. "Who is really going to hold them accountable?"

THE best law-enforcement strategy to prevent trafficking into forced prostitution is not an end-demand campaign that harms current sex workers. What's needed instead is a commitment to seriously investigate and prosecute traffickers and impose harsh punishment on those who rape and assault sex workers. Police departments also need public ombudsmen, tough internal-affairs bureaus and vigorous monitoring to combat corruption and abuse. If those in the sex trade felt comfortable reporting rape to the police rather than running from them, police departments would have a much easier time discovering cases of trafficking.

But law enforcement is only one part of the solution. Many young people living on the streets turn to “survival sex” in exchange for food or shelter — and many do so without an intermediary. “I ran away from all the drug activity at home at 11,” one woman in Chicago told me. “I had to do it just to have somewhere to sleep, something to eat.”

Nearly 90 percent of the minors profiled in a John Jay College study indicated they wanted to leave “the life” — but cited access to stable housing as one of the biggest obstacles. In New York City alone, almost 4,000 homeless youths lack stable housing, yet there are barely more than 100 long-term shelter beds to serve them.

Starting in 2008, staff members at the Queens County AIDS Center could barely get the door open on cold days: the office was packed with young people sleeping on the floor. One of them was Donna, a transgender 25-year-old who started selling sex at 13 after running away from abusive foster and group homes.

For people like Donna, ending demand for prostitution is not the answer; satisfying the demand for basic social services is. Shelter, job opportunities and a responsive and sensitive law-enforcement system are vital to those who want to leave the trade. “People call you a survivor after you leave the life,” Donna told me. “But I was a survivor when I was in it.” She added: “I didn't really like prostituting. But then, I had no other way out.”

Noy Thrupkaew is a contributing editor at The American Prospect and a former fellow at the Open Society Foundations.

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