

Guest Editor's Introduction:

3 Buying/Selling Sex

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The theme of this issue is buying and selling sex which is always a controversial topic. Everyone seems to have an opinion about whether pornography or prostitution (or other activities like phone sex and stripping) should be legally available. Some people argue that sex should be confined to marriage or to other loving and committed relationships and should never be the object of a commercial transaction. They suggest sex is a sacred gift from God and/or that commercial sex is always 'bad' (immature or animalistic or exploitative or just plain second rate). Others argue that people have a right to their private lives and should be able to buy and sell sex if they want to as long as no harm is being done to others and/or the sex is consensual. However, some feminists argue that the economic and sexual oppression of women means that they are 'forced' to sell sex in order to survive; as such, commercial sex is always a breach of women's human rights. This radical feminist position is disputed by many other feminists and by most sex worker advocates. They argue that those who are engaged in selling sex should be seen as 'workers' who sell their labour in the sex industry just as other workers sell their labour in the car or clothing industries. From this perspective, the main problem for sex workers is that they are criminalised and stigmatised by the work they do.

A more technical way of talking about the controversies which occur around commercial sex is to say that sex is a site of 'contested commodification' (Radin 1996). Fierce contests are often waged in our culture about what things may rightfully be bought and sold: babies? reproductive tissues

(ovum and sperm)? reproductive capacity? kidneys and corneas? blood? environmental pollution permits? sexual services? The contests here are intense because they are charged by claims (and counter claims) about the normative status of commodification and market transactions and about what it means to be a person. Is commodification always bad? Marx would say yes, that all commodification of human needs and human bodies is dehumanising. But liberals (and others) argue that commodification and market exchange is simply an efficient way of distributing goods and services according to

individual preference; that is, liberals argue the market guarantees individual freedom. However, even liberals disagree about the limits of this process. Do we cease to be ethical and responsible human beings if we allow babies to be traded as commodities? Do we endanger

the lives of poor and vulnerable human beings if we permit the sale of vital organs and tissues? Specifically in relation to sex, do we condemn vulnerable human beings to difficult and dangerous lives by permitting commercial sex? Or are we extending the freedom of human beings by allowing them to engage as both buyers and sellers in commercial sex transactions? Will a blanket condemnation of sexual commodification enable an improvement in the living and working conditions of those engaged in sex work? Or is a much more careful approach called for which pays attention to the particular effects of commodification at specific sites - and supports worker rights - but which avoids moralistic judgements about sexual practice? Can we challenge the dominating effects of sexual norms in our

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culture by tolerating a diversity of sexual practices and sexual identities including those which utilise commodification?

All of the authors in this issue are engaged in debates about the contested commodification of sex in Australia. However, as editors, we have not sought to represent the range of views about sexual commodification described above. All of the authors in this issue are engaged in resisting sexual intolerance and oppressive laws which construct commercial sex (and those who engage in it) as dangerous and deviant. All of the authors in this issue are also sex worker advocates who look to the establishment of safer and more equitable working conditions for sex workers. Bronny describes from her own experience as a worker the impact of laws and policing practices which stigmatise sex workers and render them vulnerable to both the criminal law and bad employers. Sullivan and Banach examine the impact on worker safety and equity of prostitution law 'reform' in several Australian jurisdictions during the 1990s. Banach documents the disastrous effects of the laws introduced in Queensland in 1992 while Sullivan calls attention to ongoing problems for workers in those jurisdictions where brothels have been legalised – that is, Victoria, the Australian Capital Territory and New South Wales. Sera Pinwill describes the process of developing an Occupational Health and Safety Code for the sex industry in the ACT. Chris Harcourt discusses the challenge presented to local government in New South Wales by the legalisation of brothels. Sue Metzenrath raises the issue of health and argues against laws which require the compulsory testing of sex workers for sexually transmitted disease. Such laws, she suggests, are unnecessary, stigmatising and a breach of human rights. Corina McKay's article argues that queer theory – a recent development in the academic study of sexuality which seeks to resist the oppressive power of sexual norms including normative heterosexuality - can be used to improve the situation of sex workers. Roberta Perkins' article addresses one of the big gaps in the academic literature on prostitution – who are the clients or buyers of prostitution services? Finally, Fiona Patton argues in favour of new censorship proposals which will allow a more liberal distribution of 'non-violent' pornography or erotica.

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References

Radin, Margaret Joyce, 1996. *Contested Commodities*. Cambridge, Mass: Harvard University Press

Awaiting the Barbarians after Cavafy

It was the golden age: they were there, sure,
the barbarians, but on the borders,
the northern marches, walled out, or so
we were told, and kept in check. The city
prospered and its merchants. The constant flow
of captives kept the mines and circuses in action –
such civic pride and churches full,
the bells on Sundays joyful in their praise.

But now paralysis. Silence. No-one goes outside.
The senate closed, the president
a cowed and beaten man, awaiting his masters.
He stands on the steps of the palace,
hoping to make another deal, his robes
of office much too big, his mistresses
sneaking through the passages at the rear,
cases crammed with jewellery and fur.

The market hasn't closed, but trading
this last week is very slow: why buy or sell
what the goths will simply take? The merchants
sit behind their desks taking what they can,
their double-breasted suits, the lapels wide
and limp with fear. Today, it seems, is the day
of the turning of the wheel, and what
do barbarians know or care of futures trading?

Yet still the sound of revelry by night, the discos
are full and thumping; recalcitrant youth recycled
in their minis ignore the warnings of the elders,
outface the threat they've lived with now
ten years or more. Their shaven heads have all
long since regrown, though heavy boots
are still in fashion, and studs through nose and nipple.

By early morning, dust and scraps of paper
stir uneasily along the roadways. Behind closed doors
we wait the muffled thump of marching feet.
The city gates are open, citizens hold their breath
to be the first to hear. At noon, the spears of the sun
rain down on the docile city, the president
holding his poise in the dignified silence.

At nightfall the boldest venture out,
to stare from walls, to congregate in doorways,
the city square, begin to take possession of the streets.
Tentative promenaders glance from face to face
as if to see the mark of barbarians there. Our voices
loud and incoherent with relief, we return to the bars
and brothels, throw open the markets as before, whip
the slaves back to duty. Revelry and fireworks
to mark once more our gothic victory.

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