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**Sex Work and ‘Exploitation’
Understanding how the Policy-Makers and Sex Worker
Organizations Define ‘Exploitation’ in Public Discourses
about Sex Work in Spain**

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List of Acronyms

CAQDAS	Computer-assisted Qualitative Data Analysis Software
CDA	Critical Discourse Analysis
CL	Critical Linguistics
CoE	Council of Europe
CPS	Colectivo de Prostitutas de Sevilla [Collective of Prostitutes of Sevilla]
CSO	Civil Society Organization
DHA	Discourse-Historical Approach
EWL	European Women's Lobby
EU	European Union
GBV	Gender-Based Violence
GL	GroenLinks [Dutch Green Party]
ICESCR	International Covenant of Economic, Social and Cultural Rights
ICRSE	International Committee on the Rights of Sex Workers in Europe
LGBTQI+	Lesbian, Gay, Bisexual, Trans, Queer, Intersex
LOPSC	Ley Orgánica de Protección de la Seguridad Ciudadana [Organic Law of Citizen Security], also referred to as 'Ley Mordaza' [Gag Law]
MEP	Member of European Parliament
M/V	Mission/Vision
OTRAS	Organización de Trabajadoras Sexuales [Sex Worker Organization]
PSOE	Partido Socialista Obrero Español [Spanish Socialist Party]
STIs	Sexually Transmitted Infections
TCN	Third Country National
UN	United Nations
VAW	Violence Against Women

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Abstract

Especially, because sex workers are frequently showcased as ‘exploited’ within policy debates in Spain, this research paper intends to understand how Spanish policy-makers define ‘exploitation’ as opposed to how sex worker organizations utilize the term. The aim of these investigations is to understand how the different ontologies of ‘exploitation’ affect the framings of sex work(ers). Hence, this research paper starts by deconstructing common public discourses on sex work with regard to their core assumptions. Specifically, to break the vicious cycle, wherein politicians, sex workers, academia, feminists and other spectators get lost in dichotomous debates about sex work, this research paper will offer a novel approach to inspire target-group oriented policy-changes. More precisely, this research paper addresses the following questions: 1) How have policy-makers defined ‘exploitation’ during the Spanish general elections in 2019 and how does their framing differ from that of sex worker organizations in the months prior to the general elections? and, 2) What are the implications for the protection of sex worker’s rights under new policy frameworks? Drawing on the toolbox of Critical Discourse Analysis (CDA), this research paper will offer a range of linguistic analyses, which demonstrate that policy-makers’ framings coincide with a sexual and identity politics, whereas sex worker organizations’ framings indicate a need for epistemic justice, the combatting of stigmata and the regulation of sex work as a labour.

Especialmente, porque lxs trabajadorxs sexuales son presentadxs frecuentemente como “explotadas” en los debates políticos en España, esta tesis intenta comprender cómo los formuladores de políticas definen ‘explotación’ en oposición a la utilización del término por parte de las organizaciones de trabajadorxs sexuales. El objetivo de estas investigaciones es comprender cómo las diferentes ontologías del término ‘explotación’ afectan los marcos conceptuales del trabajo sexual y las trabajadorxs sexuales. Por lo tanto, esta tesis se inicia deconstruyendo discursos públicos comunes sobre el trabajo sexual con respeto a sus suposiciones básicas. Específicamente, para revertir el círculo vicioso, en donde los políticos, trabajadorxs sexuales, el mundo académico, feministas y otros espectadores se están perdiendo en debates dicotómicos sobre el trabajo sexual, esta tesis se pretende ofrecer un enfoque novedoso para inspirar cambios de política dirigidos a los grupos objetivos. Más concretamente, esta tesis trata las preguntas siguientes: 1) Cuales han sido las definiciones del término ‘explotación’ por parte de los formuladores de políticas durante las elecciones generales en 2019 en cómo se diferencian de los marcos conceptuales por parte de las organizaciones de trabajadorxs sexuales en los meses antes de las elecciones generales? y, 2) Cuales son las implicaciones para la protección de los derechos de lxs trabajadorxs sexuales en los marcos de nuevas políticas? Basándose en la caja de herramientas del análisis crítico del discurso, esta tesis se pretende ofrecer una gama de análisis lingüísticos, lo que demuestran que los marcos conceptuales por parte de los formuladores de políticas coincidan con políticas sexuales e identitarias, mientras los marcos conceptuales por parte de las organizaciones de trabajadorxs sexuales indican la necesidad de justicia epistémica, la lucha contra el estigma y la reglamentación laboral del trabajo sexual.

Relevance to Development Studies

This research paper is part of the formal requirements for obtaining the M.A. Development Studies (Social Justice Perspectives) at the Institute for Social Studies (ISS), a faculty at Erasmus University Rotterdam. Whereas the programme offers multi-disciplinary courses across the fields of human rights, gender and conflict studies, this research paper is situated at the intersection of the latter disciplines.

Not only, will it address issues which are entangled with sex worker's rights (i.e. human, social, economic, labour), it will also draw upon theories from the domains of gender and sexuality to pinpoint why sexual labour receives different attention by policy-makers than other types of labour. Beyond, this research will touch upon the theme 'security' due to the precariousness of sex worker's conditions in Spain. That human and everyday security are intertwined with the safeguarding of social, economic and labour rights has particularly arisen as a critique by sex worker organizations during the COVID-19 crisis. The latter might show a need for policies to be adapted in the pursuit of the common good, which Dworkin defined as a commitment to social justice (2004: 1400).

Social justice has become one translation of the normative concerns of the field of development studies. Focusing on social (in)justice questions in the midst of Europe becomes one way to 'regionalize Europe' rather than seeing it as a benchmark for social justice. Structural violence, which Galtung depicts as contrary to social justice, affects Europe as any other region (1969: 183). Specifically, because the institutionalization and mobilization of rights constitute complex processes, which could reinforce structural violence in 'Western' democracies, this research paper concerns itself with sex work ontologies which underlie policy-making. Hence, analyzing framings of 'exploitation' becomes a strife for social justice.

Keywords

sex work, exploitation, policy-making, frame theory, critical discourse analysis, Spain
trabajo sexual, explotación, política, teoría de marcos, análisis crítico del discurso, España

Chapter 1 | Introduction

1.1 Framing ‘Exploitation’: Beyond Sexual Consent

In 2016, at the occasion of the annual San Fermín celebrations in Pamplona, Spain was shattered after an 18-year-old woman was brutally raped by five young men who posted a video of the crime within a WhatsApp group called the ‘wolf-pack’ (*la manada*). Spanish civil society remained in shock and rage, when two judges failed to recognize the non-consensual nature of the latter delict, which initially led to a mild sentencing of perpetrators (Barry 2019). Since the case attracted broad-scale national and international attention, it triggered long-term political and legal changes such as the design of a ‘sexual liberty’ law (*Anteproyecto de Ley Orgánica De Garantía Integral De La Libertad Sexual*) by March 2020 (Keeley 2020).

Whereas the Spanish government consequentially reconceptualized the term ‘sexual consent’ under the law, until today, it has rejected the responsibility to create safe and effective working conditions for sex workers, who are at increased risk of experiencing sexual- and gender-based violence (GBV). Ironically, this is so, despite that the term ‘consent’ has long been regarded as incompatible with sexual labour as propagated through the framings of sex work as ‘human trafficking’ and as ‘violence against women’ (VAW). Within these framings, sex work is understood as exploitative in relation with sexual and physical violence. The latter understanding clashes with sex worker organizations’ interpretation of exploitation as related to the regulation of the sex industry and stigma of sex work.

Specifically, because there is no consensus on the ontological definition(s) of sex work, policies are frequently criticized by sex worker organizations for their inefficacy, non-inclusiveness and discriminative nature. As sex worker organizations such as the *Organización de Trabajadoras Sexuales* (OTRAS) have emphasized, what sex workers demand are labour rights, not charity (Hurst, Rodriguez Martinez and Montalto Monella 2020). Especially, because policy-making might address the needs of supposed ‘victims’ differently than the needs of ‘workers’, it seems important to trace back how the image of the sex worker as a ‘victim’ might have been created within political discourses and through particular understandings of exploitation. The latter emphasizes the need to analyze the interplay between public discourses, knowledge creation and policy-making as a way to prevent structural violence at institutional levels.

Notably, PSOE members such as Iratxe García Pérez, spokesperson for women’s rights and gender-equality as well a member of the European Parliament (MEP), have been well-known for promoting binary understandings of gender equality based on the notion of a male patriarchy. This research paper will debate whether such understandings could lead to reinforce structural violence respectively social injustice. Both, the MEP and the Spanish Commission for the Investigation of the Mistreatment of Women (*Comisión para la investigación de malos tratos a mujeres*) are signatories of the Brussels Call, which seeks to eliminate sex work at European Union (EU) level (EWL 2013). According to the European Women’s Lobby (EWL), who initiated the Brussels Call, sex work enables “the rape and exploitation of millions of women globally every day” (EWL 2019).

The latter claim, similar to the notion of a male patriarchy, depict exploitation in relation with heteronormative understandings of sexuality, which underlie much EU policy-making as support for the Brussels Call might indicate. Arguably, such understandings reduce the possibility of sexual consent to certain sexualities over others as they promote a heteronormative understanding of gender roles. Especially, where sex work is not recognized as a labour but as VAW, the notion of sexual consent is rendered unapplicable. Hence, consent

becomes depicted as confined to the private (i.e. non-market) sphere. Arguably, the latter reinforces a narrow definition of exploitation, which provides little scope to assess different types of structural violence and to support sex workers' rights irrespective of moral convictions.

1.2 A 'Nordic' Cure to Sex Work: A Moral Crusade on Whom?

In December 2018, the PSOE announced its support for the 'Nordic' respectively 'Swedish' Model, which seeks to criminalize the purchase of sexual services, hence the client rather than sex workers, as it intends to cut demand (Hubbard, Matthews and Scoular 2008: 142-149; Kingston and Thomas 2018: 424-426; Valdés and Álvarez 2018). More specifically, the 'Nordic' Model first entered into force in 1999 as part of the *Swedish Violence Against Women Act*, also known as the *Kvinnovård Law* (Swedish Government n.d.). Not to be confused with the Nordic welfare model, it posits sex work as an “[un]desirable social phenomenon” (ibid.: 2), wherein a “weaker partner...is [usually] exploited by those who want to satisfy their sexual drives” (ibid.). The latter underlines its ethos, which depicts sex work as sexual violence and sex workers as ‘victims’ (Armstrong 2020: 3).

Hence, despite that the 'Nordic' model is often showcased as a ‘survivor-centred’ approach, which is praised for its capacity to optimally protect sex workers, its ethic propagates harmful gender stereotypes much alike radical feminism (Beegan and Morgan 2017: 60-61; Thusi 2016: 224-225), which regards sex work as a manifestation of patriarchal violence and women as “docile and passive recipients of sex, who can only be reduced to their victim status” (Thusi 2016: 224). Based on the latter ontological underpinning, one could speculate whether the PSOE's announcement for support coincided with the wolf-pack gang-rape case and resulting national demonstrations during the UN's *International Day for the Elimination of Violence against Women* in November 2018, where protestors across Spain demanded more effective legal responses to GBV and rape cases (Jones 2018).

Overall, the 'Nordic' Model, which constitutes a neo-abolitionist model due to its emphasis on the penalization of clients, is not so different from abolitionist policy-models which punish procurers and pimps in an attempt to reduce the public visibility of the sex industry (CoE 2007). Both models suggest a need to ‘rescue’ women from ‘slavery’ and ‘rape’ (Doezema 2002: 21-23). The only difference is that the 'Nordic' Model promulgates a more explicit and dichotomous narrative to distinguish between ‘victims’ (i.e. sex workers) and ‘perpetrators’ (i.e. clients). As such, it is not surprising that the PSOE shifted their policy aims towards abolitionism as part of their election campaign in 2019. The latter coincided with framings of sex work as a ‘public nuisance’ and as a ‘threat to public and urban safety’ (Barroso 2016; Borraz 2018).

In more than a decade, the visibility of the sex industry in Madrid has sparked controversial debates and policies, one of them being related to the implementation of the national public safety law *Ley Orgánica de Protección de la Seguridad Ciudadana* (LOPSC), which is also known as the ‘Ley Mordaza’ and the ‘Gag Law’. While the City Council of Madrid claims to have utilized the LOPSC to promote urban security, the law enables to fine sex workers, pimps and clients within a range from €100 to €30.000 based on the argument that sex workers show ‘exhibitionism’ and ‘public disobedience’ (Barroso 2016; Borraz 2018). As a consequence, the latter have been banned from offering sexual services in more visible places in the city center of Madrid and in its largest public park (ibid.).

Specifically, due to the precarious situation of sex workers, their lack of a secure and adequate income (i.e. preventing debt accumulation), their (partial) disqualification from labour rights (i.e. sick leave, unemployment benefits), social services and health services, the latter measures have been criticised to render sex workers even more vulnerable (ICRSE

2020a: 1:16-2:05; 3:46-4:55). This escalated, when due to the current COVID-19 crisis brothels were closed and a huge number of sex workers lost their ‘homes’ (ibid.). Since sex worker’s income barely covers daily needs and since brothels are located outside the city, it is common to pay the owners rent (ibid.). However, due to the current regulations, brothel owners have demanded and increased daily rental fees, which sex workers have been unable to afford due to lacking demand for their work (ibid.). Afraid to receive fines, in relation with the Gag Law and regulations during the COVID-19 crisis, sex workers have offered their services in less visible places, online and within the homes of clients. As sex worker organizations have emphasized, in their struggle for survival, some sex workers had to expose themselves to higher risks such as abuses by clients (ibid.). Arguably, the latter might illustrate the harm of the ‘Nordic’ model and its moral crusade, specifically, in relation with its practical implications on sex workers’ rights and livelihoods.

1.1 Goals and Research Question

The aim of this research paper is to study how policy-makers frame ‘exploitation’ to justify corresponding policies in contrast to how sex worker organizations frame ‘exploitation’ while demanding access to labour rights. Previous research has highlighted the fallacies of dichotomous debates (i.e. ‘empowerment vs. oppression’), the diversity of sex workers and the sex industry, the need to distinguish sex work from trafficking and migration, and the implications of recognizing sex work as a labour (Gerassi 2015; Heumann et al. 2017; Heumann, Siegmann and Empower Foundation 2016; Weitzer 2009; Valadier 2018).

Building on previous research, this research paper will offer a new account to the design and assessment of sex work policies. By developing an in-depth understanding of the theme ‘exploitation’, it will hopefully be able to deconstruct a range of myths about both, sex work and exploitation. More specifically, this research paper will approach the following questions:

How have policy-makers defined ‘exploitation’ during the Spanish general elections in 2019 and how does their framing differ from that of sex worker organizations in the months prior to the general elections? What are the implications for the protection of sex worker’s rights under new policy frameworks?

Whereas the first question concerns the main objective of this thesis, the second question will be informed by the findings of this research paper. Implications and few suggestions will be provided as part of the concluding chapter. To answer the first question, this research paper will critically compare and contrast different conceptualizations of exploitation within online publications, hoping to provide anecdotes in relation with the ontological and epistemological underpinnings of public discourses.

1.3 Significance of this Research

Particularly, because of the significant gap within academic research and the lack of political consensus about the term ‘exploitation’, this research project could aid politicians, policy-makers and legal professionals at EU, national and municipal levels to critically rethink the ontologies which underlie existing sex work policy frameworks and laws to reinvent existing strategies and knowledge-creation.

As such, this research project intends to reach various types of professionals who occupy themselves with topics such as gender, equality, human rights and labour. Furthermore, it might constitute a valuable read for international- and civil society organizations (CSOs), think tanks, and religious- and feminist organizations. Since ‘*what we think to know*’ heavily

influences our own decisions and biases, policy-makers and advocates at all levels are in specific need to critically reflect on their own biases to:

1. Create *effective policy-responses* and *advocacy campaigns*;
2. Ensure *transparency* and *inclusiveness* through *target-group tailored* policies;
3. Monitor initiatives to assess whether efforts mobilize *social justice* in line with *international human rights standards*;
4. Monitor initiatives and obtain *feedback from target groups* to promote *accountability*, *democratic decision-making processes*, and the creation of *expert knowledge* and *innovation*.

1.4 Ethical and Political Choices

While this research paper does not constitute a political project nor advocacy work, my political viewpoints, sympathy with sex workers and identification with the Lesbian, Gay, Bisexual, Trans, Queer, Intersex (LGBTQI+) movement might have motivated certain methodological choices with Critical Discourse Analysis (CDA) being a tool to analyze unequal power relationships and with the Discourse Historical-Approach (DHA) putting a significant emphasis on the interplay between power, language and identity politics.

All of the latter concerned personal choices, which will be critically assessed when evaluating research outcomes. The same accounts for further ontological choices which included to 1) understand sex work as a labour, 2) disqualify binary understandings of gender justice and, 3) reject the notion of a ‘male’ patriarchy. Without doubt, the latter have influenced the analysis of this research paper. However, such choices cannot be circumvented, because “knowledge is socially constructed” (Jung 2019: 2) with the latter constituting a core assumption of this research paper.

1.5 Structure of the Research Paper

This research paper intends to follow the below structure:

- **Chapter 2** focuses on theoretical concepts related to the ontologies of sex work with a specific emphasis on their implications for policy-making considering their different understandings of exploitation and agency.
- **Chapter 3** analyzes an extract from the 2019 PSOE manifesto in order to observe how exploitation is framed and defined by policy-makers.
- **Chapter 4** explores how sex worker organizations have framed exploitation in contrast to policy-makers in the months prior to the 2019 general elections.
- **Chapter 5** offers a summary of research findings, concluding remarks, suggestions for further research and a short list of implications for the protection of sex worker’s rights under new policy frameworks.

Chapter 2 | Contrasting Ontologies of Sex Work and their Implications

2.1 Introduction

This chapter discusses the theoretical framework, which will serve as a cornerstone in the interpretation of collected data and gathered results in the following chapters. First, this chapter will locate ‘exploitation’ in sex work in the empowerment versus oppression paradigm spelling out the theoretical underpinnings regarding labour and normative sexuality. In accordance with Weitzer’s suggestions, it will further introduce an alternative polymorphous paradigm (2020: 401). Second, this chapter will present the policy implications derived from these different conceptualizations.

2.2 Empowerment vs. Oppression: Towards a Polymorphous Paradigm?

2.2.1 The Oppression Paradigm: Identity and Sexuality Politics

According to Weitzer, within the oppression paradigm sex work is portrayed as a mirror of the evils of a patriarchal society and subsequent gender relations (2009: 214). Consequently, the latter paradigm propagates that “exploitation, subjugation, and violence against women are intrinsic to and ineradicable from sex work, transcending historical time period, national context, and type of sexual commerce” (ibid.). The latter does not only show a lacking view for cultural differences, but also for other structural conditions.

Within the oppression paradigm, sex work is depicted as a product of coercion and as an inevitable by-product of ‘male’ domination (ibid.). Within this scenario, men become portrayed as intrinsic ‘women haters’ from whom the latter need to be protected (ibid.). ‘Exploitation’ consequentially refers to sexual violence and power abuse. Especially, because proponents of the oppression paradigm are known for creating sensationalism and publicity around the most tragic cases in the sex industry, the oppression paradigm leaves no space for assessments on sex workers agency, their diverging working conditions as well as their individual and locational circumstances (ibid.).

The latter illustrates that the oppression paradigm might reinforce a range of destructive dichotomies, which facilitate essentialist claims regarding the personal circumstances, characters and gender and sexual identities of sex workers and clients. Two of these dichotomies, concern the ‘choice vs. coercion’ debate and related discussions about ‘agency vs. victimization’ (Schneider 1995: 389-494). As Schneider argues, “the false dichotomy between women’s victimization and women’s agency is a central tension within feminism” (ibid.: 387-388). The same dichotomy might affect sex workers, whose diverse identities and agency are veiled through heteronormative expectations of sexuality and gender roles.

Concretely, the suggestions of the oppression paradigm deprive sex workers of their right to sexual autonomy. The oppression paradigm resonates with the claims of radical feminists, who have understood sex work as inherently ‘violent’ and ‘exploitative’ based on the assumption of consensual sex as being confined to the private (i.e. non-market) sphere and sex work as embedded in heterosexual gender relations and hierarchies (Thusi 2016: 213, 224). While the concern for the safety of sex worker’s conditions is inherent in the oppression paradigm, this concern is limited due to the dogmatic assumptions of the moral crusade

(Weitzer 2007b: 447-448, 451-458). The latter might lead to inflict shame and further stigma on sex workers, who aim to maintain their job in the sex industry while demanding better and safe working conditions.

Notably, earlier moral debates were related with ontological discussions about the nature of sex work and sexuality. In the 1920s, sex work became displayed as promiscuity (Caslin 2010: 15-16), whereas later on, dichotomous debates about choice and coercion led to propagate a simplistic understanding of sexual consent (Gerassi 2015: 80-81). Unless sex workers were survivors of child sexual abuse, courts failed to understand their reasons to offer sexual services (i.e. economic) thereby pathologizing sex workers in a similar manner as members of the LGBTIQI+ community (Drescher 2015: 565-569; Mac and Smith 2018: 46-48). With sex work having been disregarded as a labour, pathological convictions ended up in the domain of policy-making (Weitzer 2007b: 457).

Yet, the oppression paradigm could be regarded as a cornerstone of public discourses, which conflate sex work and human trafficking. The latter can be illustrated through the term 'sex trafficking'. While such a term does not appear within other industries (i.e. the fishing industry), it is frequently used to create sensationalism and binary viewpoints with 'sex trafficking' numbers occasionally being manipulated by the efforts of intelligence agencies (Heumann, Siegmann and Empower Foundation 2016: 85, 95-96; Vanwesenbeeck 2019: 1963-1964). More precisely, the latter binaries concern framings of sex work as VAW, wherein men are portrayed as 'perpetrators/clients' and women as 'victims/sex workers' (Weitzer 2009: 214-215).

Arguably, such binaries are problematic, because 1) sexual services are generalized to reproduce patriarchal gender relations and a 'male' patriarchy and, 2) sexual services are portrayed as heteronormative, which may lead to overlook the needs of LGBTIQI+ and male sex workers (Gerassi 2015: 81). Within policy-debates, it is seldom addressed that sexism and gender inequality affect sex workers with diverse gender-and sexual identities as much as any other worker, despite that sex work is not all 'rape' (Vanwesenbeeck 2019: 1061). To sum up, within the oppression paradigm, 'exploitation' is understood in relation with sexual violence with corresponding policies being tools of an identity politics on sexuality and gender. At best, women are believed to engage in sex work due to the feminization of poverty (Weitzer 2011: 1340).

2.2.2 The Empowerment Paradigm: Countering Identity Politics?

As opposed to the oppression paradigm, the empowerment paradigm suggests that sex work can have self-esteem enhancing effects with the latter being regarded as proof of sex workers' agency (Weitzer 2009: 215). The empowerment paradigm recognizes sex work as a labour, which holds open the possibility of mutual gain similar to other types of work in the service industry (i.e. in massage parlours) and within social services (i.e. psychotherapy) (ibid.). Its proponents may even go as far as suggesting that sex workers possess more control over their working circumstances as compared to workers in other domains (ibid.). Especially, because sex work is a diverse labour, this assumption appears biased. Hence, the empowerment paradigm might fail to understand sex workers' livelihoods from an intersectional perspective, hence inclusive of issues which are entangled with "social identities, power dynamics, legal and political systems, and discursive structures" (Carbado et al. 2013: 2).

As Weitzer argues, sex work is by no means a singular profession. Instead, it is an umbrella term which encompasses different types of work within various domains of the sex industry. Whereas some workers are employed within escort services, massage parlours, bars and casinos, others offer professional services as call girls, via webcam or as street walkers (Weitzer 2009: 217; Sanders et al. 2017: 2-3). Consequentially, working conditions (i.e.

likeliness to experience violence, access to healthcare), financial compensation (i.e. income, housing), public visibility (i.e. indoor, outdoor) and the overall precarity of the labour (i.e. stigma, self-employment, access to unemployment benefits, sick leave and education) greatly vary across sectors and employment modes (ibid.: 215-220).

Most recently, the ongoing growth of the online sex industry has been expanded due to the COVID-19 crisis, wherein many sex workers have moved their services online in an attempt to secure their survival (AFP 2020; Sanders et al. 2017: 2-3). The latter shows both, that working conditions diverge and that the empowerment paradigm might fall short in pinpointing how individual and collective agency are embedded within divergent structural conditions and societal circumstances. Similar to the oppression paradigm, the empowerment paradigm circles around dichotomies such as ‘choice vs. coercion’ and ‘agency vs. victimization’. Thereby, sex work is generalized to coincide with free choice and a ‘capitalist’ individualism.

What the empowerment paradigm veils is that some sex workers might indeed have experienced different types of abuse or poverty and may not experience sex work as a potentially empowering labour (Weitzer 2009: 215). The empowerment paradigm possesses a tendency to reduce sexual labour to a market activity, whereby potentially negative psychological (i.e. trauma, effects of stigmatization) and social aspects (i.e. social marginalization, inability to access rights) automatically become neglected. Specifically, because sex work is regarded as a means to ‘free’ oneself from abusive conditions, the typical sex worker becomes portrayed as ‘free’ from any forms of exploitation in an ultimate, anarchic sense (ibid.).

The latter might be problematic, especially considering that sex workers, as a collective, face political (i.e. right to freedom of assembly), social (i.e. right to freedom from discrimination), civil (i.e. right to citizenship) and economic unfreedoms (i.e. stable wage, unemployment benefits) in various European countries. Particularly, the experience of undocumented migrant sex workers seems to be misrepresented within the empowerment paradigm. Not only do the latter face hurdles to report violence due to fears of deportation and police violence, but they also face issues in relation with the access to other civil rights (ICRSE 2020b: 25; 29; 31-32). As Sophie I'nt Veld, a MEP and a member of the Democrats 66 party remarked during the launch of the *Community Report on Access to Justice for Migrant Sex Workers* on 28th October 2020, to optimally protect migrant sex workers, a range of policies need to be changed.

Next to sex work policy, migration policy needs to be revised to ensure optimal protection of rights. In addition, certain EU Conventions such as the *CoE Convention on preventing and combating violence against women and domestic violence* (Istanbul Convention) and the *European Union Victims' Rights Directive*, might need to be adapted to optimally protect the rights of migrant sex workers and their access to justice (ICRSE 2020b: 23-24). As Kadri Soova from the Platform for International Cooperation on Undocumented Migrant remarked during the latter conference, “[s]ex work comes in as a second layer of criminalization- is a situation of double criminalization” (ICRSE Conference 2020). As the above has shown, the empowerment paradigm’s might understand exploitation as related to stigma of sex work (i.e. the victim narrative). At the same time, it stigmatizes to address societal and institutional shortcomings.

2.2.3 The Polymorphous Paradigm: An Evidence-Based Approach

According to Weitzer, the polymorphous paradigm is characterized by its emphasis on aspects of empowerment and oppression, because it is “sensitive to [the] complexities and to the structural conditions shaping the uneven distribution of agency, subordination, and job satisfaction.” (2009: 215). Different than the above paradigms, it acknowledges that the

circumstances of sex workers diverge in relation with: 1) the type of sex work they engage in, 2) the involvement of others, 3) locational and structural aspects and, 4) aspects which are entangled with gender and race (Weitzer 2020: 401). Especially, the latter point emphasizes that the polymorphous paradigm is open to intersectional analyses to assess the conditions of sex workers. Furthermore, proponents who fall within the polymorphous paradigm are said to be less likely to agree with the propositions of the moral crusade (ibid.).

Whereas an increased “sexualization of Western culture[s]” (Weitzer 2020: 412) might motivate the religious right, abolitionist feminists and abolitionist policy-makers to uphold the morality crusade, proponents of polymorphism withhold from normative claims to sexuality and labour (ibid.: 401). Indeed, the latter may differentiate them from proponents of the oppression paradigm, who disregard sex work as a labour, because it promotes non-heteronormative sexualities. While the empowerment paradigm acknowledges non-heteronormative expressions of sexuality (i.e. unrelated to a ‘male’ patriarchy) on the market, its underlying assumptions influence policy-making differently than polymorphism. This is so, because polymorphism defines ‘exploitation’ in relation with a wide range of structural aspects (Weitzer 2020: 401).

2.3 Policy Models and Implications: Towards a Labour Approach?

2.3.1 Sex Work Policy-Models: Rooted in the Oppression Paradigm

Whereas the ‘Nordic’ model falls into the domain of neo-abolitionism, other sex work policy-models within and outside of the EU include abolitionism, prohibitionism, regulationism and the labour approach. According to the Council of Europe (CoE), prohibitionist policy models penalize sex workers and pimps as opposed to abolitionist frameworks, which penalize procurers and pimps rather than sex workers. While regulationist approaches are oftentimes praised for their recognition of sex work as a labour, the latter are occasionally criticized for their lack of inclusiveness and their emphasis on state control (CoE 2007; GroenLinks 2008). Whereas regulationist frameworks, as applied in the Netherlands and Germany, are oftentimes praised for their potential to liberate sex workers, their ontological ethos is seldom criticized (Post, Brouwer and Vols 2019: 100).

As the Dutch Green Party Groenlinks (GL) emphasizes, regulationist frameworks depict sex work as “an inevitable...evil” (ibid.), which needs to be controlled through the state (ibid.; Post, Brouwer and Vols 2019: 104). For the latter reasons, it could be located within the ontological ethos of the oppression paradigm. Both approaches depict sex work as something ‘negative’ and ‘morally impermissible’, if not as something ‘instinctive’ and ‘primitive’. However, because regulationist approaches enable to carry sex work out under certain conditions, regulationist approaches could also be argued to resonate with the polymorphous paradigm. Whereas the ontological ethos of this paradigm might differ, the principle to value sex worker’s ability to work over any beliefs of the moral crusade resonates with the practical implications of this paradigm.

However, whereas regulationist policies generally aim to protect the social and labour rights of sex workers, they frequently fail to enable equal access to these rights for different types of sex workers (ibid.). Especially, since they often demand mandatory registration, migrant sex workers have to risk deportation in their attempts to secure basic rights. Furthermore, the failure to meet with certain standards of sexual labour can lead to fines and imprisonment within regulationist frameworks (GroenLinks 2008). All of the latter contradict

with the ethos of the polymorphous paradigm, which could best be captured through policy-models, which legalize sex work meanwhile placing an emphasis on intersectionality.

Arguably, the latter solely accounts for the labour approach, because of (neo)abolitionists' promotion of viewpoints, which resonate with the oppression paradigm (i.e. women as passive 'victims' in need for protection). Whereas Weitzer argues that prohibitionists' claims are similarly rooted in the oppression paradigm, because they portray sex work as "inherently oppressive and exploitative" (2010: 15), one might have to add that prohibitionism propagates the notion that the legalization of sex work coincides with the 'empowerment' of deviant sexual behaviours (GroenLinks 2008). Hence, prohibitionists might be opposed to the empowerment paradigm for different reasons than neoabolitionists who believe that sex work is the same as sexual violence and VAW.

2.3.2 Polymorphous and Evidence-based: The Labour Approach

As opposed to others, proponents of the labour approach disregard the morality policy without denying the existence of violence and abuse in the sex industry (*ibid.*). More precisely, the latter connote that the acknowledgement of sex work as a labour has significant benefits (Heumann et al. 2017; Heumann, Siegmann and Empower Foundation 2016; Koch 2016, 2020; Weitzer 2009) which start with harm reduction and span to the transformation of precarious conditions through the securitization of sex worker's labour rights. Since precarious work was found "to emerge in a context of social marginalisation beyond the workplace" (In Heumann, Siegmann and Empower Foundation 2016: 171), the labour approach might possess the capacity to highlight structural conditions in relation with sexual and gender diversity, race, ethnicity, nationality etc.

As such, the latter might transcend the binaries of both, the empowerment and oppression paradigms. Rather than punishing non-heteronormative sexual behaviours, hence such which fall outside the myth of a 'male' patriarchy, with victimization (i.e. sex worker as 'victims') and stigma (i.e. sex workers as 'deviants'), the labour approach prioritizes to secure sex worker's access to fundamental human rights. As Phoenix emphasizes, research on sex work must address issues related to class, gender and race (2018: 741) and as Chapkis remarks, any work, which attempts investigations on sex work needs to be informed by feminist, queer and critical race theory (2018: 743).

In Armas words "sexual rights are human rights" (2006: 25). This is to say, without the realization of sexual rights, other fundamental human rights (i.e. health, education, work, migration, political participation) cannot be secured (*ibid.*: 22-25). Thereby, the fact that sexual rights are a pillar of harm reduction, does not imply that sex work is unlike a labour (Empower 2016: 12, 17-22; Heumann, Siegmann and Empower Foundation 2016: 171). Arguably, since sex work unites the themes 'sexuality' and 'labour', policy-making needs to address both themes coherently, for instance through a decent work approach (*ibid.*). As various authors have illustrated, a labour approach to sex work could be informed by an intersectional understanding of power relations, while it must distinguish sex work from other phenomena such as migration (Gerassi 2015: 84-85; Valadier 2018).

Specifically, because policy-makers and radical feminists have been argued to get stuck in moral debates (Gerassi 2015: 79; Weitzer 2007a,b), the labour approach has been presented as a practical alternative which emphasizes diversity alongside the immediate and long-term protection of rights. Situated within the polymorphous paradigm, it acknowledges that sex work can both contain elements of empowerment and oppression without pre-determining gender and sexual roles of different actors. Within such an approach, the sex industry would be regulated under civil and labour law rather than through the tools of criminal justice as within regulationist approaches (GroenLinks 2008). According to GroenLinks, the

latter may enable conscious consumption, lower levels of violence against sex workers and an emphasis on their human dignity (ibid.).

While Benoit and Vanwesenbeeck highlight that sex work might indeed be entangled with a range of social inequalities, which render sex work an ‘exploitative’ (i.e. precarious) labour (In Vanwesenbeeck 2019: 1961), the authors underline that restrictive legislation coincides with income insecurity, health and safety risks (2017: 171). Specifically, because sex workers possess an increased risk for sexually transmitted infections (STIs) and psychological stress, a labour- and/or rights-based approach to sex work may secure access to services as well as income, labour, human and everyday security (ibid.). Overall, within a labour approach to sex work, sex workers’ experience of exploitation becomes interpreted in relation to the regulation of and stigma of sex work.

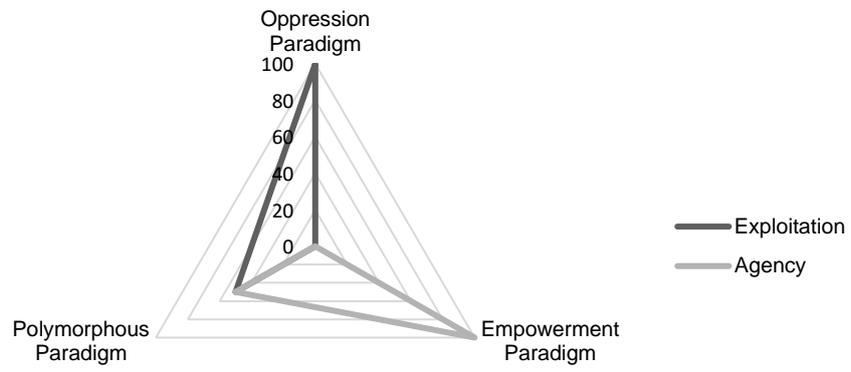
2.3.3 Conclusion

This chapter has addressed the implications of three different paradigms for existing sex work policy models, specifically, to pinpoint how these paradigms depict exploitation and, thereby, sex workers’ agency. As the below figure shows (see *Figure 2.1.*), both the oppression and empowerment paradigm promote a simplistic and dichotomous understanding of exploitation and agency. Whereas, due to the morality policy, the oppression paradigm propagates that sex workers possess little to no agency, the empowerment paradigm propagates that sex workers’ agency can undo the social evils of society.

Within the empowerment paradigm, agency is depicted as the individual capacity to achieve sexual liberation alongside the liberation from undesirable societal conditions (i.e. precarity, abusive conditions), whereas exploitation is understood as the ‘confinement’ to reductive heteronormative sexualities, gender identities and gender roles as well as societal unfreedoms. Within the oppression paradigm, agency is defined in relation with consent, whereby the latter is confined to the performance of heteronormative behaviours within the market sphere, wherethrough exploitation becomes portrayed in relation with the ‘commodification’ of bodies.

The latter idea is depicted through framings of sex work VAW, human trafficking and sexual violence. While the latter experiences might indeed limit the scope of influence of individual agency, the latter underestimates the potential of sex workers to partake in policy-making. Within the polymorphous paradigm, the latter might be different, because agency is portrayed as facilitated or supported through the secularization of fundamental rights, whereas exploitation is portrayed in relation with the narrow assumptions of the moral crusade, the punishment of non-heteronormative sexual behaviours on the market and the lacking view of sex work policies for the diverging natures of sex work which demand tailored policy responses.

Figure 2.1
The Chance that Sex Worker's Possess: Exploitation & Agency (in %)



Chapter 3 | Data and Methodology

3.1 Data Selection and Interpretation

This research will rely both, on the analysis of secondary data and on primary data analysis. Selected academic literature for this research paper has addressed the theme ‘exploitation’ in relation with the ontologies of sex work and their implications in relation with different policy-models. Selected primary data will concern online publications by the PSOE and two sex worker organizations, OTRAS and the Collective of Prostitutes of Sevilla (*Colectivo de Prostitutas de Sevilla*, CPS). Similar to OTRAS, the CPS is known for its advocacy for sex worker’s labour, social and economic rights.

Methodologically, CDA and the DHA inform the analysis of this research paper, whereby further linguistic theories, such as *nominalization*, the *ideological quare* and *self-/other representation* serve to facilitate the critical understanding of selected texts. Most centrally, Goffman’s *Frame Theory* serves as a cornerstone in the analysis. Primary data will be analysed with additional help of the computer-assisted qualitative data analysis software (CAQDAS) ATLAS.ti. Thereby, the latter can be categorized and listed as follows:

1. Election manifesto (i.e. an excerpt of the PSOE’s 2019 election manifesto, which deals with the abolition of prostitution and trafficking, p. 244-245)
2. Website (i.e. OTRAS’ mission/vision statement ‘¿Que decimos? [What we stand for]’)
3. Blogpost (i.e. ‘Demandas y Reivindicaciones Feministas sobre el Trabajo Sexual en España [Feminist Demands and Claims about Sex Work in Spain]’ by the CPS)
4. Social Media Posts (i.e. illustrations from the facebook pages of OTRAS and CPS)

While the above constitute different document types, the initial three documents can roughly be categorized as mission/vision (m/v) statements. Despite that they are short in length, they provide a solid starting point to analyze primary motives of policy-makers and sex worker organizations with regard to sex work policies and activism. Specifically, because the time before and during general elections is characterized by increased lobbying efforts, selected documents might most accurately reflect long-term policy aims. Illustrations, due to their associative nature, were selected to further contextualize the publications of sex worker organizations. Further, they might expose bottom-up identity politics and collective identity formation (Vijayakumar 2018: 338-343).

3.2 Approaches to Data Analysis

3.2.1 Critical Discourse Analysis

According to Van Dijk, Critical Discourse Analysis (CDA) is both, unaffiliated with a specific discipline or paradigm, and political, because it aims to trigger societal and social change (1993: 252). Rather than accepting hegemonic power relations as a given, CDA seeks to analyze and disclose, how public discourses intersect with the creation of societal inequalities, dominance and social control (ibid.: 252-255). Therefore, CDA might be a useful tool to analyze the relationship between framing and identity respectively body politics, whereby the latter term can roughly be defined as the social and political control of individual bodies (Brown and Allen Gershon 2017).

More generally, CDA is located within the field of *Critical Linguistics* (CL) and aims to study the relationship between language and power (Wodak 2001: 1-2). Whereas CL/CDA started to develop in the 1970s and 1980s in the U.K., with thinkers such as Kress having specified that discourses are built upon ideologies, the field of CL/CDA has grown over time and been enriched by diverging sub strategies, theories and analytical tools (ibid.: 3-9). However, Wodak argues that *power*, *history* and *ideology* are concepts, which still underlie all types of CDA (ibid.: 3; 9-12).

3.2.2 Discourse-Historical Approach

The Discourse-Historical Approach (DHA) goes back to Reisigl and Wodak's work *Discourse and Discrimination: Rhetorics of Racism and Antisemitism* (2001) and constitutes a strategy within the field of CDA (Montesano Montessori 2014: 176). Despite that the DHA has been criticized for being too simplistic and politically biased, Forchtner's findings indicate that the DHA can be utilized to develop a critical understanding of texts on the following levels: 1) Through *immanent* critique, hence by spotting logical inconsistencies within a text, 2) Through *sociodiagnostic* critique, hence by dismantling propaganda and discourses, 3) Through *prognostic/retrospective* critique, hence by emphasizing a transformative need towards the safeguarding of human rights (2011: 1-3). As such, the DHA perfectly suits one of the purposes of this research paper, namely, to understand the working mechanisms of political propaganda.

The DHA operates at three levels of analysis: 1) Content analysis, 2) Analysis of discursive and argumentative strategies and 3) Analysis of linguistic features (Montesano Montessori 2014: 184). Within the latter, empty signifiers and nodal points become identified. According to Montesano Montessori, *empty signifiers* aid in the construction of hegemonic political discourses. Especially, because their meaning can only be defined through further contextualization, they serve to "unite different groups behind a shared common cause" (2014: 175). *Nodal points*, to the contrary, can be understood as "privileged signifiers that fix the meaning of a signifying chain" (Laclau and Mouffe in Montesano Montessori 2014: 175). As part of content analysis, is the identification of myths. According to Montesano Montessori, a *myth* is set up to create a contrasting imaginary with a net of existing hegemonic power relations (2014: 176-177). Once a myth becomes naturalized, it transforms into a "social imaginary" (Laclau in Montesano Montessori 2014: 177), which allows for groups to project their needs and desires on the latter (ibid.).

3.2.3 Linguistic Analyses

Specifically, because CDA places an emphasis on the interplay between language and power, whereby the former is regard as a social practise (Wodak 2001: 1-2), it was chosen to analyze public discourses and framings from a linguistic perspective in the analytical chapters. The latter resonates both with the CDA framework and the DHA. While the latter does not require the usage of computer-assisted qualitative data analysis software (CAQDAS), the latter appeared to provide valuable tools to further analyze selected data from different perspectives. Within different CAQDAS, it was chosen for the programme ATLAS.ti, which has been used by researchers across disciplines.

Whereas CAQDAS, such as ATLAS.ti, has been welcomed with scepticism by academia, Paulus and Lester emphasize that ATLAS.ti enables researchers to engage with data more actively and critically, for instance, through network views and the query tool among eight other functions (2016: 409-424). Similar to the network tool, the co-occurrence table tool allows to gain valuable insights into the relationship between different terms. Through this process, epistemological and ontological underpinnings of public discourse, which are relevant for this research paper, can be explored more thoroughly. Meanwhile WordClouds offer

a simple tool to gain an overview about word frequency, which may provide insights into dominant primary frameworks.

To further strengthen the analysis of gathered results, this research paper has chosen the following linguistic concepts to aid data interpretation:

Nominalization

According to Nadeem, M.A. Mahmood and R. Mahmood, nouns are one of the most fundamental parts of sentences (2014: 5). However, when they are overly used to replace verbs; a process, which Fowler has coined *nominalization*; this may be linked with ideological motives (Fowler in Billig 2008: 785). An often-mentioned example is the usage of the noun ‘attack’ instead of an actor and the verb ‘to attack’ with the latter concealing contextual information, causalities and relationships between actors (ibid.). Whereas Billig and Fairclough have both supported and criticized Fowler’s concept, they agree that, in its essence, nominalization enables the erasure of agency (Billig 2008: 785-787; Fairclough 2008).

Especially, because sex workers are portrayed as agency-deprived beings within the oppression and the empowerment paradigm, nominalization might be a useful theory to identify which aspects different actors conceal within public discourses about sex work. According to Fowler, nominalization coincides with the following processes: “(i) deleting agency; (ii) reifying; (iii) positing reified concepts as agents; and (iv) maintaining unequal power relations” (Billig 2008: 785). What Fowler might have failed to thematize is, that the erasure of agency of one party might lead to the erasure of accountability of another party. The latter idea will be examined within the analysis. While a full analysis based on Fowler’s terminology is not the aim of this research paper, his remarks have inspired the deconstruction of established narratives on exploitation.

Ideological Square and Self-/Other Representation

According to Van Dijk, a proponent of CDA, manipulation is one particular type of “discursive power abuse” (2006a: 359). Positive self-representation and negative other-representation consequentially constitute techniques, which permeate political discourses (ibid.: 373, 377-378). Van Dijk’s conceptualization of the *ideological square* allows understanding ideological discourses as exposing the following criteria: 1) They stress positive topics in relation with ‘us’, 2) They stress negative topics in relation with ‘them’, 3) They understate negative topics in relation with ‘us’, 4) They understate positive topics in relation with ‘them’ (2006b: 734). In particular, because of its applicability to study political propaganda and power relationships, Van Dijk’s concept will be used as an inspiration for the analysis.

3.3 Theories Inspiring Data Analysis

3.3.1 Frame Theory

Frame theory was introduced in 1974 within Goffman’s work *Frame analysis: An essay on the organization of experience*. Among others, Goffman theorized about primary frameworks, which he characterizes as a cornerstone in the creation of meaning (1974: 21). More specifically, primary frameworks are said to divide into natural and social frameworks, whereby the former narrate events linked with deterministic truths and whereby the latter are said to provide interpretations of the deterministic truths (ibid.: 22-23). To sum up, framing marks the intentional effort of certain actors to create a specific narrative of an event (ibid.: 247).

Butler’s thought might complement Goffman’s frame theory because the author addresses how “norms operate to produce certain subjects as ‘recognizable’ persons (...) [as

they] make others decidedly more difficult to recognize” (2009: 6). The latter is to say that framing could be regarded as a process whereby contexts of individual or group action, random occurrences and entire groups become homogenized. Consequentially, frames may aid in the administration, comprehension and control of life with these different “modes of power enter[ing] into the very definition of life itself” (ibid.: 16).

In Entman’s words, framing as a process wherein 1) problems are defined, 2) causal explanations are established, 3) moral judgements are enabled and, 4) solutions are provided (1993: 52). As such, frames possess ontological (i.e. defining the problem; moral judgements) and epistemological (i.e. making causal claims; providing solutions) underpinnings, which serve to pronounce the firmness and salience of certain viewpoints (ibid.). The naturalization of certain viewpoints through framing enables stereotypes and generalizations (ibid.). On the one hand, framing might constitute a human way of grasping reality. On the other hand, it might manifest a political strategy linked with agenda setting-and building (Takeshita 1997: 8-11).

3.4 Limitations

Carrying out this research was connected with the following limitations:

- *Participation:* While intending to carry out qualitative in-person interviews to steer a participatory project inclusive of sex worker’s voices, this goal had to be adapted due the coronavirus crisis, lacking connections and time. While this research paper has instead chosen to emphasize sex worker’s claims within online publications, findings would benefit from being evaluated together with sex worker organizations and policy-makers in the future.
- *Scope:* Whereas this research analyzes how the current policy-makers (i.e. the elected PSOE government) has defined ‘exploitation’ during the 2019 Spanish general elections, due to scope, it could not investigate how other policy-makers and political elites have framed ‘exploitation’. Findings will therefore provide implications for the policy-making of the current government on a national level.

Chapter 4 | How Policy-Makers Frame Exploitation

“La prostitución (...) es uno de los rostros más crueles de la feminización de la pobreza, así como una de las peores formas de violencia contra las mujeres.” (PSOE 2019: 244)

“Prostitution (...) is one of the cruelest manifestations of the feminization of poverty and one of the worst forms of violence against women.” (own transl.)

4.1 Introduction

Central to this chapter is the discussion of policy-makers framings of ‘exploitation’. First, it will be demonstrated that the PSOE ascribes sex workers little to no agency due to their portrayal as ‘objects’. Second, it will be argued that the party’s narrative on sex work as ‘slavery’ produces the idea that restoring dignity equates with a sexuality, body and identity politics, which obscures that rights-based approaches may better address structural violence to safeguard human dignity. Third, it will be illustrated that the PSOE contradicts itself, where it considers control over individual sexualities as the problem and the solution. Finally, a brief conclusion serves to summarize the findings of this chapter.

4.2 Problematic Aspects of the ‘Trafficking’ Narrative

4.2.1 A Commerce of Female Commodified Bodies?

Figure 4.1
PSOE M/V Statement 2019



As can be seen on the left (see *Figure 4.1*), the most frequently mentioned words in the PSOE’s abstract on sex work within their 2019 election manifesto, are ‘human trafficking’ and ‘sexual exploitation’ followed by other key terms such as ‘women’, ‘slavery’, ‘persecution’ and ‘law’ (PSOE 2019: 244-245). All of the latter seem entangled with the assumption that consensual sex is limited to the private (i.e. non-market) sphere as introduced earlier as part of the ontological ethos of radical feminism and the oppression paradigm. Consequently, the following linguistic features appear salient within the PSOE’s m/v statement:

Consequently, the following linguistic features appear salient within the PSOE’s m/v statement:

1. The PSOE refers to sex workers as *persons* ‘who have been sexually exploited’ (PSOE 2019: 244) thereby omitting the fact that sex workers possess multiple social roles and backgrounds, and that the experiences of trafficking and sexual violence are, in essence, liminal;
2. Topics entangled with ‘*human trafficking*’ (i.e. slavery, persecution, law) receive all attention, while topics in relation with sex work are absent. The latter mirrors within the PSOE’s reference to sex work as an “illicit commerce” (ibid.);
3. The PSOE propagates that sex workers are nothing but ‘*women, who have been tricked into sexual exploitation through traffickers*’ (ibid.) thereby failing to thematize that sex workers possess multiple sexual and gender identities.

To sum up, within the trafficking narrative ‘exploitation’ is framed in relation with sexual violence. Within this narrative, sex workers multiple social roles are concealed, hence they are neither portrayed as workers, nor as citizens. To the contrary, they are assigned the role of an ‘agency-deprived’ victim, wherethrough the diversity of their personal and professional backgrounds and identities are obscured (ibid.). The latter can, for instance, be concluded from the reference to sex work as an “illicit commerce” (ibid.).

First, due to the emphasis on the illegality of such a commerce, sex worker’s right to adequate and safe working conditions is undermined. The latter concerns one major flaw of (neo)abolitionist frameworks. While (neo)abolitionists make the punishment of clients and procurers their first priority, they fail to thematize sex workers’ needs specifically in relation with harm reduction and decent work irrespective of their legal status and as embedded in the notion of universal rights. The latter disregards that policy-makers are responsible for the partial criminalization of sex work in Spain as mirrored through the Gag Law, which has rendered sex workers’ livelihoods more precarious due to high fines, which might have increased their dependence on brothel owners for housing (Borraz 2018; ICRSE 2020a: 1:16-2:05).

Second, since the PSOE generalizes that such an illicit commerce (i.e. sex work) falls within the domain of human trafficking, it becomes easier to portray sex workers as ‘objects’ and their bodies as ‘commodities’. This conceptualization of ‘forced labour’ appears reductive and one-sided. Undecent work might indeed to be more clearly distinguished from forced labour (Empower 2016: 7; Lerche 2011: 16). Moreover, it is questionable whether the provision of rights should at all coincide with the legal status of a particular type of work. Particularly, because of the vulnerability of migrant sex workers and their lack of access to civil rights, universal labour rights could prevent further institutional victimization (i.e. the inability to report violence due to fears of deportation) (ICRSE 2020b: 25; 29; 31-32).

Within the selected abstract, sex workers’ depiction as ‘objects’ mirrors in the finding that they are not ascribed a singular action. Meanwhile, the PSOE is more explicit about its own roles and the roles of other actors such as the mafia, clients and pimps (see *Table 4.1*). In contrast to representing itself in an overly positive light (i.e. as protector, advocate), the latter actors are portrayed in an essentialist manner and a negative light (i.e. as criminals, villains). Specifically, because the reified concepts ‘demand’ and ‘purchase’ are portrayed as manifestations of crime, it becomes concealed that clients’ behaviour towards sex worker diverges within different subdomains of the sex industry, in relation with their feelings of guilt and in relation with personal characteristics (GroenLinks 2008; PSOE 2019: 245; Weitzer 2009: 218-219).

Table 4.1
Verb Frequency and Context

Verb	Actor- Context	Framing of Actor	Frequency (across word groups)
Abolish	PSOE- In the fight against the “feminization of poverty” (p. 244) and regarding that ‘prostitution’ is “one of the worst forms of VAW” (p. 244)	<i>Protector</i>	4 Abolish (2)- verb Abolitionists (1)- noun Abolition (1)- noun
Eradicate	PSOE- Aims at eradicating “human trafficking with ends of sexual exploitation” (p. 244)	<i>Protector</i>	2 Eradicate (2)- verb
Adopt	PSOE- A “integral law against human trafficking with ends of sexual exploitation” (p. 244)	<i>Advocate</i>	2 Adopt (2)- verb

Assist/Protect	PSOE- the declared victims of human trafficking	Protector	3 Assist (1)- verb Protect (1)- verb Protection (1)- noun
Benefit from	Mafia- said to benefit from slavery (p. 244)	Villain	1 Benefit at the cost of (1)- verb
Sanction	Client/Demand/Purchase- The PSOE expresses their aim to sanction demand and consume of sexual services; Pimps/Sex workers- the ones "who contribute or benefit from the prostitution of others" (ibid.: 245)	Criminal	2 Sanction (2)- verb

In addition to the latter findings, the table above (see *Table 4.1*) reminds that the framing of sex workers as ‘needy victims’ facilitates the framing of the PSOE as ‘protector’. The latter might be problematic, because it coincides with the notion of charity rather than with the notion of rights, whereby the former arguably promotes a morally charged understanding of autonomy. In other words, charity is provided to those whom a particular party concerns ‘needy’ and ‘worthy’ enough. The latter could be interpreted as a sign of political and collective unfreedom (Berlin 1958: 4; Cohen 1979: 155). Rather than acknowledging sex work as a labour irrespective of the party’s viewpoints about normative sexuality, the PSOE might re-define sex work as VAW to justify the abolishment of the sex industry (see *Table 4.1*). Thereby, the framing of clients as ‘criminals’ might have served to obtain electoral support from radical feminists. As their ethos suggests,

Conceiving of sexuality in market terms dehumanizes how we think and act about something extremely important to our conception of self. It would reduce sexuality just to another fungible good... (Freeman in Thusi 2018: 195)

First, the above quote as well as the framing of sex work as an ‘illicit commerce’ overlook that sex worker’s sexuality is not necessarily expressed nor limited to the market sphere. While this finding might reinforce morality debates, considering that earlier moral crusades condemned promiscuity, it could also lead to acknowledge that sex work does not coincide with a loss of self. *Second*, the quote problematically intertwines (self-)worth with the performance of ‘normative’ sexual behaviours, which coincides with the PSOE’s viewpoints on moral permissibility. The latter promotes a limited understanding of self-worth and human dignity as it conceals sex workers’ multiple social roles.

Hence, the provision of sexual services does not coincide with a loss of multiple social identities, unless the structural conditions of the labour (i.e. wage) interfere with sex worker’s overall functioning (i.e. ability to pay for education). However, (neo)abolitionist, prohibitionist and regulationist policy-models frequently fail to represent sex workers with regard to their multiple identities (i.e. mother, wife, student), needs (i.e. educational support, adequate facilities) and rights (i.e. right to privacy, right to work, freedom of occupation). The latter would require redefining exploitation in relation with the promotion of stigma about sex work(ers) and the regulation of sex work as an industry irrespective of its legal status and under the principle of universal rights.

Arguably, as a signatory of the *International Covenant of Economic, Social and Cultural Rights* (ICESCR), whom Spain has ratified in 1977, the government could be argued to violate § 6, 7 and 8 of the convention all based on the condemnation of sexual behaviours in the market sphere (UN Treaty Collection 2020). Whereas §6 of the ICESCR appeals at the responsibility of the state to safeguard workers’ rights irrespective of the individual choice of a particular

labour, it emphasizes the necessity to protect “full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual” (ibid.).

Within the selected abstract, the PSOE remains silent on any measures in relation with sex worker’s working conditions, which are secured under §7 of the ICESCR, as well as the safeguarding of their political and economic rights. The latter is not surprising considering that in November 2018, the PSOE and as a last instance, the Spanish National court, disapproved the formation of the first sex worker union OTRAS in Spain (AFP 2018). Especially, because §8a of the ICESCR explicitly forbids states to prevent the formation of trade unions, the latter might concern a violation of sex worker’s economic, social and cultural rights. Solely, because the PSOE frames sex work as trafficking with the latter constituting a generally accepted threat to the “national security or public order [and]...the protection of the rights and [the] freedoms of others” (ibid.), can it justify such an intervention.

Whereas the party appears to assign “countries of origin” (2019: 244) of supposed trafficking victims the responsibility to protect sex worker’s fundamental rights on the long-term, it overlooks the notion of human dignity on which the ICESCR is built. The latter might strengthen Vanwesenbeeck’s argument that human trafficking numbers are not rarely artificially increased by political parties and intelligence agencies to spur sensationalism and justify nationalist as well as anti-migration policies, which indirectly become justified through the support of conservative Christians and abolitionist feminists with regard to the tackling of sex work (Vanwesenbeeck 2019: 1963-1964). Consequently, (undocumented) migrant sex workers face double discrimination in relation with access to justice and fundamental rights. Among others, the latter concern institutional support regarding the safety of working conditions, which could be established through anonymous reporting mechanisms for abuses in the sex industry.

Since sex workers without migration status (i.e. ‘not trafficked’) remain unaddressed within the selected abstract, it appears questionable whether the PSOE has any intentions to recognize sex workers as (Spanish) citizens. Whereas universal rights are not necessarily bound to citizenship as the ICESCR demonstrates, the latter might pose institutional challenges in relation with the monitoring of national laws and state accountability, specifically, because rights need to be mobilized efficiently (Merry in Unnithan and Heitmeyer 2014: 1378). Specifically, because conventions such as the ICESCR might be too ‘universal’ to immediately protect the rights of marginalized populations unless they are “vernacularized” (ibid.) into local contexts, fundamental rights might somehow have to be secured either through a labour approach and/or novel understandings of citizenship and mobility.

4.2.2 Re-claiming the Dignity of ‘Sex Slaves’

While in the selected abstract, the PSOE expresses its aim to promote the dignity of women (2019: 244), the party promotes a limited understanding of dignity as congruent with the combatting of trafficking and VAW (2019: 244-245). As mentioned before, the latter coincides with the argument that consensual sex is confined to the private sphere. Moreover, it might be linked with the depiction of women as ‘sex slaves’. Usually, the prototype of a ‘slave’ is depicted as a victim who has lost its individual dignity as a consequence of power abuse and the sacrifice of individual agency. The latter reflects in the depiction of women in the manifesto. Whereas the PSOE does not directly assign them the role of the ‘slave’, it frames ‘sex work as human trafficking’ and ‘human trafficking as a form of slavery’ (see *Table 4.2*).

Arguably, the latter might have served to obtain voting support from radical feminists, who promote a similar double moral standard (Beegan and Morgan 2017: 60-61; Thusi 2016: 224-225). On the one hand, this standard coincides with the principle of gender equality. On the other hand, this principle is entangled with the notion that women are intrinsically

inferior to men (ibid.). Hence, only based on the premise that all types of sex work constitute trafficking, can the PSOE proclaim itself as a proud supporter of abolitionist policies aimed at boosting ‘feminist’ and ‘democratic’ values (PSOE 2019: 244-245). As the table below shows (See *Table 4.2*), terms such as ‘feminism’, ‘democracy’ and ‘dignity’ are empty signifiers. Unless, they are ascribed further meaning, they can be misused to veil political interests to prevent a loss of voters who can project their desires on the latter terms. Similarly, the PSOE might have not explicitly called women ‘sex slaves’ to avoid a backlash by women voters.

Table 4.2
DHA 2019 PSOE Manifesto

Content Analysis	Analysis of Discursive and Argumentative Strategies	Analysis of Linguistic Features
<i>Myth/Narrative</i>	<i>Articulation/Reararticulation</i>	<i>Empty Signifiers/Nodal Points</i>
<p>1. As part of the extract on prostitution: The creation of a Spain free from VAW and Human Trafficking, once prostitution is abolished i.e. through the Anti-Human Trafficking Law</p> <p>2. As part of the capture of the chapter: A feminist, equal and diverse, hence a more democratic Spain</p>	<p>Prostitution as an end of human trafficking; Prostitution as violent and immoral; The PSOE as protector and advocate; The Mafia as a beneficiary of prostitution; Pimps and clients (as well as sex workers to an extent) as criminals; Sex workers as women; Sex workers as victims of human trafficking and VAW etc.</p>	<p>1. Empty Signifiers: Prostitution, (Sexual) Exploitation, Prosecution, Demand, VAW, Benefit from, Democracy, Feminism, Diversity, Equality, Dignity</p> <p>2. Nodal Points: Slavery</p>

More transparency about all aspects of the slavery narrative might hence lead to a loss of more progressive voters, who support sexual and gender diversity as opposed to a dogmatic understanding of ‘dignity’ which is limited to the act of ‘the liberation from sexual slavery’ (i.e. the abolition of the sex industry). Especially, because the PSOE considers the compliance with its self-made norms about sexual behaviours a prerequisite for institutional support to safeguard ‘human dignity’, the party arguably undermines the agency and autonomy of sex workers. More precisely, the PSOE portrays all sex workers, respectively ‘trafficking victims’, as ‘sexually passive and agency-deprived women’, whereas masculinist institutions such as the mafia and men are portrayed as ‘hypersexual and aggressive’. The latter is exemplified through the framing of sex work as “one of the worst forms of violence against women” (ibid.).

Notably, such characterizations misrepresent sex workers as well as other citizens in relation with their gender and sexual identities as well as with in relation with their personal experiences with gender-based violence (GBV). Specifically, due to the binary and heteronormative depiction of gender roles and sexualities and the portrayal of a toxic “dominant masculinity” (Halberstam 1998: 2) as “the real thing” (ibid.: 1), patriarchal depictions of sexuality and gender are created, thereby enabling both, a morality crusade and the images of ‘sex work as trafficking’ and ‘trafficking as sexual slavery’. This crusade does not only promote limited understandings of sex work, but also of gender roles in general. As Weitzer illustrates,

[a]ll of the hallmarks of a moral crusade are evident—framing a condition as an unqualified evil; creation of folk devils; zealotry among leaders who see their mission as a righteous enterprise; presentation of claims as universalistic truths; use of horror stories as representative of actors’ experiences; promulgation of huge and unverified numbers of victims; and attempts to redraw normative boundaries by increased criminalization. Prostitution is depicted as immoral or intrinsically harmful, and systems of legal prostitution as dens of iniquity and oppression. (2007b: 467)

Arguably, the latter quote mirrors in some of the findings of this chapter:

1. The failure to make an explicit distinction between trafficking and sex work leads to portraying the latter as “an unqualified evil” (ibid.).
2. Criminal networks such as the mafia and individual men are portrayed as “folk devils” (ibid.), in particular, because sexual exploitation becomes intertwined with the concept ‘slavery’ (see *Table 1.2*).
3. The latter contributes to an increased sensationalism of the abstract, which motivates legal punishments through the severity of sex work as a crime against women (2019: 244-245).
4. Especially, since the abstract was not informed by the experiences of different types of sex workers, the PSOE establishes the trafficking and VAW discourse as a universalistic truth.
5. Cases such as the Wolfpack gang rape may have worked in favour of the PSOE’s elections, in particular, because it might have spurred anger between men and women.
6. The conflation of sex work and trafficking might lead to increasing numbers of both.
7. The PSOE’s aim to restore the dignity of women is linked with their goal to redraw normative behaviours regarding accepted notions of consensual sex.

Whereas the party announces its aim to punish “those who contribute or benefit from the prostitution of others” (ibid.: 245), it is not explicitly mentioned whether sex worker organizations will also be targeted as part of the latter aim (ibid.: 244). Irrespective whether this will be the case, declines in demand and the relocation of sex work to less visible societal spaces, has been connected with higher risks to experience violence (ICRSE 2020a:1:16-2:05). The latter contradicts with the PSOE’s myth of ‘a more democratic Spain’, which depicts dignity as a symbolic good. The latter is to say that the framing of ‘exploitation as sexual violence’ (i.e. the ‘commodification of bodies’ narrative) coincides with making dignity a prerequisite for human rights.

Within this scenario, ‘structural violence’ is depicted as limited to the evils of trafficking and as intrinsic to the behaviour of men. Based on these assumptions, the abolition of sex work is presented as enough to ‘protect’ sex workers from ‘structural violence’. As Bernstein suggests, for neo-abolitionists

...the dichotomy between slavery and freedom poses a way of addressing the ravages of neo-liberalism that effectively locates all social harm outside of the institutions of corporate capitalism and the state apparatus. In this way, the masculinist institutions of big business, the state, and the police are reconfigured as allies and saviors, rather than enemies, of unskilled migrant workers, and the responsibility for slavery is shifted from structural factors and dominant institutions onto individual, deviant men. (2007: 144)

The latter quote particularly captures the depiction of sex work as a trade of ‘commodified bodies’ and the portrayal of men as perpetrators of VAW. Whereas an increased “sexualization of Western culture[s]” (Weitzer 2020: 412) under neo-liberalism is sometimes linked with the argument that ‘everything has become commodified’, one might want to rethink whether this argument is suitable to refer to persons. Specifically, because Spanish politicians have shown little efforts to apologize for Spain’s involvement in the Transatlantic Slave Trade, the PSOE’s open engagement with ‘sex work as slavery’ appears striking (Duval Smith 2014).

If one considered that processes of commodification might coincide with a loss of traditional values, virtues and meaning, the PSOE could be argued to play with citizens’ nostalgia for a more ‘equal’ society build upon these ‘lost’ values, which have supposedly been sacrificed as part of free-market capitalism. Moreover, the concept of ‘modern day slavery’ might not only enable the PSOE to portray itself as a ‘protector’ and ‘advocate’, but also as a ‘liberator’. The latter appears problematic, because it resonates with the behaviour of

‘colonialists’, who exercised a body politics on the ‘colonized’, whose sexuality was depicted as ‘primitive’ (Lauria Morgensen 2010: 110, 118).

4.2.3 Power ‘Over’ Slavery

As mentioned above, the PSOE propagates that human dignity can be achieved through the removal of ‘sexual slavery’ (i.e. sex work). Within the selected abstract, exploitation is always ascribed the term ‘sexual’, except within a singular passage, where it is not further specified (PSOE 2019: 244-245). The latter explains why ‘sexual exploitation’ occurs in relation with more themes than ‘exploitation’ (see *Table 4.3*). It mirrors the PSOE’s lacking engagement with exploitation in relation with different types of structural violence. As such, the PSOE’s approach to sex work could be argued to show little interest in promoting social justice (Galtung 1969: 183). Indeed, its efforts to punish those involved in the sex industry, which mirrors in the co-occurrences of the theme ‘persecution’ with ‘sexual exploitation’, ‘trafficking’ and ‘legal rights’, somewhat resonates with the theme ‘control’.

Table 4.3
Co-Occurrence Frequency (with a singular term) in total

	abolitionism	exploitation	legal rights	needs	persecution	rights	sexual exploitation	trafficking
abolitionism	0	1	1	0	1	0	2	2
exploitation	1	0	0	0	0	1	2	1
legal rights	1	0	0	1	2	0	3	3
needs	0	0	1	0	1	0	1	1
persecution	1	0	2	1	0	0	2	2
rights	0	1	0	0	0	0	1	0
sexual exploitation	2	2	3	1	2	1	0	4
trafficking	2	1	3	1	2	0	4	0

Even, the co-occurrence between the two themes ‘exploitation’ and ‘rights’, relates to a passage, where it is argued that ‘exploitation’ can be achieved through control:

1. The establishment of mechanisms for trafficking prevention and prosecution;
2. The censorship of sexual content;
3. The provision of social protection and reintegration programs (ibid.: 244).

The latter appears illogical considering that ‘control over individual sexualities’ is both presented as a problem and the solution. The latter could be interpreted as a proof of the PSOE’s intentions to introduce a sexual, body and identity politics based on heteronormative understandings of gender and sexuality and intertwined with the idea of a ‘male’ patriarchy. As the PSOE argues in the passage, where the themes ‘legal rights’ and ‘sexual exploitation’ intersect, the dignity of women can only be restored through the criminalization of sex work (ibid.: 244). Despite of the propagated interest in the dignity of women, the PSOE convicts sex work to constitute “one of the worst forms of violence against women” (ibid: 244) in the same passage, where it problematizes the “feminization of poverty” (ibid.; see *Table 4.4*).

Arguably, the latter leads to suggest that sex work is no legitimate choice, which resonates with the oppression paradigm. Whereas the feminization of poverty is depicted as a tragic phenomenon, the PSOE, in accordance with the (neo)abolitionist ethos, fails to underline the state’s capacity in counteracting the latter. In addition, the party fails to point out how women sex workers could be affected by poverty once sex work is abolished. While the

PSOE emphasizes that holistic recovery and social protection programs will serve to ensure social rights, the latter are bound to reaffirming one’s status as a ‘trafficking victim’ (ibid.). Thereby, the framing of trafficking victims as “minors” (ibid.) might serve to reject sex work as a labour overall.

Table 4.4
Co-Occurrence Frequency (with multiple terms) in total

Codes	Appearance with regard to x Categories	Co-Occurrence with Codes (sorted by proximity/relevance ↓)	Co-Occurrence with Terms
Abolitionism	10	sexual exploitation (2), trafficking (2), exploitation (1), commerce (1)	i.e. feminization of poverty, violence against women
Commerce	9	slavery (1), victim support (1), persecution (1), legal rights (1)	i.e. slavery, illicit commerce, prostitution industry
Legal Rights	12	sexual exploitation (3), trafficking (3), persecution (2), social rights (1)	i.e. women’s dignity, sexual content, minors
Needs	8	Trafficking (1), social rights (1), sexual exploitation (1), children’s rights (1)	i.e. holistic recovery, social protection programs, minors
Persecution	11	trafficking (2), legal rights (2), sexual exploitation (2), commerce (1)	i.e. demand and purchase of sexual services, the prostitution of others
Sexual	8	trafficking (1), children’s rights (1), social rights (1), needs (1)	i.e. trafficking prevention, with specific attention to minors, avoid the publication of sexual content
Sexual Exploitation	17	trafficking (4), legal rights (3), abolitionism (2), persecution (2)	i.e. dismantle the prostitution industry, the prostitution of others, international forums on trafficking
Slavery	8	commerce (1), sexual exploitation (1), victim support (1), women (1)	i.e. mafia, victims, cooperate with countries of origin, illicit commerce
Social Rights	8	trafficking (1), sexual exploitation (1), sexual (1), needs (1)	i.e. holistic recovery, social protection programs, with specific attention to minors
Trafficking	13	Sexual exploitation (4), legal rights (3), abolitionism (2), persecution (2)	i.e. approbation of the integral law (to combat trafficking with ends of sexual exploitation), sanction demand and purchase of sexual services, dignity of women, mafia, slavery

The latter reaffirms the impression that social rights are understood in relation with the notion of charity as part of the narrative of exploitation as sexual violence. Rather than being built on the notion of individual autonomy, rights are bound to control. As Hayek said, “[f]reedom is an artifact of civilization” (In Dillon 2018: n.p.). In other words, the pursuit to ‘civilize’ populations might be the same as the pursuit for a ‘totalitarian’ ideal of freedom, wherein the state becomes legitimized to judge right from wrong and take control of a top-down sexuality, body and identity politics (ibid.).

4.3 Conclusion

The goal of this chapter was the discussion of policy-makers framings of ‘exploitation’. First, it was found that the PSOE, as the current elected government and the policy-makers in place, most frequently refer to exploitation as ‘sexual’, hence as ‘sexual violence’. The latter argument was demonstrated to coincide with the narrow assumptions of the morality crusade, which was earlier described as part of the oppression paradigm, radical feminism and the ontological underpinning of (neo)abolitionist policy-models. According with the findings of this chapter, the morality crusade promotes reductive, binary and essentialist depictions

of sexuality and gender. That is to say, its application within policy-making might lead to the creation of certain political and collective unfreedoms.

One could argue that applying the morality crusade at institutional level might lead to reinforcing structural violence rather than promoting human dignity. Overall, the notion of human dignity intersected with the notion of civilian control in the selected abstract. The PSOE's self-appointment as a 'protector', 'advocate' and 'liberator' might undermine values, which are traditionally mentioned in the same course as human dignity, namely equality and brotherhood. In addition, it appears striking that policy-makers favour dignity over rights, when rights could efficiently combat a range of injustices related with exploitation, which according to Galtung would better be replaced with the term structural violence (1969: 183).

Chapter 5 | How Sex Worker Organizations Define Exploitation

“Cuando callamos, nos llaman calle, pero si hablamos nos llaman lobby #AbolicionismoEs-Clandestinidad” (PLR 2020)

“When we shut up, they call us [the one’s from the] street’, but when we speak, they call us ‘lobby’ #AbolitionismIsSecrecy” (own transl.)

- Putas Libertarias Raval, Barcelona
(Libertarian Prostitutes of El Raval, Barcelona)

5.1 Introduction

The aim of this chapter is the discussion of sex worker organizations’ framings of ‘exploitation’. Based on the finding that sex worker organizations seldom mention and never explicitly define the term ‘exploitation’, it will be argued that the latter locate ‘exploitation’ in the deprivation of the rights which they are advocating for with the latter relating to epistemic justice, the mobilization of labour rights and their recognition as ‘political subjects’. First, this chapter will highlight that sex worker organizations describe sex workers as diverse professionals. Second, it will be argued that the latter claim ‘subjecthood’ by pronouncing themselves as trafficking allies and sex work activists. Third, it will be argued civil or/and labour rights are a prerequisite for the safeguarding of sex worker’s human dignity, specifically because sex worker organizations frame ‘exploitation’ in relation with the deprivation of the latter rights as well as epistemic injustice.

5.2 Towards a Labour Approach

5.2.1 An Industry for Diverse Erotic Professionals?

Figure 5.1
OTRAS M/V Statement 2019



As can be seen on the left (*Table 5.1*), the most frequently mentioned nouns in OTRAS m/v statement were ‘persons’, ‘rights’, ‘work’, ‘sexual’, ‘social’, ‘exploitation’ and ‘needs’. In addition, OTRAS preferred the usage of the term ‘sex work’ (*trabajo sexual*, ts) as opposed to the PSOE, who referred to the latter as prostitution (2019: 244-245). Specifically, because the term ‘sex work’ inhibits the verb ‘to work’, the latter might symbolize sex workers agency. Indeed, the emphasis on the theme ‘work’ in OTRAS’ m/v statement might offer a sharp contrast with the themes ‘human trafficking’ and ‘slavery’.

Most significantly, it demonstrates that victimhood must not coincide with a loss of agency. Notably, the ‘victimization vs. agency’ dichotomy has been criticized by Schneider for its tendency to block legal reforms which support women’s rights (1993: 590). Whereas Schneider limits herself to the discussion about women’s rights rather than gender rights, which would include men and members of the LGBTIQ+ community

more explicitly, the author's findings appear insightful to compare OTRAS' and the PSOE's m/v statements. More precisely, Schneider argues that

...claims of victimization can be interpreted as attempts to avoid responsibility, to suppress the societal and structural dimensions of discrimination, to emphasize a fixed and limited sense of identity, and to undermine the strength and capacity of individuals. (1993: 395)

Specifically, because of the following linguistic differences in OTRAS' m/v statement, the latter quote appears significant:

1. OTRAS refers to sex workers more frequently referred as '*persons*'. Further, OTRAS specifies that personhood is connected with diverse ideologies, cultural backgrounds and sexual identities (2019: 1);
2. Topics entangled with '*rights*' and '*work*' (i.e. rights, professionals, workers, collective) are prioritized (ibid.: 1-3);
3. OTRAS emphasizes that sex workers possess *diverse backgrounds* (i.e. gender and sexual identities) as the gender-neutral term "trabajadorxs" (OTRAS 2019: 1-3) indicates;
4. OTRAS primarily demands *rights* (i.e. social, economic, labour) rather than the punishment of third parties, though it agrees to report trafficking cases, should it track such (ibid.).

To sum up, OTRAS highlights that sex workers' identities are neither 'fixed' nor 'limited' to the possible, occasional and liminal experience of victimhood, hence a singular assigned social role. More precisely, the organization depicts sex worker's as diverse professionals (i.e. gender, sexuality, type of work, personal background) who possess agency, meanwhile they experience limited access to labour and human rights (i.e. adequate health care measures, social protection, adequate and stable wages) as their exposure to stigmatization marginalizes them within the domains of personal development (i.e. education, motherhood, bureaucratic processes, housing, culture) (ibid.: 1-3).

The latter is captured through the polymorphous paradigm. As mentioned earlier, the latter refrains from normative claims about sexuality and labour, therefore constituting a solid basis for a labour approach to sex work. Moreover, it interprets exploitation in relation with inadequate, exclusive and harmful societal (i.e. institutional, communal) structures and realities (i.e. stigmata) which resonates with OTRAS' claims (Weitzer 2020: 412). Rather than to promote sex work as a 'liberative tool' to flee from the social ills of society, OTRAS addresses that the latter impact all types of sex workers profoundly. As such, OTRAS portrays sex workers' as 'professionals' (2019: 1-3) and 'experts in the field of erotic art' (ibid.: 2) with a political opinion.

The latter underlines that OTRAS' m/v statement widely rejects the narrow assumptions of the oppression and empowerment paradigms. Exceptions account for the proposition that sex workers possess agency (ibid.: 3) and that sex work is a labour with mutual gain (ibid.: 2). As OTRAS states, sex work is "a consensual exchange of sexual services between adults" (ibid.) and contributes "to the accounting gain of the country" (ibid.: 1). Specifically, because OTRAS mentions the positive economic impact of the sex industry on the Spanish economy, which could be read as a proof of the 'professional' nature of sex work, it demonstrates awareness about state accountability (ibid.: 1). The latter coincides with OTRAS' framing of 'exploitation as structural violence' and in a wider sense as social injustice.

The replacement of 'exploitation' with 'structural' violence appears relevant, in particular, because Galtung argues that framing structural violence as 'exploitation' is often problematically intertwined with political motives (1969: 171). Rather than creating "emotional overtones" (ibid.) through such a framing and rather than to reduce structural violence to a phenomenon, wherein one particular 'perpetrator' or one particular problem can be

identified, Galtung suggests replacing the term ‘exploitation’ with the term ‘structural violence’ (ibid.). Consequently, the absence of structural violence is what he understands as social justice (ibid.: 183).

Arguably, OTRAS further specifies what it understands as structural violence or exploitation. In the same paragraph, where the organization states that it opposes “all forms of exploitation” (2019: 2), it mentions that it

...support[s] an intervention in the (symbolic) superstructure [of society], which deconstructs the heteronormative, binary and androcentric social and domestic organization, in order to introduce and normalize multiple sexual and affective diversities. (ibid.)

The latter might indicate that OTRAS relates the persistence of structural violence respectively exploitation with both, intolerance towards non-heteronormative sexualities and gender roles as well as epistemic injustice. According to Fricker, epistemic injustice constitutes a situation, wherein particular parties are excluded from the creation of social meanings (2013: 1318-1319). In contrast, taking part in the creation of social meanings and the distribution of knowledge and to, therethrough, affect policy-making marks an attempt to combat epistemic injustices (2013: 1318-1319). The latter is reflected in OTRAS’ m/v statement, which answers who sex workers are, what their working and living conditions are like, and what they demand.

Especially, because OTRAS does not offer such characterizations for policy-makers, who are only mentioned once, where OTRAS criticizes some EU member states for combining “punitive legislation (with clients and/or sex workers) with regulatory practise” (ibid.: 3), the manifesto rejects the PSOE’s self-assigned role as a ‘protector’. Indeed, such one-sided representations (i.e. ‘victim’ and ‘protector’) of sex workers and policy-makers are absent within OTRAS m/v statement. Arguably, the latter demonstrates that OTRAS rejects any forms of victimization, which do not derive from structural ills. The latter symbolically protects individual dignity based on the notion of personhood (ibid.: 1) which resonates with the principles of the ICESCR which emphasize that

[the] recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world. (ICESCR 1966: Preamble)

5.2.2 Anti-Trafficking Allies and Sex Work Activists?

Notably, OTRAS does not only demonstrate that sex workers are ‘political subjects’ and activists in the pursuit of their own labour and human rights, but also that sex worker organizations are open to report cases of trafficking. While OTRAS and the CPS address trafficking to different extents in their m/v statements, both organizations agree that sex work and trafficking need to be distinguished and addressed separately by policy-makers, lastly, because sex workers are demonstrated to be more than ‘trafficking victims’. Whereas both organizations stress their support to report trafficking where possible, the CPS shows a special commitment listing demands for policy changes within both domains (OTRAS 2019:2; CPS 2019).

341). Within the above quote sex workers demonstrate their role as ‘liberators’ within the LGBTIQI+ movement and their capacities to autonomy and political participation, hence political freedom. Through this act, they showcase themselves as ‘activists’ with the latter probably being the reverse side of the term ‘slave’.

Overall, OTRAS’ appeal for the differentiation between trafficking victims and sex workers coincides with the earlier mentioned framing of exploitation in relation with structural violence and epistemic injustice. In particular, because OTRAS and more so the CPS express their commitment to report trafficking, the organizations represent themselves in a positive light and as anti-trafficking allies. The latter leads to reject harmful stereotypes and dichotomous as portrayed within the oppression paradigm and the earlier analyzed PSOE abstract. Whereas OTRAS further highlights positive topics in relation with sex work (i.e. sex-affective labour, erotic art) and sex workers (i.e. pro-rights, diverse, feminist), the latter largely coincide with the argument that sex work is a diverse labour, which contributes economic value to the Spanish economy as it delivers professional services to clients (2019: 1-3).

Hence, within OTRAS’ m/v statement, positive self-representation serves to highlight the social and economic value of sex work rather than to portray sex workers as ‘superior’. The latter is exemplified, where the organization states that procuring is a problem within the sex industry, which they recognize and want to fight against (ibid.: 2). Even, if EU member states are criticized for their policies, OTRAS refrains from targeting a particular state (ibid.: 3). Hence, negative other representation in OTRAS’ abstract is largely absent. Rather than criticizing policy-makers, OTRAS criticizes certain policy-decisions and their societal consequences. Thereby, reified concepts such as the “rescue industry” (ibid.: 2) are attacked for “instrumentalizing victims of exploitation for the benefit of the same industry [where they are exploited in]” (ibid.).

The latter coincides with OTRAS’ argument that the decriminalization of sex work would make it easier to persecute traffickers and procurers, and to make victim reparations (ibid.). More specifically, the latter remark implies that the framing of ‘sex work as trafficking’ might serve to decline state accountability for both, the domains of trafficking and sex work. Finally, OTRAS positioning as anti-trafficking allies and sex work activists, might mark an attempt to ‘reestablish’ themselves as ‘subjects’ rather than ‘objects’ as within the oppression paradigm and (neo)abolitionist jargon (ibid.: 3).

5.2.3 From Stigmatization to ‘Dignity’ through Civil Rights

As mentioned above, OTRAS emphasizes the need for “political tools [for sex workers] to be legitimized as political subjects” (ibid.: 3). The latter might coincide with an understanding of dignity as connected with civil rights. As the table below shows (see *Table 5.1*), the latter might reflect in co-occurrences of ‘exploitation’ with the themes ‘work’, ‘rights’, ‘sexual’ and ‘diversity’. First, the co-occurrences with the theme ‘sexual’ reflect OTRAS’ argument that respect for non-heteronormative sexual behaviours is key to combatting precarity, whereby the latter could be opposed with the safeguarding of economic and social rights. In OTRAS’ words,

We are on the margins of normativity, but not [on the margins] of the norms: this has catapulted many of us into a state of precariousness, [which has been] pronounced and criminalized by the very structure of patriarchal and capitalist society (...) we can affirm that we include transsexual, intersex, queer, homo-, bi-and pan-sexual [as well as people] with different racial backgrounds in our feminism and our discourse...(2019: 1)

As OTRAS specifies, while most sex workers are women, men who exercise sex work should also be represented (ibid.) Within the above quote, OTRAS’ does not only highlight

the subjecthood of workers with different gender and sexual identities based on the notion of sex work as a labour, it also highlights that stigmata which conflate normativity and norms are at fault for the erasure of and identity politics on the subjecthood of sex workers. The latter leads to portray ‘exploitation’ with reference to an identity politics, which is not representative of sex workers. Hence, one could argue that exploitation is framed in relation with the consequences of the moral crusade on a ‘symbolic’ and ‘material’ level (ibid.). The latter appears specifically valid, because OTRAS demands “individual and collective, material and symbolical rights” (ibid.).

Table 5.1
Co-Occurrence Frequency (with a singular term) in total

	diversity	exploitation	feminism	needs	rights	sex work	sexual	work
diversity	0	1	2	2	2	2	5	4
exploitation	1	0	0	0	1	0	2	3
feminism	2	0	0	2	2	0	3	1
needs	2	0	2	0	3	0	3	1
rights	2	1	2	3	0	1	5	5
sex work	2	0	0	0	1	0	3	3
sexual	5	2	3	3	5	3	0	8
work	4	3	1	1	5	3	8	0

Whereas two co-occurrences between ‘exploitation’ and the theme ‘work’ are linked with passages, wherein OTRAS demonstrates the negative impact of the conflation of trafficking and sex work, demanding that policy-makers publish evidence-based information on trafficking (ibid.: 2-3), another co-occurrence with the theme ‘work’ appears in a passage where OTRAS criticizes the afore-mentioned “symbolic superstructure” (ibid.: 1) of the market society and social and domestic organization. As mentioned earlier, the latter are critiqued for promoting androcentrism and heteronormativity as norms (ibid.). Consequently, the co-occurrences with the theme ‘work’ might indicate that disregarding sex work as a (diverse) labour constitutes a symbolic form of exploitation respectively epistemic injustice. Specifically, because co-occurrences with the themes ‘diversity’ and ‘rights’ fall within the same passages, OTRAS seems to directly link epistemic injustice with access to subjecthood and civil rights.

The latter is further reflected in the table below (see *Table 5.2*), which identifies key terms within sections, wherein multiple themes intersected with another. Especially, because OTRAS only uses the term ‘exploitation’ once to proclaim that it counters all forms of the latter with all its other co-occurrences relating to passages, where OTRAS criticizes policy-makers conflation of sex work with trafficking, the theme ‘exploitation’ does not appear in the below table. The latter further demonstrates OTRAS’ rejection of the notion that sexual consent is something that is limited to the private sphere (ibid.: 2).

Table 5.2
Co-Occurrence Frequency (with multiple terms) in total

Codes	Appearance with regard to x Categories	Co-Occurrence with Codes (sorted by proximity/relevance ↓)	Co-Occurrence with Terms
Bureaucratic Processes	9	work (2), legal rights (1), diversity (1), stigma (1)	i.e. "social isolation mandate"
Diversity	20	sexual (5), feminism (2), rights (2), sex work (2)	i.e. intersectional feminism, anti-racism

Feminism	13	diversity (2), ideology (2), racial justice (2), social rights (1)	i.e. anticapitalist, precarious, transsexual
Ideology	10	feminism (2), sexual (2), rights (1), social rights (1)	i.e. (global) social change, radical rights
Legal Rights	9	work (2), bureaucratic processes (1), social rights (1), political rights (1)	i.e. support network for members
Needs	15	rights (3), sexual (3), healthcare (2), redistribution (2)	i.e. anti-racism, sexual-affective training, social educational bursaries, healthcare, wage, professional, erotic art
Rights	18	work (5), sexual (5), needs (3), diversity (2)	i.e. pro-rights, market society, heteronormative, binary and androcentric social organization
Sexual	28	work (8), rights (5), diversity (5), feminism (3)	i.e. transsexual, intersexual, queer, homosexual, bisexual, pansexual, racialized, sex-affective and social education
Social Rights	9	needs (2), legal rights (1), political rights (1), healthcare (1)	i.e. global social change, healthcare, wage, social and educational bursaries
Work	23	sexual (8), rights (5), diversity (4), exploitation (3)	i.e. market society, diverse forms of sex work- indoor sex work, outdoor sex work, audio-visual sex work etc., financial transparency, technical knowledge about sex-affectivity

Following the above findings (see *Table 5.2*), the theme ‘sexual’ most frequently intersects with other themes such as ‘work’, ‘rights’, ‘diversity’ and ‘feminism’. More specifically, this is mirrored within quotations, which address that sex workers possess diverse gender and sexual identities (i.e. transsexual, intersexual, queer). In contrast, the theme ‘work’ most frequently co-occurs with the themes ‘sexual’, ‘rights’, ‘diversity’ and ‘exploitation’. Key words within relevant quotations were, for instance, ‘market society’ and ‘technical knowledge about sex-affectivity’ (OTRAS 2019: 1-2). The latter underline two of OTRAS’ underlying beliefs or claims in relation with ‘exploitation’.

The *first* claim is that the market society promotes “heteronormative, binary and androcentric” (ibid.: 1) forms of “social and domestic organization” (ibid.), which showcase “sexual and affective diversities” (ibid.) as abnormal, wherethrough access to rights is blocked (ibid.). Whereas OTRAS does not explicitly state that the latter constitutes ‘exploitation’, the passage is introduced by claiming that its members are “abolitionists of all forms of exploitation and pro-rights” (ibid.). The reemphasizes that OTRAS locates ‘exploitation’ within the latter social and domestic structures.

This may further be exemplified through the co-occurrences of the theme ‘bureaucratic processes’ with ‘legal rights’, ‘stigma’ and ‘diversity’, especially, because the latter themes appear in a quotation, where OTRAS refer to a “social isolation mandate” (ibid.: 2). More precisely, this mandate is said to affect sex workers, who as a consequence of persisting stigma within a variety of areas of personal development (i.e. motherhood, education, housing and bureaucratic processes) have limited access to social and political rights and, hence, are marginalized (ibid.).

Figure 5.4
The 'Right to Have Rights'



Source: AliadasTransFeministas/CPS
2019a.

The *second* claim is that acknowledging sex work as a labour could lead to safer sex-affective practises and hence safer working conditions (ibid.: 2). Following this argument, ‘exploitation’ might be constituted in the act of disqualifying certain labours over others. As OTRAS proclaim, “[w]e are qualitatively and technically trained professionals in erotic art” (ibid.) and as the illustration of the CPS illustrates (see *Figure 1.2*), one might have to obtain the “right to have rights[¡Dret A Tenir Drets!]” (ibid.). As mentioned earlier, Butler argues that “norms operate to produce certain subjects as ‘recognizable’ persons (...) [as they] make others decidedly more difficult to recognize” (2009: 6). In this understanding, ‘exploitation’ is showcased as related to the deprivation of civil rights and citizenship.

The latter coincides with OTRAS’ demand that sex workers should be recognized as “political subjects” (2019: 3) and as “professionals in the sex and sexualities labour industry” (ibid.). Whereas OTRAS mentions the term agency once, the organization most fundamentally regards sex workers as individuals who possess multiple social roles and human capital (ibid.: 1-2). This is exemplified through referring to the knowledge of sex work as an erotic art and through mentioning the diverse forms (i.e. audio-visual, telephone) and modes of sexual labour (i.e. self-employment), which require specific personal and occupational skills (i.e. self-management, marketing, social, artistic etc.) (ibid.: 2). Moreover, the term “sex-affective” (ibid.) connotes that sex work is a labour, which requires emotional intelligence with sex workers possessing emotional capital, which is opposed with narratives, which portray sex workers as ‘psychologically sick’ (Gendron 2004: 9). The latter shows that OTRAS’ utilizes some assumptions from the empowerment paradigm. As Koch (2016) emphasizes, sex work could be understood as a ‘healing labour’ which aids clients in managing their emotions (2016: 705-711).

Especially, because OTRAS is an umbrella organization, which facilitates dialogue among various sex worker organizations in Spain, and because of the CPS’ enthusiasm and engagement in activist art, sex workers’ could also be ascribed cultural capital (AliadasTransFeministas 2019a). According to Gendron, cultural capital bridges social capital through group belonging, whereby the latter is accumulated through social relationships (i.e. family), networks (i.e. communal and institutional) and cultures (i.e. norms and values) (2004: 3-6). Overall, the emphasis on the different forms of capital (i.e. professionalism), which sex workers possess could be linked with the self-establishment of sex workers as citizens. Rather than emphasizing sex work as an ‘anarchic’ tool to fight against the evils of society, as embedded in the ethos of the empowerment paradigm, highlighting sex worker’s different forms of capital coincides with the fight for civil rights as the basis for human dignity.

Whereas OTRAS claims reflect that policy-makers do not regard them as ‘citizens’, nor as part of the ‘working class’, the organization hence demands such statuses by emphasizing its political and activist collective identity. The latter mirrors from their self-representation as “pro-rights” (2019: 1) and their emphasis on the need for a “social change” (ibid.), which renegotiates ideologies, feminisms and “radical rights” (ibid) at a global level. May it be “anti-colonialist” (OTRAS FB 2020a: Oct. 11, 11:54), “anti-capitalist” (OTRAS 2019: 1), “intersectional feminism” (ibid.), “pro-rights” (ibid.), “anti-racism” (ibid.: 2) or “libertarian” (Libertarian Prostitutes of El Raval 2020), sex worker organizations claim to be part of a global

social change, which will break with existing ideologies (OTRAS 2019: 1). As such, they position themselves not only as experts within an epistemic community, hence “a network of professionals with recognized expertise and competence in a particular domain” (Haas 1992: 3), but also as ‘political’ or ‘cultural’ citizens (Haas 1992: 3-7).

Specifically, through the membership within the ICRSE, OTRAS actively engages in EU and transnational politics. The latter leads to the question whether it is morally permissible to deny individuals who perform “acts of citizenship” (Andrijasevic 2012: 511) through their active political engagement civil rights. Based on the notion of citizenship, which is often regarded as a prerequisite for civil rights, individual members of a society are enabled to partake in political decisions, policy-making and social life, whereas others are declined that right (i.e. undocumented migrants, asylum seekers). Yet, the notion of EU citizenship has been criticized for being exclusively based on national membership (Andrijasevic et al. 2012: 509). Considering that (undocumented) migrants, asylum seekers and third country nationals (TNCs) have a solid impact on social exchanges and social change within the EU, the protection of their rights under the notion of an “active citizenship” (ibid.: 498-99) might need to be reconceptualized. As Andrijasevic et al. emphasize, sex worker’s mobilization might constitute an

...act of citizenship that creates a collective political subject on the basis of mobility as a form of sociality (...). It takes its cue from the tensions and ambiguities that freedom of movement inserts at the heart of EU citizenship and shows how mobility is taken on, mobilised, and reconfigured politically. (ibid.: 512)

In other words, what can be learned from sex worker’s activism in their own cause is that the safeguarding of fundamental rights as a prerequisite for human dignity, might be tied to developing new forms of ‘political subjecthood’ or citizenship. Especially, because stigmata deny sex workers subjecthood based on the notions that they are ‘victims’ (i.e. neoabolitionism, abolitionism), ‘deviants’ (i.e. prohibitionism) or ‘a danger to public or individual security’ (i.e. regulationism), a new form of subjecthood can arguably only be based on a labour approach. Indeed, adopting a labour approach could serve to politically remove the negative impacts of earlier inefficient policy frameworks and respective identity politics.

5.3 Conclusion

This goal of this chapter was the discussion of sex worker organizations’ framings of ‘exploitation’. First, it was found that sex worker organizations most frequently define ‘exploitation’ in relation with epistemic injustices (i.e. stigmatization, lack of adequate representation) and structural violence (i.e. the deprivation of political subjecthood, labour and civil rights). Based on these understandings of ‘exploitation’, sex workers were portrayed as allies in the fight against trafficking, professionals within the domain of erotic art, experts with regard to the sex industry and activists for sex worker’s rights.

Hence, rather than relying on national citizenship as a prerequisite for political engagement, sex worker’s manifested their subjecthood in a collective activist identity, which could be institutionalized through a labour approach with the consequence that rights would be prioritized to safeguard human dignity. Specifically, regarding sex worker organizations’ framing of sex work as an ‘affective labour’, the argument that consensual sex is confined to the private sphere appears weak. Overall, sex worker organizations suggest pursuing epistemic justice by representing sex work(ers) as diverse.

Chapter 6 | Conclusion

“Labour rights are human rights, and (...) a prerequisite for workers to enjoy a broad range of other rights, whether economic, social, cultural, political or otherwise.”

- Maina Kiai (United Nations General Assembly 2016: 6)

6.1 Summary

This research paper aimed at shedding light on the different ontological underpinnings of the term ‘exploitation’ to assess their particular impacts on the framings of sex work(ers). By comparing how policy-makers have defined ‘exploitation’ during the Spanish general elections in 2019 in contrast to sex worker organizations, this research paper was able to obtain valuable insights about the interplay between different conceptualizations of ‘exploitation’ and policy-making. Therefore, its findings may serve as anecdotes for policy-makers to design more efficacious policy frameworks.

First, this research found that policy-makers have defined ‘exploitation’ in relation with ‘sexual violence’ and ‘sexual slavery’, whereby the latter fits into the wider frameworks of ‘sex work as human trafficking and VAW’. A prerequisite for the latter framing is the assumption that consensual sex is confined to the private (i.e. non-market) sphere, which resonates with the viewpoints of radical feminists as embedded within the oppression paradigm. Specifically, because the latter paradigm, which was found to underlie (neo)abolitionist policy frameworks, promotes heteronormative and binary understandings of gender, sexuality and labour, it may be criticized for enabling a sexual, body and identity politics on sex workers. Intertwined with a moral crusade, which is envisioned in the ‘slavery vs. human dignity’ narrative, the latter equates human dignity with the abolition of sex work. The latter notably is the same as the ‘forced’ compliance with sexual ‘norms’. The reductive depiction of ‘exploitation’ in this scenario might enable such a narrative, which is based on lacking evidence as it poses burdens on the safeguarding of sex worker’s rights.

Second, this research found that sex worker organizations frame ‘exploitation’ in relation with epistemic injustices (i.e. stigmatization, lack of representation, identity politics) as well as structural violence (i.e. the deprivation of civil and labour rights, inefficacious regulation of the sex industry). The latter specifically resonated with Galtung’s argument that one may better replace the term ‘exploitation’ with structural violence to understand and track the social injustices which pertain different societies (1969: 183). Doing so might enable an evidence-based approach, as epitomized in the polymorphous paradigm and a labour approach to sex work. Moreover, understanding ‘exploitation’ in relation with stigma and the regulation of the sex industry may lead to make rights a prerequisite for human dignity, which resonates with the notion of universal rights and appears specifically relevant to protect migrant sex workers who do not possess citizenship.

Finally, while the above findings provide valuable anecdotes for policy-makers, the methodological choices of this research project, specifically the application of the CDA and DHA, might have reinforced the notion that public discourses coincide with political convictions. Notably, regional and public discourses are embedded in wider discourses (i.e. in relation with funding, diplomacy) and might better reflect strategies than convictions. For this reason, finding of this research paper regarding the viewpoints of the PSOE should not be taken literal. Indeed, it would be a further investigation how different narratives on ‘exploitation’ may have coincided with certain historical moments, international cooperation etc.

6.2 Continuing the Debate about Labour Rights

A central achievement of this research paper has been the claim that a more comprehensive understanding of ‘exploitation’ can be established by reframing the term as ‘structural violence’. The latter enables to avoid debates about the moral permissibility of rights. Currently, the labour approach to sex work is the only approach which puts emphasis on the universality of rights and on the issue of structural violence. The latter approach might specifically serve to protect the rights of (undocumented) migrant sex workers and TCN sex workers whose civil rights are not protected through national citizenship. However, it stays debatable how a labour approach to sex work should be operationalized.

Hence, there is a need for researchers to further delve into the practicalities of the labour approach in different societies. Indeed, specifically, because structural violence differs by location, it might enable to ‘regionalize’ sex work policy approaches and show respect for intersectionality. More specifically, further research should concern itself with the following questions:

1. Which types of structural violence possess an impact on the sex industry in a particular society and (how) can each of them be addressed through a labour approach which respects cultural, political, institutional and regional differences?
2. Can the protection of sex workers’ civil and human rights be sufficiently be promoted through a labour approach or would a reinterpretation of the concept ‘citizenship’ be better suited to ensure sex worker’s access to fundamental rights?
3. How could the concept ‘citizenship’ be reinterpreted to protect the rights of sex workers in locations where sex work remains illegal and where a labour approach is not supported by policy-makers?
4. How could the right to privacy be operationalized within a labour approach to sex work, specifically, to support workers without citizenship status?

6.3 Implications for New Policy Frameworks

Whereas it was not the main question of this research paper, in the following it will provide few implications for the protection of sex worker’s rights under new policy frameworks:

1. By adopting the term ‘*structural violence*’ instead of ‘*exploitation*’, policy-makers will be able to promote a rights-based approach, which can easily be informed by intersectional analyses of societal ills to optimize evidence-based and group-tailored sex work policies.
2. By accepting that *human dignity is based on the safeguarding of human rights*, and not vice versa, policy-makers can prevent marginalization and stigmatization.
3. By securing sex worker’s *legal rights through a labour approach*, irrespective of their status of citizenship (i.e. anonymous reporting mechanisms), policy-makers can protect the rights of particularly vulnerable undocumented migrants and prevent that the latter are abused by traffickers. In addition, abuses in the sex industry and beyond can be tracked through such an approach with the help of sex worker organizations.

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