

# **Aren't Sex Workers Women? Ladies, Sex Workers and the Contrasting Definitions of Safety and Violence**

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## **Abstract**

This article focuses on the case of Paris, where programmes favouring gender equality in public space have emerged in the context of strong debates over a new prostitution law (passed in 2016) that penalizes clients. Since “women’s” and sex workers' use of public space are treated as radically disconnected questions, this article will explore how this distinction has come into existence by analysing the differentially regulated presence of women on the streets. We will thus look at various narratives that normalize the appropriate presence of women in public space and analyse the ways in which gendered programmes that are supposed to target all women actually create and legitimize differences among women along lines of types of occupation, morality, sexuality, gender, class, and race. In particular, we will explore regimes of perception of safety and security, connected to both sexual harassment and street prostitution, and show how these highlight the moral dimension of the gendered urban organization of space.

## **Keywords**

Gender, violence, safety, sex work, public space

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## Introduction

Research has long shown that urban regulations and safety policies often contribute to the categorization of some groups as “undesirables”, such as homeless people, illegal street sellers, or sex workers, and enforce the morality of privileged citizens (Valverde 2012). Processes of inclusion and exclusion – by gender, sexuality, class, race, age, and disability – are a core issue when researching both public space and urban policies (Mitchell and Staeheli 2006). While women have commonly been considered vulnerable in public space, and as such have been partly excluded from it (Valentine 1992), recent debates about street harassment, as well as new gendered urban policies, show that the gendered dimension of public space has ceased to be naturalized and is now increasingly recognized as a consensual public problem (Gusfield 1981).

In Paris, programmes favouring gender equality in public space have emerged during the last decade. Their claims for women's right to the city appear to be totally disconnected from the strong debates that took place in parallel over a new prostitution law (passed in 2016) that penalizes clients, and more generally debates around the rights of women who sell sex. This article will explore how in public narratives, the somehow radical distinction between “women” and “sex workers” has come into existence by analysing the differentially regulated presence of women on the streets, showing the moral distinction that occurs between “ladies”, considered as desirable figures of femininity, and sex workers. By analysing various regimes of perception of violence and safety (Moran and Skeggs 2004), as well as narratives that normalize women's appropriate presence and types of occupation in public space, we claim that *gendered* programmes that are supposed to target *all* women actually create and legitimize differences among women along lines of morality, sexuality, gender, class, and race<sup>1</sup>.

The early 2010s witnessed a multiplication of public debates, prevention campaigns, and laws regarding gendered street harassment in various countries such as Belgium, Portugal, France and Switzerland. In 2012, a short documentary by a Belgian film school student, Sofie Peters, *Femmes de la rue*, contributed to the recognition of gender violence and harassment in public space, thus the lack of safety for women, as a public problem (Lieber 2016). This short film led to the creation of an administrative fine to punish street harassment by the City of Brussels, followed in 2014 by the promulgation of a new law at the national level to fight sexism in public space (Charrueau 2015). In the same vein, in Portugal in 2015 the Parliament voted in favour of an amendment to Article 170 of the Penal Code in order to make street harassment (and in particular sexist speech) a criminal offense, while in France in 2016 the Senate law commission withdrew and then re-established an amendment recognizing sexual harassment on public transport. More recently, in August 2018, France passed a law against “sexist and sexual violence” and made it an offense to harass someone in public through the creation of a new legal concept deemed “sexist outrage.”

Due to their responsibility for ensuring quality of life at a local level, cities are major players as regards these new claims for gender and safety in public space. Various local governments have thus developed women-friendly urban and safety policies. Since 2014, the city of Paris has been very active

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<sup>1</sup> In terms of gender, class and race, there exists a huge diversity among sex workers themselves. In France, as everywhere, sex workers are heterosexual, homosexual or trans-sexual, women and men. Many are in survival economy, but many others are earning well or very well. In France, except for French and west European, most of the sex workers are coming from Latin American countries, North Africa and West Africa (mainly Nigeria), China and East Europe (mainly Romania and Bulgaria). The examples taken in this article will cover part of this diversity and intersectionality. White, sometimes privileged sex workers, men and women, will be illustrated through quotations of the Strass (Sex work trade union); but claims of alternative definitions of safety and violence will also be illustrated with the cases of trans women sex workers from Latin America and women from China.

in promoting street safety by repressing violence targeting women. The city *Gender and Public Space* programme exemplifies these efforts (Mairie de Paris 2015a), as does the 2015–2020 Parisian prevention and safety contract (*Contrat parisien de prévention et de sécurité*), in which the fight against gender violence figures prominently. In this, Paris follows the examples of Montreal, Toronto, and Vienna, considered as role models for their gendering of public space (DeSena 2008). The French capital now includes gender violence as one of the three main axes of its Prevention and safety contract (Mairie de Paris 2015b).

Parallel to these debates and actions, and as a completely disconnected issue, local policies often target street sex workers, who are considered a challenge to local tranquillity and safety in the city. In the French context, prostitution has been framed as a violence against women *per se*, a definition which is still highly contested (Deschamps and Souyris 2005; Mai 2016; Mathieu 2013). The 2016 French prostitution law, which penalizes clients, is inspired by a neo-abolitionist perspective<sup>2</sup> that equates prostitution with violence, trafficking, and a total absence of choice (Mai 2016)<sup>3</sup>. This law has divided political parties and feminist activists over the appropriate way to treat sex workers: as autonomous subjects or as victims of gender-based violence. Recent events in Paris, where a collective of racialized women organized an alternative International Women’s Day demonstration, *8 mars pour touTEs* (‘March 8<sup>th</sup> for All’), also highlight the strong tensions among feminists over whether sex workers can speak for themselves (Hancock 2018). Indeed, participants to that counter-protest positioned themselves in opposition to the “mainstream” feminist march, underlining their alliance with not only veiled women, lesbians, and bisexual and queer persons, but also sex workers, who were often rejected and had been pushed to the back of the official demonstration in previous years. In the same vein, in 2015, a group of Chinese sex workers in Paris, *les Roses d’Acier* (the Steel Roses) asked the local government for protection from aggressors, as well as from police violence. This request was turned down on the grounds that the members of this group were seen as victims of prostitution itself, and most probably of pimps and organized criminals (Chuang and Le Bail 2020; Le Bail 2015; Le Bail and Lieber 2021). More recently, in August 2018, sex workers marched to denounce the official silence surrounding the murder of a transgender prostitute, Vanesa Campos, and asked for more justice and safety. In November 2018, they organized and marched in front of the national demonstration “Nous Toutes” (*All of us*) against gender violence, claiming “Nous aussi” (*We too*). They managed to march right in front of the demonstration, despite other groups in the march claiming the need to “abolish the prostitution system”.

While all these women are asking for their (denied) right to be safe in the city, they do not seem to be equally provided for by city programmes fighting against gender violence in public space and street harassment. These examples underline the controversies surrounding the regulation of the presence of women in public space, which centre around *different regimes and definitions of violence and safety* (Moran and Skeggs 2004), and more broadly around the *agency* of sex workers. Hence, while the right to be protected from (gendered) violence allows for the emergence of new claims and regulations protecting women in public space in the name of guaranteeing their autonomy, the very same right is used to construct other women – in this study, sex-workers – as heteronomous victims with no agency,

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<sup>2</sup> The term “neo-abolitionist” grasps a shift in meaning from the abolition of regulation of sex work to the abolition of sex work itself (Maffesoli 2008).

<sup>3</sup> The explanatory memorandum of the proposed law of 2014 states: “While only 20 % of prostitute in public space were of foreign nationality in the 1990s, foreigners represent up to 90% of street prostitution since the 2000s. The countries of origin are well known (mainly Romania, Bulgaria, Nigeria and China) and prove that prostitution is more and more controlled by networks of human trafficking (...) In the vast majority of cases, the prostitutes are coming from countries where human trafficking networks are active, they are sold to these networks or end up in these networks after being misled.” Law proposal, p. 4-5. URL: <http://www.assemblee-nationale.fr/14/pdf/propositions/pion1437.pdf>. (last visited May 30, 2019).

or as criminals, thus denying them the same protection from violence in public spaces, and excluding them from equal participation in the public realm (Brown 1995; Ticktin 2008).

To show this ambivalence and the moral dimension of the gendered urban organization of space (Hubbard 2000), we will first present how research has tackled the issue of gender, safety and violence in public space, before discussing the controversies which centre around different regimes and perception of safety and violence. In other words, we will present controversies that question who to protect, whose safety to promote and which violence to target.

### **Contrasting Regulation of Women's Safety on the Streets by Race and Class**

From the 1970s on, feminist movements have contributed to making gender violence visible and defining it as a public problem (Dobash and Dobash 1981). While these contributions have highlighted gendered power relations underlying the use of public space, and while new legislation challenging this issue has definitely contributed to improving gender equality, postcolonial feminism offers new perspectives on the legal liberal project where gender violence is at issue (Abu Lughod 2013; Kapur 2005). Indeed, claims, policies, and laws against gender violence tend to construct a common subject, *women*, thus unifying and homogenizing a wide range of feminine experiences, which continue to be made up of various intersecting power relations (Crenshaw 2005 [1994]). Furthermore, these claims and regulations are sometimes mobilized by (non-)feminist groups to legitimize and reinforce religious, racial, and class hierarchies (Bracke 2012), or as a language for strengthening border control (Ticktin 2008).

Indeed, recent studies on gender and safety in public space have reaffirmed racial and spatial divides (Hancock 2014; Listerborn 2016) and have been used to legitimate processes of racial segregation and anti-poor urban policies (Glasbeek 2006; Kern 2010). Other research has underlined how specific definitions of safety contribute to the marginalization of racialized or veiled women's experience in public space (Listerborn 2015). Women feel more or less at ease in the city depending on their backgrounds (Kern 2005). Today, the relationship between sexism, classism, and racism seems to be a core issue in city governance: for example, sex workers (often migrant/racialized women) are themselves frequently seen as a public security threat, while (white middle-class) women's mobility/security in public space is thought to be hindered by the presence of a migrant or lower-class male population (Lieber 2016; Tillous and Lachenal this themed section). Research on sex work has shown, moreover, that while this population is constructed either as a public safety threat or as vulnerable subjects (Calderaro and Giametta 2019; Doezema 2001), they face multiple forms of violence, including institutional violence and police harassment (Lévy and Lieber 2008; Mathieu 2002). Furthermore, they criticize the view of sex workers as mainly victims of gender violence, noting that this contributes to the denial of their autonomy (Andrijasevic 2010; Jakšić 2016; Mai 2016).

The question of women's safety is also central to both urban planning and *gender planning* programmes (Van der Berg 2012). While the intention behind gender planning is to forward a critical perspective in urban studies and challenge the universalist masculine perspective of urbanism (Tummers 2015), the actual implementation of such programmes often consists of recommendations to better accommodate the gendered division of labor and women's traditional role as caregivers (Moser 1993). During implementation, such programmes also tend to reproduce assumptions about "respectable" gender identities as markers of class and race (Sanchez de Madariaga and Roberts 2013). Although the city-user is no longer considered exclusively from a masculine perspective, the alternative proposed in gender planning often corresponds to stereotypical "respectable" female figures, such as ladies, good mothers, daughters and wives, and to potential victims – young women likely to be victims of harassment or violence. Thus, critics underline the tendency of gender planning to entrench a very narrow perspective on gender issues, especially gender violence (Hancock 2014). In particular, critical research into

participatory programmes, which were meant as an answer to criticisms of excessively top-down programmes, shows that the voices of women from discriminated groups are often marginalized, thus favouring the perspective of more privileged groups (Listerborn 2007).

Do recent demands and programmes for the recognition of gendered violence in public space favour the protection of a specific category of women in practice? More specifically, does the framing of a vulnerable female subject in need of protection produce the denial of protection/rights for other female subjects, such as sex workers? To answer these questions, it is important to look at the way different concepts, such as safety and violence, are mobilized by different players within cities in order to legitimate particular regulations of women's use of public urban spaces. We will thus consider both actions aimed at gendering public space, and the kinds of responses sex workers get when they mobilize and ask for more safety.

## Who is the Public in “Gender and Public Space” Safety Policies?

### *Fighting Street Harassment by Gendering the City of Paris*

In the mid 2010s, women's safety on the street and on public transportation has become the subject of debates and controversies, claims, and even public policies, as illustrated by the November 2015 joint campaign by the French Secretariat for Women's Rights and the Paris public transport operator (RATP) to denounce women's harassment on public transportation (and more generally, sexist harassment and sexual abuse), and by a City of Paris publication on gender and public space, followed by the city's November 2016 campaign against “street harassment”.

Following long-term awareness-raising targeting the various services in charge of public space, safety, urban planning and development, the department in charge of *Equality, Integration, and Inclusion* of the City of Paris took the step of systematically including gender violence as a main axis of its *Contrat parisien de prévention et de sécurité*, its concerted safety and prevention policy that illustrates the growing investment of local government in the question of safety (Mallochet 2018). After “Preventing young people's delinquency” and before “Enforce public tranquillity”, the second axis is called “Protecting vulnerable people and fighting violence against women, intra-familial violence and reinforcing aid to the victims”. Gender violence is thus conceptualized in many different ways: as violence against women, as intimate partner violence, and as victims' aid, in particular for “victims of sexual exploitation”. Public tranquillity, on the other hand, is delineated through a focus on delinquency prevention and the fight against incivility and procuring. A closer look at procurement shows that it is conceptualized as a need to fight “street prostitution” (Mairie de Paris 2015b). Sex workers are thus considered in both axis 2 and axis 3, and thus as both victims of gender violence in need for protection, and a threat to public tranquillity.

In 2014, the same *Equality, Integration and Inclusion* department also began to work on gender and public space by “addressing the impacts of gender on the city”<sup>4</sup>. Resulting from a process initiated by the City (*Mairie*) of Paris in the early 2000s to consider gender issues in public policies, the current thinking on gender and public space is presented as an answer to the “demands of Parisian women, who denounce street harassment” and more broadly, sexual and sexist violence (Mairie de Paris 2017). These perspectives encourage a preference for participatory citizenship, emphasizing the need to “make the city

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<sup>4</sup> Notes from the Paris October 2015 public conference, *Gender and public space*, which launched the city's programme on engendering public space.

together”<sup>5</sup>. The objective is to deconstruct policies that are deemed too as “gender-neutral” and to think up adaptations in order to “foster diversity by making urban choices that support equality, and more generally by constructing a serene and friendly city” (Mairie de Paris 2017, 3).

Comforted by what now appears to be a consensus (or at least a view that cannot be publicly questioned) on the need to value *women’s* presence in public space in renewed, inclusive cities, Paris’s *Gender and Public Space Guide* offers directions to “urban planners and stakeholders involved in the development, planning, organization, animation, and regulation of public space” (Mairie de Paris 2017, 6). The guide is organized around five main themes toward improving women’s rights to the city and public space: circulate; occupy space, stroll and do sports; be present and visible; feel safe; and participate. Considering that we still lack information about effective gendered movement through public space, the *Circulate* part suggest a need to develop gendered statistics at the city level. It also suggests that an ideal city should allow for walking and sport activities, with a particular focus on jogging (*ibidem*, 20) and biking (*ibidem*, 23), therefore emphasizing the need for well-lit, clean spaces (*ibidem*, 23). The *Occupy space, stroll and do sports* section, while insisting on women’s right to the city, also emphasizes the need to develop sports in the city, as well as the need to favour diversity in spaces, which are illustrated as “parks for kids, fitness trails, shops, bars and restaurants” (*ibidem*, 38). While the theme of *Be present and visible* is presented as a symbolic issue, emphasizing the need for non-sexist place names and advertising, *Feel safe* is highlighted as a core issue. Against the idea that sexism and street harassment only happen in working-class areas, the guide insists on the fact that city governments need to favour mixed uses of areas that, in turn, can improve everyone’s feeling of safety.

In this view of developing an “inclusive” city<sup>6</sup>, the gendered perspective is conceptualized as a way to promote diversity and equality among citizens, but mainly focuses on activities for middle-class women, who are expected to ensure their right to the city by being mobile, consuming, doing sports, and exercising in the city. While the guide implies that its attention to the experience of “women” promotes diversity and deconstructs a mistakenly universalist vision, attention does not extend to women who stay and work on the streets, or diverge from the middle-class figure of femininity who is implicitly the focus of these policies. The right to the city is thus thought of in terms of diversity and participation, to encourage “the primacy of uses and services for the users”, and in terms of safety, since the presence of women appears as “a marker of the quality of public space”<sup>7</sup>. However, these terms favour the presence of the more privileged users only. Steven Lukes (1974) has shown that power can be very efficient when power relations themselves go unmentioned or blurred. In this case, omitting the variety of feminine uses of public space contributes to the normalization of its legitimate occupation (Young 1990).

### ***Sweeping the Streets, Constructing Respectability, and Asking for Safety in Public Space for Sex Workers***

Circulate, occupy space, be present and visible, feel safe, and participate are also the quest of Chinese sex workers in Belleville. In 2016, a poster called for mobilization against illegal police harassment of migrants and proposed a collective neighbourhood clean-up of Belleville. Mainly organized by a collective of Chinese sex workers and a sex workers' union, the intention was to literally sweep the streets in order to highlight their belonging in the local community and their status as "ordinary citizens", not criminals. Amidst a recent history of police repression to rid the area of prostitution and in

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<sup>5</sup> idem

<sup>6</sup> idem.

<sup>7</sup> idem.

which (Chinese) prostitution was a rather new phenomenon, and while their presence was said to be incompatible with the “traditional diversity of Belleville and its family values” (Mairie du 19e 2015, 46), these sex workers were asking for a better dialogue with local authorities and neighbours, as well as recognition of their roles as local dwellers, local consumers, and good mothers (Chuang and Le Bail 2020; Le Bail 2015, 2017; Le Bail and Lieber 2021; Roses d’Acier 2016).

This type of mobilization underlines the ongoing controversy over the definition of gender safety in public space. One year earlier, in June 2015, elected local officials from the Green party answered the request of these same Chinese sex workers who were asking for more protection from the State. Members of the Green party on four different councils of Paris (“*Mairies*” of the 10, 11, 19 and 20th districts or “*arrondissements*”)<sup>8</sup> put forth a resolution in the name of these sex workers. Their request was for better anti-violence work to protect persons selling sex, rather than actions against sex workers themselves (Mairie du 10e 2015; Mairie du 19e 2015; Marie du 20e 2015). As such, they defined police action against them as a factor undermining their safety, and sought greater visibility and recognition on the streets:

We ask the Prefect to re-assign police forces to the fight against violence targeting sex workers, in particular to networks of human trafficking, instead of fighting against sex workers themselves [...] We propose the constitution of a citizen panel in order to work on solutions through consultation with all the actors, including representatives of prostitutes themselves.

This sparked a great debate on the aforementioned councils. In Paris’s 10th district, Socialist councillors at first responded positively (before changing their position), asking for better-coordinated action between NGOs, the police and local government to fight procuring and human trafficking, whereas Communist Party councillors responded negatively on the grounds that failing to target sex workers (i.e. asking the police to conduct operations) would favour the “institutionalization of prostitution”. Communist councillors underlined alignment with the city’s neo-abolitionist position on prostitution, which they described as “one of the most violent expressions of patriarchy”. Greens argued on the contrary that as elected officials they had to protect all individuals from violence, including sex workers. Meanwhile, in the 20th district, a Socialist councillor strongly opposed the resolution, arguing that “the greater violence in prostitution is prostitution itself”, and reminded the council that the police had to apply the law, and that soliciting was still an offense at the time, as well as a threat to public safety.<sup>9</sup> In other words, he insisted on the fact that sex workers were more a problem for public safety or tranquillity, rather than a target for protection and recognition in the public space. A few weeks later, the debate was renewed at the departmental level of the City of Paris (Paris City Council gathering all the 20 districts of the city) with strong contrasting views between Greens supporting sex workers’ request on one side, Socialists and Communists rejecting their proposal on the other (Mairie de Paris 2015c). In December of the same year, the Paris City Council even debated a grant renewal for a major NGO that provides health services and support for Chinese sex workers, and clearly accused the collective of Chinese Sex workers of promoting the exploitation of migrant women (Mairie de Paris, 2016, 330-331). As one of the Socialist

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<sup>8</sup> The City of Paris is organized into 20 districts or *arrondissements*. “City of Paris” is used to refer to the departmental level, it may be confusing since in French we name it a city hall (*mairie*). “Council of Paris x district” is used to mention the authority on the district level that we also call a city hall in French. It is no coincidence that the debate was particularly impassionate in the four districts mentioned (10, 11, 19 and 20). These districts are part of the “North-East Paris” that used to be highly mixed areas and are now under the pressure of rapid gentrification (see Clerval 2011; Froment-Meurice 2016). These areas are targets of the City of Paris’ policy against gender violence in public space.

<sup>9</sup> Soliciting (*racollage passif*) was criminalized between 2003 and 2016.

councillors asserted, NGOs helping these women should only be funded by the City if they explicitly aim to make street prostitution disappear (Mairie du 19e 2015, 46).

Indeed, Paris's Socialist-led city council holds a very strong position on prostitution, and while its service *Equality, Integration, Inclusion* promotes women-friendly actions with its *Gender and Public Space* project (Mairie de Paris 2015a) and campaigns against street harassment and gender violence, it refuses to allow any group of sex workers to speak for themselves or to ask for safer working conditions in public spaces. During a 2015 interview<sup>10</sup>, one city bureaucrat in charge of gender equality noted that the city's position is "very clear" and abolitionist. While the city intends to focus on street harassment, negotiating with any sex workers' union or organization is not an option. This perspective highlights the *politics of differentiation* at play when it comes to the management of women in public space: some women's denunciations of harassment and violence are seen as legitimate, as is their use of public space, while others – in this case migrant sex workers – are constructed as incapable of directly conveying their own experiences to authorities or characterizing their own conditions; in other words, they are seen as illegitimate subjects (Mathieu 2012).

This example makes clear that when the city of Paris refers to the gendered use of spaces by the public, the 'public' is made up of relatively privileged 'women', *ladies*, who pass by, run or bike, but do not stay and work on the streets. The example highlights the lack of will to pay attention to sex workers' requests for safer working conditions, while referring to contested definitions of "safety". It also shows, as we will develop in the next part of the article, how local urban policies draw on a wider narrative about gender violence and trafficking to legitimate the eradication of visible prostitution. In these narratives sex workers are constituted as victims of violence and this status of victims seems to deny their right to be visible on the streets.

### **Contested Perceptions and Definition of Violence: Nexus of Protection and Exclusion**

Let us come back to the debate that took place in the councils of the city of Paris. Beyond the arguments pertaining to public tranquillity, the councillors who opposed the idea of including sex workers in the policies to fight against gender violence in public space, often used neo-abolitionist arguments. One councillor mentioned that prostitution is "one of the most violent expressions of patriarchy", another one that "the greater violence in prostitution is prostitution itself" (Mairie du 20e 2015). The perception of prostitution as a violence per se, which allows for the silencing of sex workers, shows how urban policies echo the neo-abolitionist perspective that has become dominant in France (Mathieu 2003, 2013, 2014), despite the fact that adherents to the latter also condemn police harassment suffered by prostitutes. In a context of fierce debate around the 2016 new prostitution law, which was inspired by the so-called Swedish model, that penalizes clients and offers a prostitution exit programme for sex workers, neo-abolitionist activists who support the law consider that urban policies fighting against prostitution should be revoked because they penalize women selling sex. As victims of gender violence, prostitutes should not be targets of the police, they argue. As one neo-abolitionist puts it, "repression contributes to the weakening of victims" (Legardinier 2014, 18) and impacts prostitutes' ability to move freely. "Mayors can only fight [prostitution] through their policing powers [...]. In practice, it's the prostitutes who are targeted, and their freedom to come and go" (*Ibidem*, 17).

While abolitionism was, in the first instance, a critique of the arbitrary power of police and medicine (Mathieu 2015), neo-abolitionists add in a critique of local residents and "the strong orchestration of their complaints" by city mayors that further legitimates "repression on prostitutes"

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<sup>10</sup> This interview was conducted in 2015 as part of the research "Le(s) Pari(s) du Genre" (Hancock *et al.* 2017).

(Legardinier 2014, 18). Such a perspective seems to acknowledge the claim of the *Roses d'Acier*, but it differs in many ways. In particular, it supports and legitimizes the new law.

### ***Contested Definitions of Violence: A Rescue Approach***

Neo-abolitionism considers prostitution as rape, as illustrated by statements by the “universalist, lay, abolitionist, progressive, apolitical, antiracist and anti-LGBT phobic”<sup>11</sup> NGO *Osez le féminisme*. This feminist group has both contributed to anti-street harassment campaigns and, together with the World March of women, to the fight against the “prostitution system (*système prostituteur*)”<sup>12</sup>. In their narrative, prostitution involves an “unwanted sexual act” and, as such, amounts to violence. In statements they made in 2017 jointly with a neo-abolitionist coalition, *Abolition 2012, Osez le féminisme* insisted that to them, the new 2016 law is a way to end sexual harassment and sexism in general, and thus should be fully implemented.

To apply the law on prostitution is to fight sexual harassment [...] Let's recall that it was in the name of putting a stop to sexism, harassment, attacks, rape, domination and contempt that we fought for the 2016 law tackling prostitution and its systems.<sup>13</sup>

By defining prostitution as gender violence *per se*, and in particular as unwanted sexual assault, this regime of perception of safety inscribes sex work into a “continuum of sexual violence”<sup>14</sup>. Such a concept was framed by feminist research in order to highlight the macro-level power relations that divide and hierarchize gendered identities and sexualities (Kelly 1987). It is now used to construct sex workers as victims in need of better protection that can only be accomplished by exiting sex work. In such a view, the new law should be fully implemented in order to save all persons who sell sex. Women who would not qualify their selling sex as violence *per se* are considered traumatized and incapable of realizing the prejudice they face. “The violence emanating from commercial sex goes beyond immediate sexual abuse to result in psychological effects over time, and residual trauma reinforced by repetition and by the verbal and social violence inherent to prostitution” (Kermogant 2016, online)

Such a narrative contributes to prioritizing gender violence over other types of institutional violence and power relations. The parallel with rape, and by extension with the feminist fight for better recognition of the psycho-emotional effects of sexual violence, are mobilized here to legitimate the neo-abolitionist judgement that women who sell sex are incapable of consenting to what neo-abolitionist perspective considers as patriarchal violence. Such a narrative is highly present among Socialist and Communist city councillors in Paris.

### ***Contested Definitions of Violence: A Pragmatic Approach***

To sex workers, as well as many researchers, the process of hierarchizing violence actually obscures the wide spectrum of violence sex workers face in their daily activities (Le Bail and Giametta

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<sup>11</sup> <http://osezlefeminisme.fr> (last visited June 27, 2019).

<sup>12</sup> <http://osezlefeminisme.fr/nos-campagnes/> (last visited June 27, 2019).

<sup>13</sup> <https://www.lejdd.fr/societe/appliquer-la-loi-sur-la-prostitution-cest-lutter-contre-le-harcelement-sexuel-3502049> (last visited September 27, 2020)

<sup>14</sup> <http://osezlefeminisme.fr/osez-le-feminisme-appelle-a-manifester-aux-cotes-de-la-marche-mondiale-des-femmes/> (last visited September 27, 2020).

2018; Mathieu 2002; Sanders 2016). In an interview conducted in 2019, a member of a sex workers association in Paris states:

Saying that prostitution is a violence *per se* or saying that prostitution is a kind of paid rape contributes to the levelling down of the real issue of violence faced by sex workers, and to me this is a serious problem. I mean, it... it exposes people to risk, police or potential aggressors (Paris, February 2019)

On August 24th 2018, sex workers marched after the murder of a trans sex worker, Vanesa Campos. Marchers denounced the silence surrounding the death of an “undesirable”, as well as a context that, to them, favours such violence: the rise of homophobic and transphobic violence, as well as the 2016 prostitution law that penalizes clients and leads sex workers to take more risks. As clients fear police censure, sex workers in need for work tend to accept clients they would have rejected otherwise. On that day, people held signs and banners asking for “justice for Vanesa” and, in direct reference to the new law, “Do arrest our assaulters not our clients”. The sex workers’ union, STRASS, also highlights this link to the law and stresses that the silence surrounding such a murder is reinforced by a context that weakens sex workers’ working conditions.

People look at a migrant who has been killed and assume she had no ties in France. This person was an undesirable. No one will protest when her case is allowed to go cold because her family, if they hadn’t already disowned her, is too far away to do anything about it. Everyone knows what kind of political, legislative, administrative and social climate we live in. People know and make up their minds about what does or doesn’t allow this violence to occur. There’s no need to double down on a condemnation we already take part in all the time.<sup>15</sup>

Thus, sex workers’ organizations contribute to a very different regime of perception of violence. In this view, the stigma on sex workers favours violence such as insults, robbery, physical and sexual violence.

Sex workers are more likely to be the targets of attackers because they are stigmatized and marginalized by repressive prostitution laws, but also because of social reproach. To fight this violence, we have to fight the stigma.<sup>16</sup>

Sex work by itself does not appear to be the major problem they face. On the contrary, as stated by the STRASS and Acceptess-T, a transgender organization, violence is rather related to local and national repressive measures, precarious administrative conditions, and the social situation.

Sex workers are one of the most exposed categories of population to violence of all kinds. This violence isn’t inherent to prostitution itself. Prostitutes are discriminated against for their activities, but also because of their precarious social and administrative situations.<sup>17</sup>

What can be considered a *pragmatic approach* extends the concept of violence, from insults and physical aggressions to all the actions and policies that contribute to poor sex work conditions: the overly broad definition of procuring that does not allow anyone to rent a decent place to sex workers, or to organize collectively at work and also penalizes intimates; local policies that favour the spatial

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<sup>15</sup> Strass: <http://strass-syndicat.org/notre-collegue-vanessa-campos-a-ete-assassinee/> (last visited June 27, 2019).

<sup>16</sup> <http://strass-syndicat.org/t-e-m/5079-2/> (last visited June 27, 2019)

<sup>17</sup> <https://www.acceptess-t.com/violences> (last visited June 27, 2019)

displacement of sex workers; police harassment. Policies that allow police control tend to obstruct trust relations with police officers and sex workers tend not to declare the violence they suffer.

A recent report on the impact of the 2016 law penalizing clients shows that the national discourse presenting sex workers as victims in need of protection is not always echoed at the local level, where municipal bylaws and regular identity checks have not decreased. The law has resulted in sex workers being pushed away from their usual work places and city centres into more dangerous, isolated and unknown places. The report also underlines the view among sex workers that penalizing clients is a factor in stigmatizing sex work as a whole. They have not witnessed any decline of stigmatization, which they consider a major factor in a wide range of violence – insults, robbery, physical violence, and rape (Le Bail and Giametta 2018).

The different definitions of violence presented by neo-abolitionists and by sex workers' groups both aim for better safety for women within a legal framework. From a neo-abolitionist perspective, the law, when correctly applied, would offer "real rights" to sex workers.

When they blame the law for the violence they suffer, the social organizations who are supposedly defenders of human rights would undo the first concrete steps ever taken to support persons who sell sex. We say that to fight this law is to fight against women's safety. Admittedly, the law has not yet been fully applied. But to repeal it before seeing the effects of its application is to deny persons who sell sex the new rights and perspective this coherent and compelling law offers.<sup>18</sup>

But the largely dominant neo-abolitionist critique, both at the national and the local level (Mathieu 2015), does not challenge the gendered spatial dimension of the new law that results in displacing sex workers away from local territories, nor does it include this kind of practice as part of the definition of the violence faced by sex workers (Le Bail 2015; Mathieu 2002). On the contrary, the reference to gender violence seems to allow for a hierarchization of different types of violence that is reverse to the one presented by sex workers themselves. While the neo-abolitionist/rescue perspective makes it a priority to help women get out of sex work and, therefore, off the streets, the pragmatic perspective denounces the fact that the repressive aspect of the law pushes women off the streets to less visible and riskier places where they must practice their activity and, thus, relegates many forms of street violence to side effects of a broader (and questionable) aim.

### **Conclusions: Producing and Displacing Illegitimate Others**

By regulating street harassment and street prostitution through different administrative bodies and the use of distinct concepts and tools, city governance contributes to the (re)production of the hierarchization of different types of violence and, thus, of contrasted representations of women's vulnerability and autonomy in public space, as well as of ambivalent conceptions of women's right to safe use of the streets. When considering the way urban policies tackle gender inequalities in public space, it appears to limit its scope to middle class 'respectable' women's practices. By not addressing the full range of practices and activities of women in the streets, including sex work, such policies contribute implicitly to the legitimization of their displacement, and to disadvantaging marginalized women's groups (Valverde 2012).

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<sup>18</sup> [https://www.huffingtonpost.fr/celine-piques/arretons-la-desinformation-la-loi-prostitution-ne-met-pas-les-travailleurs-du-sexe-en-danger-de-mort\\_a\\_23534936/?utm\\_hp\\_ref=fr-prostitution](https://www.huffingtonpost.fr/celine-piques/arretons-la-desinformation-la-loi-prostitution-ne-met-pas-les-travailleurs-du-sexe-en-danger-de-mort_a_23534936/?utm_hp_ref=fr-prostitution) (last visited June 27, 2019).

This hierarchization is closely bound up with women's use of their bodies, as well as their racialized identities and migrant status. In a context that has seen the makeup of sex workers change since the 1990s, with an increase of migrant women, the rise and the wide diffusion of the neo-abolitionist perspective that defines sex work as violence per se can be considered as a new language of both border control (Calderaro and Giametta 2019; Ticktin 2008) and a normalization of legitimate feminine uses of public space.

The way to end violence and insecurity, from the local and national-level neo-abolitionist perspective, is to help these victims of trafficking step out of prostitution. In spatial terms, the solution offered is the eviction of migrant women from the streets, without considering that the alternatives are economically harsh and untenable (the new law proposes a 330-euro-per-month allowance for the ones who enter the "prostitution exit programme", see Le Bail and Giametta 2018). Despite emerging from a feminist framework, this perspective and the construction of women who sell sex as victims of gender violence relies on the definition of sex workers as traumatized victims that need better protection and cannot perceive the violence they face or speak for themselves (Agustin 2007; Mathieu 2012, 2015). This construction comes very close to a paternalist perspective that tells women what is good for them. Yet extensive research has shown that, in a context of rather restrictive migratory policies and exclusion from the best-paid segments of the work market, sex workers partake in complex trajectories and decision-making processes (Andrijasevic 2010; Chimienti 2009; Guillemaut 2006; Jakšić 2016; Lévy and Lieber 2009; Mai 2016).

As such, this *rescue* narrative, which intends to save and protect sex workers and to offer them no other option than quitting the streets, contributes, as much as repressive policies, to their spatial eradication and to their definition as illegitimate others in public space (Mathieu 2015). While it contributes to reinforcing and naturalizing the divide along the lines of respectable/unrespectable femininities (Skeggs 1997), the definition of "gender" in gendered urban policies further accentuates this division. Such representations are important, as by not considering the various feminine uses of the streets, they "reveal how gender is used to create differences among women" (Listerborn 2016, 8). This differentiation relies on a gendered moral perspective, where "respectable" women ("ladies") are considered "good victims" (Madriz 1997) and sex workers are considered good victims when they remain silenced and are rescued from the "street" (Jakšić 2016).

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