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Stigma, Invisibility, and Unattainable 'Choices' in Sex Work

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ABSTRACT:

Sex work in New Zealand was decriminalized by the Prostitution Reform Act 2003. News media is one of the key sites where stigma against sex workers is reproduced, negotiated and can be resisted. Depictions of sex workers in New Zealand vary significantly according to where and how they work. News media texts which discuss modes of sex work constructed as less acceptable sometimes call for sex workers to change how and where they work, typically to modes of work which would make them less visible, in the sense of removing them from public space or of making them invisible as sex workers. The 'solutions' for these sex workers are typically proposed by outsiders to the industry, who generally do not acknowledge the benefits, drawbacks and barriers which sex workers perceive to be attached to different ways of working. The demands placed upon sex workers to make the correct 'choice' about how and where to work recall neoliberal discourses of entrepreneurialism and further marginalize women who fail to engage in sex work in the 'correct' manner. This article examines these media discourses with reference to theories of neoliberal postfeminism, to establish how these discourses function to establish a mode of sex work most accessible to white, middle class, cisgender women as more 'acceptable'. The concomitant effect of these discourses is to blame sex workers who disproportionately suffer the effects of stigma and harassment for their own ill-treatment, invoking ideas of 'personal responsibility'.

1 INTRODUCTION:

New Zealand's sex workers have operated under a model of decriminalization since the passing of the Prostitution Reform Act (PRA) in 2003. In the ensuing eighteen years, a review of the operation of the PRA has found that it improved the health and safety of sex workers in New Zealand, while a recent meta-analysis has similarly found that decriminalization of sex work produces the best outcomes for people working in the industry (Abel et al., 2007; Platt et al., 2018). The decriminalization of sex work is the legal model preferred by sex work

advocacy organizations, in part because it offers people in the sex industry a greater ability to control how, when, and where they work (Mac and Smith, 2018). Although it has been identified as important to the project of destigmatizing sex work, decriminalization is not in and of itself enough to remove the stigma attached to the profession (Weitzer, 2018). There are indications that the stigma attached to sex work in New Zealand has lessened in recent years, and that sex workers are engaged in a project to "change the narrative" associated with the industry (Abel, 2014; Armstrong, 2019).

One of the key sites where stigma against sex workers is reproduced, negotiated, and can be resisted is the news media. As many non-sex working members of the public may have no direct interaction with the industry, the news media becomes one of the primary ways in which their perceptions of it are developed (Hallgrimsdottir et al., 2006). Depictions of sex workers and their work in New Zealand vary significantly according to where and how they work, and what other identity categories they belong to (Farvid and Glass, 2014; Fitzgerald and Abel, 2010). While some sex workers are permitted to speak for themselves in media texts, this is not universally the case (Easterbrook-Smith, 2018).

The reduction of sex work stigma in New Zealand is uneven. Acceptability is sometimes extended to a small number of sex workers, often through positioning them in comparison to other sex workers (Easterbrook-Smith, 2021a). Street-based sex workers have been subject to stigmatization and harassment, with this particularly evident in news media in the period between 2005-2015 when attempts were made to pass two private member's bills which would have restricted where they could work (Armstrong, 2016; Easterbrook-Smith, 2020). Migrant sex workers are not protected under New Zealand's decriminalization model, a feature of the legislation which has been criticized for the way it "others" migrant workers, with this "othering" evident in news media coverage of migrant sex work (Armstrong, 2017; Easterbrook-Smith, 2018; Neyland, 2019; Easterbrook-Smith, 2021b).

Some news media texts that discuss modes of sex work which are routinely constructed as less respectable or less acceptable include calls for sex workers to change how and where they work. Suggestions that sex workers would become more acceptable if they worked

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indoors, in the case of street-based sex work, or in lower-volume agencies[1], in the case of indoor workers, frequently ignore the material realities of the different kinds of sex workplaces (Abel and Fitzgerald, 2012; Easterbrook-Smith, 2020; Easterbrook-Smith, 2021a). The 'solutions' being proposed for sex workers are typically made by outsiders to the industry, who generally do not acknowledge the benefits, drawbacks, and barriers which sex workers perceive to be attached to different ways of working (Abel and Fitzgerald, 2012). In practice, these suggestions are usually a call for sex workers to work in ways which make them less visible, in the sense of removing them from public space or making them invisible *as sex workers*.

The visibility of specific groups of sex workers is one mechanism by which stigma is distributed, with workers who are more visible subjected to greater harassment, while workers who can make themselves and their work invisible are "able to fly under the radar of moral indignation" (Abel, 2014: 587). Where and how sex workers work is also frequently discussed as a 'choice', with sex workers' visibility and mode of working situated such that they are constructed as making a decision to work in more visible ways, turning it into a matter of solely personal responsibility. In the absence of a consideration of the structural influences on where and how sex workers can work, even under a model of decriminalization, this discourse can be located within neoliberal postfeminist discourses which "exert a powerful regulatory force on women" (Gill, 2017: 610). Simplistic calls for sex workers to work in specific, more acceptable, ways also recall neoliberal discourses of entrepreneurialism (Scharff, 2016), and further marginalize women who fail to engage in sex work in the 'correct' manner.

As part of a body of work which aims to articulate the conditions which are attached to acceptability or respectability of sex workers, this article explores the kind of demands placed upon sex workers to make the correct 'choice' about how and where to work. This is

[1] In this article, low-volume and high-volume refers to how many clients a sex worker is perceived to see per day or week. In media coverage, the owners of what I term low-volume brothels sometimes emphasise their workers see fewer clients than workers in other establishments (McCarthy, 2015; Meadows, 2014). Low-volume agencies typically charge more per appointment or period of time, and often advertise an all-inclusive "girlfriend experience" service for this comparatively higher price, while at other brothels workers are more likely to negotiate extra services with individual clients (Zangger, 2015; Abel and Ludeke, 2021; Easterbrook-Smith, 2021a).

considered with reference to theories of neoliberal postfeminism, to identify how these discourses function to establish a mode of sex work which is most accessible to white, middle class, cisgender women as more 'acceptable'. This article offers a case study of how the effects of postfeminism may be experienced by women who do not occupy these subject positions. The effect of these discourses is to blame sex workers who disproportionately suffer the effects of stigma and harassment for their treatment, invoking ideas of 'personal responsibility' and blaming them for making the less-acceptable 'choice' about where and how to work.

2 Existing Literature:

Sex work is a stigmatized occupation, although in New Zealand there are indications that this stigma may in some cases be diminishing or that it is being actively resisted (Benoit et al., 2018; Armstrong, 2019). Stigma is associated with reduced life chances and experiences of discrimination and is a determining factor in social inequalities and health outcomes (Goffman, 1963: 15; Link and Phelan, 2001; Benoit et al., 2018; Hatzenbuehler et al., 2013). In the case of sex work, the stigma it bears is reflective of the ways that it has historically been produced as socially or culturally unacceptable or undesirable. Sex workers who work indoors may be produced in media as more acceptable and consequently be less subject to the stigma traditionally associated with the work (Farvid and Glass, 2014; Easterbrook-Smith, 2021a). Other sex workers, often street-based or high-volume workers, are produced as unacceptable and comparatively subject to greater stigma. They are Othered, that is, discussed in an "us and them" figuration, and are less able to resist stigmatizing frames (Link and Phelan, 2001; Fitzgerald and Abel, 2010; Easterbrook-Smith 2020).

As noted in the introduction to this article, the news media representations of sex work and workers take on particular importance in perpetuating, negotiating, or resisting this stigma. Ironically, the role the media plays is in part a by-product of the stigma associated with the work. Stigma leads many sex workers keep their involvement in the industry secret, or tell very few people about it, meaning media rather than personal experience is a key source of information for many people (Hallgrimsdottir et al., 2006; Abel and Fitzgerald, 2010; Weitzer, 2018). The specific frames used in news media to contextualize and explore sex work determine what kind of problem it is understood to be, and what solutions are

therefore viewed as most appropriate (Van Brunschot et al., 2000). Elsewhere, I have argued that in the New Zealand context sex work has progressed to a point where it is not always understood as a problem, and is sometimes framed through an understanding of it as work (Easterbrook-Smith, 2021b). This framing as work, however, is not necessarily conveyed in a manner that is helpful to the project of destigmatization. It can display an unwillingness to fully interrogate the power dynamics and norms of sex workplaces, and instead, as I will demonstrate, leads to sex work being interpreted and 'solved' through neoliberalism.

Sex workers work in different ways for a variety of different reasons: sometimes for reasons of personal preference, sometimes because their individual subjectivity makes particular ways of working impractical, inaccessible, or insufficiently profitable. Within the New Zealand context, sex work which is carried out indoors, working by appointment, and at a low-volume is often constructed as the 'best' or most acceptable way of working (Easterbrook-Smith, 2021a). In many cases work perceived as more socially acceptable is still in managed brothels, despite observations from researchers in New Zealand that managed work can still be a site of exploitation, while private (self-managed) work permits greater autonomy and ability to decline clients (Abel and Fitzgerald, 2012; Abel and Ludeke, 2021).

Sex workers with complex physical or mental health needs may choose to do managed sex work rather than private work, because it reduces the administrative work they need to carry out for each appointment (Caradonna, 2020). Additionally, sex workers who choose to work in high-volume brothels sometimes explain the dynamic there is better suited to the kinds of services they prefer to provide (Easterbrook-Smith, 2021a: 418). Post-decriminalization, sex workers in New Zealand articulated the "trade-off" that they perceived to be involved in different ways of working: a managed environment was often understood to be safer, and to provide camaraderie with colleagues, but with "less money and less autonomy" (Abel and Fitzgerald, 2012: 13). Street-based sex workers expressed that they appreciated the autonomy of choosing their own hours, keeping all the money paid by a client without a manager taking a cut, and noted that there was no outlay required to begin street-based sex work, as opposed to the dress codes enforced by many brothels (Abel and Fitzgerald, 2012: 15-17). Additionally, transgender women are disproportionately

represented in the street-based sector in New Zealand (Abel, Fitzgerald and Brunton, 2007: 60-61), and brothels in New Zealand typically do not hire transgender workers (Zangger, 2015). The decision about which sector of the sex industry to work in, then, is determined by a mixture of structural barriers to entry to some sectors, preferences based on the relative weightings of autonomy and earnings, and differing approaches to managing questions of safety in managed, private, and street-based sex work.

Discourses of 'choice', about where and how to work, can be understood and interpreted using the theoretical framework of postfeminism. Within media representations the sex worker is almost always portrayed as a cisgender or transgender woman. Using postfeminist theories in the analysis of media texts allows for a consideration of the specifically gendered ways that neoliberal discourses are applied. Gill has highlighted how the development of postfeminism as a hegemonic "common sense" has helped to normalize the surveillance of women's bodies, and argues it has spread to operate in an affective dimension too (2017: 609). This postfeminist media 'sensibility' can be identified in part through its emphasis on choice and empowerment (Gill, 2007). In the context of this article, the most important linkage between these postfeminist and neoliberal discourses is in their emphasis on personal responsibility, producing subjects who understand themselves as "responsible for their own regulation" (Ringrose and Walkerdine, 2008, p. 229). Media discourses about sex workers may produce them as being responsible for any violence they experience because of their "risky lifestyle", a narrative of neoliberal personal responsibility stretched to illogical breaking point (Strega et al, 2014; Jiwani and Young, 2006). The kind of sex work which is established in news media as most acceptable is couched in language which mimics the affective states most permissible under neoliberalism: those demonstrating an authentic connection with the work, as well as positivity and resilience (Elias, Gill and Scharff, 2017; Gill, 2017; Scharff, 2016).

The stakes of making the wrong 'choice' about where and how to work are high when these choices are used to blame individual sex workers for their own ill-treatment. This echoes the way that a neoliberal postfeminist discourse of personal responsibility "blames women for their disadvantaged positions" (Gill, 2017: 609). While street-based sex workers are most likely to be explicitly blamed for any violence they might experience, high-volume indoor workers are also sometimes subjected to this framing, albeit in more subtle ways (Strega et

al., 2014: 16 – 17; Easterbrook-Smith, 2021a: 14 – 15). As this article demonstrates, choices about how to do sex work are often presented in a manner which flattens or erases any nuance in how and why they are made, leading to the production of "an inability to succeed…as evidence of personalized deficiency meaning that social problems are de-raced, de-classed and de-gendered" (Budgeon, 2015: 311). The stigma of the sex industry is not necessarily intractable or inevitable. However, producing one mode of engaging in sex work as more acceptable, without fully considering its relative accessibility or desirability, means the remaining stigma falls more heavily on sex workers who already occupy other marginalized subject positions.

3 Discussion:

In this paper, I am interested in considering the similarities which underpin seemingly quite disparate discourses which encourage some sex workers to change how and where they work. To this end, I will give a necessarily brief overview of the most salient parts of the discourses which relate to street-based sex workers and indoor, high-volume sex workers. More comprehensive discussions of the discourses about each group, although not the similarities between how their work is produced as illegitimate or socially unacceptable may be found in Easterbrook-Smith (2020) and Easterbrook-Smith (2021a).

3.1 Street-Based Sex Work

Between 2005 and 2015 two separate private member's bills which attempted to restrict the areas of South Auckland/Papatoetoe where street-based sex workers could work were lodged in New Zealand parliament (Hansard, 2005; Hansard, 2015). Some news media texts reporting on the progress of the bills suggested the intention was to move sex workers away from residential and commercial areas, into parts of the city zoned industrial (NZ Herald, 2013a; RNZ, 2015; Ryan, 2012), despite an agreement struck between local sex workers and residents to voluntarily adhere to a curfew and work in agreed-upon locations (Morton, 2011; Ryan, 2012; Wane, 2011). Other texts were not so specific about the desired outcome of the proposed legislation, and often Othered the sex workers as a group not just outside of but actively opposed to 'residents' or the 'community'. One characterised the situation by saying that "a group of local business owners…say street walkers have sullied the reputation of their vibrant community and want the hookers off the corner" (Morton, 2011). Another

wrote that the bill was a continuation of "a long and often bitter campaign by residents and business owners to rid their once seemly and quiet slice of Auckland life of street hookers who have lowered the tone" (Taylor, 2013). The suggestion that sex workers should be relegated to areas specifically zoned for soliciting was sometimes expressed as being motivated by a concern for their safety (RNZ, 2015).

Whether the media coverage of campaigns against street-based sex workers are reflective of the wider views of their local communities is uncertain. Scoular et al. found that in the UK, many community members were sympathetic to the street-based sex workers in their area and considered the highly visible campaigns against them to be "unpleasant" and "bigoted' (2007: 13). The reporting of these campaigns however, seldom permitted moderate positions to be aired, and the claims of Papatoetoe Residents Reclaiming Our Streets (PRROS) group that they represented the local community suggested a united view to media audiences from other geographic areas.

Street-based sex workers are at risk of violence from a variety of perpetrators, including the risk of harassment and violence from non-client passers-by (Armstrong, 2016). Reports suggest this type of harassment was arguably carried out in a coordinated manner by "vigilante" groups of "concerned citizens" while debates about the bill were in progress; (Morton, 2011; Wane, 2011; Taylor, 2013). Street-based workers employ a range of strategies to manage the risks of violence they face from clients (Armstrong, 2014). One of the safety strategies identified as particularly important by street-based workers in New Zealand is the ability to control the location of their work, and dictate where they will see clients (Armstrong, 2012). Arguments that sex workers should relocate to more isolated areas would place them at greater risk, a point which was raised in the media coverage by the New Zealand Prostitutes' Collective (NZPC) (Montgomery, 2012; Ryan, 2012).

Some texts suggested that rather than being relocated to other outdoor areas, street-based sex workers should instead be encouraged to move to indoor work. One journalist wrote that the PRA "has been a boon for brothels but expectation that street workers would choose to move indoors hasn't occurred" (Taylor, 2013). Elsewhere, Len Brown, then Mayor of Auckland, was quoted saying "I hope that the result of the legislation [the private member's bill] will be that sex workers move into brothels where they are better protected

by health and safety regulations and are better protected from violence" (Morton, 2011). The reasons why a move to working in brothels was undesirable or untenable for some sex workers were sometimes referred to in the texts. In one of the few instances of a street-based worker being interviewed, one says she prefers working outdoors because "it's safer, easier, you get more clients" (Morton, 2011). The NZPC also pointed out that paying rent on a specific work space was not feasible for many workers, while working from home may be impractical because of their living situation (NZ Herald, 2013b; Ryan, 2012). However, even texts which were sympathetic to the structural difficulties facing street-based sex workers should they want to work indoors, sometimes expressed this by further stigmatizing the women they discussed:

> "A council bylaw banning brothels in residential areas -- passed without opposition after prostitution was decriminalised -means sex workers in Manukau can't legally operate from home. But in this tangle of damaged, chaotic lives, the sisterhood of the streets is part of what draws them here. Often rejected by their families, many have criminal convictions and are virtually unemployable. Even brothels don't hire trans-gender prostitutes." (Wane, 2011)

Both demands – that sex workers relocate to isolated, industrial areas, and that they move to indoor work – are functionally a request for sex workers to make themselves and their work invisible. Sex work which is invisible is de facto assumed to be preferable, both for 'the community' which has been discursively engineered to exclude sex workers (Easterbrook-Smith, 2020), and for workers themselves. The reasons why indoor work may be inaccessible or undesirable to some workers are occasionally referred to, but never fully explored. As discussed earlier, for most non-sex working members of the public, the news media is a key site where perceptions of the sex industry are formed, and an absence of a complete explanation about why some sex workers may prefer to work on the streets leaves readers with at best a partial understanding. Armstrong writes:

> **"**Street-based sex workers are typically assumed to have little choice over the location of their work and as a consequence they sacrifice their safety by working on the street as a survival strategy. However women in this research overwhelmingly

constructed their decision to work on the street as a personal choice made relative to their perceptions and experiences of the indoor sex industry" (2014: 47)

Street-based sex workers are also acutely aware of the barriers which would keep them from moving to indoor work, even if they wanted to (including to working from their homes) (Scoular, et al., 2007). Additionally, working on the street provides outreach services with a more reliable way to stay in contact with workers (Scoular et al., 2007), and has been identified by some workers as offering a valuable site of camaraderie (Ross, 2012). Despite the many factors which influence the decision about where and how to work, street-based sex workers are discussed as though they are lacking in agency or expertise, or sometimes depicted as "obnoxious" and obstinately refusing to comply with requests made by other community members (Maas, 2012).

3.2 High-Volume Indoor Workers

Discourses which situate a particular way of working in the managed, indoor sex work sector in New Zealand as more acceptable are often more subtle than those about street-based sex work, and tend to rely heavily on comparative commentary (Easterbrook-Smith, 2021a). There are a small number of low-volume and relatively higher-priced brothels whose owners are frequently used as sources in news media coverage of the sex industry, and these brothels are often referred to as "high class" or "high end" in the texts (Bones, 2015; Dominion Post, 2012). They are sometimes placed in comparison, either directly or implicitly, to lower-priced brothels, where workers are presumed to see more clients on a daily or weekly basis. One of the mechanisms by which this is established is through discussing the way that "high class" brothels do not look like a brothel, emphasising their discreet appearance or noting they could pass for another kind of business – a dance studio, for example (Chang, 2015). Some of the higher-volume brothels have highly visible signage which can be seen from the street, and the nature of the business is therefore easily discerned, assisting with attracting clientele. The highly visible nature of these workplaces is sometimes discussed dismissively by the owners of more expensive brothels: one refers to the lounge-style brothels as "goldfish bowls" and "a zoo" (McAllen, 2015). Even when the wording is less demeaning, it can still strip workers in these brothels of their agency. One

text makes a comparison between an appointment only brothel where workers are selected based on online profiles, and a brothel where there is "a waiting room where the workers are on display for the client to choose" (Cooke, 2012). Workers in low-volume agencies will often have aspects of their identity aside from their work given positions of salience in texts – their education, other jobs, or family, will be mentioned, distinguishing them from existing and negative stereotypes about sex workers (Spivey, 2007).

Workers in low-volume brothels were often discussed with reference to the empowerment they experienced from their work (Dominion Post, 2012; Olds, 2016; Simpson, 2017). This is reflective of a turn in the way that sex work was discussed which began in the mid-1990s, typified in an essay by Carol Queen in which she argues "no one should ever… have to do sex work who does not like sex, who is not cut out for a life of sexual generosity" (2010: 134). This empowerment discourse has been criticised by other parts of the sex work rights movements for the way it undermines attempts to view sex work as a job, and for its failure to engage with the material conditions which underpin many sex workers' engagement with the industry (Mac and Smith, 2018; Ray, 2012). This empowerment was often taken as interchangeable with good working conditions, and indeed many of the texts accepted the contention that higher prices equated to better treatment. One journalist, discussing one of the higher-priced agencies, wrote that "[the owner] is proud of how she runs her brothel, but says other brothel managers aren't so nice" (Cooke, 2012). Elsewhere, some brothels are referred to as "ethical" (Keogh, 2018; Miller, 2017), implying that their competition must therefore be unethical, without specifically explaining how this distinction is made.

The implication is that working for one of these more expensive brothels is the more sensible and safer way to work. As with questions about why street-based sex workers do not work in brothels, before even considering if this is desirable for many workers in higher-volume workplaces, it is necessary to address if it is possible. The brothels which tend to be discussed in the texts as "high class" hire a very specific kind of sex worker: thin, pākehā /white, cisgender and either middle or upper class, or able to convincingly perform that class position (Easterbrook-Smith, 2021a, Easterbrook-Smith, 2018: 176). This is noted in one of the texts, where a journalist points out that the women hired by one of the brothels most prominent in news media coverage "fit a media ideal" (McCarthy, 2015). The way of

working which is presumed to be more 'empowering' (and therefore safer or less psychologically risky) is not accessible to a large swathe of people who do sex work, then.

3.3 Making the Right 'Choice' in Sex Work

The commonalities between the discourses about the more acceptable way to engage in sex work for street-based workers and high-volume indoor workers hinge on two points: a contention that they should make 'better' (sometimes framed as 'safer') choices in terms of workplace, and the assumption that a mode of working which makes workers less visible is preferable. In both cases, the model which is positioned as ideal is one which is mostly performed by - and accessible to – sex workers who are already closest to inclusion. The discussions rely on a partial framing of sex work *as* work, but without a concurrent analysis of the power dynamics which exist between worker and management (or worker and client). In both cases, workers are prompted to change how they work by making the existing conditions of their employment less tenable or pleasant, often by reinforcing the stigma about their work. For street-based sex workers, this includes co-ordinated campaigns of harassment by groups of non-sex working community members. For indoor, high-volume workers, it includes comparing them to zoo animals, or implying that their workplaces will necessarily be dangerous, further normalizing violence in the course of their work.

As I have argued elsewhere, the way of engaging in sex work which is positioned as most acceptable in New Zealand news media is that which is as close to personal sexual contact as possible (Easterbrook-Smith, 2021a: 11 – 12). The urging that workers should make themselves and their workplaces invisible as sex workers or brothels is further evidence of this. That sex workers are most acceptable when they cannot be seen is evidence that the project of destigmatization is very much still a work in progress. This construction relies heavily on a politics which finds sex work offensive and indecent, and by extension, the women who are seen to do it offensive and indecent. If stigma lands more heavily on sex workers who are more visible, then it is most inescapable for workers whose working options are already limited by other factors (Abel, 2014).

As discussed earlier, the suggestion that workers should move to different modes of working, either shifting to another outdoor area, moving indoors, or moving from a high- to low-volume brothel, are not always possible. There are structural barriers to these

movements, based on the discriminatory hiring practices of brothel managers. In addition, there are other reasons why particular modes of working might be more feasible for some sex workers. The appointment-only model of working described in texts about low-volume brothels, for example – being available on-call – may be impractical for workers who have caregiving responsibilities, while working set shifts on specific days allows for them to plan their lives with some degree of certainty. Some workers may prefer the safety they perceive is a benefit of working in brothels to the relatively higher pay of working privately on their own (Abel and Fitzgerald, 2012). Despite the attempts by some brothel managers to position workers in lounge-style workplaces as waiting passively for clients to select them, this is not reflective of the reality. Research into dynamics in sex workplaces and strip clubs has established that there are complex interpersonal strategies deployed between workers to maximise earnings, control their interactions with customers, and resist attempts to enforce "house rules" by management (Lewis, 2006; Spivey 2007).

Urgings for sex workers to make the right 'choice' in how to work ignore the fact that they have already made a choice which is right for their specific circumstance, and typically one which has taken into account the multiple factors which make particular modes of working more or less accessible or practical. These choices, however, are dismissed as illegitimate, and instead discursively constructed as some or all of: disempowering, dangerous, or a nuisance. A consequence of framing the question of where and how to do sex work as entirely individual choice, without fully addressing contextual and structural questions, is that "issues such as poverty… can easily be read back as problems with and for the woman herself" (McNay, 2009: 58). As a result, individual sex workers are subjected to stigmatization which is then partly justified as a punishment for failing to display "responsible self management" (Ringrose and Walkerdine, 2008: 229).

The most accepted choice in how to engage in sex work in New Zealand, as constructed in news media texts, is one which is 'empowering', 'safe', and functionally invisible. The construction of some kinds of sex work as empowering can be understood through a framework of neoliberalism and postfeminism. Using this theoretical framework, the empowerment presumed to be a feature of some engagements in sex work can be understood through Gill's identification of a focus on choice and empowerment; sexualization of culture; as well as a return to ideas of natural sexual difference (2007). This

empowerment discourse, coupled with a commentary about earnings (Easterbrook-Smith, 2021a: 8 – 9), also calls upon the language and narratives of neoliberal entrepreneurialism, within which empowerment is "framed as an individual endeavour and wider socio-political issues remain unaddressed" (Scharff, 2016: 114).

The owners of low-volume brothels will sometimes construct their businesses and workers through comparison, and "the notion of abjection suggests that the entrepreneurial subject configures itself through the rejection of that which it is not" (Scharff, 2016: 119). The abjected sex worker, either street-based or in a high-volume brothel, is abject in part because some aspect of her femininity is called into question. For street-based sex workers, this is sometimes through reference to the trans status of many workers: discussing their presumed physical size, or strength, calling upon transmisogynistic stereotypes which attempt to discredit the womanhood of trans women (Auckland Now, 2012; Serano, 2016). The visibility of street-based sex workers commodifying their sexual labour also disrupts "assumptions that 'feminine' sexuality should be domesticized; cocooned in a monogamous, procreative relationship" (Hubbard, 2001: 58). High-volume sex workers are abjected in this manner too, while low-volume workers are able to avoid some of this stigmatization though emphasizing the comparatively smaller number of clients they see, or by suggesting links between their work and domestic relationships in the language they use to describe their services (the "girlfriend experience", for example) (Miller, 2017; Tolley, 2016).

The visibility of effortful work on the part of both street-based and indoor high-volume sex workers is key to their stigmatization and dismissal as having made an inappropriate 'choice' as well. Gill's model of postfeminism identifies a return to ideas of natural sexual difference as a feature of the sensibility: to lay bare the labour which is involved in attracting and managing the attention of male clientele is to disrupt the model of heterosexual relations in which the woman is accommodating and passive (2007). The failure to perform pleasure and engagement with the work also belies its status as effortful, and violates norms of the appropriate affective state of neoliberal entrepreneurial subjects (Elias, Gill and Scharff, 2017; Scharff, 2016). The sensibility of neoliberal postfeminism produces a situation of horizontal surveillance and comparison between sex workers, encouraging individualistic identification and disavowal of 'unacceptable' parts of the industry.

In these terms, sex work is partially understood as work: some of the criticism which lands on 'unacceptable' sex workers relates to their engagement with their jobs. The notion of sex work as work here has been deformed and extruded through the machinery of neoliberalism, to defang it. Rather than being used as a means by which to advocate for workplace protections is instead deployed to attempt to discipline sex working bodies into docile compliance, and unobtrusive economic productivity. The elevation of some sex workers as more acceptable should not be mistaken for a wholesale lifting of the stigma of sex work. It is instead a conditional acceptance which gains its meaning only by decrying other parts of the industry. That these tend to be parts of the industry where workers are more likely to be people of colour, transgender, or to be working class, indicates the kind of structural marginalizations which are being re-entrenched by attempts to make individual sex workers wholly responsible for how and where they work.

4 References:

Abel GM (2014) A decade of decriminalization: Sex work 'down under' but not underground. *Criminology and Criminal Justice* 14(5): 580–592. DOI: 10.1177/1748895814523024.

Abel G, Fitzgerald L and Brunton C (2007) *The Impact of the Prostitution Reform Act on the Health and Safety Practices of Sex Workers. Report to the Prostitution Law Review Committee*. Christchurch, New Zealand: Department of Public Health and General Practice, University of Otago. Available at: http://www.justice.govt.nz/prostitution-law-review-committee/publications/impact-health-safety/report.pdf (accessed 28 August 2017).

Abel G and Fitzgerald L (2010) Decriminalisation and Stigma. In: *Taking the Crime Out of Sex Work*. Bristol: Policy Press, pp. 239–250.

Abel G and Fitzgerald L (2012) 'The street's got its advantages': Movement between sectors of the sex industry in a decriminalised environment. *Health, Risk & Society* 14(1): 7–23. DOI: 10.1080/13698575.2011.640664.

Abel G and Ludeke M (2021) Brothels as Sites of Third-Party Exploitation? Decriminalisation and Sex Workers' Employment Rights. *Social Sciences*, *10*(1), 3. DOI: https://doi.org/10.3390/socsci10010003

Armstrong L (2011) *Managing risks of violence in decriminalised street-based sex work: a feminist (sex worker rights) perspective.* Doctoral thesis. Victoria University of Wellington, Wellington. Available at: http://researcharchive.vuw.ac.nz/handle/10063/2978 (accessed 13 August 2017).

Armstrong L (2014) Diverse risks, diverse perpetrators: perceptions of risk and experiences of violence amongst street-based sex workers in New Zealand. *International Journal for Crime, Justice and Social Democracy* 3(3). DOI: 10.5204/ijcjsd.v3i3.146.

Armstrong L (2016) *"Who's the Slut, Who's the Whore?"*: Street Harassment in the Workplace Among Female Sex Workers in New Zealand. *Feminist Criminology* 11(3): 285–303. DOI: 10.1177/1557085115588553.

Armstrong L (2017) Decriminalisation and the rights of migrant sex workers in Aotearoa/New Zealand: Making a case for change. *Women's Studies Journal* 31(2): 69–76.

Armstrong L (2019) Stigma, decriminalisation, and violence against street-based sex workers: Changing the narrative. *Sexualities* 22(7–8): 1288–1308. DOI: 10.1177/1363460718780216.

Auckland Now (2012) Prostitutes wrecking public property. *Auckland Now*, 16 July. Auckland, New Zealand. Available at: https://www.stuff.co.nz/national/crime/7287833/Prostitutes-wrecking-public-property (accessed 29 August 2017).

Benoit C, Jansson M, Smith M, and Flagg J (2018) Prostitution Stigma and Its Effect on the Working Conditions, Personal Lives, and Health of Sex Workers. *The Journal of Sex Research*, *55*(4–5), 457–471. DOI: https://doi.org/10.1080/00224499.2017.1393652

Bones B (2015) The Working Girls Class. *Salient*, 6 August. Available at: http://salient.org.nz/2015/08/the-working-girls-class/.

Budgeon S (2015) Individualized femininity and feminist politics of choice. *European Journal of Women's Studies* 22(3): 303–318. DOI: https://doi.org/10.1177/1350506815576602.

Caradonna L (2020) Why I Chose to Have a Pimp. Available at: https://humanparts.medium.com/why-i-chose-to-have-a-pimp-af7780a2625c (accessed 2 June 2020).

Chang J (2015) Trick or tweet - How the NZ sex industry is embracing hi-tech. Available at: http://idealog.co.nz/tech/2015/07/trick-or-tweet (accessed 25 October 2015).

Cooke M (2012) Sex, Conditions Safer but Prostitute Stigma Remains. *The Dominion Post*, 21 January. Available at: http://www.stuff.co.nz/national/6292753/Sex-conditions-safer-but-prostitute-stigma-remains.

Dominion Post (2012) High-fliers who turn to escorting. *The Dominion Post.* 15 September Available at: http://www.stuff.co.nz/dominion-post/capital-life/7677129/High-fliers-who-turn-to-escorting.

Easterbrook-Smith G (2018) *"Illicit drive-through sex", "Migrant Prostitutes", and "Highly Educated Escorts": Productions of 'acceptable' sex work in New Zealand news media 2010 – 2016* [Doctoral thesis, Victoria University of Wellington]. http://researcharchive.vuw.ac.nz/handle/10063/6989

Easterbrook-Smith GLE (2020) "Not on the Street Where We Live": walking while trans under a model of sex work decriminalisation. *Feminist Media Studies*, *20*(7), 1013–1028. DOI: https://doi.org/10.1080/14680777.2019.1642226

Easterbrook-Smith G (2021a) Sex work, advertorial news media and conditional acceptance: *European Journal of Cultural Studies*, *24*(2), 411–429. DOI: https://doi.org/10.1177/1367549420919846

Easterbrook-Smith G (2021b) Resisting division: migrant sex work and "New Zealand working girls." *Continuum*. DOI: https://doi.org/10.1080/10304312.2021.1932752

Elias AS, Gill R, and Scharff C (2017) Aesthetic Labour: Beauty Politics in Neoliberalism. In: Elias AS, Gill R, and Scharff C (eds) *Aesthetic Labour: Rethinking Beauty Politics in Neoliberalism*. United Kingdom: Palgrave Macmillan, pp. 3–50.

Farvid P and Glass L (2014) 'It isn't prostitution as you normally think of it. It's survival sex': media representations of adult and child prostitution in New Zealand. *Women's Studies Journal* 28(1): 47–67.

Fitzgerald L, and Abel G (2010) The Media and the Prostitution Reform Act. In G. Abel, L. Fitzgerald, and C. Healy (eds) *Taking the crime out of sex work: New Zealand sex workers' fight for decriminalisation*. Bristol: Policy Press, pp. 197–216.

Gill R (2007) Postfeminist media culture: Elements of a sensibility. *European Journal of Cultural Studies* 10(2): 147–166. DOI: 10.1177/1367549407075898.

Gill R (2017) The affective, cultural and psychic life of postfeminism: A postfeminist sensibility 10 years on. *European Journal of Cultural Studies* 20(6): 606–626. DOI: 10.1177/1367549417733003.

Goffman E (1963) *Stigma: Notes on the Management of Spoiled Identity* (Penguin Books Edition). London: Penguin.

Hallgrimsdottir HK, Phillips R and Benoit C (2006) Fallen Women and Rescued Girls: Social Stigma and Media Narratives of the Sex Industry in Victoria, B.C., from 1980 to 2005. *Canadian Review of Sociology/Revue canadienne de sociologie* 43(3): 265–280. DOI: 10.1111/j.1755-618X.2006.tb02224.x.

Hansard. (2005) "New Zealand Parliamentary Debates." (Hon George Hawkins.) Manukau City Council (control of street prostitution) bill — first reading. 7 December 2005. https://www.parliament.nz/en/pb/hansard-debates/rhr/document/48HansD_20051207_00001144/manukaucity-council-control-of-street-prostitution-bill

Hansard. (2015) "New Zealand Parliamentary Debates." Manukau City Council (regulation of prostitution in specified places) bill — second reading. 25 February 2015. https://www.parliament. nz/en/pb/hansard debates/rhr/document/49HansD_20100908_00000878/manukau-city-council-regulation-of-prostitution-in-specified

Hatzenbuehler ML, Phelan JC, and Link B G (2013) Stigma as a Fundamental Cause of Population Health Inequalities. *American Journal of Public Health*, *103*(5), 813–821. DOI: https://doi.org/10.2105/AJPH.2012.301069

Hubbard P (2001) Sex Zones: Intimacy, Citizenship and Public Space. *Sexualities* 4(1): 51–71. DOI: 10.1177/136346001004001003.

Jiwani Y and Young ML (2006) Missing and Murdered Women: Reproducing Marginality in News Discourse. *Canadian Journal of Communication* 31(4): 895–917.

Keogh B (2018) Brothel's 'Kiwi Kissing' course. *Herald on Sunday*, 11 February. New Zealand.

Lewis J (2006) "I'll Scratch Your Back If You'll Scratch Mine": The Role of Reciprocity, Power and Autonomy in the Strip Club. *Canadian Review of Sociology* 43(3): 297–311. DOI: 10.1111/j.1755-618X.2006.tb02226.x.

Link BG, and Phelan JC. (2001) Conceptualizing stigma. *Annual review of sociology* 27: 363–385.

Maas A (2012) 'Obnoxious' transvestites descend on corner. *Stuff.co.nz*, 14 May. New Zealand. Available at: http://www.stuff.co.nz/national/6914517/Obnoxious-transvestites-descend-on-corner (accessed 25 October 2015).

Mac J and Smith M (2018) *Revolting Prostitutes: The Fight for Sex Workers' Rights*. London: Verso.

McAllen J (2015) Behind the Red Lights of New Zealand's Brothels. *Sunday Star Times (online)*, 25 May. Available at: http://www.stuff.co.nz/life-style/love-sex/68565738/Behind-the-red-lights-of-New-Zealands-brothels.

McCarthy N (2015) Mary Brennan: Domination and Submission. *Saturday Morning*. New Zealand: Radio NZ. Available at: http://www.radionz.co.nz/audio/player?audio_id=201762029.

McNay L (2009) Self as Enterprise: Dilemmas of Control and Resistance in Foucault's The Birth of Biopolitics. *Theory, Culture & Society* 26(6): 55–77. DOI: 10.1177/0263276409347697.

Meadows R (2014) Sex Industry Doing It Tough. *Stuff.co.nz,* October 27. Available at: http://www.stuff.co.nz/business/small-business/10665008/Sex-industry-doing-it-tough

Miller C (2017) Northland brothel bringing sex out of the shadows. *New Zealand Herald*, 30 December. New Zealand. Available at: https://www.nzherald.co.nz/lifestyle/news/article.cfm?c_id=6&objectid=11797730.

Montgomery D (2012) Pros and Cons for New Law on Prostitutes. *The Aucklander*, 19 July. Available at: http://www.nzherald.co.nz/aucklander/news/article.cfm?c_id=1503378&objectid=11069214.

Morton F (2011) Cleaning up the streets. *New Zealand Herald*, 3 April. Available at: http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10716684 (accessed 25 October 2015).

Neyland MFF (2019) The Sexual Other: Discursive Constructions of Migrant Sex Workers in New Zealand Media. Masters dissertation, Wellington, New Zealand: Victoria University of Wellington.

NZ Herald (2013a) Vexed Issue of Sex in the City. *The New Zealand Herald*, 8 June. Available at: http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10889116.

NZ Herald (2013b) Officials to discuss restoring power to arrest prostitutes and clients. *New Zealand Herald*. Available at: http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10886902 (accessed 25 October 2015).

Olds J (2016) The Rules of the Game. *Stuff.co.nz*, 26 February. New Zealand. Available at: http://www.stuff.co.nz/business/77300913/The-rules-of-the-game-Did-New-Zealand-get-its-prostitution-laws-right.

Platt L, Grenfell P, Meiksin R, et al. (2018) Associations between sex work laws and sex workers' health: A systematic review and meta-analysis of quantitative and qualitative studies. *PLOS MEDICINE* 15(12). DOI: 10.1371/journal.pmed.1002680.

Queen C (2010) Sex Radical Politics, Sex-Positive Feminist Thought, and Whore Stigma. In: Nagle, Jill (ed.) *Whores and Other Feminists*. Oxon, UK: Routledge, pp. 119–124. [First published 1997]

Ray A (2012) Why the Sex Positive Movement is Bad for Sex Workers' Rights. *Momentum: Making Waves in Sexuality, Feminism, and Relationships.*, 31 March.

Ringrose J and Walkerdine V (2008) Regulating The Abject. *Feminist Media Studies* 8(3): 227–246. DOI: 10.1080/14680770802217279.

RNZ (2015) Bill to restrict where prostitutes work dropped. *Radio New Zealand*, 27 February. New Zealand. Available at: https://www.rnz.co.nz/news/regional/267259/bill-to-restrict-where-prostitutes-work-dropped (accessed 5 June 2020).

Ross BL (2012) Outdoor Brothel Culture: The Un/Making of a Transsexual Stroll in Vancouver's West End, 1975–1984. *Journal of Historical Sociology* 25(1): 126–150. DOI: 10.1111/j.1467-6443.2011.01411.x.

Ryan K (2012) Are legislative curbs needed on street prostitution? *Nine to Noon*. New Zealand: Radio NZ. Available at: http://www.radionz.co.nz/audio/player?audio_id=2525430.

Scharff C (2016) The Psychic Life of Neoliberalism: Mapping the Contours of Entrepreneurial Subjectivity. *Theory, Culture & Society* 33(6): 107–122. DOI: 10.1177/0263276415590164.

Scoular J, Pitcher J, Campbell R, et al. (2007) What's anti-social about sex work? The changing representation of prostitution's incivility. *Community Safety Journal* 6(1): 11–17.

Serano J (2016) *Whipping Girl: A Transsexual Woman on Sexism and the Scapegoating of Femininity*. Second edition. Berkely, California: USA: Seal.

Simpson E (2017) Women can be ruthless, says former model and madame Jennifer Souness. *Stuff.co.nz*, 12 November. New Zealand. Available at: https://www.stuff.co.nz/life-style/love-sex/98757459/women-can-be-ruthless-says-former-model-and-madame-jennifer-souness.

Spivey SE (2005) Distancing and Solidarity as Resistance to Sexual Objectification in a Nude Dancing Bar. *Deviant Behavior* 26(5): 417–437. DOI: 10.1080/016396290931731.

Strega S, Janzen C, Morgan J, et al. (2014) Never Innocent Victims: Street Sex Workers in Canadian Print Media. *Violence Against Women* 20(1): 6–25.

Taylor P (2013) Street legal: Ten years after prostitution decriminalisation. *The New Zealand Herald*, 8 June. Available at: http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10889113.

Tolley P (2016) The Oldest Profession Part 1: Tales from the Brothel. *Radio New Zealand*. New Zealand: RNZ. Available at: https://www.rnz.co.nz/programmes/oldest-profession/story/201820594/the-oldest-profession-part-1-tales-from-the-brothel.

Van Brunschot EG, Sydie RA. and Krull C (2000) Images of Prostitution. *Women & Criminal Justice* 10(4): 47–72. DOI: 10.1300/J012v10n04_03.

Wane J (2011) Not on the street where we live. *North & South* (301): 64–71.

Weitzer R (2018) Resistance to sex work stigma. *Sexualities* 21(5–6): 717–729. DOI: 10.1177/1363460716684509.

Zangger C (2015) *For Better or Worse? Decriminalisation, Work Conditions, and Indoor Sex Work in Auckland, New Zealand/Aotearoa.* PhD Thesis. University of British Columbia, Vancouver.