Women's Studies International Forum

Volume 48, January–February 2015, Pages 114–123

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Manuscript Draft

Manuscript Number: WSIF-D-14-00122R2

Title: Harms of Production: Theorising Pornography as a Form of Prostitution

Article Type: Full Length Article

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Suggested Reviewers:

*Title page(including author identifiers)

# Harms of Production:
# Theorising pornography as a form of prostitution

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## Abstract

Traditionally recognised forms of prostitution (such as brothel, street and escort prostitution) tend to be seen, in both popular culture and in law, as separate from pornography. The pornography industry is often represented as a less harmful and more glamorous part of the sex industry. These representations, coupled with academic debates that have typically focused on the consumption rather than the production of pornography, have resulted in some of the harms of pornography being obscured. It is argued here that commercial pornography should be understood as prostitution and, potentially, as a form of prostitution carrying specific and additional harms. This may offer useful ways forward for feminist analyses of the harms of pornography.

## Keywords

Prostitution, pornography, harm, violence against women.

# Harms of Production:
# Theorising Pornography as a Form of Prostitution

## Introduction

This article furthers the proposition that commercial pornography should be understood as a form of prostitution. While pornography and prostitution have most often been seen as separate entities, in a variety of legal and academic contexts, several analyses have aimed to conceptualise these two industries together. A mix of articles from legal scholars (Garb, 1994; Noldon, 2004; Streit, 2006; Waltman, 2012), testimonies from those within the industries (e.g. Almodovar, 2006; Lederer ed., 1980, Reed, 2006), and texts from feminist and pro-feminist theorists (e.g. Barry, 1979; Dines & Jensen, 2003; Jeffreys, 2009; Waltman, 2012; Whisnant, 2004), mention the overarching similarities between pornography and traditionally recognised forms of prostitution.[i] However, these similarities have not yet been the subject of more substantial inquiry and, with the exception of a few articles in law journals, are not the primary focus of the literature in which they appear. The need to conceive of pornography as a form of prostitution is often only mentioned in passing rather than being the subject of sustained analysis in and of itself. Furthermore, an argument for the *importance* of conceptualising pornography as a form of prostitution is still lacking in many of these texts.

This article begins by contextualising the feminist debates on pornography and harm, focusing in particular on the split between liberal and radical feminists. The article then aims to bring together some of the limited literature, from legal and feminist perspectives as well as drawing on first person accounts of experience in the sex industry. It is argued that the fundamental similarities between pornography and

prostitution cannot be overlooked. The existing literature on the harms of traditionally recognised forms of prostitution is then outlined and it is suggested that there may be specific and additional harms associated with the kinds of prostitution that pornography production requires. Finally, it is argued that conceiving of commercial pornography as a form of prostitution may shift academic and feminist discussions and enable previous research on the harms of prostitution to be included in wider debates about the harms of pornography.

## Background and Context: Feminist Debates on Pornography and Harm

Current academic debates about pornography and harm still embody aspects of the 'sex wars' (Duggan & Hunter, 2006) that ruptured the second wave feminist movement in the 1980s. While there had been significant activist organising and academic theorising based on feminist opposition to pornography in the 1970s and 1980s, this predominantly radical feminist critique became increasing muted during the 1990s (Leidholdt, 1990). The split largely cemented disagreement between radical feminists, on the one hand, and liberal and libertarian feminists, on the other. This section briefly considers the radical and liberal perspectives on pornography and harm to help contextualise the analysis that follows.

Generally speaking, radical feminists critiqued (and continue to critique) pornography on the basis of harm (Eaton, 2007). The focus on harm can be seen as part of a commitment to understanding pornography as action rather than only as representation, and also as viewing pornography as part of the broader sex industry, rather than as something separate (Tyler, 2011). The radical feminist approach to pornography and

harm takes two basic forms: the first considers harm done to women in the actual production of pornography, and the second focuses on harm done to women's status, or women as a class, through the existence and consumption of pornography (Langton, 2008). However, it should be noted that most literature has emphasised the latter of these two types of harm. Radical feminist opposition to pornography is often cited as reaching its peak with the anti-pornography ordinances, launched in a number of states in the US, in the early to mid-1980s (Leidholdt, 1990). The civil rights ordinances, proposed by Andrea Dworkin and Catharine MacKinnon, were designed to allow women to hold pornographers legally accountable for harm done to them through the use *and making* of pornography (Dworkin & MacKinnon, 1997).

During the 1990s, however, a very different approach to pornography, promoted mostly by liberal feminists, emerged. Broadly speaking, liberal feminists rallied (and continue to rally) against censorship and defend the existence and production of pornography on the basis that it should be protected as a form of speech, free expression or even fantasy, thus separating it out from 'actions' such as prostitution (Spector 2006a; see also as examples: Assiter, 1989; McElroy, 1995; Strossen, 1995). For example, in *XXX: A Woman's Right to Pornography*, Wendy McElroy (1995) writes that: 'Pornography is fantasy...Like dreams or metaphors, sexual fantasies cannot be taken at face value; they should not be taken literally' (p. 133). These approaches suggest that there is no direct or even conceptual link between pornography, inequality and sexual violence (Williams, 1999, p.22) and they therefore detach pornography from the kinds of harms emphasised by radical feminists. Moreover, some writers have claimed that pornography is empowering for individual women (e.g. Johnson (ed)., 2002) and can even contribute to the feminist fight for women's sexual liberation (e.g. McElroy,

1995). Similar arguments have been taken up more recently in texts such as *The Feminist Porn Book* (Taormino et al. (eds), 2013).

Informed by the liberal writing of the 'sex wars', a paradigm shift has taken place in academic studies of pornography in the last fifteen years (Attwood, 2010; McNair, 2013). Dominant understandings of pornography within the academy can now be seen to 'incorporate many of the theoretical perspectives and preoccupations which have become central within Cultural Studies' (Attwood, 2006, p. 93). Drawing on postmodernism, there has been a push to recognize pornography as primarily a 'filmic genre' (Baetens, 2005) and a focus on the polysemic nature of texts and the potential fluidity of readings (Attwood, 2006). Far from critical, much of this research is undertaken in what sociologist Brian McNair (2002) has called 'a spirit of excited inquiry' (p. 63). The central problem with this approach is that it tends to concentrate only on the individual and potential readings of texts by consumers, obscuring dominant cultural understandings and questions about social power (Boyle, 2010). Work on pornography originating in cultural and film studies, therefore, tends not to engage with existing feminist debates about pornography and harm to women. In addition, the dominance of this position has shifted the debates about pornography to become almost entirely focused on issues of consumption. As is discussed further in the following sections, even feminists critical of pornography now largely debate harms by talking about the proliferation, consumption and normalisation of pornography itself, rather than the context of its production.

The current dominance of liberal and postmodern analyses, is centred on consumers, the potential readings of pornographic texts, and a rejection of pornography as linked to

harm. This has left a significant gap for a critical, radical feminist investigation of these issues. In particular, there is space for (re)considering the harms associated with the *production* of pornography. As I have argued elsewhere (Tyler, 2011) the pornography industry boomed financially in the 2000s and also became seen as relatively glamorous in popular culture. This occurred while the industry simultaneously required more extreme and violent sex acts to be performed in the production process. Given these circumstances, a return to a radical feminist analysis, focusing in particular on the material realities of what happens to women in the making of pornography, seems apt at this point in time. Understanding pornography as a form of prostitution may be a useful way to reintroduce, and further, existing feminist analyses of pornography and harm.

## Repositioning Commercial Pornography as Prostitution: Legal Approaches, Insider Perspectives and Feminist Analyses

In many legal systems, prostitution and pornography are treated very differently. Prostitution has typically been framed as problematic in terms of social harm (e.g. as a public nuisance, a threat to the social order or to public health) but pornography is more likely to be understood as problematic through the lens of obscenity (Garb, 1994; Spector, 2006b). This split is replicated in academic discourse, where debates about the harms of prostitution are generally concentrated on what actually happens to people, especially women, working within systems of prostitution (e.g. Coy (ed)., 2012; Campbell & O'Neill (eds), 2006; Farley (ed)., 2003; Weitzer, 2005; 2007), while debates about the harms of pornography primarily emphasise issues regarding the rights of, and effects upon, viewers (e.g. Dines, 2010; McKee et al., 2008; Paul, 2005; Williams (ed)., 2004; c.f. Taormino et al. (eds), 2013). Essentially, this means that

arguments surrounding pornography tend to focus on the conditions of consumption, while debates about prostitution tend to focus on the conditions of production.

### *Legal Approaches*

Many legal systems accord different classifications and treatment to pornography and prostitution. In many instances, prostitution is either regulated or criminalised as an action, whereas pornography is regulated or criminalised as a product (Spector, 2006b). In Australia, for example, the legal statuses of pornography and prostitution have always been quite different and there are still states where prostitution has remained illegal but pornography has not (Sullivan, 1997). The legal separation of prostitution and pornography is also apparent in the very different context of Sweden, which has a much publicised law prohibiting the purchase of sexual services, but continues to allow the sale and production of pornography.[ii] The conceptual split between pornography and prostitution is perhaps most apparent, however, in the official, differing legal statuses of the two industries in the United States (US) where prostitution is illegal (with the exception of parts of Nevada) and officially discouraged by authorities, while pornography tends to occupy a more privileged position. Indeed, in the US, pornography is not only legal but has been afforded protection through a number of court decisions that have defined its production as an issue of free speech or expression (Waltman, 2012). The following sub-section will focus on the US as the existing legal literature dealing with the similarities between prostitution and pornography has all been based in American jurisdictions.

There have been a number of challenges to the pornography / prostitution split in law where lawyers, in some American states, have attempted to use existing prostitution statutes against pornographers, but these efforts have been largely unsuccessful (Streit, 2006). It was determined in one case from California, for example, that actors hired for pornography films were not being paid to 'engage in sexual activity' but were simply giving 'the filmmaker the right to film them engaging in consensual sexual activity with each other' (Noldon, 2004, p. 316). In reviewing cases like these, some lawyers and legal scholars in the US have argued that prostitution and pornography should be seen as one and the same: the exchange of sex acts for money (Garb, 1994; Noldon, 2004; Streit, 2006). As Tonya Noldon (2004) points out, in relation to the Californian case, courts have continued to separate prostitution and pornography, in part, on the basis of serious misunderstandings about the reality of pornography production. Noldon notes:

> [T]he directors of these movies control what the actors do in each scene. These directors tell the actors with whom to engage in sex and what positions to assume. They make the actors perform the same sex scene repeatedly until the camera and lighting are correct…The prostitution customer, like the filmmaker of an adult movie, pays for the right to control what type of sexual activity occurs (Noldon, 2004, p. 324).

These conditions certainly hold for commercial pornography.[iii] The US-based porn industry is very open about its treatment of performers (Tyler, 2011) and does not claim that directors and producers are only filming sex acts that would have taken place if they were not being filmed and the performers were not being paid. Noldon's point is further supported by evidence that the level of pay provided to those used in the marking of most mainstream pornography is contingent upon which acts are performed.

That is, most performers get paid per scene, not per film, and the remuneration is based on the particular sex acts contained in those scenes (Amis, 2000; Jameson, 2004; Ross, 2007). Such arrangements make it clear that commercial pornography is not simply about asking people to have sex that they would have engaged in anyway, in any manner they like, and then filming it. The direction, production, and the acts themselves, are all highly orchestrated (Tyler, 2011). Just as a john[iv] decides which sex acts to pay for in traditionally recognised forms of prostitution, so a director or production company determines which sex acts to pay for in making commercial pornography.

### *Insider Perspectives*

The indistinguishibility of pornography and prostitution has also been publicly recognised by many within the sex industry. In Laura Lederer's (1980) trailblazing *Take Back the Night* collection, one former pornography performer states that: 'A prostitute is just being more honest about what she's doing…We called what we were doing "modelling" or "acting". Pornography models have the illusion that they're not hooking' (quoted in Garb, 1994, p. 290). The now (in)famous Meese Commission hearings into pornography in the US heard testimony from several industry insiders about the similarities between pornography and prostitution, and concluded that: 'It seems abundantly clear from the facts before us that the bulk of commercial pornographic modelling…quite simply is a form of prostitution…This was effectively denied by no one' (quoted in Garb, 1994, p. 290).

More recently, Jenny Paulino, the manager of an upmarket escort service in New York attempted to avoid prostitution charges by highlighting what she saw as hypocrisy in the differing laws dealing with prostitution and pornography. Paulino, arged that: 'the targeting of so-called "escort services" for prosecution, while ignoring "Goliath corporations" that "conspicuously reap huge profits from the distribution of adult films; violates the Equal Protection Clause" because both enterprises are similarly situated' (Paulino quoted in Streit, 2006, p.750). In claiming that her escort business was unfairly singled out, Streit (2006) argues that Paulino essentially put forward that: 'the pornography and prostitution industries are indistinguishable as a matter of law' (p. 750).

The understanding that pornography is fundamentally a form of prostitution can also be found in the writings of sex industry advocates. In 'Private Acts Versus Public Art: Where Prostitution Ends and Pornography Begins', porn magazine editor and 'professional dominant' Theresa Reed (2006) states that 'the primary difference between being a porn star and being a whore is the presence of the camera…' (p. 256). Similarly, Norma Jean Almodovar, who describes herself as a 'retired prostitute' and 'sex worker rights advocate', also argues that a camera is the only difference between pornography and prostitution, even referring to pornography as 'prostitution on camera' (Almodovar, 2006, p. 151). Almodovar adds that while she generally disagrees with feminist critics of prostitution, 'I do agree with these feminists that pornography and prostitution are one and the same' (p. 158). The fact that writers on both sides of these often bitter debates concur that pornography is prostitution by another name, suggests that this is an area that is worthy of further investigation.

### *Feminist Analyses*

Radical feminists have been prominent in challenging the 'dichotomy of thought' (Spector, 2006b) separating pornography from prostitution, a dichotomy which is particularly evident among liberal theorists. In liberal approaches to prostitution, the focus tends to be on the 'individual worker', but in liberal approaches to pornography there is an observable shift away from this individual-centred approach and, instead, the 'social value of expressive liberty' is emphasised (Spector, 2006b, p. 9). As Jessica Spector (2006b) shows, this is a serious inconsistency that creates flawed liberal analyses of pornography in which the 'individual worker' fades from view completely, 'as if no pornography were live-actor pornography at all' (p. 435). This is an intensely problematic position when the vast majority of mainstream, commercial pornography is 'live-actor' pornography, that is, real people must perform real sexual acts in order for it to be produced (Jensen, 2007; Waltman, 2012). Once the use of people in the production of pornography is acknowledged, it becomes difficult to see how theorising on pornography has become so abstracted from other traditionally recognised forms of prostitution.

The standard liberal approach has been opposed by a number of writers and theorists drawing on radical feminist analysis (e.g. Barry, 1979; Dines & Jensen, 2006; Dworkin, 1993; Dines, Jensen & Russo, 1998; Farley et al., 2003; MacKinnon, 1993, 2006; Waltman, 2012; Whisnant, 2004). In her groundbreaking text, *Female Sexual Slavery*, Kathleen Barry (1979) wrote, for example, that: 'Pornography is a form of prostitution. Its producers and distributors can be defined as pimps, as they are living off the earnings of prostitutes' (p. 99). Andrea Dworkin, in her testimony to the Meese

Commission, highlighted what she saw as the hypocrisy of the liberal separation of porn and prostitution, stating: 'I live in a country where if you film any act of humiliation or torture, and if the victim is a woman, the film is both entertainment and it is protected speech' (Dworkin, 1993, p. 279).

More recently, radical feminists have again sought to show, not just that pornography and prostitution are similar, but rather that pornography *is* prostitution. Gail Dines and Robert Jensen, for example, maintain that:

> While pornography has never been treated as prostitution by the law, it's fundamentally the same exchange. The fact that sex is mediated through a magazine or movie doesn't change that, nor does that fact that women sometimes use pornography. The fundamentals remain: Men pay to use women for sexual pleasure (Dines & Jensen, 2006, n.pag.).

Psychologist Melissa Farley puts it rather more succinctly: '[p]ornography is a specific form of prostitution, in which prostitution occurs and is documented' (Farley, 2003, p. xiv).

Along similar lines, philosophy professor Rebecca Whisnant argues that '[p]ornography is the documentation of prostitution' (Whisnant, 2004, p. 19). To illustrate this point, she sets out the following hypothetical situation:

> Suppose Fred is making money by selling Gertrude's sex act to Harvey and reaping part or all of the proceeds. In short, Fred is a pimp. It then occurs to him that with this new technological innovation called the camera (or video camera, or webcam, etc.) he could sell Gertrude's sex act not just once, to

> Harvey, but many thousands of times to many thousands of different men…The structure, logic, and purpose of Fred's activity have not changed. He is still a pimp. He has simply become more savvy and enterprising…The basic elements of Gertrude's experience, similarly, have not changed: she is still exchanging sex acts for money. The only member of our original trio now having a significantly different experience is Harvey, who now has his sexual experience 'with' (at, on) Gertrude at some technological remove. He may like it this way or he may not, but keep in mind that he is getting the goods at a much lower price, with greater anonymity, and with the added benefit of not having to see himself as a john (Whisnant, 2004, p. 20).

In addition, Whisnant counters the claim that pornography is somehow qualitatively different from prostitution because the men in pornography are also paid for sex: 'So essentially, a male prostitute has entered the scene and is now participating alongside the female prostitute. But what of it? The basic structure of pimp, prostitute, and customer remains intact' (p. 20). The only significant change between the original prostitution and the finished product of pornography is the experience of the consumer. If pornography is considered from the perspective of production, it looks a lot more like prostitution than something completely separate. Whisnant's account also demonstrates how the traditional academic and legal focus on the consumption of pornography has privileged men's experiences of pornography consumption, or feelings of entitlement to pornography consumption, over the material reality of what happens to those, particularly women, working within the pornography industry.

## Understanding the Harms of Production

What is at stake in conceiving of commercial pornography as a form of prostitution is a full understanding of the harms associated with pornography production. Most feminist theorising on pornography from the 1980s onward tends to address the effects of pornography's existence on women, and society generally, rather than the effects of pornography on those used in its making (Barry, 1995).[v] That is, a significant focus for both anti-pornography, radical feminists and pro-pornography, liberal and libertarian feminists, has been whether or not the *consumption* of pornography by men harms women (Spector, 2006a, 2006b). While it is sometimes mentioned, there is much less literature on the harms to women involved in the production of pornography.

### *Pornography Production and Harm*

The primary peer-reviewed study focusing on the lives of women in the pornography industry (Griffith et al., 2013b) set out to test what the authors term 'the damaged goods hypothesis', that is, the assumption that women working in the pornography industry have experienced higher than average rates of childhood sexual abuse (CSA). The study, comparing 177 women in the US pornography industry to a matched control group, was published in *The Journal of Sex Research* and variations have also appeared elsewhere (e.g. Griffith et al., 2012a; 2012b; 2012c; 2013a ). It concludes that women in the porn industry do not report a higher incidence of CSA than a matched sample of women outside the pornography industry and, despite having significantly higher rates of reported drug abuse, that 'female porn performers' have higher levels of self-esteem, positive feelings and sexual satisfaction. This finding differs markedly from the small-scale, qualitative interviews conducted by Stoller and Levine (1993), which found that

the few pornography actors they were able to interview all reported having limited employment options and having experienced CSA.[vi]

Given this context, it is important to note that the independence of the research conducted by Griffith and colleagues (2013b) has been called into question (Lees, 2012). The controversy has centred on one of the authors, Sharon Mitchell, who is the founder of Adult Industry Medical Healthcare Foundation (AIM), and it was through AIM that participants were recruited. As Griffith and colleagues (2013b) themselves note, many researchers – particularly those critical of the porn industry – have had extreme difficulty in gaining research access to porn performers, but their team gained access by offering participants a chance to win (US)$300 worth of free testing for sexually transmitted infections (STIs) through AIM. Since the study was conducted, the AIM clinic has been closed down amid claims of corruption and jeopardising the health of patients to favour big businesses in the porn industry.[vii]

The close connection of one of the main authors to the pornography industry, and a now discredited STI testing regime, does raise serious concerns about the sampling and impartiality of the study. Furthermore, the close connection between Mitchell and the porn industry does seem to have influenced the way in which the authors interpret some of their data. For example, at one point when the authors try to explain why women in the pornography industry who identify as 'heterosexual' also record having had sexual interactions with other women, they state:

> Given that pornography offers many opportunities for same-sex experimentation for female performers, it is possible that the adult entertainment industry acts as a facilitator of sexual fluidity by providing a

> supportive culture of same-gender sexual interactions and offers financial rewards for engaging in those behaviors (Griffith et al., 2013b, p. 628).

Like some of the legal rulings on pornography mentioned earlier, Griffith and colleagues confuse what those in the pornography industry may want to do sexually, in their own lives, with what is required of them to perform, for money, while being used in pornography production. The characterisation of commercial pornography as a charity-like service offering opportunities and 'financial rewards', rather than as a profit-seeking business, paying contractually agreed wages for particular sex acts, suggests a rather determinedly optimistic and unrepresentative view of the industry.

While there are, therefore, no fully independent, large-scale studies concerning women's experiences of harm in pornography production, academic inquiry into the harmful experiences of women in street and brothel prostitution is growing (e.g. Choi et al., 2009; Coy (ed)., 2012; Downe, 2003; Farley et al., 2003; Jeal & Salisbury, 2004; Kramer, 2003; Nixon et al., 2002; Raphael & Shapiro, 2002; Tutty & Nixon, 2003). Given the convergence of pornography and prostitution, however, it can be considered at least probable that many, if not all, of the harms experienced by women in prostitution are also likely to be experienced by women in pornography. As Max Waltman (2012) contends: 'testimonial evidence on violence, coercion and trauma during pornography production revealed in public hearings repeatedly mirror both quantitative and qualitative data on these subjects in the lives of prostituted women around the world' (p. 8). Similarly, the findings of research into the harms of prostitution are likely to be relevant to commercial pornography production as well. Moreover, exploring the harms of pornography production is particularly important in a context where a glamorised version of pornography, which downplays the issue of

harm, has become prominent both in the academy and in popular culture (Coy et al., 2011).

### *Prostitution and Harm*

For decades, much academic literature only accounted for the so-called 'social harms' of prostitution, that is, harms to the community in the form of threats to the social order or public health (Farley & Kelly, 2000). During the 1980s, the focus, especially in medical literature, was on STI transmission (Farley & Kelly, 2000). Rarely during this time were studies conducted which assessed the harms of prostitution from the perspective of survivors and those still in systems of prostitution (cf. Hoigard & Finstad, 1986; Silbert & Pines, 1982). However, over the last ten to fifteen years, a number of important sociological studies have begun to more thoroughly document the experiences of prostituted women and girls (e.g. Coy, (ed)., 2012; Downe, 2003; Farley et al., 2003; Kramer, 2003; Nixon et al., 2002; Raphael & Shapiro, 2002; Tutty & Nixon, 2003). Two significant types of harms to women become evident from these studies: 1) the increased likelihood of experiencing a variety of forms of physical violence, and 2) psychological harms, in particular, post-traumatic stress and dissociation.

Studies on the increased likelihood that women in prostitution will experience violence (e.g. Farley et al., 2003; Parriott, 1994; Nixon et al., 2002) indicate that violence at the hands of pimps and johns is common. However, as Kendra Nixon and colleagues (2002) have shown, women in prostitution also become targets for 'other prostituted women, and intimate partners, as well as representatives from mainstream society and

the police' (p. 1023). In addition, they add that women in prostitution are more likely to experience suicidal ideation and self-harm. These harms are commonly overlooked in non-feminist literature on prostitution, where the primary risk is seen to be transmission of STIs (Farley & Kelly, 2000). As Nixon et al. (2002) point out, while STIs are certainly a serious concern, it is not the transmission of disease that is foremost in their participants' accounts: 'Violence and abuse were dominant themes in the women's narratives…' (p. 1036).

That the women in the study by Nixon and colleagues (2002) consistently spoke of violence, even when they were not directly asked about it, is indicative of the high rates of physical and sexual assault noted in other studies on the experiences of women in prostitution. Ruth Parriotts' (1994) study of prostituted women in the US, for instance, found that 85 percent of participants reported having been raped while in prostitution, 90 percent reported being physically assaulted, and 50 percent of the overall sample reported being beaten once a month or more. Also in the US, Mimi Silbert and Ayala Pines (1982) found that 70 percent of their sample of women in street prostitution had been raped, and approximately two-thirds had been physically assaulted. Such findings indicate extremely high rates of physical violence, considerably higher than those within the general population (Parriott, 1994). These findings are corroborated by the most comprehensive study on prostitution and violence to date conducted by Farley and her research team (2003) who surveyed 854 women, girls, men and transgendered people (the majority of those surveyed were women), in nine countries, on five continents, about their experiences in prostitution. They found that 73 percent of respondents had been physically assaulted, and more than half of the overall sample (57 percent) had been raped, while in prostitution. Approximately a third of the overall

sample reported having been raped more than five times while in prostitution (Farley, et al., 2003, p. 43).

These high levels of violence, recorded in traditionally recognised forms of prostitution, are generally not considered in public debates about pornography. The picture of endemic violence and rape is certainly not one that fits well with the glamorised version of 'porn-chic' that is prominent in popular media (Coy et al., 2011; Tyler, 2011). The violence of prostitution is also separated out from discussions about pornography by those who argue that the high rates of violence against women in prostitution stem primarily from prostitution's illegality in many countries (e.g. Jenness, 1990; Kempadoo & Doezema, 1998; Outshoorn, 2004). This illegality, however, is generally not characteristic of pornography, which tends to be afforded greater legal and social acceptability. By this logic, the sorts of violence experienced by women in traditionally recognised forms of prostitution would not be experienced by women in pornography. It is also argued, most prominently by Ronald Weitzer (2000, 2005, 2007), that studies on violence in prostitution focus too heavily on street prostitution which he claims is linked more to violent crime than to 'indoor' forms of prostitution, such as brothel and escort prostitution. This argument suggests that pornography, as a form of 'indoor prostitution', would not involve the same types of violence as those described in the studies cited above.

However, claims that legalised forms of indoor prostitution are inherently safer for those in prostitution have been undermined by Mary Sullivan's (2007) in-depth study of legalised prostitution in the Australian state of Victoria. Sullivan sets out the ways in which women in legalised brothel prostitution still experience many of the risks

associated with illegal street prostitution, such as exposure to STIs and violence at the hands of johns and brothel owners / pimps (Sullivan, 2007). Her work also undermines Weitzer's (2000, 2005, 2007) arguments about the safety of 'indoor prostitution'. In arguing that forms of indoor prostitution are safer for both johns and prostituted persons, Weitzer has also criticised a number of feminists, including Farley, for focusing on street prostitution but extrapolating their findings to cover prostitution as a whole (Weitzer, 2005). It should be noted that Farley's work does, in fact, include women (and girls, men and transgendered people) from several forms of prostitution. Farley and colleagues (2003) found, for example, that experiences of rape while in prostitution did not substantially differ across *various forms* of prostitution, including brothel, street and strip-club prostitution (p. 49). Indeed, the authors note that: 'Prostitution is multi-traumatic whether its location is in clubs, brothels, hotels / motels / john's homes (also called escort or high class call girl prostitution) motor vehicles or the streets' [sic] (p. 60).

The claim that all forms of prostitution can be multi-traumatic for prostituted persons is given added weight by studies on psychological harm. Given the high rates of physical violence experienced by prostituted women, it should not be surprising that high rates of psychological distress have also been found. Returning to the large study by Farley and colleagues, 68 percent of their participants met the *Diagnostic and Statistical Manual of Mental Disorders* criteria for a diagnosis of Post-Traumatic Stress Disorder (PTSD), a similar rate to that seen among combat veterans (Farley et al. 2003, p. 37, 47). The rates of PTSD were found to be similar across various types of prostitution, both legal and illegal, including street prostitution, brothel prostitution and stripping (p. 48-49). It has been suggested by some critics that these high rates of PTSD could be explained by

factors other than the experience of prostitution, including childhood sexual abuse. However, Waltman (2012) has noted that, in other studies – such as an investigation into the experiences of formerly prostituted persons in Korea, published in 2009 – prostitution has been found to be strongly related to PTSD symptoms, even when controlling for experiences of childhood sexual abuse (Choi et al. 2009, cited in Waltman, 2012, p. 9).

### *Women's Experiences in Pornography*

The kinds of harm recorded in studies of women's experiences in traditionally recognised forms of prostitution are echoed in many public accounts given by female pornography performers. The experiences of Jenna Jameson, for instance, illustrate that there is at least some level of violence and coercion within the legal pornography industry. In her autobiography, *How to Make Love Like a Porn Star: A cautionary tale* (2004), Jameson describes a number of vicious experiences during her time in pornography, including performing in films that her then-husband directed. She devotes a chapter of her autobiography, entitled 'Rod's Revenge', to detailing her abuse on numerous film sets during the break-up of their marriage. Jameson mentions being 'ripped to shreds' while being forced to have sex in sand during the filming of *Conquest*, fearing being cut by broken glass while filming *Pure*, and at one point fearing electrocution in *Wicked Weapon* (Jameson, 2004, p. 434-37). In fact, Jameson has been shunned by a number of other high profile porn performers since talking publicly about how she has been negatively affected by the industry (Dines, 2010). The argument that pornography, as an indoor form of prostitution, is inherently safer than street prostitution therefore seems particularly implausible when even Jameson, one of

the world's wealthiest and best known 'porn stars', has spoken out about the abuses she has suffered while in the pornography industry.

There is mounting evidence from within the pornography industry that such incidents of violence and abuse are not isolated, with women being regularly required to experience acts of real (not simulated) violence, even in mainstream pornography production. For instance, one prominent mainstream pornography director, Jerome Tanner, told industry magazine *Adult Video News (AVN)* in 2003, that he was worried about the industry 'glorifying violence in sex'. Tanner explained: '[i]f you've been on set where the guy is mouth-fucking her and the woman is throwing up – not voluntarily; involuntarily – she's tearing, she's convulsing…To me, that's violence…' (quoted in Ramone & Kernes, 2003, p. n.pag.). Many performers have also spoken out about abuse on set. Regan Starr, for example, gave interviews to *AVN* (Ross, 2000) and to the mainstream press (Amis, 2001) about the violence she suffered while filming the *Rough Sex* series:

> I got the shit kicked out of me. I was told before the video – and they said this very proudly, mind you – that in this line most girls start crying because they're hurting so bad…I couldn't breathe. I was being hit and choked. I was really upset and they didn't stop. They kept filming. You can hear me say, 'Turn the fucking camera off', and they kept going (Starr quoted in Amis, 2001, p. 5).

Starr added that she had been 'traumatised' by the incidents, and that the male actor on set – 'Mickey' – had been encouraged by director Khan Tusion to physically hurt her:

> He was allowed to hit hard, choke hard and to pull hair hard. There were times when he slapped me so hard that he left a mark. He choked me while lifting me

> off the ground. He shoved my face into the cement floor. He threw me over his shoulder, cutting off my air. Choking me was one of the worst things…Mickey was not being false about it. He was hurting the girls. He was given the green light to hurt the women for the effect of the video (Starr quoted in Ross, 2000, n.pag.).

The *Rough Sex* series became controversial even within the porn industry after Starr's account was made public. The line was pulled from production in 2000 (Ross, 2000) but Khan Tusion has continued to produce similar, violent pornography. In 2004, he began to direct the successful *Meatholes* series (Ramone, 2006) and in that same year, Nicki Hunter went public about her experience on set with Tusion, during the filming of a scene for *Meatholes*:

> This is porn but they dig so deep into the person's head - this is supposed to be degrading…They want you to cry. They want you to really, really cry. They want you to have an emotional breakdown right there. They want to see it all and then they want to fuck you while you're crying. They will literally beat you up in the process…I got punched in the ribs. I am completely bruised up… (Hunter quoted in Ross, 2004, n.pag.).

In sociological studies on the experiences of women in prostitution, such incidents tend to be readily categorised as part of larger patterns of abuse, but in the context of pornography they are often categorised as 'isolated incidents', unconnected to the wider practices of the pornography industry (Waltman, 2012). Waltman (2012) argues that such examples from the porn industry need to be seen in the context of broader patterns of documented abuse that women experience in other parts of the sex industry. That is, these incidents tend to mirror women's experiences found in studies of violence against

women in prostitution (e.g. e.g. Coy, (ed)., 2012; Downe, 2003; Farley et al., 2003; Kramer, 2003; Nixon et al., 2002; Raphael & Shapiro, 2002; Tutty & Nixon, 2003) and should therefore be seen as part of a continuum of violence against women perpetrated through different forms of prostitution. However, studies on women's experiences of violence while in the pornography industry are still lacking and greater sociological research is needed in this area in order to draw more significant empirical comparisons.

## Commercial Pornography: Specific and Additional Harms

In this section, I argue that commercial pornography may be conceived of as a particular type of prostitution that contains specific harms that are different from those found in other forms of prostitution. That is, pornography can be seen as an especially pernicious form of prostitution. This can be understood in two separate ways: firstly, that commercial pornography is likely to require more physically extreme sex acts and, secondly, that the filming and subsequent distribution of pornography can cause additional kinds of harm to those who have been used in its making. Indeed, studies on the psychological harms experienced by women in prostitution suggest that pornography 'as a specific branch of prostitution, is particularly vicious and cruel to women' (Waltman, 2012, p. 9).

Firstly, pornography can be understood as an especially harmful form of prostitution, in a physical sense, because it generally requires more extreme forms of sex than traditionally recognised forms of prostitution. For example, women in pornography are frequently required to be penetrated for long periods of time, sometimes for multiple hours (Jensen, 2007). This is in contrast to traditionally recognised forms of prostitution where women routinely detail engaging in methods to facilitate ending the paid-for

sexual interaction as quickly as possible (Hoigard & Finstad, 1986; O'Connell Davidson, 1995; Moran, 2013).

It is not only the length of time required that differs, but also the *kinds* of sex acts that are characteristic of commercial pornography. In brothel and street prostitution, fellatio and vaginal intercourse (separately or in combination) are reportedly the most frequently performed sex acts (Jeal & Salisbury, 2004; Monto, 2001). These sex acts are also common in mainstream pornographic videos (McKee, 2005) but they are increasingly mixed with more extreme acts such as double penetration (vaginal and anal penetration simultaneously) and double or triple anal penetration (Dines, 2010; Tyler, 2011). Even people from within the porn industry have spoken publicly about the physical toll that these acts take on performers (Tyler, 2011). It is unlikely that these acts are regularly performed in traditionally recognised forms of prostitution, especially given that the majority of brothel and street prostitution involves the sexual servicing of one individual john at a time (Monto, 2001).

In regard to the additional psychological harms associated with the distribution of pornography, Jameson (2004) notes, in her autobiography, the ongoing threat of being recognised that many women in pornography experience. She says:

> Most girls get their first experience in gonzo films – in which they're taken to a crappy studio apartment in Mission Hills and penetrated in every hole possible by some abusive asshole who thinks her name is Bitch. And these girls…go home afterward and pledge never to do it again because it was such a terrible experience. But, unfortunately, they can't take that experience back, so they live the rest of their days in fear that their relatives, their co-workers, or their

> children will find out, which they inevitably do (Jameson as quoted in Dines, 2010, p. 39).

While Jameson describes the experience of pornography production itself as extremely unpleasant, she also highlights additional problems associated with the fact that there is a record of what occurred. In addition, the record of those experiences has been produced for the purposes of distribution and thus there is a well-founded fear of being recognised and 'found out' by others, even after exiting the industry.

Writing from a very different perspective, Catharine MacKinnon similarly challenges readers to imagine the additional harms associated with pornography from the perspective of a woman used in its making:

> You hear the camera clicking or whirring as you are being hurt, keeping in time to the rhythm of your pain. You always know that the pictures are out there somewhere, sold or traded or shown around or just kept in a drawer. In them, what was done to you is immortal. He has them; someone, anyone, has seen you there, that way. This is unbearable. What he felt as he watched you as he used you is always being done again and lived again, and felt again though the pictures… (MacKinnon, 1993, p. 4).

Here, MacKinnon stresses the trauma that many women experience after having escaped systems of prostitution / pornography, in particular, having to live with the knowledge that the pornography can still be viewed by others. In *Public Rape*, Tanya Horeck (2004) notes that a unique aspect of MacKinnon's argument is that she persistently questions 'how technologies of vision not only replay and repeat women's

original trauma, but *produce a new dimension of pain*' (p. 83 [italics added]). This 'new dimension of pain' involves the distress of knowing that the pornography not only can still be viewed, but also knowing that it may contribute to the cycle of prostitution for other women. One survivor's account of her time in prostitution further explains this issue:

> The man who prostituted me showed me pictures of what he was going to do to me and he would 'practice' on me what was happening in the picture. That's how I learned what to do for the trick. The hard thing is, I know the pornography he made of me is being used to hurt others (quoted in Stark & Hodgson, 2003, p. 21).

It may also be, at least in part, as a result of these differing conditions of pornography production – the continuing existence of the images, or the use of the images for the abuse of other women, for example – that women in prostitution who have been used in the production of pornography are more likely to experience severe symptoms of psychological distress. The previously cited study on prostitution experiences from, and colleagues (2003), found there were differences in the severity of PTSD symptoms among those participants who reported that they had been used in pornography (Farley, 2007). Those who had been involved in the production of pornography 'had significantly more severe symptoms of PTSD than did women who did not have pornography made of them' (Farley, 2007, p. 146). In addition, Waltman notes that 'increased trauma' among women who had been used in pornography production was also found in another study (also conducted by Farley), of women interviewed about their experiences in legal brothels in the American state of Nevada (Waltman, 2012, p. 9).

To raise the possibility that pornography is a form of prostitution that may carry additional types of harm – both physical and psychological – for the women involved in its making, is not to suggest that there are forms of prostitution that are not harmful, nor is it intended to instigate an argument about the relative merits or of one form of prostitution over the other. Rather my purpose here is to reframe the glamorisation of pornography in popular culture, address the persistent legal split between pornography and prostitution in many places, and emphasise the inadequacies of arguments which have claimed pornography and / or indoor prostitution to be either harmless, or clearly less harmful than other forms of prostitution (e.g. Johnson (ed)., 2002; McElroy, 1995; Weitzer, 2005) As the analysis here suggests, it is possible that the opposite is the case, and that pornography may, in fact, carry specific and additional forms of harm for the women involved in its production.

## Conclusion

While prevailing social, legal, and academic attitudes have tended to split pornography from prostitution, I have argued that there is substantial evidence that these two industries should be understood in tandem. On both a practical and conceptual level, commercial pornography can be understood as a form of prostitution. Both primarily involve the purchase of women for the purposes of sexually pleasing male buyers (Barry, 1995; Dines & Jensen, 2006; Waltman, 2012) or, more generally, the performance of sexual acts for money (Garb, 1994; Noldon, 2004; Streit, 2006). The production of pornography, as Whisnant (2004) and Almodovar (2006) argue from very different positions, *is* prostitution, and the presence of a camera does not

substantially alter the relationships involved. From a feminist perspective, it is imperative that any understanding of pornography is informed by the position of women used in its production, and from this standpoint, pornography should be recognised as a form of prostitution and, potentially, as a form of prostitution carrying particular, additional harms. Understanding pornography as a form of prostitution should also enable current debates on the harms of pornography to extend beyond arguments about consumption to more fully include a conceptualisation of the harms associated with pornography production.

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## Endnotes

[i] In using the phrase 'traditionally recognised forms of prostitution' I am referring to types of prostitution that have, in previous decades of academic research at least, been seen *as prostitution*. Escorting, street prostitution and brothel prostitution are the most common examples of traditionally recognised forms of prostitution in this context.

[ii] This split also occurs in other in countries that have adopted the legislative approach of the 'Nordic Model', which asymmetrically decriminalises prostitution: while the sale of sexual services is permitted, the purchase of sexual services is prohibited. This model, which originated in Sweden but is also in operation in Norway and Iceland, links prostitution to gender inequality and violence against women and ultimately aims to reduce the demand for prostitution by targeting buyers (Tyler et al., 2013; Waltman, 2011). Under the Nordic Model, pornography could be understood as a form of prostitution and that the production of pornography constitutes the purchase of sexual services, however, legislators in Sweden baulked at the idea of extending 'liability for procuring' to pornography because it was seen to conflict with 'freedom of expression' (Waltman, 2010, p. 2). An analysis of the problematic conceptualisation of pornography within the Nordic Model is beyond the scope of this article, but certainly warrants further investigation.

[iii] I will limit my argument here to the clear parallels between prostitution and commercial pornography, that is, pornography produced for a profit and using people who are paid to perform. The terms 'pornography' and 'commercial pornography' are used interchangeably throughout. That is not to say that the argument could not necessarily be extended to so-called 'amateur' pornography, especially given the debates about how non-commercial much 'amateur' labelled pornography really is (e.g. Attwood, 2012; Dines, 2011), but such discussions are beyond the scope of this article.

[iv] The term 'john' is specific to prostitution and is often used instead of 'buyer', 'client' or 'customer'.

[v] As mentioned earlier, this is with the notable exception of the work of Andrea Dworkin and Catherine MacKinnon (see especially: Dworkin & MacKinnon, 1997; MacKinnon, 1993).

[vi] This difference may, in part, be explained by the way in which the quantitative study by Griffith and colleagues (2013b) was carried out. There was only a single question about CSA: 'Were you a victim of childhood sexual abuse?' in the questionnaire, sandwiched between questions about the age of first intercourse and number of sexual partners. Given the issue of sensitivity in disclosing CSA, and that many more respondents are likely to answer in the negative if there is no description of CSA provided (Baker, 2002), it is likely that the incidence of CSA was under-reported in both the control group and the women in the pornography industry. Furthermore, one of the starkest differences between the two groups in the study is the age of first intercourse (Griffith et al., 2013b, p. 625). The mean for women in pornography (15.12 years) is given as more than two years lower than the control group (17.28 years). That is, in most states of America, the mean age for women in the pornography industry is actually below the age of consent, which suggests there may, in fact, have been higher rates of what would constitute child sexual abuse or statutory rape, in law, among the women working in pornography, even if this was not self-reported.

[vii] The AIM clinic, which operated from 1998-2011 (Griffith et al., 2013b), was based in the San Fernando Valley and was the primary source of STI testing for the porn industry in California. The clinic was also financially backed by the industry and would supply patients' results direct to potential employers (AHF, 2011; Hennessy-Fiske, 2011). The AIDS Healthcare Foundation (AHF), a long-time critic of AIM, claims that the clinic's testing regime privileged the profits of the porn industry over the healthcare needs of patients (AHF, 2011). After allegations of mishandling patients with HIV-positive test results in 2004 and 2010 (Business Wire, 2010; McDonald, 2010), and the leaking of thousands of confidential medical records in 2011, the clinic was shut down by Los Angeles County officials (Hennessy-Fiske, 2011).

## Highlights

- The separation of prostitution and pornography found in many legal systems, and in pop culture representations, is flawed.
- Pornography can be better understood as a form of prostitution.
- Academic literature on the harms of pornography has tended to focus on harms related to consumption rather than production.
- Understanding pornography as a form of prostitution allows for a more comprehensive and accurate understanding of harm.