

Selling Sex

How does the criminalization of sex work harm the physically disabled community?

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According to the 2014 U.K. newspaper poll, when people were asked “if they had ever had sex with someone who had a physical disability” 44% said, “No, and I don’t think I would.” (Quarmby, 2015). This statistic, representing almost half of the participants, not only includes that they have never encountered a sexual experience with a physically disabled person, but are already close-minded and sure that they would never consider it for the future. In Kirsty Liddiard’s article, *‘I never felt like she was just doing it for the money’*, it is said how although it is rarely talked about, having a physical disability has a major impact on carrying out one of the most natural components of being human: our sexuality (Liddiard, 2014). As a result, members of the physically disabled community often look towards sex work to fulfill their sexual urges. However, in most countries, the sex work industry is misrepresented with the idea that it is purely made up of ‘gross’ and ‘low life’ prostitutes and only has harmful effects on society as a whole. Due to this outlook, governments of major nations have turned to a criminalization approach in which all forms of sex work are highly illegal and subject to severe legal consequences. What government officials fail to take into account is how sex work can be a safe, beneficial, and even a necessary aspect to the lives of certain minority groups, such as the physically disabled. In

reality, the criminalization of all sex work creates a substantial barrier for the sexual expression of physically disabled persons because the sex industry provides a valuable avenue for sexual fulfillment in their erotic lives.

While it is rarely acknowledged, being physically disabled can have a severe negative impact on one's sex life because of the misleading stereotypes regarding their erotic desire and the physical incapacities they may face. As the book, *Supporting Disabled People with their Sexual Lives* explains, aside from survival, sexuality is the most significant human drive and continues to be an essential part of who we are as human beings. Despite the common misconception that people with physical disabilities have fewer sexual needs than others, most have a sexuality that facilitates significant needs for sexual relations. The book also notes that many disabled people live in "sexually repressive environments" which leads to increased sexual excitement and desire to masturbate. Further, the article *Paying for Sex- only for people with disabilities* describes how some disabled persons are partially or entirely incapable of satisfying their sexual needs (Owens & Than, 2015). However, some physically disabled people cannot perform self-pleasuring activities whether it be physical incapability or because they feel ashamed and depressed that masturbation may be their only means of sexual release (Laqueur, 2003). Also, being physically disabled unfortunately hurts a person's ability to find a sexual partner. A mixture of prejudice, fear, and lack of knowledge impacts able-bodied individuals from being open to sexual experiences with disabled people. Many people don't consider those with physical disabilities as potential partners because they think it would be inconvenient, difficult, embarrassing, or unenjoyable.

While a few countries practice forms of decriminalization and legalization, criminalization remains the predominant approach to laws around the sex industry- heavily impacted by existing legal, moral, and ideological controversy. Criminalization portrays sex work as a deviant behavior related to other illegal or socially harmful activities, such as sex trafficking, the drug economy, and the spread of STIs. However, major nations around the world have varying approaches to governmental control of the sex industry. For example, in the United States, sex work is highly criminalized and illegal in all states, except ten specific counties in Nevada (Dewey, 2017). On the other hand, Switzerland recognizes sex work as an official occupation (Geymonat, 2019). While there are set laws in several nations regarding sex work in general, there are still existing moral, legal, and ideological controversies. These controversies around sex laws stem from the belief that prostitution is connected to other forms of illegal activity. In fact, Abolitionists (a group of people with shared beliefs on the criminalization of sex work) argue that transaction sex is an inherently sexist and often violent activity that requires condemnation in moral, legal, and political realms, referring to sex work as “modern-day slavery” (Dewey, 2017). Even some who do not consider themselves abolitionists believe that sex work encourages male privilege and violence against women (Dewey, 2017). In Alida Liberman’s article, *Disability, Sex Rights, and the Scope of Sexual Exclusion*, she argues against the legalization of sex rights for disabled people saying that people “falsely presume that we never have good reasons to restrict someone’s sexual liberty rights” (Liberman, 2018). However, the matter at hand does not involve delegitimizing any counter-arguments or refraining from acknowledging possible issues with legalization, but rather why in this case, sexual liberty should be granted.

Despite these laws and controversies, an increasing amount of research written in the article *Disability Rights Meets Sex Workers' Rights* displays how sex work has played and continues to play a prominent role in the lives of disabled clients. In recent years, Europe has seen a growing number of initiatives that advocate for disabled people's access to professional sexual experiences. Requests have increased exponentially to public systems to train people in sexual facilitation and education. The disabled community has begun to utilize the creation of specialized sex workers that have developed in the last decade throughout Europe, commonly referred to as 'sexual assistants'. For instance, in Denmark, some sexual assistants collaborate with sex work communities as well as organizations like the TLC Trust in Britain or Touching Base in Australia that "facilitate a connection between disabled people and sex workers" (Geymonat, 2019). These organizations train qualified, responsible, and controlled, sexual providers as an option for disabled people to engage in sexual relations without the fear of exploitation, harassment, or negotiation. While some argue that "demanding the recognition of specialized sexual services for the disabled run the risk of reproducing the idea that people with disabilities are undesirable and that their sexuality can be treated" (Geymonat, 2019), these organizations are simply acknowledging a real struggle that disabled people face. Within the article, *A Resilience-Based Lense of Sex Work*, it is countered that the harsh stigma and adversity that they face is the cause of this "need" in the first place. In generating more of these organizations and training more sexual assistants, there is a higher probability of educating the public on why groups and jobs like these exist at all, and what the general population can do to support the physically disabled community (Burnes, Long, & Schept, 2012).

Indeed, the criminalization of all sex work prevents proper sexual assistance to be provided to the disabled population, taking away a large source of their ability to have ‘normal’ erotic lives. In reality, physically disabled people have a greater chance of being taken advantage of sexually, especially if they look to “buy” sex in seemingly unsafe ways. At times, physically disabled people feel an overwhelming sense of hopelessness and resort to paying for sex in places or ways that may result in harm. For example, the stereotypical interpretation of street-based prostitution can in fact be dangerous when a physically disabled person is seen as someone who cannot fight back or is helpless. This is one major reason why legalization can help build a safe space for sexual assistants to work and be trained for the benefit of disabled persons. BodyUnit, a grassroots organization based in Switzerland, is made up of 20 sexual assistants who work with disabled activists to “build a safe space for sexual assistants to come together, train new sexual assistants, and provide ongoing training and peer supervision” (Geymonat, 2019). While BodyUnit is based in Switzerland, they consider their group to be a member of an entire International Network where people from places like Italy and France can explore and even join their organization from countries where BodyUnit would not be entirely legal. Even though BodyUnit is currently legal, sexual assistants and members of the organization are always aware that they could be criminalized and labeled as exploiters or facilitators at any time.

Given that disabled people have the rights in the US, for instance, to be treated as equal human beings, they should have legal access to the benefits of paid sexual assistance to carry out the same erotic lives as everyone else. Firstly, countries like the US should begin opening up to the idea of sex work or sexual assistance being a respected and monitored occupation, just like being an accountant or lawyer. Governments and general populations must understand that there

is a significant difference between being a sexual assistant and a ‘mainstream prostitute’. Any person could walk onto the street and advertise their sexual services, but becoming a certified sexual assistant is a process, requiring qualifications, training, and experience. Those looking to become a sexual assistant are ‘vetted’ to ensure that they don’t have any malicious intentions or underlying motivation to carry out this job (Earp, & Moen, 2016). In addition, they must go through weeks of training on proper methods of handling someone with a disability sexually and physically. Their clients must feel completely comfortable with their presence and actions for the session to be a success. Most workers at BodyUnity in Australia even said that they only identify as being a sexual assistant and could not even imagine themselves working with non-disabled clients. Another reason why legalization is necessary is that criminalization cannot alleviate the underlying conditions that contribute to people’s motivation to sell and pay for sexual services. Whether it be financial issues, difficulties with social or romantic situations, or physical disability, the reasons why people ‘buy’ and ‘sell’ sex remains. Physically disabled people who are incapable of fulfilling their sexual desires on their own do not become any less human (with natural sexual urges) just because the laws prohibit sex work. Lastly, disabled people generally constitute less of a physical threat to sex workers than other clients do. If the danger of sex work for the ‘seller’ was or is a large concern, physically disabled people normally do not meet the criteria for the ability to cause severe harm to another person. If anything at all, the disabled person would be the one in any danger, but that is why the creation of sexual assistants and sexual assistant organizations is so important (Earp, & Moen, 2016).

Overall, the criminalization approach of all sex work truly builds a significant blockage for the sexual expression of physically disabled persons. When facilitated in a safe and educated

way, the sex industry can give physically disabled people a chance to carry out their erotic lives and fulfill their natural, human urges. In exploring how being physically disabled impacts a person's sex life, the background on sex work, current laws and controversies, how criminalization harms them, and the possible remedies to the disabled community's current situation, the general population can better understand why sex work is not just what society makes it out to be. Every person must be given the tools and treatment to allow themselves to strive and thrive in their environment as citizens of any nation. Essentially, the battle physically disabled people fight should not be considered any less pressing or important than anything else. While stigmas and misconceptions drive the climate around sex work, government regulations and organizations like BodyUnit *can* work to combat this issue and provide proper opportunities for disabled people all over the world.

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