

**POLICING PROSTITUTION:  
VIEW FROM THE STREETS**

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## ABSTRACT OF THESIS (Regulation 3.5.10)

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This thesis describes and analyses the policing of female street prostitution in Edinburgh. In particular, it provides an analysis of the construction of prostitutes' identities through policing.

My approach attempts to dispel some of the myths, misunderstandings and ambiguities which surround contemporary understandings of female street prostitution, thereby making a contribution to more general theorising about the female body.

The findings of this study, which took place in Edinburgh in 1995/1996, are based on 10 months participant observation of 60 women working as street prostitutes in a particular area of the city; the docks in Leith. After this period, 15 in-depth interviews with female street prostitutes were carried out. To gain a more balanced picture, 10 male police officers who had had contacts with street prostitutes in Leith were also interviewed.

Structured around the central concept of identity, the chapters of the thesis are organised around my understanding of the use of values, norms and beliefs by members of society in the construction of social order, identity and the formal and informal policing of the body. These three themes run throughout. In addition, on-going analysis of the data collected throughout the fieldwork period revealed two further themes: (i) the ability of female street prostitutes to negotiate their power(s) through the regulatory function of shame and the negotiation of "truth"; and, (ii) consequently, the fact that sex workers' identities are shaped through their own ability to draw on and generate knowledge(s).

The thesis also shows how power relations of gender and social structure dominate the day-to-day life of the red light area in Leith. In particular, the data presented demonstrate how power in "red light culture" rests in a delicate equilibrium in which the women themselves exert some power, not simply as the stereotypical "Madame", but as working women who have made conscious decisions to enter the sex industry. Indeed, in this version of sex-for-sale, the data show how prostitute women can frequently invert power by "taking control of the street" through the construction and management of their personal and professional identities. In circularity, power becomes knowledge which in turn preserves power.

## **DECLARATION**

I declare that this thesis is my own work and that I have not submitted this thesis for any other degree, postgraduate diploma or professional qualification.

*Nicoletta Policek*

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*"I love night in the city,  
The lighted streets and the swinging gait of harlots.  
I love cool pale morning,  
In the empty bye-streets,  
With only here and there a female figure,  
A slavery with lifted dress and the key in her hand,  
A girl or two at play in that corner of waste-land  
Tumbling and showing their legs and crying out to me  
Loosely."*

(R.L. STEVENSON)

*"It's not that we haven't always been here, since there was a here.  
It is that the letters of our names have been scrambled when they were not  
totally erased,  
And our finger-prints upon the handles of history have been called the  
random brushing of birds....."*

(A. LORDE)

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# Chapter 1 POLICING FEMALE STREET PROSTITUTION:

## PROPOSALS FOR ANALYSIS

### 1.1 Introduction

The substantive area to which this thesis is addressed concerns the policing of 'prostitute' identities with specific reference to the policing of female street prostitution in Edinburgh. In addition to providing an analysis of the various prostitute identities constructed through policing, the thesis challenges the dominance in the existing scholarly literature of accounts of prostitution which typify women who are prostitutes as either "victims of patriarchy" or "diseased in their bodies". My own approach attempts to dispel some of the myths, misunderstanding and ambiguities which surround such contemporary

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<sup>1</sup> With regard to terminology, in this study I will use the term **sex worker** and **prostitute** as alternative, as I do not believe that simply changing a word will abolish the moral judgement contained in the word "prostitute".

The term sex worker was created by Carol Leigh (aka Scarlet Harlot) in the 1970s, as a means of shifting the focus from a deviant feminine identity implied in the label "prostitute" to an occupational designation where sex is work. Leigh's position is outlined eloquently in her 10-part series "The continuing saga of Scarlet Harlot", in Delacoste, F., and Alexander, P., (Eds.), 1987, *Sex Work. Writing by Women in the Sex Industry*, London: Virago Press.

Sex worker refers to an array of vocations involving the sale of sexual services, including erotic dancers, phone-sex operators, and actors/models in pornographic movies and magazines. This label then became synonymous with prostitute in AIDS research in the 1980s because physicians and other scientists needed a "value-free" category for collecting epidemiological data. However, I believe that the medicalization of the term "sex worker" and its haphazard application in AIDS prevention stigmatises women just as much as the label "prostitute".

understandings of prostitution and, at the same time, do justice to the complexities inherent in providing an adequate explanation of the realities and meanings of female street prostitution, thereby making a contribution to more general theorising about the female body.

While the last decade or so has witnessed a good deal of interest by sociologists of the body (e.g. Turner, 1984; Frank, 1990; Grosz, 1994, 1995) resulting in a proliferation of various kinds of theorising, sociology of the female body is still lacking in detailed empirically based analyses which go towards the development of our understanding of the precise nature of the link to be made between the body and society. By taking a specific instance, the policing of female street prostitution in Edinburgh during the 1990's, this thesis attempts to provide an explanation of the specific relationships between the body and society in that particular instance, and also to make some contribution to more general theorising.

The specific instance of policing female street prostitution has been chosen as the focus for my analysis for a number of reasons. As Virginia Woolf pointed out in a

lecture given to the National Society for Women's Service on 21 January 1931 "[i]t is far harder to kill a phantom than a reality.....and the phantom was a woman...she was intensely sympathetic. She was immensely charming. She was utterly unselfish. She excelled in the difficult arts of family life. She sacrificed herself daily. .... Above all – I need not say it - she was pure. Her purity was supposed to be her chief beauty ....." (Woolf, 1995 ed.:3).

The myth of purity, with its metaphorical <sup>2</sup> threat, in fact, represents the main thematic device society has adopted - and still adopts - for the representation of women within a pervasive cultural order, organised through a masculine economy of discourse <sup>3</sup>. This involves consideration not only of the representation of

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<sup>2</sup> As Derrida (1978) points out "[a]s long as the metaphorical sense of the notion of structure is not acknowledged as such, one runs the risk of confusing meaning with its geometric, morphological or cinematic model. One risks being interested in the figure itself to the detriment of the play going on within it metaphorically" (1978:16). My interest in the following discussion lies in the elaboration of the metaphorical dynamic of the organisation of language. Despite the fact that society's perceptions of deviance (and criminality) are deeply rooted in the structure of representation, no systematic analysis of the extent and subtlety of representation's influence has been carried out. The work that has been done is restricted and inadequate, confined to providing accounts of topical "images of deviance".

<sup>3</sup> There is no simple definition of the term "discourse" and it really depends on who is doing the defining. Etymologically it means "to run in different directions" (Sturrock, 1979:82). Linguists took up the concept in a very particular way, and among them Benveniste (Benveniste, 1971), in the analysis of narratives, differentiated between *histoire* (the event of a story) and *discours* (the way it was told). Later critics (Culler, 1975; McCabe, 1981) pointed out that the way a story was told could not really be distinguished from the story itself. Sociolinguists such as Fowler (1977) emphasised the context in which a story is exchanged and linked to points of view. As he put it "... discourse is the property of language which mediates the interpersonal relationships which must be carried by any act of communication. In fiction, the linguistics of discourse applies most naturally to point of view, the author's rhetorical stance towards his narrator, towards his characters (and

women in both imaginary or literal senses, but also, “.....*re-presentation, replication, the substitutability of one woman for another* .....” (Gallop, 1982:132).

The question is not only one of the representation of women, it is also a question of women as representation, as the gap or “unsaid” in a system of exchange, an economy of desire. In fact, as society, we are dealing with one system of meaning, desire and action: the masculine. For example, the fact that linguistics concepts and categories in Western culture equate “man” with society as a whole - as in “mankind”, and as in the use of the male pronoun to mean both he and she – has led to imagine that the “male view” is also “society’s view” 4.

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*other elements of content) towards his assumed reader.”* (1977:52). If sociolinguists argued for returning the text to the world (social processes), philosophers like Foucault, in a sense turned this world into texts by stressing the importance of language in mediating socio-political relations. Foucault’s theory of discourse is set out in an early essay “*The Discourse on Language*”, (1972). As the essay demonstrates, discourse serves desire and power and arguably other combinations, such as reason and folly, truth and falsity, at the same time that it covers over these relations. The prohibitions which regulate discourse determine who may speak and who may not, and what conventions need to be employed. Foucault’s later studies concentrate on what is left out of these discourses and what is covered by them.

4 It is possible to emphasise this further. Masculinity, as co-emergent in supplementarity with femininity, is oxymoronic at the ontological level. It is therefore expected that contradictions, non sequiturs, ambiguities and paradoxes will be generated at the epistemological level as we try to determine what we know about being a man. In other words, where we encounter sites of ambiguity, this can only be resolved by wielding some sort of authority (temporary yet often pretending to be absolute) to legislate for one determination or another. Masculinism is constructed to resolve these discrepancies. Masculinity as an ideology lays claim to the foundational ordering principle – the *logos* – in phallogocentrism, a physical embodiment of the “word of the law”.

Many feminist studies - Pateman (1988), MacKinnon (1987), Irigaray (1985) and Rubin (1984), amongst others – in different ways have recognised the exchange of women among men as constitutive of the structures of patriarchal society. This study of “certain women” attempts to trace and analyse the operation of the masculine economy and the (material) organisation of its symbolic order within the dichotomy good/bad.

This dichotomy has its own mythology. On the one hand, that the capacity for motherhood exists within every woman. Indeed, women have so far internalised

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5 I use the phrase “exchange of women” with reference to Lévi-Strauss’s (1969) claim that the exchange of women fundamentally underlies and perpetuates culture. As a repeated and distinctive feature of kinship structures and as a code that articulates male bonding and authority, the cultural definition of women as objects of exchange is inscribed within language, history, economics, the family, and all other mutually constitutive systems that produce us as gendered beings. Lévi-Strauss did not conclude that women are only objects, though his theoretical failure to account for gender leads him to conclude, basically, that man is the universal human. Women share in this humanity as subjects when they are coded as men. And as Rubin (1975) states the “*exchange of women is a shorthand for expressing that the social relations of a kinship system specify that men have certain rights in their female kin, and that women do not have the same rights either to themselves or to their male kin.*” (1975: 177).

6 Patriarchy literally means the rule of the fathers, but a fuller definition is required here. In practice, as Turner (1984) points out, patriarchy means “..... institutionalised sexual inequality .... whereby on the basis of sexual characteristics people are excluded from economic roles, social status, political power and legal identity” (1984:119). Patriarchy, therefore, entails “.... the systematic social closure of women from the public sphere by legal, political and economic arrangements which operate in favour of men” (1984:119). The most persistent aspects of patriarchy reside in social attitudes and values, for in patriarchy *de facto* male dominance acquires ideological legitimisation. It is buttressed by religious beliefs and consolidated in social structures. Esteem, authority and prestige accrue to power. Success attracts value. Male dominance becomes self-perpetuating and permeates the whole of culture, including religion. Forms of religious expression – cognitive, symbolic and cultic – become distorted by the patriarchal paradigm as the highest values that a society knows are projected into a transcendent realm.

societal expectations that “*a woman can fulfil herself only through motherhood*” 7 (Badinter, 1981:316), and, even within the family, sex for women is couched in terms of her reproductive role (Andres 1987) 8.

On the other hand, such myths are concerned with the sexuality of women (Rubin, 1975) 9 and the policing of female sexuality - and the fact that women, too, are sexual beings - prostitution being only one example of the dichotomy between good and bad 10.

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7 However, our society ruled that motherhood is only admirable when the mother is attached to a legal father. The pressure on women to undertake the mothering role is intense, as society (i.e. men) is fearful that women will choose to discontinue mothering or have children without a man. In *Of Woman Born*, Rich (1976) delineates two meanings of motherhood: the potential relationship of a woman to her powers of reproduction and to children, and the patriarchal institution of motherhood, which is concerned with male control of women and children. One of the most bewildering contradictions in the institutionalisation of motherhood is that “*it has alienated women from our bodies by incarcerating us in them*” (1976:13).

8 Andres (1987), in fact, emphasises that “[b]iologically, the main function of women is reproduction, while that of the man is production (breadwinner) and protection of the family. .... There is always that maternal instinct in a woman because she is constantly aware of the potential for child-bearing...” (1987:37).

9 Rubin, develops a theory that sexuality is not determined by anatomical genitalia but works to transform biological sexuality into “... *sex as we know it – gender identity, sexual desire and fantasies, concepts of childhood ...*” as well as economic and social roles (quoted in Flax, 1990:144; see also Rubin, 1975). Similarities between the sexes are repressed; sexual desire is channelled exclusively toward members of the opposite gender; and female sexuality is constrained so that men can exchange and distribute women among men. Rubin also borrows from psychoanalysis in order to describe “... *the residue left within individuals by their confrontation with the rules and regulations of sexuality of the societies to which they are born*” (quoted in Flax, 1990:145).

10 Lesbian women and other sexual minorities, like gay men, are another example of sexuality regulated by the binary distinction between good and bad.

If one could spend enough time in cities throughout the world, gradually an image of sex and sexuality would reveal itself in the darkness, as virtually every city worthy of the name has a red light area, set aside for the purpose of selling sex, a forbidden subterranean world, beyond the reach of the everyday life and one step ahead of the law (Hilton, 1992). It is easy to provide a stereotypical description of a red light area: a warren of small streets tucked away in a decaying part of town

11. However, the truth is different. We experience cities not through their sameness but through their difference – landmarks and different urban landscapes – and, indeed, throughout the world, red light areas themselves show us what is strange and different about the world's cultures.

I shall attempt to demonstrate in this thesis how power relations of gender and social structure dominate the day-to-day life of red light areas. It is stating the very obvious to say that they could not exist without the subjugation of women and the presence of male power. However, as this study of female street prostitution in

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11 In Britain, for instance, in the 1970s, the red light areas of Leeds and Bradford imposed themselves on the national consciousness, as the Yorkshire Ripper brutally murdered women picked up on the streets of Manningham (Bradford) and Chapeltown (Leeds). The resounding impressions were of the streets as dark, dismal and working class, a far remove from the neon playground of the imagination (Ward Jouve, 1986).

Edinburgh will convey, power in “red light culture” rests in a delicate equilibrium, in which the women themselves exert some power, not simply as the stereotypical “Madame”, but as working women who have made conscious decisions to enter the sex industry. Indeed, in this version of sex-for-sale, the data I collected show how prostitute women can frequently invert power by taking control of the street(s) through the construction and management of their personal and professional identities. In circularity, power becomes knowledge which in turn preserves power.

One of the most significant centres in the sexual and sub-cultural history of prostitution has been the traditional port, usually a thriving dock town which attracts itinerant sailors from around the world, many of them looking for quick, casual and inconsequential sex. Edinburgh’s Leith, the location of my research, is a significant case in point.

At its height, as Scotland’s main east coast dock, Leith became the magnet for Edinburgh’s prostitutes, as one of Europe’s busiest red light areas. But as shipping gave ground to air, rail and road, so the area fell into disrepair, languishing until



regeneration in the 1980s and the influx of the new media – graphic studios, television companies - and more recently, the Scottish Executive 12.

However, the policing of female street prostitution in Edinburgh does not exist in a social vacuum. For example, it must necessarily be considered in relation to already existing social patterns, prejudices and power struggles surrounding the female body; most particularly in relation to the contradictory images of prostitution and the female prostitute body that we hold in contemporary society. Thus, prostitute has typically been seen as a diseased physical and moral body (Lombroso and Ferrero, 1893; Kemp, 1936); as a suffering victim (Merlin and Barberis, 1955); or as a working-class body (Parent-Duchatelet, 1836; Walkowitz, 1980; McLeod, 1982; Federici and Fortunati, 1984). Indeed, the prostitute has been seen as a sexual deviant (Lombroso and Ferrero, 1893); or as a criminal (Niceforo, 1952) and the physically abnormal body (Petziol, 1962). Even within counter-hegemonic critical discourses (Pateman, 1988; MacKinnon, 1987; Irigaray, 1985;

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12 “Most Leithers were exported to Wester Hailes in the clearances; and immediately they got accustomed to damp-free and warm houses, they put their names on the housing list to transfer to the Shore again. Leith came to resemble a graveyard of human endeavour. Gaunt shells that had sheltered its industries stood like solitary and blackened teeth in a rotting mouth. Litter-strewn cobbled tracks remained mute evidence of streets once dense with folk.” (McKean, 1991:221).

Rubin, 1984), the prostitute body is enclosed within a theorised totality which leaves space only for the production of the prostitute as a profane (i.e. non pure) body. Each of these images is constructed in contrast to the dominant side of the female dichotomy: namely the respectable (i.e. pure) woman in her various manifestations.

Certain radical feminists, like Dworkin (1987) and MacKinnon (1987, 1989) <sup>13</sup> define prostitutes as either deviant and immoral, or as victims suffering from “false consciousness”, who symbolise the oppression of all women by all men. Such characterisations succeed in preventing prostitutes from having an effective role as women, speaking on their own behalf and reclaiming their civil rights <sup>14</sup>.

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<sup>13</sup> The MacKinnon-Dworkin wing of feminism is often referred to as radical feminism. It is known for its campaigns against pornography and prostitution and their affinity with the U.S. organisation WHISPER (Women Hurt In Systems of Prostitution and Engaged in Revolt). Such feminists construct prostitutes as victims of male oppression by definition and thus seek to end prostitution. They stand in opposition to prostitutes' rights groups which seek to empower prostitutes and politicise sex work (Bell, 1994). The latter are represented by the International Committee for Prostitutes' Rights and two World Whores' Congresses and groups such as the San Francisco-based COYOTE (Call Off Your Old Tired Ethics) and Toronto-based CORP (Canadian Organisation of Prostitutes' Rights).

<sup>14</sup> These include their right to citizenship, to work in safe conditions, their right to exercise control over their own bodies and to earn respect as women, as well as the right to freedom from harassment by the police and self-proclaimed upholders of public morality (Bell, 1994).

Prostitution is also a very good example of a practice both spatially and socially marginalized by societal attitudes and the law, as is discussed in Annexes 2 and 3. There are complex spatial implications in the laws regarding its practice. The laws in Scotland - mainly the **Sexual Offences (Scotland) Act, 1976** and the **Civic Government (Scotland) Act, 1982** - make prostitution itself legal in principle, but impossible to practice without breaking one of many particular laws. These laws relate to issues such as soliciting or procuring in public places, to the practice of prostitution and who may benefit from the profits gained. This latter restriction makes it illegal for a prostitute to live with members of her family if they benefit from her earnings.

Prostitution has been defined in so many different ways<sup>15</sup> that a recognition of the cultural relativity of the concept seems the only reasonable starting point for the

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<sup>15</sup> For a definition of prostitution see inter alia Pearson, M., 1972, *The Age of Consent. Victorian Prostitution and its Enemies*, Plymouth: Davis and Charles Newton Abbot; Perry, M., E., 1978, "Lost women' in early modern Seville: the politics of prostitution", *Feminist Studies*, vol.6, pp.195-214; Finnegan, F., 1979, *Poverty and Prostitution. A Study of Victorian Prostitutes in York*, London: Cambridge University Press; Walkowitz, J., R., 1980, *Prostitution and Victorian Society. Women, Class and the State*, London: Cambridge University Press; Bristow, E., J., 1982, *Prostitution and Prejudice. The Jewish Fight Against White Slavery 1870-1939*, Oxford: Clarendon Press; Rosen, R., 1982, *The Lost Sisterhood. Prostitution in America 1900-1918*, Baltimore: The John Hopkins University Press; Otis, L., L., 1985, *Prostitution in Medieval Society. The History of an Urban Institution in Languedoc*, Chicago: University of Chicago Press; Corbin, A., 1978, "Commercial sexuality in nineteenth-century France: a system of images and regulations" in Gallagher, C. and Laquer, T. (Eds.), 1978, *The Making of the Modern Body. Sexuality and Society in the Nineteenth Century*, Berkeley: University of California Press, pp.209-219; Scambler, G., and

purpose of this study. The literature on prostitution and the policing of prostitution traverses a number of disciplines - psychology, sociology, politics and history - and a variety of theoretical traditions without offering a fully adequate picture of the phenomenon<sup>16</sup>. Given my interest in contributing to an understanding of the construction of prostitutes' identities, the following section reviews some of the main approaches within the body of knowledge on prostitution. Such a review is central to the creation of an adequate theoretical and methodological approach. My objective here is to select those aspects of the approaches reviewed which will be useful in developing a conceptual framework for my substantive analysis of the policing of female street prostitution in Edinburgh.

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Scambler, A., (Eds.), 1997, *Rethinking Prostitution. Purchasing Sex in the 1990s*, London: Routledge.

<sup>16</sup> Many disciplines have contributed to our knowledge of the commercial sex industry. Vern Bullough *et al.*, 1977, compiled a comprehensive list of 5.500 works published between 1539 and 1977 which dealt with various aspect of prostitution. Since then the total number of publications may well have risen to around 7000. The disciplines most represented in this list are medicine and law, while psychiatry, which probably had the most effective impact on the public consciousness, contributes one of the smallest number of entries among the disciplines. The social sciences of sociology, psychology and anthropology have contributed less than the humanities, with history the leading contributor of all these disciplines. The dominance of medicine and law entries indicates a high interest in these disciplines as a reflection of the community concern for controlling prostitution. Taken together, all of these studies and opinions with their contrasting, as well as complementary, findings, provide the material for a lively dialectical argument either way. It is an impressive literature on the subject of prostitution, but so much has been written, yet so little learned. The myths and misconceptions that surround prostitution continue to reinforce the stereotype of prostitute women as fallen women.

## **1.2 Discourses On Prostitution: Reading The Disputed (Female) Body**

Although the studies referred to in this review do not always address themselves explicitly to my particular concerns, I select those aspects which are useful to the development of my own approach. Broadly speaking, I have considered texts in terms of their orientation towards understanding female prostitution: in particular, the following sections deal with “The making of the modern (female) prostitute body”; “The modernist feminist discourse”; “The postmodern feminist discourse”; and “The disputed body: Foucault vs. Feminism”. The studies which I review in the following sections have, therefore, not been chosen because they represent the ‘best’ or the ‘worst’ but rather because they have been useful, theoretically and methodologically, to developing my own approach.

As I already argued in the Introduction to this chapter, the identification of the prostitute body took place within one of the most general dichotomies at the heart of Western thought: identity (sameness) / otherness (difference). The identity /

otherness dichotomy is duplicated inside the category “woman” to produce an internal dichotomy: virtuous woman/prostitute.

As a figure of identity, the female body seems abstract, transhistorical, both alien and shareable, at once no one’s body and *the* body. At the same time, it is the intimate ground of lived experience, the material body, a body with organs and skin. Looking especially at the female body 17, there is no simple conceptual dualism, which allows us to distinguish the material, biological female body from the social meanings, symbolism and social management of the socially constructed feminine body. The material body and its social construction are entwined in complex and contradictory ways which are extremely difficult to disentangle in practice.

There is a widely held perception of sexuality and the regulation of the female body in the 19<sup>th</sup> and 20<sup>th</sup> centuries, as moving from repression to sexual

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17 Much of feminist criticism has turned its attention toward the body, namely the female body. How the body comes to be seen as “possessing” certain inherent and natural attributes such as gender is intricately related to the political and social representation of persons. See for example, Suleiman, 1986; Gallop, 1988 and Bartky, 1990. It is worth noticing that in current feminist debates about essentialism and constructionism, the meaning of the body is vigorously contested. In both critical positions, the location of gender identity is at stake and the term “essentialism” has been so stigmatised in the late 1980s and early 1990s, its epithet-power so effective, that to be accused of it can utterly dismiss the argument/critic (Fuss, 1989).

permissiveness (Cott, 1978) 18. It is argued that the Victorian period was characterised by the repression of sexuality, which had begun in the 17<sup>th</sup> century and thus coincided with the rise of capitalism 19. The official repression of sexuality has thus been interpreted as a necessary part of the work ethic, although the enormous growth in prostitution 20 (Walkowitz, 1980) in the 19<sup>th</sup> century is often mentioned as an example of the moral hypocrisy of the period and the breadth of the gap between ideology and actual behaviour.

In reviewing the relevant literature, I will briefly discuss the construction of the modern prostitute body (Parent-Duchatelet, 1836; Acton, 1857; Ellis, 1910) showing how the bourgeoisie formulated its own identity by producing the prostitute as other.

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18 See also Annex 2 for a brief overview of the history of the laws which regulate prostitution.

19 As Weeks (1985) points out "*[c]apitalist social relations do certainly set limits and pressures on sexual relations as on everything else; but a history of capitalism is not a history of sexuality .....*" (1985:6). See also Federici and Fortunati (1984).

20 A major part of the politics of sexuality in the Victorian period revolved around the struggle of women for "social purity". By this was meant a single sexual standard for men and women. Women attacked equally drunkenness and lust. Walkowitz's (1980) study of Victorian prostitution, points out that working-class women who, earlier in the century, had moved in and out of prostitution, while remaining largely within their own communities, were increasingly stigmatised, and subject to the sanctions of the state. It thus became more difficult for them to leave prostitution, which was increasingly taken over by pimps.

I will also examine four different contemporary feminist theorists who have influenced the current feminist critique of Western political and social theory. I have selected these theorists because of the place prostitution holds in their analyses of female sexuality.

In particular, I examine four texts, namely, Pateman's (1988) critique of liberal social contract theory <sup>21</sup>; MacKinnon's (1987) critique of the phallic socio-cultural political reality <sup>22</sup>; Irigaray's (1985) critique of Western philosophy and psychoanalysis <sup>23</sup>; and Rubin's (1984) critique of conventional and feminist "normalisation" of sexuality <sup>24</sup>. I have chosen these four theorists because their works enable me to examine the differences between modernist feminism, which Derrida (1982:68) called "*reactive*", i.e. a feminism which merely inverts the

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21 Pateman, C., 1988, *The Sexual Contract*, Cambridge: Polity Press.

22 MacKinnon, C., 1987, *Feminism Unmodified: Discourses on Life and Law*, Cambridge MA: Harvard University Press.

23 Irigaray, L., 1985, *This Sex Which Is Not One*, trans. Catherine Porter, Ithaca: Cornell University Press.

24 Rubin, G., 1984, "Thinking sex: notes for a radical theory of the politics of sexuality", in Vance, C., (Ed.), 1984, *Pleasure and Danger: Exploring Female Sexuality*, London: Routledge and Kegan Paul.



masculine/feminine dichotomy of phallogocentrism 25, and post-modern feminism, which is open to a multiplicity of differences.

This theoretical framework, I believe, will help analyse the data I collected in this study, as my own analysis proceeds from the understanding that discourses about the body are the key to the construction and de-construction of sex workers' sense of self. In other words, my argument is that the particular kind of self-identity which a prostitute develops and seeks to maintain is informed by the discourses available to her. Discourses that I will review here include those which position the prostitute somewhere on the continuum between "victim of patriarchy" and "sex worker". My objective is to position my own research within the already existing literature on prostitution while my overall aim in this study is to emphasise that uni-dimensional interpretations of prostitution as always degrading or, on the other hand, always empowering are unhelpful when seeking to explore and understand street prostitution.

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25 Phallogocentrism, the primacy of the phallus, is a term used by Derrida. Burke (1981) explained it as follows: "[h]is word weds 'phallogocentrism' to 'logocentrism': it implies that psychoanalytical discourse is guilty of identifying the phallus with the Logos as transcendent, and therefore, unexamined (and unexaminable) grounds of signification, of assigning meaning" (1981: 293).

## **1.2 The making of the modern (female) prostitute body**

The modern discourse on prostitution was part of a broader discursive production of female sexuality which separated the female body into the reproductive body: normal female sexuality was defined in terms of woman's reproductive functions; deviant female sexuality was defined in terms of prostitution. Reproductive sexuality, which denied woman active sexual desire and pleasure, was the respectable norm; prostitution was its inversion. And it was the mapping of prostitution which made possible the delimitation of this respectable norm.

As outlined in Annex 2, the processes of societal exclusion and inclusion of women working as prostitutes in medieval and renaissance periods, moving through the shifting policies of repression, tolerance, and institutionalisation, set prostitutes apart from other women. There are two conflicting views in contemporary literature on the position of prostitutes in the medieval and early modern period: that prostitutes were integrated into society and constituted something like a professional guild, and the opposite view that prostitutes were marginal others, along with criminals and beggars. It was not until the 19<sup>th</sup> century, however, that

the prostitute was identified as a specific object of inquiry and defined as a distinct female body 26. In fact, the 19<sup>th</sup> century public debate on prostitution was extensive. The entire body of knowledge was produced by the hegemonic male voice: the doctor, the lawyer, the judge, the policeman. From a plethora of 19<sup>th</sup> century texts on prostitution, I have selected three that I believe were instrumental in marking and making the modern prostitute body. These are Parent-Duchatelet's *De la Prostitution dans la Ville de Paris* (1836), Acton's *Prostitution Considered in Its Moral, Social and Sanitary Aspects in London and Other Large Cities and Garrison Towns* (1857) and Ellis's *Sex in Relation to Society* (1910), volume six of his *Studies in the Psychology of Sex*.

Parent-Duchatelet initiated the modern discourse on prostitution and his text was the prototype for most 19<sup>th</sup> century knowledge production about "the prostitute". Acton's text is a collection of medical and moral writings and studies supporting the regulation of British prostitution. And Ellis' specific depictions of the prostitute have contributed a great deal to contemporary images of "the prostitute". Taken

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26 The methods brought to bear on defining the prostitute were those used on all human objects of science in the 19<sup>th</sup> century: social anthropology, statistical inquiry, empirical survey, phrenology, and physiognomy. In addition, the discourse on prostitution was strongly influenced by the language of the public health debate on sanitation and hygiene.

together, Parent-Duchatelet, Acton and Ellis provide us with the dominant stereotypical images through which we have come to construct our conscious and unconscious knowledge of “the prostitute”. More specifically, Parent-Duchatelet’s (1836) anthropological study of Parisian prostitutes constructed the characteristics of the prostitute body that many others subsequently reproduced, either through incorporation or rejection. His expressed purpose was to provide a scientific study of prostitution while gathering data by using what were to become standard social science procedures: personal observation, professional testimony, interviews with prostitutes and administrative officials, archival research – prison, police, and hospital archives.

Parent-Duchatelet designated a taxonomy of the prostitute – physiognomy and physiology, producing her as a new anthropological figure. His demographic study of registered prostitutes in Paris enabled him to mark prostitution a transitory occupation and the prostitute a working-class woman. He also developed a stereotype of the prostitute as a somatic type: prostitutes were plump, filthy and spoke in a harsh voice. He composed a personality sketch of the prostitute which

sets her even further apart from the virtuous woman, giving her an identifiable spirit and behavioural repertoire. The assumption underlying Parent-Duchatelet's research – namely that prostitutes are different from ordinary women – set up a binary opposition of sameness and difference between prostitute and non-prostitute women which became the template for many subsequent studies 27.

Like Parent-Duchatelet, Acton (1857) ambiguously characterised the prostitute body as the same and different from normal women and argued that, because prostitutes are integrated back into society, their bodies should be regulated to be kept free of disease. Acton moves from the healthy prostitute to the prostitute as “*spreader*” of “*loathsome poison*” (1857:74). In this way disease is rewritten to take on a moral as well as a physical meaning, and the two meanings are collapsed into one: “*the moral injury inflicted on society by prostitution is incalculable; the physical injury is at least as great*” (1857:73). Using economic metaphors, Acton also equated prostitutes with “articles of luxury” and argued that the supply of

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27 In the contemporary secondary literature some authors focus on sameness and others on difference. Walkowitz (1980) reads Parent-Duchatelet as marking the prostitute body as a working-class body, the same as the body of other working-class women. Corbin (1990) and Gilman (1985), on the other hand, read Parent-Duchatelet as inscribing the prostitute body as a diseased, polluted body.

prostitutes creates the demand for them. In other words that prostitution is the cause of its own existence.

Unlike Parent-Duchatelet and Acton, Ellis (1910) radically changed the construction of the prostitute body in three ways: (i) he linked the act of prostitution with the ritual of orgy, that religious/sexual space of post-modern times; (ii) he produced the so-called born prostitute as a criminal type; and (iii) constructed an image of the prostitute body. Because his text is a survey, often relying on others' work to support his own views, Ellis produced a disjointed and conflicting portrait of the prostitute in which she is simultaneously a secularised remnant of the lost pagan sacred and a somatically degenerate criminal<sup>28</sup>. He reaffirmed the earlier view that the root cause of prostitution is poverty but undercut this argument by using his discussion of the relationship between economic necessity and prostitution as a preamble to the production of the prostitute as a biologically constituted entity. Relying heavily on Lombroso and Ferrero (1893) to define prostitute sexuality as a biologically degenerate form of

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28 This ambiguous tension between the sacred and the profane, the first pole of which was repressed in the medical-legal-moral discourse of the 19<sup>th</sup> century, determines the imaginary of modernity.

female sexuality, Ellis equated the prostitute with the criminal, hence the prostitute became “the born prostitute”.

At the same time these texts of Parent-Duchatelet, Acton and Ellis all contain traces of the respectable woman: she is a mother, her body is the same as the “normal” woman, she is redeemable and can be reabsorbed into the family as a wife. There is a sliding between both sides of the dichotomy in every derivative couple, but the dichotomy stays intact and functions to magnify an overarching cultural representation: that is the prostitute as the other within the categorical other, the prostitute as the profane woman.

The modern prostitute was produced as a negative identity in bourgeois society, an empty symbol filled from the outside with the debris of the modern body / body politic, a sign to women to sublimate their libidinal body in their reproductive body. Markings produced by phallogentric discourse have dominated our image of the prostitute; these are the markings that feminists address.

## **1.2 The female prostitute body: the modernist feminist discourse**

Prostitution is important to feminism because the prostitute body is a terrain on which feminists contest sexuality, desire, and the writing of the female body.

Feminist discourses about the female body have been influential in the development of my own perspective, most particularly through the advent of post-modern feminist.

During the 1970s feminism produced three ideological positions on prostitution: liberal, socialist and radical <sup>29</sup>; positions which led to a good deal of debate about the female body. In the late 1980s, with the entrance of post-modern feminism <sup>30</sup>, the debate changed dramatically. Post-modern feminism has shown that the three

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<sup>29</sup> The liberal and socialist feminist approaches were responses to and critiques of the classical "malestream" liberal and Marxist positions on prostitution. Radical feminism criticised both the hegemonic phallic view and liberal and socialist feminist views. All three feminisms are modernist in the sense that the prostitute body conforms to a theorised totality of feminist space: there is no space for the prostitute herself as a speaking subject.

<sup>30</sup> Until recently, post-modern feminism was referred to as "French feminism". As many of the women articulating this thought were either French nationals or women living in France (especially Paris), Anglo-American scholars labelled all of them "French". The term post-modern feminism gained credence as Anglo-American audiences realised that such writers as Cixous, Irigaray, and Kristeva had in common was not so much their "French influence" as their philosophical perspective, which was shared by post-modern philosophers such as Derrida and Lacan. Like Derrida, Cixous, Irigaray and Kristeva are deconstructionists in the sense that they delight in illuminating the "...the internal contradictions in seemingly perfectly coherent systems of thought", which serves to attack "...ordinary notions of authorship, identity and selfhood" (Sturrock, 1979: 14). Like Lacan, Cixous, Irigaray, and Kristeva are very much interested in reinterpreting traditional Freudian psychoanalytic theory and practice.



dominant modernist feminisms –liberal, socialist and radical - can oppress women through the allocation or occlusion of their spaces and the silencing of their voices. It is impossible, as post-modern feminism has shown, to keep the ideological positions of different feminisms separate: feminisms overlap and incorporate parts of the dominant discourse they criticise. As my own research shows, these lessons are very important especially when one wants to “read” a marginal and transgressive female body, such as the female prostitute body, written within the context of larger discursive projects.

Liberal feminist discourse, writes the female prostitute body within Enlightenment ideas on individual rights. Pateman, in *The Sexual Contract* (1988) discusses the social contract upon which the principles of liberalism are founded. The social contract, a 17<sup>th</sup> and 18<sup>th</sup> century device for the legitimisation of civil society and political rights, is used, according to Pateman (1988), to uphold the inequality that exists in contemporary society. What sets Pateman apart from numerous readings of the inherent inequalities legitimised by social contract theory is her re-reading of the social contract in a new context, which she calls the "..... *deep silence* ..... *about*

*the sexual contract"* (1988:1). Her contention is that the original contract is sexual as well as social but that the sexual contract has been absorbed and rendered invisible in the social contract: "[t]he original pact is a sexual as well as a social contract; it is sexual in the sense of patriarchal - that is, the contract establishes men's political right over women - and also sexual in the sense of establishing orderly access by men to women's bodies. The original contract creates .... the law of male sex-right." (1988:2).

The contract, as it creates society, creates "*the law of male sex right*" by establishing legitimate access to women's bodies. The original contract constitutes not only freedom but also domination: the liberation of the fraternal brotherhood from paternal authority and the domination of the fraternal brotherhood over women. Freedom and domination are contingent on sexual difference. There are two patriarchal rights: the paternal (father/son) and the masculine or phallic (husband/wife) - the right of the father and the right of the male.

For Pateman, civil society consists of two spheres: the public sphere of male equality and the private sphere of male domination over women and children. Social contract theorists and conventional readers of social contract theory focus exclusively on the public sphere, disregarding the private sphere as obviously irrelevant to civil society. The private sphere is structured by the marriage contract: Pateman contends that the original sexual contract is displaced onto the marriage contract and that this makes it very difficult to retrieve and recount the "lost story" of the sexual contract as both a private and a public contract. Pateman's purpose in retrieving the sexual contract is not merely to pin-point a silence and absence in the history of political theory. Rather, her retrieval has a contemporary purpose: *"[t]he story helps us understand the mechanisms through which men claim right of access to women's bodies and claim right of command over the use of women's bodies."* (1988: 17).

The prostitution contract is an example of male sex right in the public sphere. Prostitution is *".....part of the law of male sex-right, one of the ways in which men are ensured access to women's bodies."* (1988:174). Pateman argues that because

prostitution is treated like other capitalist enterprises and understood as a private contract between the prostitute and the client, the public character of prostitution is obscured. Pateman defines prostitution as "*.... the public recognition of men as sexual masters*" (1990: 205).

This line of argument provides the basis of Pateman's critique of the contractarian justification of prostitution. The contractarian position adopted by liberal feminists, presents prostitution as a form of work; the prostitute is a free worker, similar to any other wage labourer or petty entrepreneur <sup>31</sup>. At its foundation, however, Pateman's critique embodies a not-so-silent moral postulate that there is something uniquely "wrong with prostitution": "*if the prostitute is merely one worker among others, the appropriate conclusion must be that there is nothing wrong with prostitution ..... that is not also wrong with other forms of work.*" (Pateman, 1988:191). What is especially "wrong with prostitution" for Pateman is not entirely that it is the public manifestation of male sex right - for then it would be merely the

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<sup>31</sup> Contractarians assert that the prostitute is the possessor of property in her own person and is as such capable of selling her labour. The prostitute contracts out a certain form of labour power (the capacity for sexual activity) for a specific period of time in exchange for money. A free exchange exists between the prostitute and the client, according to contractarians. Like the worker, the prostitute contracts out the use of her body for a limited time; the prostitute does not sell herself or her body. She sells a sexual service.

public version of the private marriage contract. Rather, she has a visceral disagreement with commercial sex. Pateman's re-reading of the social contract and writing of the sexual contract turn out to be premised on the time-honoured value judgement which perpetuates the division of the female body into the two traditional female bodies, the wife and the prostitute, neither of which is in control of her body, though one has more potential for ownership, due to the love, commitment, and mutual responsibility, which Pateman assumes to be inherently present in the marriage contract and absent in the prostitution contract. Nevertheless, as is discussed in chapter 5, in relation to the way in which my sample of "working women" perceived prostitution as work, this notion of *contract*, though differently conceptualised, is very important.

While Pateman inscribes her theory in the margins of social contract theory, actually making it impossible for those who have read her text to neglect the sexual contract underpinning the social contract, MacKinnon (1989) superimposes her theory over Marx's primary concepts. MacKinnon exchanges Marx's central concept of the alienation of labour for the alienation of female sexuality. The

central concept in MacKinnon's theorisation of feminism is sexuality: "*sexuality is to feminism what work is to Marxism: that which is most one's own, yet most taken away.*" (1989:3).

MacKinnon is "*producing a feminist political theory centering upon sexuality*" (1989:109). She mentions prostitution only four times<sup>32</sup> yet it is at the core of her conception of female sexuality in the hegemonic (heterosexual masculinist) order. Prostitution is the central metaphor for female sexuality. Prostitution, for MacKinnon, underlines the fact that female sexuality is entirely constructed as an object of male desire. MacKinnon has no concept of the possibility that a prostitute could exercise sexual control in her commercial sexual encounters - as some of the women I met explained to me.

Woman's sexuality - MacKinnon argues - is not her own property: "*women's sexuality is, socially, a thing to be stolen, sold, bought, bartered, or exchanged by*

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<sup>32</sup> She writes: (1) "*prostitution - the fundamental condition of women*" (1989:243); (2) "*the stigma of prostitution is the stigma of sexuality is the stigma of the female gender*" (1989:168); (3) "*feminism observes that men have the power to make prostitution women's definitive condition*" (1989:125) and (4) "*feminism stresses the indistinguishability of prostitution, marriage and sexual harassment.*" (1987:59).

*others ..... women never own or possess it.*" (1987:59). Female sexuality is an absence that is filled with the content of male desire: "*woman is ... a being who identifies and is identified as one whose sexuality exists for someone else .... What is termed women's sexuality is the capacity to arouse desire in that someone.*" (1989:118).

Ironically, it is MacKinnon's grafting of feminism onto Marxism that undermines her theory. In particular, she reproduces two aspects of Marxism: its powers of totalization and its systematisation. She claims that, prior to her theorisation, feminism had no systematic analysis. Woman's situation was attributed to a number of factors - biology, gender construction, mothering, reproduction, family - but had no primary site of oppression. MacKinnon, however, conceives of all sites of woman's oppression and exploitation as "*consequences of sexuality*" (1989:109). She refers to her theory as "*feminism without any modifiers*" to indicate its self-sufficiency and totality as a theory. Feminism "*fundamentally identifies sexuality as the primary social sphere of male power.*" (1989:109) 33.

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33 The understanding of the centrality of sexuality emerges, MacKinnon claims, from "*consciousness raising on diverse issues*" (1989:109). These different issues are rape, incest, battery, sexual harassment, abortion, prostitution, and pornography, which then are marked as the sites of sexuality. Consciousness raising on diverse issues turns out to mean consciousness raising

In fact, what MacKinnon does is to reproduce the hegemonic discourse and system she criticises. Feminism, as constructed by MacKinnon, is the mirror image of the hegemonic order. She points out that *"to be realistic about sexuality is to see it from the male point of view. To be feminist is to do that with a critical awareness that is what you are doing. This explains why feminist insights are often criticised for replicating male ideology ..... Because male power has created in reality the world to which feminist insights ..... refer, many of our statements will capture that reality, simply exposing it as specifically male for the first time."* (1987:59).

While her feminism exposes the construction of reality as a male construction, it is confined within this exposure. Her feminist epistemology is based on a critique of phallic knowledge from *"the point of view of all women"* (1987:50). She assumes a unitary women's experience which is derived from criticising the unitary male point of view: *"[I]t takes as its point of departure the criticism that the male point of view on social life has constructed both social life and knowledge about it."*

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on sites of sexual exploitation, and these are other manifestations of sexuality. MacKinnon has produced a circular system and created a tautology in theory.



(1987:50). MacKinnon, therefore, works inside the masculine/feminine dichotomy: woman becomes the dominant term.

This means that her theorisation ignores the margins of sexuality and difference and constructs woman exclusively as a hegemonic category. She argues that woman is nothing but a prostitute, and the prostitute is nothing but a hole, a passive object of the omnipotent phallus. As will become clear in my analysis in subsequent chapters of the realities of female street prostitution, MacKinnon's position fails to account for the range of meanings I identified.

## **1.2 The female prostitute body: the post-modern feminist discourse**

Unlike Pateman and MacKinnon, Irigaray (1985) writes about a sexual female subject, constructing a female archetype that is not merely male-defined. Irigaray's female subject is constituted by the hegemonic system but is also capable of resistance to this constitution. According to the post-modern episteme "*the gaps, silences and ambiguities of discourse provide the possibility for resistance, for a questioning of the dominant discourse, its revision and mutation. Within these*

*silences and gaps new discourses can be formulated that challenge the dominant discourse.*" (Hekman, 1990:189-90).

Irigaray, as a post-modern feminist, goes beyond the explanation of how the feminine has been constituted as subordinate and inferior, in order also to explore the limits of the discourse - that is, the excesses and ambiguities that take one beyond the discourse(s) under scrutiny: "*[d]iscourses, even hegemonic discourses are not closed systems. The silence and ambiguities of the discourse provide the possibility of refashioning them, the discovery of other conceptualisations, the revision of accepted truths.*" (Hekman, 1990:185).

For Irigaray, the prostitute is produced in two ways. The first is in keeping with MacKinnon's construction of prostitution as the condition of all women in a patriarchal social structure. Irigaray (1985) argues that the pleasure woman gets in Freud's construction of heterosexuality, which is woman as an "*obliging prop for the enactment of man's fantasies*" (1985:25), is a "*masochistic prostitution of her body to a desire that is not her own and ... leaves her in a familiar state of*

*dependency upon men.*" (1985:25). Prostitution here means sex which is not one's own and is constructed according to the desire of the other.

The second way in which the prostitute is produced is economic: Irigaray admonishes women "*to earn their living in order to escape from the condition of prostitute.*"(1985:33). The presupposition is that prostitutes do not earn their own living. Here again Irigaray's production/representation of the prostitute is identical with other discourses, such as Marxism and radical feminism, which perceive prostitution as a state of dependency upon men.

Women have three positions in Irigaray's symbolic order: mother, virgin, and prostitute. The mother is pure use value; the virgin pure exchange value; the prostitute is both. The mother is both a natural value (matter-body), man's link with nature, and a reproductive instrument (her use value is the reproduction of the species). Mothers do not circulate as commodities, for this would threaten the social order: "*[m]others, reproductive instruments marked with the name of the father and enclosed in his house, must be private property excluded from*

*exchange.*" (1985:185). The virgin *"is .... the place, the sign of relations between men .... she is a simple envelope veiling"* (1985:186) the social exchange between men. Once the envelope is violated woman becomes a use value, the private property, of one man and thus removed from exchange among men. The prostitute does not fall into the binary opposition of use and exchange value: *"the break between usage and exchange is, in her case, less clear-cut"* (1985:186), she is one, the other, and both simultaneously: *"[i]n her case, the qualities of woman's body are useful. However, these qualities have value only because they serve as a locus of relations - hidden ones - between men. Prostitution amounts to usage that is exchanged."* (1985:186). The characteristics of female sexuality are derived from these three social roles. Irigaray lists the attributes of female sexuality as *"the vaporisation of reproduction and nursing; faithfulness; modesty, ignorance of and even lack of interest in sexual pleasure; a passive acceptance of men's activity; seductiveness, in order to arouse the consumers' desire while offering herself as its material support without getting pleasure herself."* (1985:186). It is clear that there is no ownership of pleasure in any of these positions. The pleasure found in the

exchange economy is that of the masculine subject; it is the pleasure of appropriation, ownership, and exchange.

Irigaray has left a space for the prostitute as an active, speaking exchange partner, and thus for a positive construction of the prostitute to counterbalance her overtly negative production. It is the ambiguous unity in the prostitute body of use and exchange value that positions her as a speaking subject. Commodity society simultaneously produces and constrains the prostitute as an autonomous subject: it produces her as an active agent of exchange while constraining her sexual subjectivity. The prostitute negotiates sexuality only as a commercial exchange inside the male exchange economy, but she does negotiate it.

Irigaray's intention, however, is to construct the prostitute as at least as exploited as the mother and the virgin, for she mistakenly sees the prostitute only as an object of exchange between two men, the pimp and the client: "*[t]he economy of exchange - of desire - is man's business.*" (1985:177). She has no conception of the prostitute as exchanging her own use-value, as being the object of exchange and

the seller. Inadvertently, however, she has produced a space in which the prostitute can produce herself as an agent of exchange, an active participant who exchanges her own use value. This "space" is central to my own analysis.

While one can read Irigaray as leaving a space for the prostitute as speaking subject; this space is delimited by the contours of the masculine discourse it occupies. It is Rubin's (1984) construction of prostitution as a sexuality and prostitute as a sexual identity that provides the theoretical basis for extending this space beyond male discourse into prostitute space; the space my study of female street prostitution explores.

The polyvocal subjectivities and polysexualities of Irigaray's feminism of difference are really limited to those women who construct their sexuality outside the male exchange economy. Irigaray's multiple voices and sexualities fall inside what Rubin marked as the "charmed circle" of sexuality.

Rubin - one of the best-known contributors to the "sex debates", which have, since the mid-1980s, redefined the terrain of North American feminism - is a theorist of marginality. She theorises a space for minority sexual subjects such as prostitutes.

In "*Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality*"<sup>34</sup>, Rubin (1984) borrows from the discourses of sexology, gay liberation, and social construction theory to develop a radical pluralist theory of sexuality; she articulates these discourses through her critique of radical feminism. I read Rubin as a post-modern feminist theorist: she opens theoretical space for a multiplicity of sexual voices; she appropriates various elements of opposing ideologies and incorporates them into a new theory. Through a pluralism of theory, with no one privileged site, she constructs a space for difference(s). What makes her theory pluralist is the articulation of a number of contradictory discourses; what distinguishes it as "radical pluralist" is that she writes from the subject position of those sexually marginalized: those marked by hegemonic and counter-hegemonic discourses as

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<sup>34</sup> Her article "*Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality*" is a central theoretical text in *Pleasure and Danger: Exploring Female Sexuality*. *Pleasure and Danger* consists of conference papers from the 1982 Barnard "Scholar and Feminist" Conference at which feminisms of difference, by providing alternative mapping of female sexuality, contested the radical feminist terrain of MacKinnon and Dworkin. Since this Conference, prostitutes have theorised their sexual space as feminists and as sex workers.

sexual deviants - "perverts". It is in this context that Rubin describes the prostitute body.

Central to Rubin's theorisation is the development of a pluralist sexual ethics which holds that no non-coercive sexual act, sexual identity, sexual community, or sexual object choice is morally or medically privileged over others as closer to an ideal sexuality. Theoretical systems that have defined and delimited sexuality, such as religion, psychology and feminism, have all privileged a single sexual standard: "*for religion, the ideal is procreative marriage. For psychology, it is mature heterosexuality*". (1984:283). For radical feminism it is "*monogamous lesbianism that occurs within long-term intimate relationships*." (1984:301).

Rubin appropriates "a positive concept of sexual variation" from sexological discourse as a foundation for a pluralist sexual ethics: "*sexology and sex research ... treat sexual variety as something that exists rather than something to be exterminated*." (1984:284). She integrates this concept of sexual variation with social construction theory, which rejects trans-historical and trans-cultural



definitions of sexuality premised on an idea of sexuality as a "natural force". According to constructionist theory, physically identical sexual acts have a different social significance and subjective meaning depending upon their cultural and historical context. Rubin cites Foucault's *History of Sexuality* (1979), Week's work on gay history (1977), and Walkowitz's research on 19<sup>th</sup> century prostitution (1980) as examples of constructionist scholarship on sex.

What is especially interesting in Rubin's theorisation of prostitution is her production of the prostitute as a sexual-political identity. Rubin writes about the prostitute as a sexual minority like the homosexual and about prostitution as a dissent sexuality like homosexuality. Drawing upon Walkowitz's study *Prostitution and Victorian Society* (1980), Rubin documents the transformation of prostitution from a temporary job to a permanent occupation through legal reform and police prosecution. It is from this constructed position as an outcast group that prostitutes began to construct their own identity. Rubin points out that this is the same process of identity formation that produced the modern homosexual, which bisexuals, sadomasochists, transsexuals, *et al.*, are attempting to imitate. In modernity, the

state and the medical profession have codified what were previously merely sexual behaviours in terms of identifiable and prosecutable sexual minorities. However, as we shall see, stigmatised sexual populations develop their identity through collective resistance to the dominant constructions.

Rubin distinguishes between prostitutes and other sexual minorities: "*sex work is an occupation, while sexual deviation is an erotic preference.*" (1984:286).

Prostitutes, as sexual minorities, however, share many common features with homosexuals: (1) "*Like homosexuals, prostitutes are a criminal sexual population stigmatised on the basis of sexual activity*"; (2) "*.... are the primary prey of vice police*"; (3) "*..... occupy well-demarcated urban territories and battle with police to defend and maintain those territories*"; and (4) "*the legal prosecution of both populations is justified by an elaborate ideology which classifies them as dangerous and inferior undesirables.*" (1984:286-7). Rubin, beyond identifying prostitution as an occupation, does not analyse prostitution as work any further. However, she provides a critique of what society does to sex work and the sex worker through criminalization and stigmatisation: "*[t]he underlying criminality of*

*sex-oriented business keeps it marginal, underdeveloped, and distorted .... It ... renders sex workers ... vulnerable to exploitation and bad working conditions. If sex commerce were legal, sex workers would be more able to organise and agitate for higher pay, better conditions, greater control and less stigma." (1984:289).*

The system of sexual hierarchy and what Rubin called "*the ideologies of erotic inferiority*" (1984:293) produce the sex worker as "*powerless*" and make her work "dangerous".

Rubin challenges feminism as the privileged site of a theory of sexuality. This challenge, directed specifically at MacKinnon's radical feminism, has two main points.

First, sexual dissidents have historically fared poorly in feminist theory and continue to be targeted as a source of oppression to women. Rubin counterposes dominant sites of oppression which hold much more weight than those targeted

because of their sexualities: for example, she queries the family, religion, education, childrenbearing practices, the media, the state (1984:302).

Second, feminism conflates sex and gender into a unitary theory of oppression. Rubin argues that gender and sexuality are socially distinct. She calls for a theory of sexuality which can incorporate feminism's critique of gender hierarchy into a theorisation of sexual hierarchy. The reason she is doing so is that the feminist critique of gender relations often distorts and obscures much of the sexual difference among women. The concept of radical sexual pluralism opens a space for those sexual others, those at the bottom of the erotic pyramid, those outside the charmed circle of "good" sex, to write their own bodies and produce their own discourses. As will become clear in the empirical chapters in this thesis, this is precisely what some of the female street prostitutes I met accomplished.

## **1.2 The disputed body: Foucault vs Feminism**

For Foucault, the body is changeable, since it is a social site in which ideas and discourses about sexuality are played out<sup>35</sup>. This view has been developed in isolation from feminist work on gendered power, but it is not incompatible with it in all respects<sup>36</sup>. Sexuality, in fact, is a field in which detailed techniques of power are exercised on the body. The body is both material and, at the same time, a social space where the larger-scale organisation of power is connected to minute and local practices (Sawicki, 1991).

Foucault (1980) emphasises that the body is both a target of power, since it is constituted by discourses - for instance, by (current) medical knowledge regarding sex workers and the spread of the HIV virus - and also a site of resistance. From a feminist perspective, Foucault's theory of sexuality is flawed because he simply follows in an established male-centred, philosophical tradition (which he perhaps recognises, but does not really respond to) by ignoring both feminist work and also the specificity of women's experience.

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<sup>35</sup> Foucault attempts to "..... show how power relations can materially penetrate the body in depth, without depending even on the mediation of the subject's own representation ... .." (1980:186).

<sup>36</sup> See for a discussion on this matter Davis, Leijenaar, and Oldersma (1991).

Foucault's work also raises problems for feminist conceptions of patriarchy as, in his view, power cannot be understood as a possession held by a group or groups in society. Without such possession, there cannot be patriarchal power held by men and opposed by women. According to Foucault, power is diffuse rather than located in some group, institution or source. Gender, therefore, cannot be a source of power. This does not mean that power is shared. While some categories of people will be subjected to power exercised by others, and their bodies will be disciplined and controlled (e.g. in schools, prisons, hospitals), there can be no monolithic patriarchal power. Power is necessarily plural, precarious and unstable; it is exercised through a shifting constellation of discourses, techniques and practices.

In a critique of Foucault's position, Braidotti (1991) argues that he is trapped in a gender-blind theoretical discourse; a position which is not just politically unacceptable but, in leaving women out, is inaccurate as theory: "*the notion of power which Foucault develops rests on a masculine view of the body*" (1991:96).

Although Foucault identified the body as a site of power, he rejected the idea of

women confronting a patriarchal system 37. For Foucault, women can dismantle the categories of masculine and feminine by creating new discourses of sexuality and control of the body. He does not conceive of women as needing to liberate their material bodies from gendered power 38.

Nevertheless, in my research, the debate between feminism and Foucault has been helpful in understanding and analysing the problems prostitute women are facing when they are dealing with the acknowledgement of their own power. Foucault's (1988:103) view that too much has been assumed about power structures and that not enough attention has been paid to exactly how power is exercised and contested is central to my analysis which argues that the problems faced by prostitute women in trying to control and care for their bodies indicate that they both support and resist gendered power.

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37 Foucault argues that "*[t]he real strength of women's liberation movements is not that of having laid claim to the specificity of their sexuality and the right of pertaining to it, but that they have actually departed from the discourse conducted within the apparatuses of sexuality*" (1980b: 219-20).

38 Men's power over women, and the strength of men's daily - and often violent - control of women's bodies is not conceptualised in this perspective (Holland, *et al.*, 1992). Other links between, for example, slavery, racism and the social construction of gender are also not recognised (Balibar and Wallerstein, 1988).

In addition, following Foucault (1981) 39, it is important to understand not only the view from Augustine onwards that we have experienced our sexuality and gender primarily in our heads, we need also to grasp how the Cartesian split between mind and body gives this fragmentation a secular form (Turner, 1984) 40. Descartes conceived the human body as a machine organised according to mechanical laws (Federici and Fortunati, 1984). In the Cartesian tradition, the male body was to be used as an instrument, rather than something through which individuality could be expressed. Men could only assert their humanity by mastery of the physical world, and by learning to dominate their passions and desires. It is this inherited notion of self-control as dominance that has been so closely identified with modern forms of masculinity. Foucault, however, failed to grasp this point; his writing on sexuality leaves sex strangely disembodied, disconnected from the lived experience of men and women.

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39 Foucault accepted Augustine's account of the "sexual act" as at once familiar to his times while also a rather horrifying description. He quoted Augustine as saying that the whole body is shaken by terrible jerks, and one loses control of oneself; thus it practically paralyses all power of deliberate thought (Foucault and Sennett, 1981:175).

40 As Turner (1984) points out: "[b]y splitting people into body and mind, Descartes represents an important stage in Western thought. The Cartesian evolution gave a privileged status to mind as the definition of the person ('I think, therefore I am') and an underprivileged status to the body which was simply a machine. To some extent, Foucault reversed this situation by denying any centrality to subjectivity (the thinking, Cartesian subject) and by treating the body as the focus of modern discourse." (1984: 74).



The responsibility for being embodied creatures has been assigned to women (de Beauvoir, 1949): women have been associated, indeed virtually identified, with the body. Men have been associated and virtually identified with the mind. Women have been portrayed as possessing bodies in a way men have not. It is as if women essentially, men only accidentally, have bodies<sup>41</sup>. As Smart (1989) points out: "*[t]he significance of women's bodies, and the reason why female rather than male bodies became problematic are clearly linked to gender domination, but also to the religious discourse of the moral crusades, superstition and medical knowledge about reproductive functions, the Victorian association of sex with disgust and guilt, and the maintenance of male military morale.*" (1989:94). The (female) body is the site at which all forms of domination are ultimately inflicted and registered. The body as imprinted by history is a text, where the forces of socialisation, discipline, and eventually punishment are inscribed. The body is contextualized and given meaning in discourse <sup>42</sup>.

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<sup>41</sup> Since women have been deemed closer to nature, it has often been feminism that has forced a reassessment of men's relationship to nature. Men's attempts to deny themselves as material and emotional beings is itself a consequence of a masculine identity, defined in terms of a disembodied conception of reason.

<sup>42</sup> As Suleiman (1986) puts it "*[e]verything we know about the body .... exists for us in some form of discourse; and discourse, whether verbal or visual, fictive or historical or speculative, is never unmediated, never free of interpretation, never innocent.*" (1986:2). The body is given different meanings in different discourses and the meanings of the body in discourse shape the materiality of the real body.

### **1.3 Proposals For The Analysis Of Female Street Prostitution**

In the preceding review of the relevant literature on prostitution and the prostitute body, I discussed how feminists as diverse as Pateman (1988), MacKinnon (1987), and Irigaray (1985) reproduced the prostitute body in opposition to the hegemonic discourse they are criticising. Pateman (1988), in accepting the dichotomization of women into wives and prostitutes, sets out to prove that both are manifestations of male sex right while presupposing the absolute inferiority of the prostitute's position vis-à-vis that of the wife. What Pateman (1988), in effect, does in reading the sexual contract as the underside of the social contract is to disadvantage the prostitution contract and privilege the marriage contract.

MacKinnon (1987) makes the negative side of the female dichotomy madonna/whore a central concept in her analysis of woman's condition; she then reproduces the whore as woman's fundamental position in masculinist societies.

Irigaray (1985), on the other hand, opens a space in her deconstruction of Western philosophy for the prostitute to speak, but only in the context of prostitution as

work: she can name her price, she can take herself to market. This “opening” is paradoxical in a theorisation which claims that women are commodities used and exchanged by men.

Rubin (1984), on the other hand, with her concept of radical sexual pluralism, opens a space for prostitutes not only to speak within other discourses - such as the masculine exchange economy entered by Irigaray's prostitute and mainstream feminist discourse - but also to fashion their own discourse. It is Rubin's view of prostitution, developed by social construction theory, as not just sex work but also as a sexual/political identity, that distinguishes the radical sexual pluralist position from liberalism and Marxism.

With the above discussion in mind, it is clearly difficult to represent prostitution and the female prostitute body without taking into account the fact that the category sex work is a liminal one. Indeed, it is a category which exists in a space between two worlds, incompletely dominated by the ideology of the free market and yet detached from pre-market values and codes. Thus, as this study on the policing of

prostitution in Edinburgh will convey, the identity work on the part of the prostitute is both like and unlike the strategies employed by the alienated worker to allow them to “make it through” the rigours of the working day without too many consequences for their sense of themselves.

This point is more fully elaborated in chapter 3 which introduces the policing of female street prostitution in Edinburgh by providing an historically informed analysis of this phenomenon while seeking to uncover continuities with the present. Chapter 3 provides a genealogy of prostitution, employing Foucault’s (1980) definition of genealogy, namely, the construction of a noncontinuous history and lineage of descent<sup>43</sup>. In other words, whether we see the present as the consequence of a monumental history which would continue to preserve configurations of ourselves for posterity or, rather, as a result of disjointed, entangled materialities with their own local and particular character. Foucault argues that this latter detailed and meticulous approach to lived temporality might

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<sup>43</sup> Foucault, in fact, reminded us that of all historical problems, the questions of the present and its futures, the issues of who we are and what we can become, are the most pressing. This is conjoined in his work with how we might think through the past in the present tense, with whether we opt, mundanely, for a present continually reanimated by the past, in the sense that it becomes little more than the outcome of a continuing, repetitive line of descent or whether we see the past in terms of contingency, accident and the singularity of events.

be called a genealogical approach. A genealogical approach foregrounds that which has been omitted, those – like sex workers - who have been excluded or marginalized by the grand historical projects.

Foucault wrote the histories of marginal, unknown, and excluded discourses, a history of “*subjugated knowledges*” (1980:81) against what he referred to as “*the tyranny of globalizing discourses*” (1980:83) 44. And, because central to his concept of genealogy 45 was the interrelationship between the production of knowledge, power and the body, his contribution is particularly relevant to this research. Genealogy, in fact, maps the interconnection between knowledge, power and the body; all main themes in this study. Foucault’s concept of genealogy is also

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44 If, following Foucault (1980), we assume the specificity of particular discourses, it is noticeable how historical periods are radically different and how the object of a discourse is different in each specific discursive formation. Indeed, the signifier “*prostitute*”, despite behavioural consistencies at the level of the body, means something different in different discourses, discourses which, therefore, need to be presented in their specificity. Foucault’s strategy of exteriority refers to taking the surface of events as the fundamental reality, and not as mere “*manifest content*” referring to a more fundamental hidden reality. In fact, he argues, that “[*the body is the inscribed surface of events .....*]” (1977:148) and, therefore, the task of genealogy is “*.... to expose a body totally imprinted by history and the process of history’s destruction of the body.*” (1977:148).

45 As Foucault (1984) describes it “*... .. genealogy is grey, meticulous, and patiently documentary .....*” (1984:76). Genealogy must find its subject in the act of seeking it, for history itself is part of the historicity of genealogical inquiry. Unlike historical inquiry, which already knows everything important about its subject and situation, “*..... genealogy operates on a field of entangled and confused parchments, on documents that have been scratched over and recopied many times*” (1984:76). As Foucault (1984) conceptualises it, history reduces while genealogy induces interest. Genealogy proceeds through a diffusion of desire more interested in multiplying knowledges than in waiting for the right one. Furthermore, genealogy sees power as a productive network of forces that make connections, produce objects for knowledge, and utilise the effects of knowledges.

important in my analysis insofar as it contributes to what I consider to be a necessary deconstruction 46 of what is overwhelmingly present throughout the literature, even in the feminist counter-discourse; a negative construction and reproduction of the prostitute body that focuses on the undeniable suffering and oppression bound up with prostitution through the centuries 47.

Historical works and studies of commercial sex today (Finnegan, 1979; Walkowitz, 1980) reveal that prostitutes are typically recruited from the economically disadvantaged, the working class, and poor immigrants families. It has also been shown that prostitutes often have poor education 48, limited experience of working

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46 Deconstruction is a way of reading texts, focussing on ambiguities, gaps and silences within texts. With deconstruction, every act of reading is a new production of meaning. The reader, in fact, no longer interprets the author's intended meaning but produces meaning and often a new text out of the so-called original text (Derrida, 1974)..

47 In other words, with this study I wanted to approach the constituting modern and feminist texts from the position of that which is absent – a positive construction of the prostitute body – and try to discover this position in the very documents that have been employed to construct the prostitute as the negative female other.

48 However, in contrast with the idea of poor uneducated women forced to prostitution, many newspapers in Scotland have reported that cuts in grants and benefits are forcing an increasing number of students to work in the sex industry. According to a survey conducted in 1993 by the Scottish newspaper *The Scotsman*, the number of Scottish students considering working in the sex industry to solve their financial problems is steadily increasing. For many male and female students, the temptation of earning more than £100 for a few hours in a city sauna or an hour's escort work is considerable. Students, it was reported (Gillian and Lynas, 1993), blame the system for "conspiring" against them and forcing them to consider the sex industry as a solution to their financial problems. However, it is also important to acknowledge that there are some women and some men who, thanks to the money they are earning as prostitutes, managed to improve their education and eventually left their job as prostitutes. See *inter alia* Gillian, A. and Lynas, M., 1993, "Students caught in the sex trade", *The Scotsman*, 7 July, 1993, p.4 and Burnie, J., 1993, "On any day of any week in any Scottish city a student is working as prostitute", *Daily Record*, 2 August, 1993, pp.18-23

life, and thereby, little possibility of securing a socially and economically satisfactory occupation (McLeod, 1982).

For many sex workers, prostitution represents a natural and "rational" alternative to poverty, as the women I met in Edinburgh clearly demonstrated. It is very often their best option, as some women apparently prefer prostitution to a badly paid occupation of low status. It might be argued that prostitution, in fact, should be a choice made by individuals rationally and with dignity, but it would be naive to pretend that these choices are always made in circumstances of the prostitute's own choosing<sup>49</sup>. While there are some people, who have chosen the profession freely<sup>50</sup> from a position of economic security, for many women (and men), prostitution

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<sup>49</sup> It is important to distinguish between voluntary and coerced prostitution as stated in the World Charter of Prostitutes' Rights: "[v]oluntary prostitution is the mutually voluntary exchange of services for money or other consideration; it is a form of work, and like most work in our capitalistic society, it is often alienated, that is, the worker/prostitute has too little control over her/his working conditions and the way the work is organised. Forced prostitution is a form of aggravated sexual assault" (quoted in Bell, 1994:114).

<sup>50</sup> By the word *freely* I am not suggesting here any kind of radical freedom. Freedom to choose work in a capitalist society is of course highly contingent. Most choices are accompanied by some degree of alienation and contradictory consciousness. Furthermore, prostitutes typically (but not always) have fewer choices than the majority of individuals in society.

The data I collected for the purpose of this study, stem largely from sex workers who could be considered to be "free". That is to say, my discussion concentrates on prostitutes who are not explicitly coerced into working in the sex industry as child prostitutes or those who are trafficked commonly are. There are, of course, differences between those who are trafficked and those who are not. However, the lack of realistic alternatives from which to choose often means that not all consensual prostitution is necessarily "free".

remains a choice made *in extremis* - the last means of paying the rent, the bills or for food, and not, as some would believe, only for buying drugs<sup>51</sup> or alcohol. For some, despite its manifold and oft-rehearsed disadvantages, it is possible to make a relatively large amount of money in a relatively short time. Indeed, the strong economic motivation for women (and men) entering prostitution is the same for anyone entering the work force<sup>52</sup>. In the sense that prostitutes exchange their labour for cash, it is little different to the everyday exchange of non-sexual labour for cash.

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51 The links between drug use and prostitution have been noted in many studies: see for instance Anglin, M.D., and Hser, Y., 1987, "Addicted women and crime", *Criminology*, 25(2), pp.359-97; Covington, J., 1985, "Gender differences in criminality among heroin users", *Journal of Research in Crime and Delinquency*, 22(4), pp.329-54; Cushman, P., 1972, "Methadone maintenance treatment of narcotic addiction: analysis of police records of arrest before and after treatment", *New York State Journal of Medicine*, 72, pp.1752-69; Datesman, S.K. and Inciardi, J.A., 1979, "Female heroin use, criminality and prostitution", *Contemporary Drug Problems*, (winter), pp.455-73; File, K. M., 1976, "Sex roles and street roles", *International Journal of the Addictions*, 11(2), pp.263-8; File, K. M., *et al.*, 1974, "Narcotics involvement and female criminality", *Addictive Diseases: An International Journal*, 1(2), pp.177-88; Golstein, P. J., 1979, *Prostitution and Drugs*, Lexington, Mass.: Lexington Books; Inciardi, J. A., *et al.*, 1982, "Black women, heroin and crime: some empirical notes", *Journal of Drug Issues*, 14, pp.91-106; James, J., 1976, "Prostitution and addiction: an interdisciplinary approach", *Addictive Diseases: An International Journal*, 2(4), pp.601-18; Marshall, J. and Hendtlass, J., 1986, "Drugs and prostitution" *Journal of Drug Issues*, 16(2), pp.237-48; Millett, K., 1975, *Prostitution Papers*, St. Albans: Paladin; Plant, M., (Ed.), 1990, *AIDS, Drugs and Prostitution*, London: Tavistock/Routledge; Venema, P.U., and Visser, J., 1990, "Safer prostitution: a new approach in Holland", in Plant, 1990, *op. cit.*; Waldorf, D., 1973, *Careers in Dope*, Englewood Cliffs: Prentice-Hall). There is disagreement, however, over the importance of prostitution in supporting drug use. Some suggest that prostitution is the most widely practised means of supporting a habit (Cushman, 1972) whereas others suggest that prostitution is not the most widely used means (Datesman, 1981; File, 1976; Hser *et al.*, 1987; Inciardi *et al.*, 1982).

52 Other common explanations for participation in prostitution are social rootlessness, loneliness, and social marginalization (Green, 1992). Some young prostitutes (male and female) have been shown to be in the process of "drifting" from the family, the school system, and the labour market for a long period prior to their participation in commercialised sex transactions (Green, 1992).



From the literature on prostitution 53, the highest social status is generally granted to call-girls and the lowest to street prostitutes 54. Several studies have shown that prostitutes themselves are very class-conscious 55. For instance, on the basis of self perceived class differences among American prostitutes as reported by Janus (1978), the following rank order was developed from highest to lowest status: a) kept women; b) call-girls; c) brothel prostitutes; and f) bar prostitutes. Some studies 56, however, reported great differences in social status within certain types of prostitution. The rank order of types, therefore, cannot be seen as absolute. Some types of prostitution, as a result of their relative discretion, exclusivity, and similarity to marital alliances, tend to have higher social status than others 57.

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53 Within the sociological and criminological research literature, 3 principal theoretical perspectives can be distinguished: a) functionalist, b) feminist, and c) social interactionist /constructionist perspective. The last two perspectives are, in different ways, reactions against the functionalist approach..

54 See *inter alia* Prus, R., and Stylianou, I., 1980, *Hookers, Rounders and Desk Clerks. The Social Organization of the Hotel Community*, Toronto: Gage Publications; McLeod, E., 1982, *Women Working: Prostitution Now*, London: Croom Helm; Gallo, M., T., and Alzate, H., 1976, "Brothel Prostitution in Columbia", *Archives of Sexual Behaviour*, vol.5, pp.1-7.

55 See *inter alia* Bryan, J., 1966, "Occupational ideologies and individual attitudes of call-girls", *Social Problems*, vol.13, pp.441-450; and Velarde, A., and Warlick, M., 1973, "Massage parlours", *The Sensuality Business*, vol.11, pp.63-74

56 See *inter alia* Bryant, C., and Palmer, E., 1975, "Massage parlours and 'hand whores'. Some sociological observations", *Journal of Sex Research*, vol. 11, pp.227-241.

57 The publicness of the transactions is a prominent dimension used in the classification of prostitution. The concept of "public" can be interpreted here in at least two ways. Public (registered) prostitution may consist of sexual transactions, which are, in one way or another, placed under state control. For example, public prostitution may be legalised or subject to regulation (state regulated brothels or prostitutes otherwise registered with the police or health authorities). The opposite of these publicly registered activities is "clandestine" (or "private") prostitution. The existence of clandestine prostitution may be the consequence of control priorities: authorities may desist from

According to one woman I met during my fieldwork, which took place for a period of 10 months in 1995/96, in Edinburgh there are about 400 women who sell sex, including women who work the small triangle of streets off Coburg Street in North Leith, women who work in private flats and some escort agencies, and many who work the saunas and "health clubs" where sex is sold.

At the top - the same source reported - together with rather exclusive escort businesses, are a few dozen women working the hotels with their private clientele.

Then come the private flats. According to the same source, there are about 20 businesses in Edinburgh where small groups of 2 to 6 women share a flat and work shifts on a collective basis. Finally, the largest sector is the group of women working in the sauna trade. It is a business which has flourished in Edinburgh, over

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intervening in those forms of prostitution that are regarded as less disturbing or professional. Another important dimension in the classification of prostitution relations is their exclusivity. This concept largely summarises the criteria of promiscuity, non-selectivity, and temporariness found in the definition of prostitution. Exclusivity is linked to the degree of publicness/visibility of the transactions; an openly acknowledged, state-registered practice of prostitution draws more customers than a discreet one. Another dimension in the classification of prostitution is social status. This variable has been used by Stein (1974) to describe a) the socio-economic status of the customers; b) the social background and living conditions of prostitutes; and linked to the above two, c) the price of the transaction. The economy of prostitution is dependent on two factors: the number of sexual transactions and the cost per transaction. Of these two factors, it is the latter which has more significance for the social status attached to the prostitutes (Stein, 1974). Thus, social status is directly linked to the dimension of publicness. The more private the sex trade, and the fewer with access to it, the more expensive it becomes. Customers of high status prostitution do not only pay for sexual services: they also pay for discretion and for exclusivity.

the last 10 years, due to a deliberate but unofficial agreement between the city authorities, the police and licensing bodies to allow the trade to prosper quietly. My source's best estimate put the number of businesses which call themselves saunas and health clubs, but sell sex, at just over 20.

The scale of the licensed sauna based industry in Edinburgh is thought to be unique in Britain <sup>58</sup>. According to the same source mentioned above, in Edinburgh there has been a fourfold increase since the mid-1980's - the direct result of the city's effective decriminalisation of brothels.

The outcome of choosing a particular mode of operation can vary enormously between individuals. At the bottom of the hierarchy there are the women who work the streets near the docks in Leith. As far as street prostitution is concerned, from what I observed during fieldwork, much depends on how an individual interacts with the street. My own observations recorded in my fieldwork diary illustrate my argument here: *"Today, for the first time I noticed that there are two groups of*

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<sup>58</sup> On 8 November 1994, the Daily Star reported that Edinburgh was to become Britain's number one "Sin City", referring to the fact that a number of saunas and health clubs had been inspected by Health and Safety officers as well as the fire brigade, and had been given the go-ahead to continue their activities as "brothels"

*women who work in this area. It is their body language. It is their posture..... Some women look so confident, really at ease in this environment. Their way of flirting amongst each other and with me, made the otherwise unbearable cold night that was yesterday, almost pleasant. Some of their jokes are quite rude but funny at the same time. They have nicknames for their regular customers and even more derogative nicknames for other sex workers who do not share their sense of humour. Now, it is clear to me that different women work here ....”*

In fact, I noticed that there are women who are stimulated by street work. They seem to enjoy the action and excitement, and combine something of the exhibitionist and the voyeur in their approach to life on the streets. They have fun communicating with men and have the talent for a good sales pitch, which brings them a high number of jobs. They are rarely beaten, robbed or raped, and they make large amounts of money from quick turnovers or "short-time" with many clients. These women are professionals at their business, but more than that they are comfortable with street life. They have confidence and a sense of street-wisdom.

However, talking to women working as street prostitutes in Edinburgh, I noticed that there are some women who seem to perceive themselves as perpetual victims. To them every client and other man on the street is a threat. They are tense and distant in their contacts with them; they lack skills of communication and clever repartee that are often useful in extricating oneself from a tight, dangerous corner. They are often obviously nervous on the street and their lack of confidence is very apparent.

The difference between these two groups of street workers lies in their ability to adjust to various social environments. The prostitute depends on her skills, expertise and bodily labours to conduct a service: it is work for an income, little different, apart from the nature of the work, from other forms of employment. For the more fortunate among them, this work can be pleasant, even fun, or stimulating. For the less fortunate it is tedious, boring and tiresome. There are those who are traumatised by it and do not last long in it. On the other hand, there are those who gain enormous satisfaction from it, and make a career of it. Like all human endeavours and experiences, prostitution is not the same for all people.

In this study, through the voice of women directly involved in prostitution in the city of Edinburgh, I hope to dispel some of the myths, misunderstandings and ambiguities which surround street prostitution. In fact prostitution, like sex in general, is surrounded by myths, “..... *one of which is the belief that it always involves someone else*” 59 (McKeganey and Barnard, 1996:1).

The thesis aims to describe the policing of female street prostitution in Edinburgh. In particular, I want to describe the ways in which female prostitutes negotiate and construct their sense of themselves through their relationship with the local police. Therefore, the only issues discussed in this study are those revealed by the women themselves, either through observation or through conversations, both individually and in group situations. Consequently, some areas in which researchers on sex work may be interested (for instance HIV) are not covered in depth.

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59 The authors point out that: “.....*the woman who sells sex is never our mother, our daughter, or our sister but some anonymous other who is infinitely more desperate than those we love. ... .. The myth that prostitution only involves anonymous others is sustained by the secrecy which surrounds trading sex for money. Once one lifts that secrecy what one finds in abundance is not the perverse, the extraordinary, or the exotic, but the commonplace, the ordinary and the everyday.*” (McKeganey and Barnard, 1996:1).

Paramount in the everyday discourse concerning sex workers, is the notion that their lifestyle is somehow conducive to the spread of HIV because they are more likely than other women to have sexual intercourse with multiple partners (Hooykas *et al.*, 1989; Morris *et al.*, 1995; Nahmias, 1989; Sawanpanyalert *et al.*, 1994; Wawer *et al.*, 1996; Weninger *et al.*, 1991). They are thus considered to be a danger to society through their role in the spread of sexually transmitted diseases, and they should therefore bear the responsibility for initiating behavioural changes regarding sexual practices – and suffer the consequent discrimination. However, the actual sexual behaviour, engaged in by many women labelled “prostitutes”, does not necessarily constitute a greater risk for acquiring HIV than it does for other women with multiple sexual partners. In this research, therefore, HIV/AIDS, whilst referred to by the women I met, did not constitute a major subject of their discussion, and as a result has a very low profile.

Another area that I do not discuss at length in this study, is the experience of women working in saunas or massage parlours - despite the fact that Edinburgh

has a considerable number of saunas where sex is sold - mainly because the women who work "indoors" very seldom come into contact with the police.

My concentration on female street prostitution is due to the fact that, because soliciting on the street is forbidden by law in Scotland (see Annex 3), female sex workers are more likely to come into contact with the police than other sex workers.

I have deliberately focussed my research on female heterosexual street prostitution rather than male prostitution<sup>60</sup>. However, I am aware that when talking about prostitution I am entering a universe where the dichotomy between women-prostitutes and men-clients is not so clear. There are gay, transsexual and transvestite sex workers for both gay and heterosexual clients. There are also both male and female prostitutes for female clients; for this reason a brief description of the varied landscape which the sex industry crosses is provided in Annex 1. The fact that I do not discuss, in detail, studies of sex work in other areas does not mean

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<sup>60</sup> The term heterosexual here means that the services provided by sex workers are for a clientele which is heterosexual. It does not necessarily mean that the female sex workers are heterosexual. There are, in fact, quite a few female sex workers who identify themselves as lesbians.



that they are unimportant but rather that the approaches reviewed here are more helpful in the development of an adequate conceptual framework for my analysis of female street prostitution.

#### **1.4 View From The Streets**

The main research question – about the construction of prostitutes’ identities through the policing of female street prostitutes in Edinburgh – is addressed in this study by looking closely at street prostitutes’ sense of self in relation to their interaction with male police officers. As Giddens (1991) suggests “*[t]he reflexive project of the self, which consists in the sustaining of coherent, yet constantly revised, biographical narratives, takes place in the context of multiple choice as filtered through abstract systems*” (1991:5). For sex workers I observed, this process of constructing the self in the context of a wide variety of choices – made

both by the self and by others, namely police officers – appears to be embodied to a much greater degree than is common in other walks of life.

Identity has traditionally been interpreted as something given and experienced; an understanding that would tend to construct the sex worker as patriarchal pawn, as is evident in a number of feminist readings of female prostitution (Pateman, 1988; MacKinnon, 1987; Irigaray, 1985; Rubin, 1984). However, with the contemporary shift to understanding identity as something created and negotiated within discursive language, rather than fixed by rules, regulations, physical and cultural constraints, the *body* has been given new roles and new meanings, and these new regimes become “*open to continuous referential attention against the backdrop of a plurality of choice. Both life-planning and the adoption of lifestyle become ..... interpreted within bodily regimes*” (Giddens,1991:102). Clearly, sociological questioning is bound up with the matter of method: questions imply a method and demand techniques for answering them. The matter of method, however, is not simply concerned with technique. It is primarily concerned with conceptual and theoretical notions. For the purposes of my analysis, therefore, the concept of

*identity* as outlined by Giddens, should be regarded as heuristic device which provides the basis upon which to explore the specific questions about the nature of prostitution to which this thesis is addressed. Structured around the central concept of identity, the chapters of this thesis are organised around my understanding of the use of values, norms and beliefs by members of society in the construction of social order, identity and formal and informal policing of the body. The three themes concerning the construction of social order, identity and policing of the body, run throughout. In addition, on-going analysis of the data collected throughout the fieldwork period revealed two further themes: (i) the ability of female street prostitutes to negotiate their power(s) through the regulatory function of shame and the negotiation of “truth”; and, (ii) consequently, the fact that sex workers’ identities are shaped through their own ability to draw on and generate knowledge(s). As will become clear in the substantive chapters, all of these themes – from the development of my own conceptual framework and from the empirical study – interact to construct prostitutes’ identities.

Before turning to the detail of my research, I would like to make the position from which I write more explicit, as my work is informed vitally by my own position as an Italian feminist. I do not simply write from a European as opposed to a British and/or American position: I write as an Italian feminist and as someone coming "from the South" (Deleuze and Parnet, 1977) 61. Italian feminism, along with other branches of feminism coming from the south, may help destabilise the old game of labelling feminist theory according to stereotyped dichotomies, bringing about a more productive exchange of ideas. The influence of French, British and American feminist thought can be seen at work in the shaping of a specifically Italian form of feminism, but it nevertheless remains distinctively Italian 62.

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61 It is worth noticing that Italy is characterised by a voracious interest in foreign cultural production. Indeed, Italy is situated at "the periphery of Empire", to use Eco's (1976) metaphor of its marginal situation. There is wide circulation of foreign books and journals as well a habit of quick translation of most texts which have aroused discussion abroad. But this attitude, which could negatively be described as provincial, is counteracted by the continuing influence of, and pride in, a rich cultural heritage. Ideas from other countries are reformulated in the context of this living tradition, as well as in that of a distinct social and political reality.

62 By comparison with French, British and American feminism, the most surprising feature of Italian feminism is its non-institutional basis. Italian feminism, in fact, bridges the gap between institutional, theoretical feminism and active/political feminism. Until now, there have been no "women's studies" (in the sense of degree courses, departments, chairs or lectureships) in Italian universities. There are of course women in academia, many of whom have an interest in studying or teaching other women's work, or in bringing their lives as women to bear upon their subject disciplines and their modes of research.

For an interesting and problematic account of one of the forms of Italian feminism, and the reason why it is still possible to talk about it in the singular, see De Laurentis, T., 1989, "Taking the risk of essentialism seriously: feminist theory in Italy, the U.S. and Britain", *Differences*, 2, 1-37; Bassnett, S., 1986, *Feminist Experiences. The Women's Movement in Four Cultures*, London: Allen and Unwin, pp.91-131; Braidotti, R., 1988, "Feminist epistemology: critical theories and a woman-defined philosophy of sexual differences". unpublished paper presented at the International Seminar on "Equality, Justice and Morality", Firenze, Italy, Istituto Universitario Europeo; Braidotti, R., 1994, *Nomadic Subjects*, London: Routledge; Cavarero, A., Conti, P., Maci, S., and Teandri, R., 1987, *Diotima. Il Pensiero della Differenza Sessuale*, Milan; La Tartaruga;

Some debts to Foucault will be apparent in this study, as my interest is specifically in the body as the object of the operation of technologies of power and control, while simultaneously remaining the site of potential strategies of resistance. Foucault, in fact, describes the control of the body as follows: “[t]he body is ..... directly involved in a political field; power relations have an immediate hold upon it; they invest it, mark it, train it, force it to carry out tasks, to perform ceremonies, to emit signs .....” (1977:25).

Bourdieu’s contribution is also relevant to this study, in particular his concept of *habitus*. As I will discuss further in chapter 6, *habitus* consists of a set of “classificatory schemes” and “ultimate values” which, according to Bourdieu are more fundamental than consciousness or language, and are the means by which groups succeed, or do not succeed, in imposing ways of being favourable to their own interests. As I will argue, this is particularly important to my study of

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Cavarero, A., 1989, "La Congiura delle Differenti", *Il Bimestrale*, 1, Eguaglianza, supplement to Il Manifesto, 25, pp.79-80; Marcuzzo, C., and Rossi Doria, A., (Eds.), 1987, *La Ricerca delle Donne. Studi Femministi in Italia*, Torino: Rosenberg and Sellier; Pitch, T., 1979, "Notes from within the Italian women's movement: how we talk of Marxism and feminism", *Contemporary Crises*, 3, pp.1-16; Rossi, R., 1978, *La Parola delle Donne*, Roma: Editori Riuniti.

prostitution because helps me to explain how female prostitutes' sense of (self) identity is constructed.

### **1.5 Conclusion**

My argument is that contemporary understandings of prostitution are surrounded by myths, misunderstandings and ambiguities because of a failure to adequately account for the realities and meanings of female street work.

In accordance with the position articulated in the earlier sections of this chapter, my interest lies in attempting to understand the precise nature of prostitutes' identities.

In the substantive analysis of the policing of female street prostitution, the conceptual framework outlined in this chapter will be used where possible. The methodological proposals are discussed in **Chapter 2** which also explores feminist

issues regarding women studying women. Chapter 2 explains the research design and the ethnomethodological approach employed in the empirical work. This approach to fieldwork permitted insights into the world of the sex industry which no other method could have revealed. I have tried to provide a flavour of my “adventure” with street workers in the chapters on the empirical data collected, chapters 4-6.

The study begins in **Chapter 3** which introduces the policing of female street prostitution in Edinburgh by providing a historically informed analysis while seeking to uncover continuities with the present. This chapter also looks more closely at the making of the prostitute “body” through a process of “*othering*”- to paraphrase de Beauvoir’s (1949) analysis of the prostitute 63. I begin to explore

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63 De Beauvoir’s (1949) analysis of the prostitute was complex. On the one hand, the prostitute is a paradigm for woman as Other, as object, as the exploited one. On the other hand, the prostitute, like the man who purchases her services, is an exploiter. She prostitutes herself, suggested de Beauvoir, not simply for the money but for the homage men pay to her otherness. De Beauvoir’s view of the prostitute as an exceptional woman who dares to challenge the sexual mores of her society was rooted in several studies, especially those of ancient Greece describing the *hetairae*. In these studies, Athens is delineated as a centre for prostitution, where the prostitutes were divided into at least three classes. Lower on the status ladder were the *pornai*, who were checked over before their services were bought. On slightly higher status were the *ayletrides*, or players, who entertained guests with their music as well as their bodies. Occupying the highest position were the *hetairae*. In some ways these intellectually gifted as well as endowed women were more privileged than were respectable Athenian wives and mothers, who, unlike the *hetairae*, were largely uneducated and somewhat confined to domestic affairs. Indeed, some *hetairae* amassed great wealth and exerted considerable power in the public domain through the men they entertained – this at a time when these men’s wives and mothers were without real economic and political power (Durant, 1939). Nevertheless, according to several scholars of antiquity, the *hetairae* were not necessarily the most blessed of women. Pomeroy (1975), for example, noted that although the *hetaira* had access to the intellectual

the wider aspects of street prostitution in Edinburgh, tracing first the socio-historical construction of the prostitute “body” in the city.

The theme of the spatial marginalization of the prostitute body is further developed in **Chapter 4**, which focuses on the dichotomy between public and private space.

By describing the way in which female street prostitutes in Edinburgh share “the street” with the local police, this chapter, discusses in very general terms, the notion of transformed spatiality – an empowering deterritorialization, the creation of smooth, less striated spaces (Deleuze and Guattari, 1987). I also describe sex workers’ attitudes towards fear and vulnerability while working on the street.

**Chapter 5**, provides an account of the women’s views about their own role in street prostitution. In particular, this chapter, describes how street prostitutes in Edinburgh experience the shift from the identity of working women, who are self-sufficient and financially independent, to the identity of women as the object of the

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life of Athens, and although she had freedom to be with whoever pleased her, her life had definite shortcomings. In short, the price the *hetaira* paid for sexual freedom and intellectual stimulation was not only status within the Athenian community but some of the less glamorous, although nonetheless meaningful, comforts of home. According to de Beauvoir (1949), however, this may not have been too high a price to pay for the privilege of living in the active rather than the passive voice, thereby achieving a measure of independence from men.



male gaze<sup>64</sup> (namely police officers). I also argue that for street prostitutes in Edinburgh the shift from subject to object grounds the experience of actual or threatened shame. I argue that shame, in the sense of “*the self judging the self*” (Fossum and Mason, 1986) and the ego failure to attain an ego ideal (Morrison, 1989). Finally, I address some of the main issues related to the role of street prostitutes as informants for the police.

In an attempt to draw a new map of street prostitution, **Chapter 6** illustrates the “*stocks of knowledge*” (Schutz, 1962; Berger and Luckmann, 1967) prostitute women have at their disposal in their interaction with the local police. I maintain that four principal types of knowledge go to make up the stocks of knowledge that are available to sex workers, as a social group and as individual actors. These are (i) the unconscious, (ii) practical knowledge, (iii) empirical knowledge and (iv) “natural philosophy”.

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<sup>64</sup> Male gaze could also involve male clients of female prostitutes. However, it falls outside the scope of this study to analyse the social interaction between street prostitutes and their clients, although it would be an interesting variable to add. For an interesting account of the relationship between street prostitutes and their clients, see among others McKegany, and Barnard, (1996) and Boyle (1994).

In **Chapter 7**, the concluding chapter, the findings of this study are drawn together and the implications of researching the policing of street prostitution are explored. This final chapter stresses that it is not my intention to provide an exhaustive theoretical analysis of female street prostitution. Instead, my aim is to provide an account which may stimulate, and thus contribute to, the discussion of the role of women in today's society <sup>65</sup>. And – as Tong (1992) puts it – *“[b]ecause feminist thought is kaleidoscopic .....a closer inspection will always reveal new visions, new structures, new relationships for personal and political life, all of which will be different tomorrow than today. What I most treasure about feminist thought, then, is that although it has a beginning, it has no end, and because it has no predetermined end, feminist thought, permits each woman to think her own thoughts. Apparently, not the truth but the truths are setting women free.”* (1992: 238). To be faithful to *“the truths that are setting women free”*, in this study, I have used extensive quotations from the prostitute women I met, in the style of speech used by them. For those words or expressions which are peculiarly Scottish

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<sup>65</sup> In fact, I believe *“...that time has perhaps come to emphasise the multiplicity of female expressions and preoccupations so that from the intersection of these differences there might arise, more precisely, less commercially, and more truthfully, the real fundamental difference between the two sexes”* (Kristeva, 1981:13). This agenda is familiar to any feminist theorist who wants to discover a standpoint for women but who does not wish to collapse the differences among women into the “Universal Woman” (Kristeva, 1981). Of course, any such program of action will not get very far unless the differences among women are fully explored.

a **Glossary** is also provided, as I felt that translation into “standard English” would have meant that the tone and intensity of what the women had to say would have been lost.

There are also three Annexes. **Annex 1** provides an overview of the sex industry recognising that other forms of sex work (for example, child, male heterosexual/homosexual and transgender prostitution) exist and that they exhibit similarities but also very significant differences from heterosexual female street prostitution. In **Annex 2** the focus is on the history of the laws which regulate the sex industry, in order to gain a better understanding of the legislation which influenced the policing of street prostitution in Edinburgh. The development of an understanding of this historically rooted coding is an essential precondition for drawing a new map of street prostitution. Although different sexual populations have existed in all historical periods, I argue, it was not until the Victorian period that they were systematically marked, identified and mapped like a geographical terrain. **Annex 3** looks more closely at the legislation that the local police in Edinburgh have at their disposal in dealing with female street prostitutes in Leith.

Having outlined the general argument of this thesis, the following chapter moves on to consider closely the design of this particular research and the main problems which arose during the fieldwork. My methodological approach and the research design is discussed in detail. While justifying my use of ethnography, I will also touch upon the “unfinished business” of feminist 66 methodology, addressing some of the issues related to women interviewing women.

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66 Feminist as construct is an attempt to move feminist knowledge beyond the stage of being an oppositional critique of existing male-defined knowing, knowledge, and theory. The central paradox in this area is the question of where feminist knowledge should situate itself, from where does it derive an authority or legitimacy which is not constructed by the prevailing structures of knowledge? Theory constructed in and through discourses, knowledge patrolled by institutions, and knowing as a process infused with centuries of constructions of the category "woman" render this enterprise a difficult one. Finally, at the same time as it precariously constructs itself, feminist knowledge must also remain constantly alert to its own conditions of existence, and in particular, to its own conclusion.

## **Chapter 2 VIEW FROM THE STREETS: THE RESEARCH**

### **2.1 Introduction**

This chapter describes the research methods I used to examine how policing female street prostitution contributes to the construction of prostitutes' identities. My methodological approach is, broadly speaking, threefold. First, I draw upon a range of different theoretical and conceptual approaches from within a number of various disciplines including sociology, psychology, anthropology, philosophy, feminist studies, history, social policy, legal studies, criminology and medicine. This is entirely in keeping with my insistence that the policing of prostitution should be analysed through the lens of sexuality (and sexuality through the lens of the policing of female street prostitution in Edinburgh). In reviewing the relevant literature, in addition to tracing how the modern prostitute body has been produced in key early 20<sup>th</sup> century texts (Parent-Duchatelet, 1836; Acton, 1857 and Ellis, 1910), I also examined the work of four well-known contemporary feminists: Pateman (1988), who has explicitly written about the prostitute body in her critique

of the liberal social contract, MacKinnon (1987), who produced what became the hegemonic position on prostitution in the women's movement during the 1980's, and finally, Irigaray (1985) and Rubin (1984), both of whom have outlined two very different sexual markings of the prostitute body. In particular, Irigaray, in her deconstruction of Western philosophy, opened a space for the prostitute to speak, but only in the context of prostitution as work, while Rubin opened a space for prostitutes not only to speak within other discourses, but to fashion their own discourse.

Second, my approach makes use of a wide range of secondary data to illuminate, substantiate and develop my theoretical arguments. This data is taken from published academic research (using mainly ethnographic methods such as open ended interviews, conversations and observations), documentary histories, newspaper articles and sex workers' accounts of their activities.

Third, I refer to data from my own ethnographic fieldwork. I chose to adopt a qualitative, ethnographic approach to yield richly descriptive data which could be

explored in depth for nuances, patterns and attitudinal clues in a way that quantitative data cannot<sup>67</sup>. The qualitative data I collected hopefully give a feel for the experiences and beliefs of female street prostitutes and allow both researcher and reader some purchase on what it is like to inhabit the life worlds of sex workers in Edinburgh. Moreover, semi-structured interviewing permits flexibility so that what is discussed is dictated by the respondent more than it is by the interviewer. This is crucial since researchers cannot necessarily predict what others see as important.

It is also worth emphasising that the data used in constructing my analysis of the policing of female street prostitution in Edinburgh have been generated by relatively small samples but which form a quite unique set of accounts enabling the construction of a qualitative picture of the events at hand. In some respects this leaves my approach open to criticism because the data are, in the “strictly scientific” sense, non generalizable – the stories that they tell may be relevant only

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67 As Shaffir (1980) puts it "..... field research is accompanied by a set of experiences that are, for the most part, unavailable through other forms of social scientific research. These experiences are bound together with satisfactions, embarrassments, challenges, pains, triumphs, ambiguities and agonies all of which blend together into what has been described as the field research adventure." (1980:17).

to the individuals involved, and to their specific social context. It is not the only description that could have emerged but it is what my focus and method of questioning revealed.

Nonetheless, my contention is that, in order to develop a nuanced insight into sex workers' experiences, it is crucial that I accept, respect and seek to examine their individual experiences as opposed to taking them as somehow representative of life in a wider social group to which I have decided, *a priori*, that these women belong. Indeed, one of my primary objectives, is to explore the ways in which prostitute women interact with, live out or resist prevailing discursive constructions which imply that all prostitutes are e.g. chronic drug users, or vulnerable, helpless victims of patriarchy.

Moreover, I do not claim that my interpretation of the data I collected is somehow a definitive or value-free reading. Every observation, in fact, constructs the object of its attention simply by seeing it from a particular point of view. It is, therefore, impossible for any account to guarantee its own neutrality. Consequently, the data



here, and my subsequent reading of it, have been generated at least in part by my own ways of being-in-the-world, such that its collection and analysis can only ever be a construction of what was actually said or done in the initial research situation. This is not an apologia for a degree of subjectivity which I could have avoided had I been more rigorous in my approach, rather, it is an assertion that I see bias both as inevitable and as an essential part of making sense of reality, whether this is an academic research or everyday social negotiations and interactions.

As a woman - however much privileged by also being white and middle class - I am continually confronted by my "womanhood". Dominant Western feminist thought, in fact, has taken the experiences of white middle class women to be representative of - indeed normative for - the experiences of all women (Spelman, 1981) 68. Much of such thought expresses and reinforces the privilege of white middle class women: their lives and works, their griefs and joys constitute the norm

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68 As Spelman (1988) puts it "...white middle-class privilege has found friendly places to lodge at the very root of much feminist thinking - for example in the assumption that gender identity exists in isolation from race and class identity; in the assumption behind contrasting the situation of 'women' with (for example) the situation of 'Black' or 'Jews'; in the assumption that the meaning of gender identity and the experience of sexism are the same for all women as 'women'. ...." (1988:x).

in relation to which other women's lives - if they are mentioned at all - are described as "different".

It is my opinion that those of us who think such privilege damages (albeit in different ways) both the women who have it and those who do not, must do much more than simply note its presence. As a feminist, in fact, my position points to a freedom to discover an "elsewhere", it is an incentive to speak - as a woman - to be radically other, different <sup>69</sup>.

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<sup>69</sup> My self-definition as "feminist" is crucial to the production of this particular research. As a feminist, in fact, I worked through this study, and in other ways, to transform, specifically, the relation of power, representation and signification between men and women (the production and evaluation of masculinity and femininity as categories). Those commitments are at all times consciously present in this study. However, I am aware that such an explicit inscription of commitment carries a risk: of dismissal as yet another "biased" product, too subjective, irrational, emotional. This would provide a neat means for any reader not to take its points seriously. Feminism, indeed, is serious: the question of (the suppression of) sexual difference is one of the most crucial questions in contemporary society. If, as Heidegger (1967) wrote, every epoch has its own utopia, then sexual difference and its operation is the utopia of the current age.

## 2.2 Conceptual Framework

As I noted in chapter 1, the basic theoretical orientation of my research is provided by Foucault's (1988) concepts of power and knowledge and his theory of discourse and identity construction. Foucault is particularly relevant to my conceptual argument because he is concerned to demonstrate the effective link between the policing of sexuality and the production of the very forms of sexuality which are governed by discipline. My research aims to provide a substructure of empirical material on sexual beliefs and prostitution in order to understand the background leading to the construction of street prostitutes' self-identity.

Foucault's ideas on power and the body offer, at the same time, a potential critique of feminism and feminist understandings of prostitution. Foucault argued that "*we need a history of feelings, behaviour and the body*" (1988:112). Rather than describing our present sexual misery, he stated, "*we need to grasp the positive mechanisms which produce sexuality in this or that fashion*" (1988:113). This view identifies its trap of implicit biological essentialism in feminism <sup>70</sup> in which the

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<sup>70</sup> Even where this is not intended. See e.g. Dworkin (1988).

body is taken to be biologically fixed. I intend to avoid this trap by taking the biological and the social to be inextricably entwined <sup>71</sup>. The material body and its desires are given meaning through processes of social construction: ideas about the body are social but are not entirely separable from bodily constraints and possibilities (Turner, 1984; Galimberti, 1987).

In reviewing the relevant literature in chapter 1, I emphasised the importance of exploring the existing tension between the approaches to the body taken by Foucault and those taken by feminists – in particular Pateman (1988), MacKinnon (1987), Irigaray (1985) and Rubin (1984). I also noticed that while Foucault ignored both feminist work and the specificity of women's experience, he, did, however, take into consideration the fact that power is exercised through a shifting constellation of different discourses, techniques and practices. His criticism that too much has been assumed about power structures is, in fact, particularly relevant to this study, as it challenges feminist conceptions of patriarchy. For Foucault we

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<sup>71</sup> As Grosz (1990) puts it: "*biology provides a bed-rock for social inscription but is not a fixed or static substratum: it interacts with and is overlaid by psychic, or social and signifying relations.*" (1990:72).

cannot understand power as a possession which can be held by a group or groups in society.

In the theoretical vocabulary of my study, two additional Foucauldian concepts are important: **discourse** and **identity**. Discourse is a way of constituting knowledge and identities: a discourse both combines and is a combination of the different forms of subjectivity, social practices and power relations, and the interrelations among these. All experience is constituted by discourse, and discourses create subjects as well as objects <sup>72</sup>. As we shall see through the data collected, the policing of street sex workers in Edinburgh shows the operation of power through the construction of particular knowledges, which in turn become accepted as truth and reality.

At the same time power produces resistances. A discourse deploys a hegemonic form of subjectivity; its very existence and organisation, however, posit other subject positions and the possibility for reversal. Reverse discourse is the discourse

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<sup>72</sup> According to Foucault (1979), knowledge and power are interfaced, so that “[t]here is no power relation without the correlative constitution of a field of knowledge, nor any knowledge that does presuppose and constitute at the same time power relations.” (1979:27).

of the subjugated subject of the hegemonic discourse: in it the meaning and power of the pervasive discourse are to some extent challenged. Prostitute discourse, as I shall use the term, is, in fact, the reverse of both the hegemonic (phallogentric) and counter-hegemonic (gynocentric) discourses: it responds to challenges, and transgresses them. Red light zones, in fact, are not simply the dark heart of the city – they are, paradoxically, a fascinating barometer for change. These hidden parts of the city, despite the protestations of the moral minority<sup>73</sup>, need to be watched in intimate detail, as they are the most reliable monitor of what society is doing to itself.

The contribution of Bourdieu (1977) is also particularly relevant to my own research, especially his concept of *habitus*. Bourdieu (1977) maintained that the truth of an interaction between people can never be fully contained within the interaction. He argues that agents are not fully aware of their own conduct and

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<sup>73</sup> The term “moral minority” has been eloquently explained by Weeks (1985): “[t]wo elements have been absolutely central in building mass support for this position: a constituency of embattled Christians, and a constituency of largely middle class, morally concerned women (not that the two are exclusive). The unifying motif was defence of the ‘family’, a metaphor as powerful as that of ‘permissiveness’ (and its polar opposite) to condense a number of hopes and fears, anxieties and possibilities around the social and the sexual. .... [I]n Britain, this combination tapped a huge reservoir of strong moral belief, and dissatisfaction with all the changes that had occurred, which promised to make for a potent political force.” (1985: 34).

operate from what he termed “learned ignorance”: a mode of practical knowledge which does not include knowledge of its own principles. From this perspective, the advantage of the term “*acquiescence*” over that of “*consensus*” becomes clear. The former term allows more room for decisions which did not seem to be decisions at the time they were made. One of Bourdieu’s most important ways of combating what he sees as the false dichotomy between structure and practice, is his mediating concept of “*habitus*”. *Habitus* is a way of being; it is neither a conscious strategy nor a mere disposition, but rather “...*those series of moves which are objectively organised as strategies without being the product of genuine intention*” (1977: 73) or a “*system of dispositions*”, an endless capacity to “...*engender products, thoughts, perceptions, expressions, actions, whose limits are set by the historically and socially situated conditions of its production ..... it gives an agent a sense of limits in the widest sense of the term, while it also offers a legitimate transgression of limits, on the basis of knowing and ordering of the world and strategies of handling necessary or unavoidable breaches of that order.*” (1977: 124). In my study the concept of *habitus* is particularly useful as it helps me to explain how sex workers’ sense of (self) identity is constructed 74.

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74 See in particular chapter 6.

My methodological approach has also been informed by the symbolic interactionist perspective, central to which is the concept of "meaning" and particularly the variability of meaning in everyday life (Mead, 1939; Blumer, 1969). In fact, it is through the process of self-identification that actors construct interpretations of the situations in which they find themselves. Within the symbolic interactionist approach there are two different phases to the process of interpretation. The first one is definition, which involves the actor defining the situation he or she faces <sup>75</sup>. The second phase is judgement, which is usually achieved through taking the role of the generalised other and indicating him or herself how to act from that standpoint. The role of the generalised other is the perspective of an abstract other or group, which the actor builds up over time from his or her interaction with other people. In my study, the role of the particular generalised other that female street prostitutes take in judging a situation depends on their definition of the situation. Through this process, as I will show, even after forming, a "plan of action", subsequent redefinition of the situation may result in further judgements and revised plans of action.

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<sup>75</sup> And as Hester and Eglin (1992) put it "[c]entral to this defining is the process of role-taking in which the actor takes the role or roles of other people in the situation and indicates to him or herself from their standpoint the meaning of the gestures which they are making" (1992:92).



The main aim of my research was to hear and listen to the voices of women involved in street prostitution in Edinburgh. I decided that ethnography was the best option for me because it provided the greatest scope for women to tell me about their definitions of situations and the judgements they made.

### **2.3 An Ethnographic Approach**

I do not regard ethnography as an "alternative paradigm" to experimental or survey methods or documentary research. Rather, it is simply one method with characteristic advantages and disadvantages, albeit one whose virtues have been extensively discussed by many social researchers 76.

In my view, ethnography is simply a social research method drawing on a wide range of sources of information. The ethnographer in fact participates, overtly or

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76 There is, in fact, a disagreement as to whether the distinctive feature of ethnography is the elicitation of cultural knowledge (Spradley, 1980), the detailed investigation of patterns of social interaction (Gumperz, 1981), or holistic analysis of societies (Lutz, 1981). Sometimes ethnography is portrayed as essentially descriptive, or even as a form of story-telling (Walker, 1981); occasionally, by contrast, great emphasis is laid on the development and testing of theory (Glaser and Strauss, 1967; Denzin, 1978).

covertly, in people's daily lives for an extended period of time, watching what happens, listening to what is said, asking questions; in fact collecting whatever data are available to throw light on the issues with which the ethnographer is concerned.

In many respects, ethnography is the most basic form of social research (Hammersley and Atkinson, 1983). Not only does it have a very long history (Wax, 1971) but it also bears a close resemblance to the routine ways in which people make sense of the world in everyday life (Goffman, 1959).

The value of ethnography is perhaps most obvious in its capacity to depict the activities and perspectives of actors in ways that challenge the dangerously misleading preconceptions that social scientists often bring to research 77. Much

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77 For instance, if we look more closely at the uninformed speculation that sex workers are responsible for the spread of the HIV virus, we will discover that "... *prostitutes have been vilified as a reservoir of HIV threatening the health of the public in this country as well in others. Such a response can not only be shown to be incorrect, but also in stark contradiction to the women's effort at insisting that condoms are used in their sexual contacts with clients.*" (McKeganey and Barnard, 1996:69). For a broad discussion on this issue, see *inter alia*, McKeganey, N., and Barnard, M., 1992, "Selling sex: female street prostitution and HIV risk behaviour in Glasgow", *AIDS Care*, 4, pp.395-407; Morgan Thomas, R., Plant, M. *et al.*, 1989, "Risk of AIDS among workers in the sex industry: some initial result from a Scottish study" *British Medical Journal*, 299, pp.148-9; Barnard, M., 1992, "Working in the dark: researching female prostitution" in Roberts, H., (Ed.), 1992, *Women's Health Matters*, London: Routledge; Kinnel, H., 1989, "Prostitutes, their clients and risks of HIV infection in Birmingham", occasional paper, Birmingham, Central Birmingham Health Authority, Dept. of Public Health Medicine; Day, S., and Harris, J.R.W., 1985, "Prostitute women and public health", *British Medical Journal*, 297, p.1585; Estebanez, P. and Najera, R., 1991, "Prevalence HIV, HTLV1, HIV1, HIV2, syphilis, hepatitis B in Spain female sex workers", VII International Conference on AIDS, Firenze, Italy; Kanouse, D. and Berry, S.H., 1992, "Markers for HIV1, hepatitis and syphilis in a probability sample of street prostitutes in Los Angeles County", VIII International Conference on AIDS. It is also worth mentioning that in 1992, the Evening Standard (Delgado, M., "Police issue AIDS alert over King's Cross prostitutes" 17 March 1992) and the Sunday Express ("Met has mugshots of hookers with AIDS", 29 March 1992) carried a

like Schutz's (1964) stranger, it is difficult for an ethnographer to maintain such preconceptions in the face of extended first-hand contact with the people and settings concerned. Furthermore, while the initial response to such contact may be their replacement by other misconceptions, over time the ethnographer has the opportunity to confirm his or her understanding of the phenomena under study. Equally importantly, though, the depiction of perspectives and activities in a particular setting allows one to begin to develop theory in a way that provides much more evidence of the plausibility of different lines of analysis than is available to the so called "armchair theorist", or even the experimental survey researcher.

Another important factor to support my choice of ethnography is its flexibility. Indeed, both the strategy and even the direction of the research can be changed relatively easily, in line with the changing assessment of what is required by the process of theory construction. As a result, ideas can be quickly tried out and, if

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report that 75% of prostitutes working in the King's Cross area of London had HIV; the source of this information was the local vice squad, who reported keeping records of the presumed HIV status of the women on the national police computer, in addition to having pictures of all the "infected" women on their notice board, as reported in Ward, H. and Day, S., 1992, "Recording HIV status on police computers", *British Medical Journal* 1992; 304:1635-6.

promising, followed up. In this way ethnography allows theory development to be pursued in a highly effective and economical manner.

The contribution of ethnography is not limited to the phase of theory development. While variables cannot be physically manipulated and competing hypotheses as easily examined as in experimental methods, ethnography does not rule it out. In addition, I believe that ethnography's use of multiple data sources is a great advantage for the purpose of this study. For the purpose of this research, in fact, I needed different tools, a different map which could be used effectively to dispel some of the ambiguities surrounding street prostitution. I therefore decided - in order to support my fieldwork - to read different texts, which included philosophical and sociological works, histories of prostitution, medical writings, legislation, speeches, letters, pamphlets, newspaper articles and interviews.

As ethnography can be seen as "*.... an approach which avoids the pre-definition of what is to be considered relevant and aims at discovering the insider's view of [her] social world*" (Spradley, 1980:24), it is also particularly suitable for feminist

research. Such research has as its aim the uncovering of women's own perspectives of their lives as resources of analysis (Harding, 1987).

Milton (1979), Shapiro (1981) and Strathern (1981) have all pointed to problems concerning the ascription of a privileged status to the women they study by female ethnographers. Critical reflection on this issue suggests that the problems are of three kinds. The first two are particularly relevant to this research.

First, there is an argument about ghettoization and the possible formation of a sub-discipline. The most salient fear is that, if an explicit focus on women or the "female point of view" arises as an alternative to a focus on men and the "male point of view", then much of the force of feminist research is lost through a segregation, which consistently defines such work as the "not male". Women who study women fear not ghettoization but marginalization, and this is a very well-grounded fear.

Feminist research is more than the study of women. It is the study of gender, of the interrelations between women and men, and the role of gender in structuring human societies, their histories, ideologies, economic systems and political structures. Gender ought to be no more marginalized in the study of human societies than the concept of human action or the concept of society. In fact, it should not be possible to pursue any sort of social science without a concept of gender.

Returning to the issue of women studying women, the second problem concerns the analytical status of the sociological category "woman". The privileged relationship between female ethnographer and female informant depends on the assumption of a universal category "woman". The images, attributes, activities and appropriate behaviour associated with women are always culturally and historically specific.

What the category "woman", or for that matter "man", means in a given social-historical cultural context has to be investigated and not assumed (MacCormack and Strathern, 1980; Ortner and Whitehead, 1981; Brown and Jordanova, 1982) 78.

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78 As, for example, Brown and Jordanova (1982) point out, biological differences do not provide a universal basis for social definitions. "*What cultures make of sex differences is almost infinitely variable, so that biology cannot be playing a determining role. Women and men are products of social relations, if we change the social relations we change the categories 'woman' and 'man'.*" (1982:393).

On the basis of this argument, the concept 'woman' cannot stand as a universal analytical category in feminist research, and consequently there can be no analytical meaning in concepts such as 'the position of women', 'the subordination of women', and 'male dominance' when applied cross culturally.

The third problem with regard to the theoretical and political complexities of women studying other women concerns the issue of bias in favour of one's own culture e.g. middle class values, black culture, lesbian culture, etc.

The deconstruction of the sociological category "woman", with the recognition that the experiences and activities of women always have to be analysed in their socially and historically specific contexts, provides the basis to force us to reformulate the privileging of the woman ethnographer with regard to the women she studies, and to acknowledge that the power relations in the ethnographic encounter are not necessarily ones, which can be erased simply by commonalities of gender. While women in a variety of societies share similar experiences and problems, these similarities have to be set against the very different experiences of

women world-wide. Moreover, it shifts the theoretical focus away from the notion of "sameness", from ideas about the shared experience of women and the universal subordination of women, towards a critical rethinking of the concepts of difference.

The issue of whether women ethnographers are more qualified than their male colleagues to study other women is, indeed, a contentious question. The privileging of the female ethnographer, not only casts doubt on the ability of women to study men, it also casts doubt on the whole project and purpose of ethnography: the study of human societies (Shapiro, 1981) 79.

Indeed Douglas (1972) has pointed out that essays "*..... on methods, such as one by William Foote Whyte 80 concerning his method of observation that led to Street Corner Society, must become far more detailed and far more integral to the*

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79 Shapiro (1981), in fact, argues that "*.... implicit in many discussions of sex bias, and in much of the literature in women's studies ..... is the assumption that only women can or should study women - what we might call the it-takes-one-to-know-one-position. This attitude, prompted by a feminist awareness of the distorting views of women held by the largely male social scientific establishment, also finds support in the practicalities of fieldwork; the division between men's and women's social world is sharply drawn in a large number of societies.*" (1981:124-5).

80 Whyte, W.F., 1945, *Street Corner Society*, Chicago: University of Chicago Press.



*reporting of the study. Only in these ways will we be able to adequately judge the validity of the observations and to attempt to reproduce studies to see if similar methods of studying similar groups produce similar findings.*"(1972:32-3). Yet Mann (1970) underlined the fact that "*..... the experiences of field workers have not been systematically reported and as result a whole area of methodological skills has remained relatively uncodified.*"(1970:119). These charges remain accurate especially in the field of researching prostitution 81 by means of participant observation, as very few researchers (Perkins, 1992; McKeganey and Barnard, 1996) 82 have provided clear details of how they carried it out. For instance, McKeganey and Barnard in 1996 published a study on street prostitution in Glasgow, very similar to the research I undertook in Edinburgh, although there is a

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81 At the International Conference on Prostitution (ICOP) which took place in March 1997 in California, a workshop on research design, accountability and ethics was held. Researchers and service providers from every region - except Africa - attended the Conference where the following guide-lines for research were issued:

- sex workers should be equal partners in research projects, approving questions and research design;
- participants should review the results and discuss any differences of interpretations;
- organisations may want to enlist their own researchers rather than have researchers enlist their organisations; and
- it is desired and appropriate to have sex workers trained to conduct the research.

82 See also the newsletter *Research for Sex Work* which is an international publication that can be used by researchers, sex workers, public health workers and local politicians, who professionally have an interest in the sex industry. A very useful source of information is also ISWFACE which stands for *The International Sex Worker Foundation for Art, Culture and Education*. They produced different publications on the relationship between sex workers and researchers and their constantly growing web site is only one of the examples of the very many different projects they set up around the world.

fundamental difference with my study as the authors "..... *adopted a quasi-service provider role, which entailed providing women working on the street with supplies of condoms, sterile injecting equipment, information on HIV risk reduction and telephone numbers of a variety of local services .....*" (1996:5) 83.

Nevertheless, McKeganey and Barnard's work (1996) is particularly relevant to my research, as I discovered during my fieldwork that more and more women are moving from Glasgow to Edinburgh, mainly because of the possibility of earning more money 84. Insights into the lives of street sex workers from the Glasgow study permitted comparisons to be made with my information on street prostitution in Edinburgh. The fact that increasing numbers of heroin using Glasgow prostitutes came to work in Edinburgh, contributed to the rapid increase in demand for the services of a needle exchange in the area of Leith in Edinburgh. The introduction of heroin has also significantly increased tension in the police non-harassment zone 85

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83 The authors contacted over a period of 3 years a total of 300 women in the main red-light areas in Glasgow and studied the impact of working as a prostitute on women's home life, their ability to negotiate with their clients, together with issues regarding prostitution and HIV, drug use and violence, whereas my research focuses only on the relationship between street prostitutes and the police in a particular designated area.

84 Women in Glasgow usually charge £20 for full sex compared to £30 sex workers charge in Edinburgh.

85 As I will discuss in chapter 6, it often appeared from the way street sex workers in Edinburgh talked about the police, and also on the basis of observation, that police and prostitutes in Leith had

around Coburg Street in Edinburgh and, as one of the women I met put it “.....*a lot of the lassies are really scared. Those Glaswegian lassies are doing drugs and bringing trouble.*”(Mandy, age 29).

The remainder of this chapter is an attempt to describe in some detail how the data for my research were collected, and the practical issues and problems encountered in the use of this particular method.

## **2.4 Doing Fieldwork**

My fieldwork took place in Edinburgh, near the Shore which is "*..... a square mile of backstreets at the foot of Leith Walk, about a mile from Princess Street and alongside the warehouses of Leith docks. Every night, dozens of girls service the kerb-crawlers for around £20 a go.*" (Dalrymple and Kingman, 1990:10).

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reached a certain accommodation with each other, based upon a recognition of where the limits lay. Women, in fact, reported that the police would accept a woman working if she was not dealing drugs or not too obviously under the influence of drugs.

The first time I had the chance to meet some of the women working as street prostitutes in Edinburgh, was at the Centenary Project – now known as SHIVA -, an outreach project based in Henderson Street, Leith. I will describe in chapter 3 the origin of this specific project and its relationship with another voluntary agency, also based in the same area in Leith, called Scot-PEP, which at a later stage in my fieldwork, became instrumental in offering practical support (mainly warm drinks and a friendly environment).

Although these two Projects were the places where I started to contact women, I spent most of my time in the streets between Constitution Street, Great Junction Street, Commercial Street and the Shore.

Once I decided in which area of the city I wanted to undertake my fieldwork, I had to confront several different issues. Most crucially, I did not know how I was to penetrate an area with which I was not very familiar. Furthermore, I had to decide whether my research should be carried out overtly or covertly.

The ethical and practical issues surrounding covert versus overt research are discussed in most texts on observational methods. There is one very obvious reason why researchers, who are interested in the sex industry, must do open research: unless one is or has been a street prostitute, it would be difficult to pass as one. Through background reading (Morgan Thomas, 1989, 1990; McKeganey and Barnard, 1996) and through discussion with other researchers who had been involved in survey research (Morgan Thomas, 1997) 86 in Edinburgh and/or Glasgow, I had already familiarised myself with the methods of buying and selling sex on the street. Whilst agreeing with Malinowski (1922) that "*it is good for the ethnographer sometimes..... to join in what is going on*" (1922:21), as this allows the researcher to obtain an understanding of the lives of those being studied, there were certain limits beyond which I was not prepared to go. I was also mindful of Polsky's (1969) advice to those engaged in the study of criminal behaviour that, in doing field research on criminals (!), "*..... you damned well better not pretend to be one of them because they will test this claim out and one of the two things will happen: either you will get sucked into participant observation of the sort you*

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86 Personal communication with Ruth Morgan Thomas (1997).

*would rather not undertake or you will be exposed with still greater negative consequences."* (1969: 122).

The decision to be open in my approach, led me to seek someone who would introduce me to female street workers in my chosen area. I already knew where the female street workers "hung out" but I felt that to hang about there as an "unknown" would invite suspicion at the very least. I was also anxious because my presence was known to the local police - whom I had contacted previously - and, in consequence, I was really worried that the sex workers might think that I was helping or collaborating with the police. "Hanging about" was not only simply hanging about, it was also the way in which prostitute women carried out their business transactions - not at all the occasion upon which to approach and engage them in conversation.

I clearly needed some help to enter this unknown universe. Therefore, I decided to approach an ex-prostitute through a mutual acquaintance <sup>87</sup>.

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<sup>87</sup> As Gans (1982) stated "*..... asking for entry requires the researcher to sell him[her]self to the people whose groups s/he wishes to enter.....*" (1982:57). Choosing a sponsor may present certain difficulties in research access, unless one knows the person well beforehand, which was not the case in this study. I did not know if the ex-sex worker was regarded in a favourable light by the women who still worked in the area and I wondered, therefore, if she would limit me in any way. Another

What follows are some notes I took after the first day I started fieldwork. *“On a cold September evening, I arrived in Constitution Street to start observing the women working as street prostitutes. I had to keep walking. Standing in a corner would look daft. I was really scared when I saw a group of women talking to each other. .... There were only 7 women but it felt like many more. Everybody was looking at me. The only one with a big coat.... I took the plunge and moved towards a group of 4 women. I stuck out my hand and introduced myself. I was aware that they know who I am, or rather that they know of me. I am attempting a hand shake to melt my anxiety. It is clear it is not going to happen..... I didn't want to look too different but I am not one of them.....I need to learn more about their dress code.....But I had to be 'me' in order to be true to myself and to the women I want to meet. I came up with 'I'm freezing. It's really cold tonight'. Such a cliché, but I am so keen to start my research.... Someone smiled at me. I must have looked so sad... we said little to each other but the ice was dented if not broken.... I survived my first day...my second night is not going to be so terrifying..... I know what to wear 88 and I think I am learning what to say and how*

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88 After my first night in Leith, I decided to wear trousers and a jacket instead of wearing a long coat. My main concern was that, although I wanted/needed to be warm, I did not want to give the impression of being formally dressed and therefore being perceived as “stuffy” and unapproachable.

I remember my first days in Leith as a confusing kaleidoscope of sights, sounds and feelings. The feelings can be summed up in one word: anxiety. My anxiety was engendered by three methodological concerns: the impression I was making, what data to collect and how I would record them.

I had earlier decided that, unless I felt that it was appropriate and unintrusive, I would not take notes in the presence of anyone. This decision arose from my fear that note-taking would, in part, invite suspicion and hinder my acceptance, and in part, detract from the role I was hoping to adopt.

In other words, I wanted to be accepted as an acquaintance, if not a friend - a relationship not likely to be fostered by continuous note-taking. My plan was, therefore, to write up field notes at the end of each day (which was the method I used throughout field work) and to supplement my participant observer data by in-depth interviews towards the end of my fieldwork.

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consideration was what to tell her about my research, as at that stage my research aims were still imprecise. But I was fortunate in my choice of sponsor. She had an interest in women working as prostitutes and she felt that not enough attention was paid to their relationship with the police, relations which she defined as problematic.



*to say it... ..*". I already explained, as I was to spend most evenings standing on a street corner observing the interaction between sex workers and police officers, notes from fieldwork were written the following morning <sup>89</sup>.

Like Irwin (1972), I found that being accepted was not the difficult process that others had led me to believe it would be. Indeed, I was to find it much more difficult to be accepted by the police. However, acceptance by the women was not automatic, and the women felt various and differing degrees of suspicion at first. However, within a short time - indeed, after our first meeting - most women seemed to develop a reasonable level of trust in me. It may have been that my sponsor was so well accepted by my informants, that her vouching for me was enough to guarantee my acceptance. It may have been my topic; as I explained to each woman that I met, I was interested in finding out more about the issues that were pertinent to them as far as the policing of female street prostitution was

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<sup>89</sup> In order to make sure I could remember what I observed, I used to record a few key words on a Dictaphone on my way home. I had arranged for a taxi to drive me home, and as I was really concerned to ensure that my field notes should be written in privacy, if possible at the end of the day and certainly out of sight of the research subjects. As I did not want the taxi driver to understand what I was saying, I made the decision to record my thoughts in Italian rather than English, using my identity as a foreign researcher as a tool to protect the vulnerability of the subject group I was observing. I later discovered other advantages of "being a Tallie", namely that my knowledge of Italian cooking (and Italian men) meant that I was "barry" and the women I met felt that they could talk to me and trust me.

concerned. It may have been that it was because I was not paid for what I was doing - a fact which always impressed women when I had occasion to reveal it, while standing night after night in the cold Scottish weather: "*..... you mean ..... you mean you don't get any money for doing this? You cannae be real!*" many women said. It may be that in some cases I was seen as a relief from loneliness and boredom. Of course, it may simply be that, like Gans (1982), I have "*..... an honest face, a visible earnestness about wanting to do research, and a quiet demeanour that perhaps tells people that I will not be a threat to them .....*" (1982:57). Whatever the reason, the women I met accepted me into their lives in a way I would not have thought possible at the outset.

Making contact with women working as street prostitutes, however, was a slow process at first. This was due partly to my own fear of rejection. While it appeared that I was trusted by my first couple of contacts, I was not sure to what extent they trusted me. I was afraid to be too "pushy" about asking them to introduce me to other sex workers. My first contacts at the drop-in Centre, then, took the shape of informal conversation <sup>90</sup> with the women. It was not difficult for me simply to

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<sup>90</sup> What follows is an extract from my diary. Unfortunately, I am not able to verbalise the sense of inadequacy I felt in realising that in order to gain these women's trust I had to be able to have an

listen rather than talk, since at this stage I did not know all the questions I would need to ask. I was also somewhat anxious, if not afraid, about leaving the cosy confines of the Centre and venturing onto the streets to make contacts.

The study group was eventually obtained by a mix of "snowballing" techniques<sup>91</sup> and my almost continuous presence in the area, where the women were working. The snowballing approach was somewhat modified from the method as generally outlined in the literature. Rather than ask to be introduced or given names of others I could contact, when I met a woman I would spend as much time with her as she would allow me.

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informed opinion about all the characters in Coronation Street, Brookside and EastEnders, three of Britain's most famous soap operas. Little I knew, in fact, that these three television programs, together with cooking and men were going to be the main topics of my conversations with the women I wanted to observe. *"Today I have been introduced to Brookside and Coronation Street. As I arrived at the Project just after 7.30 p.m. and missed the first scenes of Coronation Street, I was asked to come earlier on Wednesday so I can get to know all the characters in this soap opera as it proved too difficult and time consuming to explain to me who are these people, what they do for a living and what is their relationship with each other. Tomorrow I will have the opportunity to see Ian and Cindy, - characters from another soap opera - but I will have to be on time. While the women are watching television the almost religious silence which surrounds the room at the Project seems to me rather unreal. The only two activities that are taking place are smoking and drinking tea or coffee. As soon as they finish watching television, they would start changing into their 'working uniform' which is mainly a very revealing top and a short skirt".*

91 The snowball technique is simply a nonprobability sampling method often employed in field research. Each person interviewed may be asked to suggest additional people for interviewing.

After three weeks of fieldwork, my continuous presence in the area led other female sex workers to approach me, when I was alone. But becoming accepted and making contacts did not solve all problems. Once my contacts began to increase and I moved into the street, the problem of what to observe became paramount. A single researcher cannot witness all the events in a community; there was a need to be selective. What I wanted to observe was the policing of female street prostitution in Edinburgh, and, in particular, sex workers' relationships with the local police.

Schatzman and Strauss (1973) have indicated that " .....it is important for the field research to distinguish between three sets of discrete events: the routine, the special and the untoward ..... " (1973:77). I followed this advice, and the events I witnessed, or took part in, ranged from the very routine like drinking coffee with some women to accompanying them, when they were due to appear in court.

One aspect of research on criminal involvement distinguishes it from most other areas of sociological research: the element of risk to the researcher. Risk could

appear in various forms: for example, to one's health or in terms of personal involvement (Polsky, 1969).

During my visit to the police prior to my fieldwork, I had been warned in lurid detail of events likely to befall me. I was told I would be mugged, robbed, harassed by kerb-crawlers, used as a courier, suspected of dealing. In practice, none of these things happened to me.

A worry which, nevertheless, remained with me throughout the fieldwork arose from the illegal nature of some of the information I came across. When given information about a particular illegal activity<sup>92</sup>, I worried that the person involved would be eventually found out and that I, as the outsider, would be suspected of "grassing".

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<sup>92</sup> Most of the women I met were really concerned that I could report them to the police and to the Department of Social Security as they were claiming for benefits, mainly income support, while they were working as prostitutes. Interestingly, they did not seem particularly worried that I could talk to the police about other criminal activities such as shoplifting and/or stealing.

## 2.5 Organizing The Data

The findings of this study – which took place in 1995/96 - are based on 10 months participant observation with 60 women and on in-depth interviews with 15 of these women carried out at the end of this period. Towards the end of the fieldwork period, in order to obtain recordable data, I asked the women if they would consent to talk to me on tape. It is from the transcripts of these interviews that most of the quotations in the body of this text are taken, although there are also some which were collected during observational fieldwork. On-going analysis of data throughout the fieldwork period had revealed the main themes related to the ways in which individual prostitute women understand themselves. The themes which I explored in depth in the fifteen semi-structured interviews I conducted are: (i) the ability of female street prostitutes to negotiate their power(s) – looking in particular at the regulatory function of shame and at the negotiation of “truth” – and (ii) the fact that sex workers’ identities are shaped through their ability to draw on, and generate, knowledge(s), and how they use their knowledge(s).

The interviews were mainly unstructured, however, the women were asked to tell me everything they thought was relevant in order to describe the policing of street prostitution in Edinburgh. Scheduling the interviews, which lasted an average of two to three hours each, was extremely difficult. Interviews would take place when there was little work for the women. Consequently, asking women to give up a couple of hours when they were still looking for customers, was very difficult. Sometimes, not surprisingly, women I had arranged to meet at a particular time and place would not show up. Altogether, it took five months to complete 15 interviews

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Prior to beginning my fieldwork, I had contacted the Lothian and Borders Police. My fieldwork area, the so called "red-light district" better known as the "toleration zone" falls under the territorial jurisdiction of the Leith Police station in Queen

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93 Having identified several female street prostitutes willing to be interviewed, further thought and planning were required prior and during the interview process. I considered several options. I briefly entertained, but soon dismissed the idea of bringing women to my own room at the University. Although a private and safe place from my point of view I felt that it would be an alien and strange setting for the women I wanted to interview. Also, I could not guarantee their privacy because there were other research students around, many of whom knew I was interviewing sex workers. Ethical considerations of anonymity and confidentiality would have been severely compromised. Another venue which I considered was my own home. This would have been a simple solution to my problem and might have accrued a number of beneficial side effects in respect of gaining access and a good relationship with the women. But the risks of inviting strangers in my own home were keenly felt and therefore I was left with three other options: the interviewees' home, the drop in Centre and the streets where the women were working. I decided to interview the women either at the Project or outside near the area where they work.

Charlotte Street. I talked to 10 male police officers, who have or have had contacts with female street prostitutes working in the Leith area. I asked them to tell me anything they thought could be relevant in order to describe the policing of female street prostitution in Edinburgh and in particular their relationship with female street prostitutes. Although I had been prepared to spend more time interviewing male police officers, the interviews lasted an average of one hour. Eight out of ten officers consented to my tape recording their interviews. I spent one month conducting these interviews which took place either at the police station, or in a pub nearby or in their car while patrolling the area. For a period of 6 months I also observed the activity of a female police officer working as liaison officer between street prostitutes and the local police in Leith.

As already mentioned, participant observation brought me into contact with 60 women working as street prostitutes. The women in this study were at different stages of "womanhood": some were married, others in steady relationships, some did not have a partner. Some had children, some did not, some were single parents, some gave birth to children during the period of observation, some became



pregnant, two of them died <sup>94</sup>. The demographic characteristics of the women I met are outlined in chapter 5. Names and some demographic details of individual women have been changed to preserve anonymity. Moreover, where particular incidents might possibly identify women, pseudonyms, applying only to those specific incidents, have been assigned, to ensure that the women will not be associated with other statements made by them or by the police.

Interviewing women was a strategy for documenting the women's own accounts of their lives. But increasingly I felt that a new awareness of myself as an interviewer and as an instrument for promoting a sociology of women, much as Oakley (1981) describes, as "*....a tool for making possible the articulated and recorded commentary of women on the very personal business of being female in a patriarchal capitalist society.*" (1981:48-9).

Interviewing men, was also a challenging experience, as I found that male police officers often took the initiative in defining the interviewer-interviewee relationship, showing a certain amount of interest in my own situation as a female

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<sup>94</sup> During fieldwork, two women died from suspected overdose of opiates.

foreign researcher. What sort of person was I and how did I come to be interested in this subject. My own gender put me in a unique situation: on the one hand, while I was interviewing (prostitute) women, my gender meant that I experienced few difficulties in talking to the women, but while I was interviewing male police officers my gender was the main problem I had to overcome. On the other hand my class - reflected in my look, my "accent" and my connections with the university - distanced me from the women but helped me to approach the male police officers despite the fact that not all of them identified themselves as middle-class. The point I want to stress here is the way in which participant observation contributed to my seeing gender as something which is brought to every encounter, shaped and patterned in interactional contexts rather than unchanging. Gender differences in fieldwork are not simply a source of difficulty such as exclusion from important rituals - or in this case exclusion from important interactions in the street - they are also a source of knowledge about the particular field. In this respect, it is important to take the issue of gender seriously. If it is possible to talk of a non-sexist or less-sexist methodology, this has to be the first requirement. Taking gender seriously is not simply a recognition of the justice of the feminist critique of normal

sociological practice, but an exploration that can raise new issues and point the way to new solutions. Taking account of gender is by no means a simple operation; it is more than the addition of one more category of analysis. It means taking account, reflexively, of the gender of the researcher, as well as of the researched and of the two in interaction. Thus, taking gender into account is "taking men into account" and not treating them - by ignoring the question of gender - as the normal subjects of research.

## **2.6 Conclusion**

In this chapter I have outlined the design of this study, my justification of ethnography as a useful methodological approach and some of the main theoretical issues pertinent to feminist research in general and their relevance to this specific study. The difficult theoretical point – as I argued in the first section of this chapter - rests in deciding what constitutes a feminist point of view. One very common answer to this question, is to say that feminism is all about the importance of

considering things from a woman's point of view; in other words that feminism is all about the women's perspective. However, the major difficulty in equating feminism with the woman's point of view is that this assumes that there is a unitary woman's perspective or point of view, which can be seen to be held by an identifiable sociological category *woman* 95.

A further problem outlined in this chapter, related to the idea of the woman's point of view is that it presupposes an underlying *sameness*. But the notion of *sameness* is brought into question by the deconstruction of the universal category *woman* 96 and by the empirical evidence, which demonstrates that gender is everywhere experienced through the specific mediations of, for instance, class, race, and/or sexual orientation. The idea of *sameness* underlines the notion of the shared woman's perspective, the "*it takes-one-to know-one*" approach (Shapiro, 1981).

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95 The differences among women are so pervasive, specific and significant to both political and aesthetic interpretations that any effort to consolidate "women" as a unified group risks homogenising differences that as feminists we are now in a position to explore. In fact, while I am using the term "women" generally here I do not intend to imply that social division (e.g. race, ethnicity, class, sexual orientation, able bodiedness) between women are not socially and/or politically significant, but that elements of socially constructed sexuality are shared. So, for instance, the social construction of heterosexuality differs empirically from the social construction of lesbianism.

96 There can be no universal or unitary sociological category *woman* and therefore there can be no analytical meaning in any universal conditions, attitudes or views ascribed to this *woman* – for example in the "universal subordination of women" and the "oppression of women".

However, the question still remains as to whether feminist research is able to make a theoretical or political contribution to contemporary feminism. The answer is that an emphasis on the differences between women does not necessarily deconstruct the basis of feminist politics. Women do share similar difficulties and experiences across different cultures; but these similarities must be demonstrated and specified in each case, and not simply assumed. The differences between women are important, and they need to be acknowledged because it cannot be part of a feminist politics for one group of women to speak for and on behalf of another. The important point raised here is that, although women's experiences, circumstances and difficulties do overlap with those of other women, they are not isomorphic with them. In order to assert a solidarity based on commonalities between women, it is not necessary to assert that all women are, or most importantly for the purpose of this study, have to be, the same.

To close – and to summarise the main issues of this chapter - it is important to emphasise that ethnomethodology has for almost two decades entered both mainstream and feminist sociological enquiry (Smith, 1990) as offering a means of

dealing adequately with both agency and structure 97. The mainstream adoption of ethnomethodology has been extensively discussed (Giddens,1976; Bourdieu and Passeron,1977; Collins,1988; Alexander,1987) while in contrast feminist methodology has given less time to elaborating its epistemology and more to providing truer and better accounts of women's lives. The latter has justified its concern with the intersubjectivity of social science, for the most part not from an explicit theoretical attempt to develop a hermeneutics of a feminist social science, but from political and cultural values which are committed to extending women's subjectivity as agents 98.

The next chapter is written as a discourse on the female (prostitute) body. I argue that the ways in which individual prostitutes understand themselves, the work they do and their relationship with the local police, and thus the ways in which they

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97 The agency structure debate at its sharpest was between Althusser (1975) who sought to dissolve the subject in his structuralist project, and Thompson (1963), who celebrated the agent to the point of voluntarism in his account of *The Making of the English Working Classes*. See also Thompson's (1978) polemic against structuralism and in particular Althusser's.

98 Of course the whole issue of women as historical agents in their own lives has been questioned by feminist poststructuralism, most notably by Riley (1988). The reply from feminists cautiously sympathetic to deconstructionism may be summed up as "Yes – sometimes but not always." Personally I share Hartsock's (1990) scepticism concerning the attack on new historical subjects, just as women were beginning to speak and feminism was increasingly effectively challenging the universalising discourse of masculinism.

construct and manage their identities, are at least partly informed by the discursive context of their labour. Attitudes towards sexuality and sex work may delimit or enable the possibilities that sex workers have for establishing and developing themselves as subjects. Therefore, in the following chapter, I want to extend and develop this argument in addressing discourses which position prostitutes as more or less “victims of patriarchy”, as some feminist scholars, in particular Pateman (1988), MacKinnon (1987), Irigaray (1985) and Rubin (1984) would suggest.

The reason for looking closely at their representation of prostitution, and the prostitute body, is that I want to challenge the view that prostitution is simply a product of patriarchy. In other words, feminist scholars should not condemn female prostitutes, or the sex industry, for failing to conquer patriarchy. I believe that prostitution is not inherently empowering for women as I will demonstrate in this study. However, I would argue that there is a need to respect what prostitutes do while also focusing on gendered structures of power in all work and personal relations. I am aware that this stance has its weaknesses. One cannot stand outside patriarchy and phallocentrism any more than one can escape social or

psychological repression. One can not escape complicity because all struggles are bound up with what they struggle against, and thus they are inherently impure (Foucault, 1982). Not all struggles are equal – some challenge the dominant paradigm, some stretch and bend rather than subvert it, others are content with the status quo. Again, with Foucault, I would argue that this can only be determined by a close examination of the micropractices which constitute “prostitution” in specific and located forms, as a field of power/knowledge.

The next chapter, therefore, in introducing the policing of female street prostitution in Edinburgh, draws heavily on Foucault’s work. In particular, by using his concept of genealogy which I outlined in chapter 1, my intention is to look at how the female *prostitute body* is mapped – marked out and defined – as a distinct body, and how the policing of this particular *body* can take place.



# Chapter 3 THE POLICING OF FEMALE STREET PROSTITUTION IN EDINBURGH: A MAP FOR GETTING LOST

## 3.1 Introduction

This chapter, in applying what Foucault (1977) has argued is the task of genealogy to the female prostitute body, provides a brief history of the policing of street prostitution in Edinburgh. The aim here is to give a historically informed analysis which sheds light on continuities with the present. It sets the context and framework for my analysis of the policing of female street prostitution in Edinburgh during the 1990's.

First, I will show how in Edinburgh the female prostitute body was produced as an identity - and prostitution as a deviant sexuality<sup>99</sup>. Then I will document how sex

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<sup>99</sup> In the modern period, sex has become a focal point for the exercise of power through the discursive constitution of the body. Sexuality is for Foucault (1979) historically and socially constructed and he distinguished between "sexual practices" that have always been with the human body and "sexuality", which names these practices, constructs them, and assigns them values, meanings, and positions in the sexual hierarchy.

workers manage collectively to deploy their bodies as sites of resistance through the “help” of services for prostitutes, set up in the area near the docks in Leith.

In this chapter I argue that a "map" to trace the genealogical construction of the prostitute body is very much needed; a "map" 100 which describes how, in the city of Edinburgh, prostitution in general, and street prostitution in particular, was policed so that a better understanding of the policing of prostitution in Edinburgh today can be reached.

The following brief excursion into map reading illustrates what I mean. Finding a subject, its history and one's own relation to them, depends on a belief in the cartographer's representation of reality - a map - which one holds in one's hand. For example, I find myself on a map by sighting two prominent features on the landscape which correspond to two features on the map. I infer my position in relation to them and locate myself neither in the world nor on the map *per se* but

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100 Many post-modern theorists have linked the mapping of space to the mapping of power. They have used mapping both literally and figuratively, and have reached a variety of conclusions about the post-modern spatial order and its liberatory, confining, or panoptical possibilities. Jameson (1988), used the notion of "cognitive mapping" as an antidote for post-modern subjects who have lost perspective, or "critical distance", and are unable to locate themselves within multinational power relations. Deleuze and Guattari (1987), in contrast to Jameson, explored mapping as a political construction of space, rather than its representation, and offered a way to redefine space as heterogeneous, open, and variably negotiable for subjects.

rather in the convergence that authorises the correspondence between a map and a world. I superimpose the two features I see on the landscape upon the map, find my desired destination in relation to them, and plot a course. Triangulation put me on the map, not in the world. I am, after all, already there but I lack bearings. I am lost. Let prostitution studies stand for the map, the cartographer's representation of reality; here, the world of prostitution. One finds oneself, then, in relation to features on this map, namely, prostitution and prostitution studies.

### **3.2 The Making Of The Modern Prostitute Body In Edinburgh**

Together with, for example, the layout of the streets and the provision of public transport, spatial and temporal differences in human behaviours affect patterns of human movement throughout the city 101 at different times of the day. This, in turn, influences the frequency and types of encounters between people of differing

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101 Towns and cities have been described as a “marketplace” (Weber, 1966), and as a “*world of strangers*” (Loflands, 1973). Others (such as Clinards, 1974; Wirth, 1938) have asserted that the principal characteristics of the city are the size, density and heterogeneity of the population. Indeed, these are all aspects of the city which, through their influence on social life, must be recognised as having considerable bearing on the forms and effectiveness of social control and, in consequence, on the number of opportunities for crime and/or deviant behaviour.

backgrounds and relationships, and the circumstances in which they meet, at different times, in different parts of the city. In relation to street prostitution in Edinburgh Tait (1840) notes that in Edinburgh, “... *in consequence of the disturbances to which the existence of prostitutes on the streets has continually given rise.... the police have frequently attempted to banish them from the streets after a certain hour in the evening.*“ (Tait, 1840:221). And that “ ..... *the propriety of keeping proper hours, in order to avoid mischief, is a principle which has been acted upon from a very early period in the history of Edinburgh .....*” (Tait, 1840:219).

The earliest recorded attempt to regulate prostitution in Edinburgh is dated 1426 when it was ordained by local Magistrates that “ ..... *common women be put at the utmost ends of the toune.....*” (Tait, 1840:226). It was around this time that, in order to control, and if possible prevent, any criminal behaviour in Edinburgh, the regulation of street lighting was introduced. Since 1498, in fact, all citizens in the town had to carry lanterns after dark, and in 1554, the Council ordered lanterns to be hung in the streets at night to prevent criminal activities. Indeed, by 1557, no

one in Edinburgh was allowed out after dark without a light, on account of crime. And again, by 1560, further local bylaws were passed, banishing all sex workers from the town. Tait (1840) reports that “ ..... in 1561, there were no fewer than six or seven special enactments issued by the Magistrates and Council anent this particular description of criminals; one of which appointed them to be put in Toune’s house on bread and water .....” (1840:227). Another Act to banish female sex workers from the city of Edinburgh was passed in 1578. However, neither the Magistrates nor the Council seems to have had very much success in moving prostitute women out of town, and indeed they were “..... still found within this city and suburbs, having no marks or distinction to make them known from other inhabitants .....” (Tait, 1840:230).

The 17<sup>th</sup> century was characterised by two major changes in the nature of Scottish society which, while affecting neither the class structure nor the economic system except to strongly reinforce them, may have been important factors in the development of legislation to regulate prostitution. The first was the strenuous imposition of an entirely new ideology on the population, namely Calvinist

Christianity. The second, which was closely connected, was the development of a new system of social control by which the behaviour and geographical mobility of large sections of the population were closely monitored (Larner, 1981). The new regime, in fact, asserted its legitimacy by redefining conformity and orthodoxy, and by providing the machinery for the enforcement of orthodoxy and the punishment of deviance.

In 1700, a new Act provided that as was “... *the custom of other places abroad, these ... .. whores should be marked upon the nose by striking out a piece of the left side of the nose with an iron made for that purpose ...*” (Tait, 1840:230).

However, the number of sex workers did not seem to decrease so “..... *instead of attempting to brand prostitutes with any particular mark, or inflict on them any severe punishment, their [the agents of social control’s] exertions were afterwards principally directed towards the suppressing of the disorders to which prostitutes gave rise, and issuing Acts prohibiting respectable females from wearing plaids and other parts of dress that were likely to confound them with improper characters.*” (Tait, 1840:231). In other words, this was a shift away from directly

punishing prostitutes for their work; instead the focus is now on eliminating crimes caused by the women who “walk” the streets of Edinburgh 102.

In fact, the streets of Edinburgh, towards the end of 1800, mainly in the area which covers Cowgate and the Royal Mile, were home to “..... *poor people who have always to live in streets that are narrow, badly paved, badly drained and of course, badly cleansed..... and the houses full of all sorts of impurities.*” (Anon.,1851:17) as reported in a fascinating eye-witness account of Victorian Edinburgh 103. This account, dated 1851, reveals that “..... *in most of the wynds and closes of the High Street, great numbers of prostitutes are to be met with ..... The true secret of their selecting this quarter for their residence is its proximity to the bridges, as they so have the less difficulty in enticing their dupes into their dens - the High Street*

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102 This is not very different from the approach the police have decided to introduce nowadays. As one police officer I interviewed pointed out, “..... *first let me come clean. I am all in favour of more pre-marital sexual intercourse, extra-marital, post-marital and however unfashionable, intra-marital sexual intercourse, provided that this joy can be enjoyed in such a way as not to damage the lives of others, if you know what I mean ..... I do not blame women on the street for what they do. They like what they do and they seek to do no harm. My objections to leading this kind of life are practical not moral. Heroin is back again on the street and that's when we have to step in. Dealing is against the law, and we have to stop it. Or I should say, we try to stop it. ....*” (PC, age 38, twelve years services).

103 *An Enquiry into Destitution, Prostitution and Crime in Edinburgh*, offered by an anonymous Medical Gentleman.

*sounding better to 'ears polite' than Cowgate, Grassmarket, or West Port, beside the latter being so far out of the way."* (Anon., 1851:35-6).

It is worth noting that prior to the 18<sup>th</sup> century, the word *police* 104 was used in Britain with reference to the broad social function of *policing* 105, and, as Palmer (1988) puts it, policing meant “..... *the general regulation or government, the morals or economy of a city or a country ....*” (1988:69). Policing (Reiner, 1994) thus referred to a more general socio-political function exercised in civil society, rather than a formal legal one exercised merely by the state and its agencies. It was only in the mid-18<sup>th</sup> century, that the word “*police*” began to be used, in its continental sense (Gleizal, 1993), to refer to the specific functions of crime prevention and order maintenance, and from then, it was but a short step to defining “*police*” in terms of a specific personnel 106.

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104 Here the word is derived from the Greek *polis* (the root base of “*polity*”, “*politics*”, “*policy*”).

105 Over time, the concept of “*police*” and “*policing*” have been conflated, and often historians and sociologists have assumed that the two mean the same thing: this is the point behind Steedman’s (1984) observation that historical analysis has tried to apply modern definitions of police to past practices, with disastrous effects. Indeed, “[c]arried away by the vision of a thoroughly policed and inspected society, some, including county chief constables, suggested that the homes of the poor should be inspected by the police, for cleanliness and against overcrowding ... ..” (1984:54). Many of these forms of policing which did appear were, therefore, concerned with the “social” or “moral” regulation of the poor.

106 In England the word was first used by John Fielding in a pamphlet of 1758, though its first statutory use was in relation to the Thames River Police in 1800. After the formation of the “new police” in 1829, of course, the equation of “*police*” with “*personnel*” was taken for granted.



A notable social feature of Edinburgh, since the second half of the 18<sup>th</sup> century until almost the end of the 19<sup>th</sup> century, was the movement of the better off out of the heterogeneous Old Town to the new and more pretentious suburban developments, first to the South and then to the North of the City. The practical change which occurred was that the figures of authority - such as the Lord Advocate and the Provost - were to be found in the fine squares of Georgian Edinburgh, not anymore in the high tenements of the High Street. For several centuries, Edinburgh had been the administrative and legal capital of Scotland attracting the aristocracy, the lawyers and the administrators. The topographical features of the ridge between the Castle rock and Holyrood, on which the city grew up, meant that buildings tended to be piled on top of one another and produced a more or less socially heterogeneous urban population in which High Court judges rubbed shoulders daily with labourers.

When the Edinburgh upper and middle ranks of society moved out of the "lands" (tenements) into the more spacious and comfortable suburban development of George Square, or adopted the gracious living of the second New Town across the

Nor' Loch, the social heterogeneity was broken. The bond between sections of society was severed not only because the Edinburgh bourgeoisie were separate from ordinary people by their economic power, but also because they were now physically separated by distance and place of residence. The ordinary population also lost some of the employment opportunities created by upper and middle class patronage (Markus, 1982), and it is not surprising that many women had to turn to prostitution, as the last resource to support themselves and their families.

At the beginning of the 19<sup>th</sup> century, the streets of Edinburgh were busy with an estimated 3000 prostitutes working in the Capital at any one time. Moreover, it was reported that one in five prostitutes could expect to die on the streets each year (Tait, 1840).

In 1797, with the intent of helping these women, the Philanthropic Society of Edinburgh set up an asylum 107 in West Bow, which moved to Dalry in 1867.

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107 The first institution of this kind was founded in Paris by William III at the beginning of the 13<sup>th</sup> century. A second Asylum was established in 1618 by Robert de Mountry, a merchant in Paris, and in 1665 the famous Sainte-Pelaige was created by the Lady of Miramion. Many more institutions were opened in France to help prostitute women, but all these asylums were abolished during the First Revolution. It was only in 1821 that a similar institution, called Bon-Pasteur was set up for the purpose of helping women who were working as prostitutes. In London, the first institution providing help to women involved in prostitution was the Magdalene Hospital established in 1758. Few years later, in July 1787, the Lock Asylum was opened. The London Female Penitentiary was

Rooted in the Victorian myth that women resorted to prostitution because of personal character defects (Walkowitz, 1980), the asylum was called the Magdalene, taking its name and inspiration from Mary Magdalene, the biblical prostitute who repented 108 and was forgiven by Jesus. There were only two Magdalene Asylums in Scotland, 109 one in Glasgow and one in Edinburgh.

In Edinburgh, the women who lived at the Magdalene asylum did not find the path of righteousness an easy one. When they first entered the asylum, their heads were shaved for hygiene reasons, and they spent up to ten hours a day in the vast steaming laundry, cleaning clothes - metaphorically cleansing their souls. Strict rules included unflinching obedience to the orders of the master and mistress of

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established in 1807, followed by the Guardian Society in 1812, the Maritime Penitent Refuge in 1829, and the London Society for the Protection of Young Females and Prevention of Juvenile Prostitution which was established in 1835.

108 In Christian romance, which is quite informative about prostitution, the redeemed prostitute does not marry but goes to the other extreme, emulating the austerity of the ascetic whose non-sexual love has rescued her. Pelagia the harlot, first seen adorned with silks and jewels and riding a white mule, is redeemed by the prayers of an ascetic, who realises her true beauty of soul: she gives all her wealth to the Church and embarks on a life of self-mortification. Maria, niece of the ascetic Abraham, is seduced, and in her despair seeks work in a tavern, which is in effect a brothel; redeemed by Abraham, who poses as a client, she returns to a life of renewed austerity. (Ward, 1987).

109 During the 19<sup>th</sup> century a series of independently-run Asylums sprouted up throughout the United Kingdom. The most notorious asylums were run by the Roman Catholic Church in Ireland. In the Irish asylums, violence was regularly used to control the inmates – many of whom had been forcibly institutionalised by their families, and most women ended up spending the rest of their lives in the asylum.

the house, who also had to see all the letters and messages the women might receive. Swearing and dishonesty would be punished by expulsion, which meant going back to the streets of Victorian Edinburgh. For many women, in fact, the Magdalene, or “the Maggie” as it was commonly known<sup>110</sup>, was their only chance to escape their destiny, and the bars at the windows were there to keep former pimps out, as well as to deter the women from absconding. But, even the Magdalene was no escape for all the Edinburgh women involved in prostitution, as the asylum operated a strict policy and would not accept women over 26 years of age, who were deemed too set in their ways.

At the asylum, any kind of disease was unacceptable, and the women had to undergo a thorough medical examination, followed by a probation period. The asylum usually housed 80 women who stayed for an average of two years. They were taught domestic skills - sewing, washing and cooking - and operated the infamous laundry service. But, as Tait (1840) put it “ ..... *training them to sewing*

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<sup>110</sup> The asylum’s name was changed to Springwell House in 1941, as Magdalene Asylum was perceived as inappropriate for the type of women taken into this institution. By 1947, there were only 22 women in Springwell House, and three years later, in 1950, the building, all the equipment and the delivery van were sold to the Edinburgh Corporation for £17,500. The asylum’s assets were divided up four years later and today Springwell House in Gorgie Road is occupied by the City of Edinburgh Council’s Social Work Department.

*is the equivalent to training them to what you were most anxious that they should avoid.... Low prices of needlework and want of employment have been shown to be very prevalent causes of prostitution, and yet you are unwittingly instrumental in adding numbers to the overstocked market.“ (Tait, 1840:245).*

Despite all the efforts put into eradicating prostitution from the streets of Edinburgh, many women continued to work as prostitutes. Concern over the prevalence of prostitution in particular areas of the city grew especially due to the fact that, more and more often, the police had to deal with “..... *a class of crime which had been of late years increasing ..... the thefts committed by prostitutes in brothels and on the streets. A return for Edinburgh, which had been made up by the Superintendent of Police, showed that there were reported to the police of robberies committed in brothels, 1046. .... The robberies by the same class of persons on the streets were 368. .... The aggregate of these cases in the city of Edinburgh was 1414 cases reported| ...?” (Anon., 1851:116). Not surprisingly, (middle-class) efforts to repress prostitution intensified, motivated by both evangelical and commercial concerns.*

The period between 1850 and the end of 19<sup>th</sup> century the gulf widened between the lifestyle of working class women who normally worked and socialised in streets and shops, whereas the new middle-class ideology of separate spheres impelled women to withdraw from the commercial and public world into domestic seclusion, in order to be considered “respectable”. Descriptions of prostitutes as “public women” or “women of the town” brought into question the respectability of other businesswomen who worked in Edinburgh: shopkeepers, publicans, porters, all of whom were engaged in commercial public life. Labouring and lower-middle-class women, in fact, went out to work or assisted their husbands, as they were expected to help support their families. Even if labouring women in Edinburgh did not accept middle-class definitions of sexual morality, they lived in a society where magistrates, charity officials, clerics and constables could punish them for deviations from bourgeois values. To be identified as a prostitute, in fact, could have serious material consequences for a woman. In Edinburgh - and also in many other cities in Britain (Walkowitz, 1980) – any woman out on the street at night, soliciting men, drinking in a pub or merely walking home from work, faced the risk of being arrested as a prostitute by corrupt constables, and then imprisoned

by magistrates unless she was able to bribe them (Merrilees, 1966). Such treatment of working women stemmed from the class-variable definitions of immoral behaviour; for the authorities, socialising on the street at night with men and/or street walkers would be taken as evidence of prostitution, but for working people this was commonplace courtship behaviour or association with friends.

In Edinburgh, at the beginning of the 20<sup>th</sup> century “..... *there were literally hundreds of prostitutes on the streets ... .. A great deal of procuring went on, and there were a large number of known ‘ponces’, prostitutes’ bullies, who lived on the earnings of these unfortunate women. Certain promenades for these prostitutes, especially in the then notorious Rose Street behind Princes Street, were in fact known the world over.*” (Merrilees, 1966:64). Therefore, the local police started to impose spatial restrictions upon sex workers as stated, for instance, by the Street Offences Committee (1928). This Committee commenting on the Police Orders in force in Edinburgh noted: “ *....it must be clearly understood that it is the duty of the police in dealing with prostitutes more to prevent loitering and importuning than to detect it. Of course, considerable forbearance should be shown by*

*constables in dealing with these unfortunate women, many of whom are greatly pitied, and it is only where it is found necessary to ensure obedience to the law that prosecution should follow..” (1928:24).*

By 1950, there were no public spaces in Edinburgh where prostitutes could earn their living without breaking the law. The police, in fact, “[w]hen they observed a woman importuning a man in the street” used to “..... approach the pair forthwith, take the girl into custody, charge her with soliciting, and lock her up. Very frequently ..... the charges could not be proved in court..... and indeed for all concerned, was quite ineffective in the suppression of prostitution.” (Merrilees, 1966: 65).

Nevertheless, women continued to work as street prostitutes: they gathered in the City Centre, mainly in Rose Street, behind Princes Street, in St. James’s Square, in Clyde Street and Elder Street, but more and more often, they (were) moved to the area near the docks in Leith (Merrilees, 1966:90). Although women were allowed to work near the docks in Leith, they were, in effect, relegated to the margins of ghetto – which was later to become known as the red-light area – in the back



streets of Leith and, when possible, to the private space of the “home”. In fact, “[t]he layout of the streets in this locality left them only narrow lanes .... through which they could walk and importune clients or where others might come periodically to pick the girls up – with the result that the vicinity [of Leith] became a positive promenade for street walkers.” (Merrilees, 1966:90).

As Massumi (1992), in his interpretation of the thought of Deleuze and Guattari (1987), argues, there is an important difference between “... .. *entrenching one’s self in a closed space (hold the fort) ... ..*” and “... .. *arraying one’s self in an open space (hold the street) ... ..*” (1992:6). The street serves here as a metaphor for sites of resistance that are part of a rhizome-like process of deterritorializing and a progressive opening up to the political sphere. The fort signifies territories, securely established centres of domination (Massey, 1993; Tickner, 1993). As I discuss in more depth in chapter 4, space can be seen as subject to various territorializing (and deterritorializing) processes, whereby local control is fixed, claimed and challenged. Only when urban space is cleared of marginalized people, is it redesigned as a spectacle for the consumption of affluent classes 111. In fact,

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111 One could choose other groups such as the homeless with an interest in transgressing the public/private dichotomy. In Edinburgh, during the summer, when the city is visited by thousands of

for the purpose of this study, it is a reasonable working hypothesis to assume a relationship between the degree of urbanisation, in a particular area, and the degree of social control<sup>112</sup>, through law enforcement. Therefore, as Lowman (1992), suggests, if we look at the sex work industry, the (changing) geography of street prostitution has to be analysed in relation to law enforcement: a legal system, in fact, should ensure that women feel protected from violence and exploitation. As I have mentioned in chapter 1, Annex 3 provides further discussion of the current legislation on prostitution in Scotland.

This section has provided a description<sup>113</sup> of the key dimensions in which sex work developed in Edinburgh showing how the prostitute body in Edinburgh has been produced as a deviant sexuality and how the process of “othering” (de

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tourists, homeless people, who are usually rather “visible” in the City Centre, are moved to less “visible” areas of the city. From this perspective, it would be interesting to undertake a study which looks at the homeless as another example of another marginalized group, which has developed spatial strategies that transgress the public/private distinction, politicise space, and attempt to claim sites of resistance against the regulation of behaviour in public spaces.

<sup>112</sup> Social control is a prominent factor in many criminological theories (Hirshi, 1969; Kornhauser, 1978) and it is often singled out as being an important contributor to the general increase of crime which accompanies increased urbanisation - for urbanisation is assumed to weaken social control.

<sup>113</sup> The description of the key dimensions in which sex work developed in Edinburgh does not attempt to provide a complete categorizations of all dimensions of sex work but focuses on anti-prostitution law which were eratically enforced in the city of Edinburgh. It also focuses on the legal, systemic devaluation of “women’s work” which made prostitution more lucrative for women than legitimate wage labor.

Beauvoir, 1949) has been accomplished. This process of othering has produced the prostitute as the other of the other: the other within the categorical other, "woman". Through the process of policing of female street prostitution sex workers' identities are shaped.

By identifying varying discursive formations, we can begin to understand the experience that female street prostitutes have of the work they do, and how their identities are constructed through policing of prostitution. To further expand on my argument, it is useful to point out that the way in which sex work is understood varies according to the particular historical moment and the cultural *milieu* in which it is located 114.

Having examined the historical discursive positioning of street prostitution in Edinburgh, the next section consider another aspect of the effect of policing of street prostitution in Edinburgh, namely prostitutes support networks.

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114 Generally speaking, the relative dominance of particular discourses, combined with existing tensions and patterns of (dis)agreement with more marginalised discourses, shape and situate prostitution in locally and temporally idiosyncratic ways. Moreover, attitudes to prostitution are a useful indicator of historical changes in wider social attitudes (Giddens, 1992; Scambler and Scambler, 1997).

### 3.3. Helping Women To “Police” Themselves

Specialist services for sex workers in Edinburgh originally developed in 1988 with the formation of the **Centenary Project** by the Church of Scotland Women’s Guild, to provide support and preventative services to drug-using women engaged in prostitution in the Leith area.

In 1990/91, the Scottish Prostitutes Education Project (**Scot-Pep**) was formed, following a World Health Organisation funded international research study into HIV and the sex industry in Edinburgh. During the HIV related risks in the sex industry study 115, members of the research team, primarily current and former sex workers, provided outreach services as an integral part of the research. When fieldwork came to an end, those involved in the outreach decided to continue and

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115 The research project was initiated in May 1988 in Edinburgh to examine the behavioural aspects of AIDS-related risks, alcohol and drug use in relation to the sex industry with regard to both workers and clients. See for a further discussion Morgan Thomas, R., 1990, “AIDS, risks, alcohol, drugs and the sex industry: a Scottish study”, in Plant, M., (Ed.), 1990, *AIDS, Drugs and Prostitution*, London: Routledge, pp. 88-108; Morgan Thomas, R., Plant, M., Plant, M. L., and Sales, J., 1989, “Risk of AIDS among workers in the ‘sex industry’: some initial result from a Scottish study”, in *British Medical Journal*, 299, pp.148-9; Morgan Thomas, R., Plant, M. and Plant, M. L., (1990a) “Alcohol, AIDS risks and sex industry clients: result from a Scottish study”, in *Drug and Alcohol Dependence*, 26, pp. 265-9; Morgan Thomas, R., Plant, M., Plant, M. L., and Sales, J., (1990b), “Risk of HIV infection among clients of the sex industry in Scotland”, in *British Medical Journal*, 301, p.525; Plant, M., (Ed.), 1990, *AIDS, Drugs and Prostitution*, London: Routledge.

further develop the services they had been offering. In order to do this, Scot-Pep was established as a self-help group with charitable status to provide opportunities for information exchange, advice, safer sex supplies, referral and support services on a wide range of issues to those involved in the sex industry. There were eleven founding members, six male and five female, who represented a broad range of sexuality, work sectors, drug use and HIV diagnosis. The project claims to offer a totally non-judgemental service to both male and female prostitutes, and accepts their right to continue working in the sex industry. Scot-Pep was run entirely by volunteers who paid all their own expenses until June 1991, when the Project received funds from charitable trusts to establish a drop-in centre and administrative base, which officially opened in January 1992. The Project secured a 33 months service agreement from Lothian Health Board in July 1995 and, subsequently, opened a drop-in Centre in Leith, which ceased to operate in September 1997, when the lease for those premises was no longer granted.

Scot-Pep was set up to promote safer sex and safer drug use amongst both male and female sex workers and their clients, using sex workers as health educators. It

initially targeted female sex workers in saunas, escort agencies and street workers, as well as male sex workers, working in various environments. The Centenary Project, and latterly SHIVA (Scottish HIV Action) – which was formed in 1994 by a group of staff and volunteers formerly employed by the Centenary Project - mainly targeted female prostitutes in the Leith area, although, latterly, they added work with sauna workers/owners. Historically, there has been intense rivalry and competitiveness between Centenary and Scot-Pep, and more recently between SHIVA and Scot-Pep, due to the fact that both agencies are funded by Lothian Health Board. There has been little or no co-operation between the two organisations or their Management Committees, notwithstanding occasional attempts by individual Committee members from both organisations to create a more constructive relationship. The constant state of tension between the groups has had an adverse effect on current, or potential, service users by apparently placing them in the invidious position of having to choose between one or other organisation.

In 1992, when the interagency joint planning team for HIV/AIDS in Lothian – the HIV/AIDS Management Team (HAMT) – conducted a review of services for sex workers in Lothian, the main proposals arising from the review related to the need for better collaboration between statutory services and the existing sex industry services. Efforts were focussed on ensuring that strategic responses to HIV were developed on the basis of epidemiological data and monitoring information about HIV and the sex scene respectively.

In 1993, the HAMT and the Strategic Planning Team for Drug Misuse undertook a review of the implications of emerging HIV trends, particularly the increasing recognition of sexual transmission of HIV, with a view to reassessing and redirecting funding investment towards areas of identified need. Monitoring information relating to prostitution highlighted a levelling-off in the street scene, whilst the sauna scene was expanding. The estimated size of the population did not seem to warrant two specialist service providers.

At that time, it was the hope of Lothian Health Board staff that the historical lack of co-operation between SHIVA and Scot-Pep would be overcome by tendering for a single service for prostitute women. Both organisations have a background of being sensitive to the needs and wishes of recipients of services, with service users involved in the development of services. While both organisations have “user involvement”, this is emphasised more in Scot-Pep, in that the organisation is formed on a “self-help”<sup>116</sup> model with users of services also directly involved in the delivery of services.

In 1994, Lothian Health Board, in consultation with other agencies involved in planning health care, developed contract specifications for services targeted at female and male sex workers, respectively. The police were consulted to ensure that the specification did not contravene the legislative framework. At that time, a female police officer was already working closely with Scot-Pep, undertaking the

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<sup>116</sup> There has been a phenomenal increase in the number of self-help groups in Western societies in recent years. In fact, some claim it “... has developed world-wide into a major social phenomenon” (Hasenfeld and Gidron, 1993:217). Several factors have been identified as contributing to the growth of the self-help movement (Adams, 1990; Wilson, 1993; Matzat, 1993). At the most general, these have included industrialisation and technological development, which have led to depersonalised and dehumanised institutions, and the alienation of people from communities, institutions, each other and themselves. All of which have led people to seek to re-establish greater control over their own lives and recreate community and fellowship in alternative forms. The increasing demand for more local democracy and devolution of previously centralised decision making is evidence of this.



role of a liaison between the local police and street prostitutes working in the area.

Indeed, her regular presence at Scot-Pep drop-in centre in Leith, has been pivotal in shaping the relationship between the local police and the sex workers, as she acted, by her own admission, as “... *the missing link between street workers, the local police, and the local residents* .....”.

In order to gain a broader picture of female street prostitution in Leith, I felt that it was also important to look closely at the role of the female liaison officer; the only police officer in Edinburgh who directly deals with women involved in the sex industry. For six months I took part - as a silent observer - in all the Core Group Meetings 117 the liaison officer attended. Within the Project, her role was 118

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117 Scot-Pep is managed by two bodies: the Core Group and the Board of Directors, sharing responsibility for the Project and development of services. All policy decisions are endorsed by both the Core Group and the Board of Directors. The Core Group is the service users management committee and it is open to all the volunteers and the service users. Two Core Group members are elected as representatives on the Board of Directors which is the executive body of Scot-Pep, and consists of seven voting members: two representatives from the Core Group and five external members, whose experience and expertise in their own field (e.g. HIV/AIDS, health care, drug use, legal matters) is considered useful in achieving the aims and objectives of the Project.

118 At the time of writing this thesis, the liaison officer I interviewed, is no longer working with street prostitutes in Leith, as that job was not seen, as she explained “*a good career move*”, although she had no expectation to reach the highest ranks during her working career. It is worth noting that in Scotland, women comprised almost 15% of all police officers in 1998 – a three-fold increase since 1983), and the highest ranking women in the police force can be found at Superintendent level. There are only six women Superintendents as compared with 211 male. HM Inspector of Constabulary for Scotland has called for a review of women and their role in the service. See in particular Annual Report 1997/98, page 48.

mainly helping women working as street prostitutes in Leith to protect themselves through the implementation of the “Ugly Mugs List” - a list issued fortnightly by Scot-Pep, in which the women share information about, and descriptions of, potentially dangerous clients - and to make sure that the women work in groups of three or four, taking care of each other by writing down all the registration numbers of (potential) customers’ cars. The role of the liaison officer 119 was also to gather information useful to the police, as shown, for example, in the minutes of a Core Group Meeting 120: “..... [the liaison officer] *phoned today with a description of a man who had been murdered over Christmas. The man was a punter and the police*

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119 What follows are few examples of how male police officers in Leith view the role of the female liaison officer. “*The liaison officer is a bonus – a police officer, commenting on the role of her female colleague, added – but we need to be clear about one thing ... .. having a female officer working closely with the women on the beat, might look as if we made a big improvement, and ... .. and yes, things are a little bit easier for the women, as they’ve got someone they can talk to, and she seems to understand them, but for us ... .. I don’t think there is a big difference... .. . We still have the same amount of paperwork, if not more ... Sometimes, to tell you the truth, I find it a waste of time, ... .. we have to deal with many more serious incidents than some woman having a disagreement with a punter ....*” (Sergeant, age 38, twenty years service). Other policemen do not undervalue the importance of the liaison officer “*... .. I know a lot of sex workers are reluctant to report crimes to the Police in fear of prosecution for prostitution related charges, and that’s why the liaison officer is playing an important role ....*” (PC, age 27, ten years service).

120 Although the minutes of all the Core Group Meetings are available to anybody who requests them, I made the decision at the beginning of my research to protect the identity of all the women I interviewed. Therefore, I will not use any quotations from the minutes as it would make it quite easy to identify some of the women I contacted. The example provided above is simply to underline the role of the liaison officer. See Minutes of Core Group Meeting held at the Scot-Pep Drop-in at the Shore in Leith on 15/1/ 1997.

want some feedback from the girls about any information they may have regarding him.”(15/1/1997) 121.

A great deal of research has been devoted to describing and analysing the role, function and behaviour of the police in the community, and also to studying how these might vary according to (or be influenced by) the districts or areas, in which the police are expected to perform their duties (e.g. Wilson, 1973; Reis, 1971; Banton, 1964; Smith, 1986; Sherman, 1986).

Research on policing, particularly during the 1980’s and more recently, has tended to focus on analysis of areas seen to have a high concentration of problems, known colloquially as “hot spots” or “problem spots”. These are then analysed in relation

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121 In order to clarify her role, the liaison officer pointed out that: “... recently, ... there have been two murders of prostitutes in Edinburgh ... which to date are unsolved. ... Some prostitutes, when they themselves are victims of serious crimes (e.g. rape and serious assaults) are afraid to report the crime to the Police because they believe that they will be charged with loitering for prostitution in the first place. All members of the Police Force are instructed to take all reports of crimes and ensure the crime is properly investigated with the ultimate aim of arresting and charging the offender. The Police are told we must not discriminate against any person, and the failure to act properly when an offence is reported is a breach of discipline. ... Women prostitutes know that, if they are victims of a crime, any crime, their rights are exactly the same as any other member of society. It is important that the crime be reported to the Police at the first opportunity. The victim need not be in any fear that reporting crime will subject them to discriminatory action by the Police. I think it is also important to stress the fact that by introducing the figure of a liaison officer we are helping the women to police themselves by making sure that they work in small groups, looking after each other.... It is not only about safer sex, it is about working in a safer environment...” (liaison police officer).

to the resources available, with a view to planning police activities in a more efficient manner. Such “hot spots” may contain concentration of either crime or criminals, but the common purpose of analysis has been to identify places where problems occur and then to take active measures to eliminate the trouble at source (Martin, 1986; Sherman *et al.*, 1989).

As Matthews (1993) 122 points out “..... *once forms of disorder become established in the area, it signifies that ‘no-one cares’ and that the area is vulnerable and poorly protected. It then attracts a range of criminal activities and sets in motion a dynamic of neighbourhood decline.*”(1993:4). Indeed, in Edinburgh, in the course of the past three years until its closure in 1997, there were numerous complaints about the operation of the Scot-Pep drop-in Centre in Leith. These complaints have been almost exclusively from one source, namely the neighbours who occupy a flat above the Centre, who were very concerned about the decline of the area, as more and more sex workers came to work in the neighbourhood. The couple who

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122 Matthews (1986, 1991, 1993) adopted a socialist left-realist approach to explore the legacy of the Wolfenden Report (1957) and the debate around legalising and/or decriminalising prostitution. He also examined different multi-agency approaches to street prostitution, including road closures and traffic calming measures which benefit residents and also help to deter or deflect some women from street prostitution. See in particular Matthews, 1993.

complained have taken extensive video films showing an increase in kerb crawlers, soliciting on The Shore, and unwanted approaches to local women. There have been complaints also from other residents around the Centre, and in 1997 a petition was submitted to the City of Edinburgh Council. For this reason the local police did intervene. Indeed, they “..... *only intervene if there is a complaint, and many people here complained to us. People who live in the area and people who come here to have a meal or a drink at the Shore .....*” (PC, age 32, ten year service) 123.

It is worth noting that behind the political will to re-develop Leith, which has transformed it into “*an interesting area to visit*” (PC, age 32, thirteen years of service) there are huge economic interests, promoted much more by the property developers than by civic or amenity groups – and not necessarily spurred on by local government planners, although they are often beneficiaries. In fact, a

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123 The following are some quotes by police officers commenting on this issue. For example, one officer said “... *you don't want to come here and see them [sex workers]. It is not good for tourists who come here especially in the summer, and it is not good for the local residents either. ....*” (PC, age 38, 12 year service). And another explained that: “...*recently, Leith and the area near the docks have become very popular .... Young people and young couples live here, and they want to enjoy a good night out without any hassle. Some nights we are called because some women are fighting over a punter and they are simply too loud. It's not good for this area, .... no I don't think it looks good to have all these noisy women shouting at each other and at their clients ....*” (PC, age 29, ten years service). And another police officer described Leith as “...*quite a trendy area and some of the flats here are rather expensive. The re-development of this area has made it possible to create new jobs. There are new shops and new restaurants in the area .... It is an interesting area to visit .... Who would want prostitutes in this neighbourhood? ...*” (PC, age 32, thirteen years of service).

particular feature of the waterside development of former dock sites such as Leith, is not just upper-status groups replacing lower-status groups in areas of decline - as has already happened in London 124 - but the fact that this "reinvansion" is often accompanied by conflict. As Matthews (1993) points out "*.... it is disorder not crime, which is the instigator of neighbourhood decline and it is in relation to problems of order maintenance that police activity should be principally directed.*" (1993:4).

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124 The largest example of this process is the Docklands scheme in London. It combines offices and residential development in the East End. In many ways, its controversial status is a product of its sheer scale, and the need for the British government to bail out the private developers after a crash in property prices in the late 1980s. According to Coupland (1982), Docklands, whose foundations were laid in 1988, is a controversial development. It could be argued that there are similarities with Leith because in both areas office jobs were created, but they were not suitable for the low qualifications held by most people in the area. In Leith the housing developed has been too expensive for the local community and this lead to displacement of lower-income residents as property is condemned, razed to the ground, and office developments and expensive chic housing put in its place. This process can also be understood as part of a wider agenda for dealing with social dislocation in the city.

### 3.4 Conclusion

In this chapter I have shown that the genealogical approach is useful in recognising and documenting how, as women became more economically vulnerable, the repression of sex workers by the authorities<sup>125</sup> served to restrict the freedom of all women, not just those engaged in sexual commerce in Edinburgh. I have also discussed how the physical and social environment interact to produce certain perceptions of crime or safety, especially for the local residents who live or work in Leith, near the area known as the red light zone<sup>126</sup>. Residents cannot be assured that others will adhere to a shared set of expectations about behaviour<sup>127</sup>, and, it was only when the local residents complained, that the local police did intervene.

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<sup>125</sup> Although nowadays prostitution itself is not an offence, almost every conceivable way of engaging in prostitution is illegal in Scotland (see Annex 3). Morgan-Thomas (1989), commenting on the current legislation on prostitution, states that “..... *it is almost impossible to engage in sex work without some law being broken by sex workers, their partners, dependants, their clients, or those running the sex industry .....*” (1989:118-9). At the end, “*..... most of the enforcement of the law is directed at sex workers, and often led to them becoming more vulnerable, both to clients and to those who control the sex industry .....*” (1989:119). Sex workers, in fact, are vulnerable to rape, violence, mugging and robbery. For this reason, as we have seen in this chapter, in Edinburgh, agencies like Scot-Pep and Shiva in collaboration with the local police, have taken steps to protect the safety of the women who are involved in the sex industry.

<sup>126</sup> This view, in fact, referred to as the disorder model, is described succinctly by Bursik and Grasmick (1991) who point out that: “[f]ear is a response to the perception that the area is becoming characterised by a growing number of signs of disorder and incivility .... that indicate that the social order of the neighbourhood is eroding ... ..” (1991: 101).

<sup>127</sup> According to Smith (1986), at least three broad aspects of the social environment can contribute to fear of crime, relatively independently of the experience of victimisation. The first is environmental incivility, in the form of abandoned buildings, vandalism and graffiti; the second is a

In order to set a framework for my empirical research, in this chapter I argued that where the female prostitute is “placed” in terms of legislative climate, spatial marginalisation and mutual support networks (e.g. Scot-Pep and SHIVA), provides a highly specific local context for the organisation of sex work in any one setting. It also provides the basis for the construction of sex workers’ sense of self-identity.

In the next chapter I will elaborate further on the spatial marginalisation of the prostitute body by focusing on the dichotomy between public and spatial space. I will also show how issues related to violence, fear and vulnerability as female street prostitutes experience them in Edinburgh, contribute to the construction of prostitutes’ identities. The area near the docks in Leith, in fact, is not a safe haven from the threat of violence which follows prostitute women during their working life. In Edinburgh, female street prostitutes are especially targeted in the red light area by violent male clients, but even when they are not working, they feel vulnerable to male violence in most areas of the city - and not (only) in the area near the docks.

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lack of community spirit or community satisfaction, and the third is racial tension, most often the result of changes in the racial composition of the area.



## Chapter 4 SURVIVING THE STREET

### 4.1 Introduction

Developing the theme of the spatial marginalisation of female street prostitutes in Edinburgh, this chapter provides insight into some of the key issues related to the negotiation and regulation of gender and sexuality through the opposition of public and private space. By describing the way in which female street prostitutes “share” the street with the local police I also examine how this contributes to the construction of prostitutes’ identities. The dichotomy between private and public spaces, and the relation of this to private and public spheres, is, of course, highly problematic 128. By pointing to examples drawn from the conversations with street prostitutes in Leith, I attempt to show how, as sites of resistance to the oppression of a society which wants to punish prostitutes, the area near the docks in Leith, creates a strong contradictory sense of empowerment that allows female sex workers to look past the dangers of the sex industry – for instance dealing with

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128 Increasing privatisation of public space has, in fact, tended to depoliticize space and shrink public spheres. However, I will discuss some of the various ways in which the spatial and political practices of marginalized groups such as female street prostitutes work to undermine the (always already unstable) coherence of this binary division of space.

violent clients and passers-by - and to feel safe and “at home” on the street, due to the “reassuring” presence of the police in the area. Thus, I argue in this chapter that, for female street prostitutes, coping with the presence of violence is an act of negotiating power in society 129.

For female street prostitutes in Leith, threats and fear of violence are shaped by their positions as active subjects rather than passive objects. In other words, for women involved in street prostitution in Leith, the negotiation of danger is in many ways the negotiation of power.

#### **4.2 Fear, Vulnerability And Behaviour**

Since the 1970s, several disciplines, including criminology, have recognised that fear of crime is an important social problem, and that numerous social, spatial and psychological factors contribute to the phenomenon. In relation to the fear of

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129 Foucault’s insights into the positivity of power – in producing docile bodies – offered, in this particular research, invaluable tools for understanding the operation of power in the local every day world. Moreover, together with the feminist discourse(s) in which they have been analysed, they form that complex foreground that Gadamer (1992:302) called an “*horizon of interpretation*”.

crime, many studies have focused on the distinction between fear of crime and actual victimisation 130, noting in particular that fear of crime is often loosely related to actual victimisation in a specific area.

Recently, many feminist studies 131 analyse the position of women in society and its significance in understanding women's fear of crime (*inter alia*, Pain, 1991; Stanko, 1985, 1990; Riger, 1991; Valentine, 1989; Warr, 1985) 132. These studies

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130 The empirical research has typically examined communities experiencing socio-economic decline, characterised by a low rate of crime but very high fear of crime. Few studies, however, have examined the inverse of this relationship, in communities where there is a high crime rate and high expectation of crime but low level of fear. It is not difficult to imagine how a community with a low crime rate can nonetheless come to experience fear. However, it seems counter-intuitive that a community with a high crime rate, in which individuals expect to be victimised, could be characterised by the absence of any fear or anxiety and the presence of a strong sense of safety. Most early studies of crimes relied on national or city-wide crime surveys, did little to distinguish between fear of different types of crime and were generally concerned with determining the predictive value of certain demographic characteristics, such as age, sex or income. These studies provide little explanatory insight. Studies by social psychologists are more useful in explaining the relationship between perceptions of crime, fear and precautionary behaviour (see for example, van der Wurff, 1989). However, such studies have rarely looked beyond individual cognitive processes to place fear of crime in a broader societal context.

131 Walklate (1995) underlines three different feminist perspectives, which all recognise the impact of the fear of rape and/or sexual assault on women. A liberal feminist perspective which "... would adhere to a view that the issue of sexual violence was a problem associated with a few psychologically deranged men, men whom women need to learn to identify and avoid" (1995:65). A post-modern feminist perspective which aims to discuss and distinguish the specificity and diversity of fear, "[t]hus – as the author suggests – it would be necessary to distinguish the 'fears' expressed by black women from those expressed by lesbian women, from those expressed by white women, etc." (1995:66). And finally, the most influential perspective on this debate, which is a radical feminist position, which supports the view that sexual violence by men towards women is the normality.

132 Feminist social scientists have demonstrated that women fear violence, particularly sexual violence more than men (Hamner and Saunders, 1984; Gordon and Riger, 1991) and that such fear inhibit women's use of space (Valentine, 1989; Pain, 1991; Pawson and Banks, 1993). But women's fear of violence and its spatial effects have also been described as "paradoxical": official surveys of victimisation, such as the British Crime Survey, report that women are less likely to suffer violence than men, and, whereas women, as a category, particularly fear being assaulted by a stranger in "public space", they are at greater risk of being sexually assaulted in "private space" by someone

recognise that women are subjected to a form of violent crime – rape - which is rarely a concern for men 133. In addition to the likelihood of serious injury, women express strong feelings of vulnerability to rape because of the perception that they could not physically defend themselves and the lack of protection they receive from society.

Few of these studies, however, distinguish between perceptions of crime, general feelings of vulnerability, fear of different offences, e.g. rape, assault or mugging, and particular changes in behaviour. Although difficult to discern from a study of a group that experiences high levels of vulnerability, fear and consequent changes in behaviour, the data collected in this study revealed that the above distinction is significant for women working as street prostitutes in Leith.

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they know (Valentine, 1989; Walklate, 1995). Several feminist commentators have argued that this paradox is a product of survey design that fails to recognise the nature and ubiquity of violence against women (see e.g. Pain, 1991; Stanko, 1987, 1990, 1993) and in so doing they have challenged the idea that women's fears are "irrational". However, this line of argument risks reinforcing a view of women as victims (Koskela, 1997).

133 Like women, gay men are confronted with a particularly dangerous crime gay bashing, which is associated with high levels of injury but little societal protection.

Indeed, few groups learn to experience or express emotions such as fear in the same way. For example, as emerged during fieldwork, women engaged in street prostitution recognise that crime is a hazard in their working environment and take steps to prevent their victimisation, but they loathe to admit that they experience fear, much less that it is a significant reason to change their behaviour. However, women who are not involved in the sex industry, as, for example Stanko (1990) argues, are very likely to identify fear as a motivating factor 134.

The majority of the female sex workers I met did not seem consciously aware of the behaviour changes they could make in their behaviour, and, when they did make such changes, many attributed them to “common sense” rather than a reaction to fear or concern about crime. Alison explained: *”It’s common sense, really, to be vigilant all the time. It’s almost pure paranoia, I know it, but I’m not prepared to have sex with smelly men, ..... and then being robbed or abused. ....I don’t want anyone to take advantage of me..... I don’t have a pimp 135, not*

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134 See also Madriz (1997).

135 During the time I spent in Leith I noticed that the phenomenon of pimping is very rare. In fact, none of the 60 women I observed were working for a pimp. This seems to contradict other studies which suggest that street prostitutes are worse off than other workers in the sex industry as they are pimped. For example, Phoenix (1999) suggested that 19 out of the 21 women in her respondent group had been pimped, had often several pimps during their careers, were often “coralled” by these

*now. ....And, anyway, I'm a big lassie, and I look quite confident, so there aren't many men who would risk to get into a fight with me. Also, I carry a knife, just a wee one, but it does the trick. At least I don't look like a silly lassie who hasn't been 'round.... I know the score with this job. I know the danger and that's why I always avoid any confrontation.... If I sense something wrong I just do a runner. I'm not hanging 'round to see what it's happening... It's common sense as I said already, just common sense to keep out of trouble ...." (Alison, age 29).*

Thus the protection she used, the "wee knife" and her behaviour of doing a "runner" were regarded as "common sense" rather than due to fear. This was common among sex workers who are frequently not conscious of the limits they place on their behaviour. My interviews are full of examples of claims that such behaviour is "*common sense*", or "*just the way things are*", rather than because of concerns about crime.

For instance, Carla said that "*If I get into a car with a punter, I'll make sure that he knows that I've got a knife in my handbag. I'm no daft. I know that bad things*

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men such that they could not see family, friends, or even other workers and were on occasion traded between pimps as if they truly were commodities.

*can happen to anyone..... But with us, working as we do, it's very easy to meet the wrong person. Lassies I knew, have been killed, and many of us have been battered..... Many of us have been robbed, we take so much abuse ..... But I suppose, it's just the way things are.... No much I can do about it....."* (Carla, age 25).

It is over-simplistic, therefore, to use the term "fear" in discussing how women involved in street prostitution in Leith perceive crime. What they are really talking about is the breakdown of feelings of safety or security. As Shona explained: *"I'm not really scared ..... But if they're [i.e. the police] not 'round, I would feel really insecure. I suppose, what the bizzies do is what pimps, proper ones, are meant to do: being there if something happens... They're there to make us to feel safe. I mean, I would rather put up with them than taking the risk of facing some violent client on my own...."* (Shona, age 25).

Perhaps ironically, feelings of safety and security are engendered in the women through policing. Rather than feeling threatened by the activities of the law enforcement agents, the female street prostitutes of Leith feel more secure.

### 4.3 Defining Risk

In Edinburgh, female street prostitutes perceive the risk<sup>136</sup> of crime to be particularly high and, like women in general, they reported feelings of vulnerability in most parts of the city. As both Lee and Anne remarked:

*“No way I’m walking on my own at night. I always make sure that my pal is with me if we go up town. It’s ok here [Leith docks] ‘cause the bizzies are just ‘round the corner.....”* (Lee, age 24).

*“You might think I’m nuts, but I feel safer here [Leith docks] than in many other places in town. Even going out on a Friday night, I’ll never go home on my own. I always get a pal of mine to stay with me .... Too scary....”* (Anne, age 36).

Another female prostitute, Esther, attempted an explanation for such feelings of vulnerability: *“.... At least with the polis here [Leith docks] if they hear a lassie screaming they don’t think she’s had one too many. They come and have a look.... Then, they might decide that it’s not worth it. But even if they do nothing they ‘re*

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<sup>136</sup> According to Furedi (1997), the *”term risk refers to the probability of damage, injury, illness, death or other misfortune associated with a hazard. Hazards are generally defined to mean a threat to people and what they value..... No definition....can exhaust the meaning and usage of the risk concept.”* (1997:17).



*there and talk to the lassies. In town, when and if the polis is involved, nine times out of ten they blame the lassies..... I think it's pathetic, but there we go, that's the relationship with the polis that you wanted to talk about....."* (Esther, age 40).

Esther's analysis of policing in Leith, in contrast to elsewhere in the city, was echoed by all the female street prostitutes in Leith. While most sex workers who spoke to me believed that the danger of violence was greatest in the red light area, all the female street prostitutes who spoke to me said that they felt safer in the area near the docks, where they work, than in any other part of the city, and that this was mainly due to the presence of the police.

What is so special about the red light area in Leith? Why do female street prostitutes identify this area as their "safe place"? In trying to answer these questions, my argument is that it is crucial to understand how feelings of vulnerability, fear and safety are related to experiences of social control<sup>137</sup> and to how power and privilege are constructed in society.

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<sup>137</sup> In fact, as Cohen (1989) puts it, "[s]ocial control is conceived as an active, autonomous force that has to be explained, not with reference to the character of the 'deviance' but by its own internal properties or its relationship with the wider social order. Social control, that is, is not merely reactive nor does it ever show any rational correspondence to the amount, intensity or nature of the deviance to which it is supposedly addressed" (1989:349).

Arguably, the general effectiveness of social control, exercised in this particular area of Edinburgh, will affect the number of active criminals – or to put it in another way, the number of people in that area with a greater propensity to crime. Research has also demonstrated that the proportion of offenders in a particular area is influenced by the general “temptation level” (Wikstrom, 1990) which, itself, is determined by the number of favourable opportunities for crime (Cohen and Felson, 1979) 138.

My argument is that it is not unreasonable to assume that the presence of police officers, regularly patrolling the area 139, would bring about a reduction in the crime rate – at least for a short period of time and at least for categories of crime which are extremely visible, such as street robbery and assault in public places.

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138 One of the most important issues to emerge from Cohen and Felson’s (1979) theoretical study of the impact of what are known as “routine activities” on the crime rate, is their observation that the minimum requirements for the committal of a crime are a motivated offender, a suitable target/victim and, as they stated, an absence of capable guardians, in other words the absence of protection in the shape of formal or informal supervision.

139 The purposes of the patrol car are perceived to be the reduction of criminality and the apprehension of greater numbers of criminals. To summarise some of the research reports published in this field (Banton, 1964; Cohen and Felson, 1979; Kelling et al., 1974; Mowby, 1979;), one could draw the following conclusions: patrol creates an impression of omnipresent force; the police work in visible vehicles which move in unpredictable patterns, i.e. there is always the possibility that one might turn up; this increases the probability that potential criminals will refrain from crime; if a crime is committed nevertheless, the police can be quickly directed to the scene of the crime and apprehend the offender or offenders; the role of the police officer in society is repressive; the police officer, representing as he/she does a constant threat of discovery and punishment, is essentially a “crime fighter”.

Regular police patrols in Leith appeared to contribute to the feelings of safety which sex workers experienced in Leith, compared to other areas of Edinburgh, where regular police patrols were not a feature of policing. In fact, as Margaret put it: “ *I’m safer here than in town....See, the polis are snooping on us. They’re always ‘round...What they want is to get some big criminal, not that they care about us..... It’s the crowd I’m involved with that interests them, it’s not me or the other lassies, I ken that. What they’re really interested in is to arrest folks. It’s for their poxy statistics.....*” (Margaret, age 29).

However, despite the “reassuring” presence of the police in the area, nearly all the women I met expected to be victimised by violence, and reported general feelings of vulnerability to crimes such as rape and assault. For example, Norma said: “*I ken that [violence] is gonna happen. I cannae tell you how and when, but I ken that unless I carry a gun there’s no way I’m gonna feel safe*” (Norma, age 33). And Claudia explained that “*...because I’m a woman I know that men will take advantage of me. And because of the work I do it’s always in the back of my mind that a punter will harm me, in one way or another.....*” (Claudia, age 28).

These feelings of insecurity and vulnerability to violence are well grounded in the lived experiences of many of the women who work as street prostitutes in Leith, who have, in fact, been victims of violence. In my research, at one extreme, one third of the 60 women I met had had only a few problems with violence <sup>140</sup>. At the other extreme, approximately one third had had numerous and varied types of violent experiences while working as street prostitutes <sup>141</sup> though physical violence occurred more often than sexual violence <sup>142</sup>. The remaining third had experienced some violence, albeit much less frequently.

When asked what it meant to be “safe” as a woman working as a street prostitute in Leith, nearly half of the women who spoke to me defined safety not in physical

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<sup>140</sup> It is interesting to notice that none of the women I met defined verbal abuse, by customers and passers-by, as violence. Among female sex workers in Leith, a disproportionately large number of women were sexually abused when they were young. 42 out of 60 women reported having been sexually abused by people they knew before they were 16, while 15 women said that they were sexually abused by strangers. This, I believe, is significantly more than would have been found in a representative control group.

<sup>141</sup> Being robbed while working as prostitutes was not considered a particular violent experience, despite the fact that most of the women who experienced this particular crime had to seek medical care.

<sup>142</sup> More than half of the women I observed have been severely battered on more than one occasion by a husband, or a boyfriend or a male friend. Most of the women I met has been threatened in one way or another by violent partners, but none of these women reported it to the police for fear of losing their partners.

terms or in terms of violence and crime, but as “*being comfortable in what they are doing*”, “*being able to work without any hassle*”.

For many of the women, their explanations for feeling safe in this particular space were grounded in a sense of safety in numbers. For example, as Danielle put it: “*It’s sound here ‘cause there’re always lots of lassies.... That means that whatever happens the polis have to show their face..... If it was only few of us, nobody would care... no even the polis....*” (Danielle, age 27).

This quote demonstrates what I found to be a typical view held by the women: that the police presence was necessitated by the large numbers of street workers. In effect, the policing of prostitution led to feelings of safety amongst the female prostitutes. Interestingly, though, these same women do not believe that other sex workers <sup>143</sup> are more likely than other people to come to the assistance of a prostitute victim. In fact, several suggested that sex workers working in Leith, due

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<sup>143</sup> I already underlined in the previous chapter how part of the work of the police liaison officer in Leith, is helping female street prostitutes to understand the importance of looking after each other sharing information and descriptions of potentially violent clients, as a way of preventing violence.

to concern about their own safety, due to fear about the loss of business, might be less likely to intervene in an attack or in case of rape.

The following quotes exemplify how the women felt: *“There’s no way I’m trusting the lassies here.....No one is stupid enough to get involved. Nobody wants the punters to know that you’re trouble. They might not come back. And I don’t want the polis involved, either... ’cause that means questions non stop, and if and when they get the bastard, I might have to go to Court myself, and then how am I going to explain what I was doing ....”* (Roberta, age 32).

*“I never get involved and I don’t want to know what is going on.”* (Paula, age 29).

*“Why should I care? I don’t, if you must know..... The bizzies are there to look after us. So why should I help some stupid lassie who got herself into trouble? Let the bizzies deal with it.....”* (Trisha, age 39).

Clearly, the safety that female street prostitutes feel in numbers has much more to do with policing than mutual support.

The safety they feel is, however, more than this. It can also be explained in terms of an emotional and psychological safety that comes from working in an area in which one has some sense of belonging, even in the absence of police controls. To quote Maria: *“I’m feeling safer here than in many other places.... It’s not the lassies that makes it safe...or the bizzies..... it’s the fact that this is our territory, our space..... It’s the place where I work, so I suppose, I’ve got rights.....”* (Maria, age 23). When Maria emphasised that *“this is our territory”*, she was not only stating her claim on this particular area, but reaffirming that claim.

As is discussed in the remainder of this chapter, for women working as female street prostitutes in Leith, alienated and with no real sense of power, control or order in any other part of the city, this sense of claimed territory takes on an enormous emotional significance. The concept of “safe space” is, therefore, a central one for female street prostitutes in Edinburgh.

#### 4.4 Public And Private Space

In this study, I use the term street instead of “public place” to describe everyday publicly accessible places. This is because the term “public” now seems inappropriate given, first, the way that many so-called “public” spaces are now semi-privatised (i.e. are privately owned, controlled, managed). Second, the fact that these places are often not “public” in that many people are excluded from them on the grounds of gender, age, race, sexuality and so on. And finally, because the term “public” obscures the fact that many so-called “private” relationships, such as sexualities, are actually part of “public” space 144.

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144 A broadly Foucauldian conception of relations of power as suffused throughout society and across space can help undermine the conventional use of the dichotomy drawn between the public and the private. “The personal is the political” is a proclamation commonly heard among feminists that challenges the public/private dichotomy as it has traditionally been formulated. This phrase serves as an evocative reminder of the artificiality of such a clear-cut distinction despite its long history and naturalisation in legal discourse. It is a statement of the fact that personal relationships are also power relationships and that everyone is implicated in the production and reproduction of power relations. In fact, although places may be more or less overtly politicised, there are no politically neutral spaces. Similarly, whether or not embodiment is explicitly recognised – whether or not a disembodied, allegedly objective perspective is claimed – the spatial and social situatedness which comes from necessary corporeality is inescapable. Foucault (1980) argues that power relations emanate not only from state or juridical sources, but concern: “*our bodies, our lives, our day-to-day existences... .. Between every point of a social body, ... ..there exist relations of power.*” (1980:187).



Summarising the existing literature on this topic, it is argued that the distinction between the “public” and the “private” is deeply rooted in political philosophy, law, popular discourse and recurrent spatial structuring practices. These practices demarcate and isolate a private sphere of domestic, embodied activity from an allegedly disembodied political sphere that is predominantly located in public space. The public/private dichotomy (both the political and spatial dichotomy) is frequently employed to control, discipline, confine, exclude and suppress gender and sexual difference preserving traditional patriarchal and heterosexist power structures (Spivak, 1988) 145.

Although the social problems to which I refer to in the next chapters clearly have spatial (material, corporeal) components, the solutions to these problems will by no means be purely spatial or environmental ones. Confinement – voluntary or forced – in private spaces, such as saunas and massage parlours, reduces the ability of marginalized groups, such as female street prostitutes, to claim a share of power.

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145 Spivak (1988) consequently goes so far as to claim that “...the deconstruction of the opposition between the private and the public is implicit in all, and explicit in some feminist activity” (1988: 103).

Referring to her own experiences of street and indoor work Claudia argued: *“I’m not stupid.... I know that I’m putting myself at risk [in the streets].... But I’m careful.... And I feel rather in control..... I wouldn’t feel that safe working indoors. If something happens and a punter turns nasty or asks you to do ‘things that are not on the menu’, so to speak, you still get the blame ‘cause you lost a punter.... Few times when I was working indoors I ended up paying money. What’s the point? On the street I can decide who I can pick up...So I think it’s safer here....”*

(Claudia, age 28). In other words, Claudia felt she was taking control and was able to claim her power on the street. Indeed, it is particularly important to emphasise in a study of street prostitution that the public/private distinction is itself gendered. This binary opposition is employed to legitimate oppression and dependence on the basis of gender, and it has been used to control sexuality. On the one hand, the private, as an ideal type, has traditionally been associated and conflated with the domestic, the embodied, the natural, the family, intimacy, passion, sexuality, unwaged labour, and reproduction (de Beauvoir, 1949; Lloyd, 1984). Moreover, as I noted in chapter 1, the idea of privacy is deeply embedded in Western political

theories of freedom, personal autonomy, patriarchal familial sovereignty and private property (Stone, 1977) 146.

On the other hand, the public, as an ideal type, has traditionally been the domain of the disembodied, the abstract, the cultural, rationality, critical public discourse, citizenship, civil society, justice, the market place, waged labour 147. The public sphere, however, is not just the site of state politics and regulation, nor is it limited to the market place or the economy; it is also the site of oppositional social movements. In fact, under many definitions, the public sphere is a political site separate from, and often critical of, the state and the economy 148. As opposed to the private sphere, it is the discursive and material space where the state and its powers, as well as oppressive aspects of the dominant culture (misogyny,

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146 Stone (1977) suggests that the perceived need for increased privacy in domestic spaces arose with the European nation-state. Attempts were made by both the state and private households to strengthen the institution of the family and to limit the role of state authority over the reproductive family unit. The home was accordingly considered a microcosm of the political order with the male head of household as ruler. While modern liberal notions of individual freedom and rights within the family or household clearly differ from these earlier ideas of paternal dominance, the latter are still quite evident in contemporary culture and the administration of justice.

147 There are, in fact, a number of different public/private distinctions; these include the state versus the market, citizenship versus both the state and the economy, and domestic versus waged labour. See e.g. Robbins (1993).

148 On the history – and normative theory – of the public sphere see Habermas (1991). For a broader debate see also Calhoun (1993) and Robbins (1993).

homophobia, racism), are open to challenge by those, like street prostitutes, who have been marginalized in various ways.

As a normative ideal, the public sphere is open to all; in practice, however, it is much more restricted. In fact, as Habermas (1991) argues, the public sphere no longer functions effectively in the interest of any group 149. Moreover, the ideal of a single public sphere that serves as a site of political context is considered by some to be either utopian or deceitful in its pretence of homogeneity and inclusiveness (*inter alia* Fraser, 1993; Howell, 1993; Robbins, 1993; Cohen and Arato, 1992; Young, 1990) 150.

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149 Examples of increased restrictions on the public sphere as a place where groups can meet to protest and publicise their views is the introduction in Britain of the Criminal Justice and Public Order Act of 1994. This Act includes limitations on the right to assemble for peaceful political protests. It is noteworthy that such increased regulation of public behaviour (allegedly for fear of potential violence) is not matched with a similar increase in the regulation of actual violence in the private sphere. This is not to say, of course, that violence in public is adequately controlled or that provisions should not be made to control politically motivated violence.

150 Indeed, there are some persuasive arguments for the expansion and re-politicisation of the notion of public sphere into a multiplicity of heterogeneous publics also known as "alternative and counter public spheres" (Cohen and Arato, 1992). Such counter public spheres can be seen to develop out of social movements. Young argues that "...the concept of a heterogeneous public implies two political principles: (a) no persons, actions, or aspects of a person's life should be forced into privacy; and (b) no social institutions or practices should be excluded a priori from being a proper subject for public discussion and expression" (1990:120). Although in practice various critical publics would never be equal in influence or legitimacy, they could ideally all have access to the public sphere and public spaces (where they could challenge, and be exposed to challenges by, members of other counterpublics).

As a relatively unregulated sphere the private is a place where men have traditionally dominated their families and the privacy to do so has been jealously protected. Legal definitions of privacy result in space becoming gendered, thus reproducing inequalities 151. Most notably, as I have argued in chapter 1, the private home has been historically seen as a place where men have assumed their right to sexual intercourse. Challenges to this assumption, particularly surrounding issues of genuine consent on the part of the partners, have only recently begun to be addressed with any frequency. Thus the “private space” of the home has and continues to be a place where aggressive forms of misogynous masculinity are exercised with impunity. As Edwards (1989) points out, it is a place where rape and other forms of non-consensual sexual activity take place more often than many people realise 152.

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151 As Schneider (1991) argues “*the interrelationship between what is understood and experienced as private and public is particularly complex in the area of gender where the rhetoric of privacy has masked inequality and subordination. The decision about what we protect as private is a political decision that always has important public ramifications*” (1991: 978).

152 Although I recognise that the private space of the home is a place where some men use violence as a way to control women, I wish to distance myself from arguments made by radical feminists such as Brownmiller (1975) and MacKinnon (1989) who argued that violence, especially sexual violence, is used by men collectively as a way to control women. This is to implicate many innocent men who abhor violence and it assumes a narrow view of power – one that sees it as primarily coercive. On this issue see also Pain (1991). However, Pain does not take a stand on whether there is a conscious conspiracy among all men and not just sex offenders to intimidate women. Instead, I would choose to explore the idea of a complicity which includes men and women who fail to act decisively against both public and private sexual violence, resorting instead to staying at home at night or encouraging wives, daughters and women friends to do so. Here I am not suggesting that individuals place themselves in the position of risking their own safety. Quite the contrary, I am

In the context of sex work, issues concerning the dichotomy public/private space are pivotal in shaping sex workers' sense of identity as the (physical, emotional and legal) spatial marginalisation of female street prostitutes means that they (have to) negotiate their way into the public sphere. From my own research, however, it is clear that, if prostitutes could safely "come out" <sup>153</sup> in the public sphere and speak on their own behalf, there would be many benefits for them. It is also clear that their voices could add some new, knowledgeable voices to the debates over, for example, the meaning of choice and consent, sexual exploitation and power relations. I use the concept of "outing" to talk, in very general terms, about a transformed spatiality – an empowering deterritorialization, the creation of smooth, less striated spaces (Deleuze and Guattari, 1987). Smooth space is private, where there are no set rules, and fantasy may merge with reality. Striated space is a public

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suggesting that such violence directed against women in both public and private spaces is a problem requiring highly organised, structural solutions, not isolated individualistic ones. The feminist slogan "Take Back the Night" should be seen as a suggestion not for women to disregard personal safety, but for all those who can (not just women) to organise and ask for public funds to transform public spaces to make them safe and accessible to everyone at night as well as during the day.

<sup>153</sup> By outing here I do not refer to the highly problematic practice of outing individual gays. I think that the practice of publicly identifying the sexual orientation of individuals against their wishes cannot be considered a just or effective solution to the problems of homophobia. Nor I do mean to say that privacy should not be respected when it does no harm others. Rather I would like to suggest that the boundaries between the public and the private can be destabilized by being actively questioned and placed in the public consciousness through the media, through challenges in the courts and through the efforts of social movements. The physical design of our societies' highly privatised landscapes however, have been shaped not only to protect those whose privacy should rightfully be respected, but also to secure the privacy and autonomy of the abusers of the women and children who share their domestic space.

space where there are rules, regulations, tax officials, police, health standards. The concepts of “smooth” and “striated” space are, of course, highly abstract and are meant to be evocative. Nevertheless, I find them analytically useful in exploring how the space(s) within which prostitutes work contribute to the social construction of their identities.

#### **4.5 Conclusion**

The public/private distinction is one of the most important spatial ordering principles in contemporary society and has a special relevance in an analysis of street prostitution. Public space is generally regulated by keeping it relatively free of passion or expressions of sexuality that are not normalised or condoned. It is further regulated by banishing from sight behaviours that are regarded as repugnant (as in the case of unforced adult prostitution) to many members of the dominant groups in society.

In this chapter, I described how street prostitutes in Edinburgh take up subject positions without implying either determinism or self-authorship. During fieldwork it emerged that, despite the problems of violence and harassment from clients and passers-by, the area near the docks in Leith maintains a sense of social order and control which contributes to feelings of general safety, as far as sex workers are concerned. These feelings of safety depend, in large part, on both the presence of the police in the area and the ways in which policing prostitution in that particular area are accomplished.

This chapter has also outlined the always already unstable distinction between public and private spaces and the relation of these to the public and private spheres. The implications and effects of this dichotomous spatial structuring were discussed; in particular, how it operates to exclude, control, confine and suppress gender difference. I also drew attention to the specific consequences for street prostitution.



In the next chapter, I turn my attention directly onto the women involved in street prostitution in Edinburgh, looking in particular at prostitutes' accounts of how they "experience" the street. As that chapter will demonstrate, my research shows that "the prostitute" emerges as a plural rather than a unitary subject. The prostitute position is, in fact, nuanced. Specific experiences in prostitution, as the following chapter conveys, have given risen to different and contested constructions of the prostitute body: for example, as a site of work and a site of power.

## **Chapter 5 “THE LADIES OF PLEASURE IN EDINBURGH” or THE CONSTRUCTION OF IDENTITY**

### **5.1 Introduction**

This chapter looks more closely at the women involved in street prostitution in Leith. It provides an account of the women’s views about their own role in street prostitution. In particular, this chapter describes how street prostitutes experience the shift from the identity of working women, who are self-sufficient and financially independent to the identity of women as the object of the male gaze (namely police officers). I also argue that, for street prostitutes in Edinburgh, the shift from subject to object grounds the experience of actual or threatened shame and I address some of the main issues related to the role of female street workers as informants for the police.

The first comprehensive written chronicle of street prostitution in Edinburgh – Ranger’s *Impartial List of The Ladies of Pleasure in Edinburgh* - was published in 1775 154. This singular account was attributed to James Tytler (1745-1804), publisher, poet, chemist and political agitator. The author described, with remarkable frankness, the life of fifty “*Ladies of Pleasure*” in Edinburgh; their names, addresses and ages 155.

Indeed, the resemblance between the women I met, who today are working in Leith, and *The Ladies of Pleasure*, is quite remarkable. The similarities are not simply to be found in socio-demographic characteristics but also, and for my purposes more interestingly, in the routes both samples take into prostitution. The guide to *The Ladies of Pleasure* is, therefore, a heuristic tool in drawing familiar routes (Bourdieu, 1977) on the map I use for interpreting how the identities of

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154 *Ranger’s Impartial List of The ladies of Pleasure in Edinburgh* is a small book, whose pages are not even numbered, which I found at the Edinburgh Room of the Central Public Library in Edinburgh. To make sure that this was indeed the first written chronicle of street prostitution in Edinburgh I also visited the National Library of Scotland in Edinburgh, which is one the Britain’s half dozen copyright libraries, receiving by right a copy of every book published in the country. In particular, the Department of Printed Books holds rare and valuable items and early Royal Commission Reports which are not obtainable elsewhere.

155 The working women were all in their twenties, apart from a young girl, described as “*about 16 years of age, ... ..small and delicate, brown hair, good teeth and skin, and very good natured .... she is also very amorous and will do anything to oblige her lover ....*” and one Lady who “*.... is about 50 years of age, lusty and tall, and she has followed the old trade since she was about 13 ....*”.

female street prostitutes in Edinburgh are constructed and policed. As Bourdieu (1977) points out “...it is significant that ‘culture’ is sometimes described as a map; it is the analogy which occurs to an outsider who has found his way around in a foreign landscape and who compensates for his lack of practical mastery, the prerogative of the native, by the use of a model of all possible routes ....” (1977:2).

As I argued already, a map is, above all, an argument for realism, as it is made for an audience which without it, is “nowhere”. A map, in fact, offers, a way to recognise what one is otherwise unable to know, although there are problems, mainly the confusion is generated by who is “one” and who is “other” (Bakhtin,1986) 156.

To begin my mapping of the policing of female street prostitution, the following are some key socio-demographic features of my own sample in Leith. Like *The Ladies of Pleasure* in 1755, for example, the mean age of the 60 women I observed was 25 years, and the range was from 17 to 47 years. The mean length of time the

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156 As Bakhtin points out “[e]ach person’s inner world and thought has its stabilised social audience that comprises the environment in which reasons, motives, values and so on are fashioned ... Specific class and specific era are limits that the ideal of the addressee cannot go beyond. In point of fact, word is a two sided-act. It is determined equally by whose word it is and for whom it is meant. As word, it is precisely the product of the reciprocal relationship between speaker and listener, addresser and addressee. Each and every word expresses the ‘one’ in relation to the ‘other’ ....” (1986:86).

Leith women had been working in the sex industry was 5 years, varying between 1 and 23 years; again similar to *The Ladies of Pleasure*.

What this *Impartial List of The Ladies of Pleasure in Edinburgh* did not do, of course, was provide an account from the women themselves about their experiences of prostitution. By contrast, this chapter of my thesis does just that; it provides an account of how sex workers in Leith “experience” the street. First, I will describe how sex workers in Edinburgh (have to) find different ways to distance themselves from what they do, using different distancing strategies available to them such as for example the use of drugs, or condoms, or other rules governing client transactions. Moreover, the transcripts from the interviews evidence a discursive shift, i.e. a change in the language and practices which construct sex workers’ identity. It is a shift from the identity of working women, who have a job, and are self-sufficient, and financially independent, to the identity of women as the object of the male gaze, (namely male police officers). My argument is that the male gaze organises the identity of the women as objects working in Leith, through dictating and enforcing the right ways to behave on the

street. Moreover, as will become clear from my analysis of the interview data presented in this chapter, for street prostitutes in Leith, the shift from subjects to objects grounds the experience of actual or threatened shame; an experience which can be central to the construction of prostitutes' identities through its effects on self-esteem.

Some debts to Foucault are also apparent in this chapter. In fact, the deployments of the female prostitute body in Edinburgh are located on the edge between the effects of that "political technology" described by Foucault (1977:26), in which the body experiences the effects of control strategies such as discipline, surveillance, analysis, and the potential afforded for resistance to such oppressive conditions. Prostitute women "live out" the tension Foucault noted within the place and the body, constructed and manipulated under the strategies of agencies such as the police, yet working from the same place to invert, displace and rewrite our understanding of the female body in contemporary culture.

In the next section I describe the construction of the discursive shift from subject to object, moving on in the next to analyse the women's experiences of shame and the construction of identities. Finally, this chapter addresses issues related to the role of street prostitutes as informants for the police. All the prostitute women I met, in fact, reported that the police tried to use them to gather information about local drug dealers, and would promise to let the women off prosecution in return for such information 157.

## **5.2. "I'm Just A Lassie Who's Got A Job ....." or Work And Identity**

In Scotland, according to the New Earnings Survey (1998) the position of women in the labour market is characterised by the fact that, despite equal pay legislation, women earn only 72% of men's average weekly earnings. Women make up over half the workforce in Scotland. They are largely concentrated in a small number of

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157 In some instances, the women also reported that a police officer might choose not to arrest a particular woman if she could instead be persuaded to part with information that might lead to an arrest of greater career value for that officer.

areas of the economy: education, health, social work, financial and business services, but mainly in shops and hotels 158.

Among the women I observed, one of the most dramatic statistics is that only just over 10% - only 7 out of the 60 - had ever had a job other than prostitution. Like women in general, but even more so, the kind of employment the women in my sample had had in the past was low-skill, low-paid work in service or manufacturing industries, such as waitressing, shopkeeping, and machine operation. During the observation period, only one woman had any regular employment other than prostitution, as a cleaner. One other woman obtained a job - for 6 weeks - as a cleaner in a sauna.

All the women in my sample said they entered the sex industry because of lack of any real alternatives to financially support themselves, and their children 159. As Lee put it: "*the girls are out there working for some kind of money problem.*"

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158 See, for example, the Scottish Abstract of Statistics, 1998, Table 6B4.

159 Between them, the women I met had a total of 56 children, whose age ranged from new-born to 25 years. Out of 60, only 6 women were childless, of the children, 42 were looked after by their mothers, although 3 were taken into care during the period of the research; 11 children were looked after by other family members, mostly grandparents.



*Whether it's for rent, bills, children, survival, or whatever, they're out there to make money.....* “ (Lee, age 24). This perception of the financial necessity of prostitution, stands in contrast to the position of feminists like Pateman (1988), MacKinnon (1987), Irigaray (1985) and Rubin (1984), who argue that women “...*should earn their living in order to escape from the condition of prostitute*” (Irigaray,1985:33).

The failure to grant credibility to the fact that prostitute women work as prostitutes because they have to earn their living, lead the aforementioned feminist scholars to argue that prostitution is always and more than sex work; that is to say, the labour of a prostitute is qualitatively different from that of other workers. Even those “conventional” occupations such as for example counselling or nursing, requiring emotional labour, are seen as different from prostitution. The prostitute is regarded by society as far more a part of the “product” that is consumed. This, in turn, leads to her “self” being consumed along with her services.

As I argued in chapter 1 of this thesis, Pateman (1988) contributes most notably to this position. Pateman takes issue with straightforward perceptions of prostitutes as sex workers on two fronts. First, she contends that “*labour power*” in general - the possession of skills, capacities and attributes that individuals are free to sell to employers as if they could be separated from the individual’s body - is a “*political fiction*”. This is so because employers gain “*the right of command over the use of the worker’s labour, that is to say, over the self, person and body of the worker during the period set down in the employment contract*” (Pateman, 1988:203).

Secondly, since, at its core prostitution involves the patriarchal affirmation of masculinity, female prostitutes are victims of patriarchy. Moreover, because Pateman views prostitution as different even from other occupations in which bodies are bought and sold in the sense that whereas the prostitute is paid for direct sexual use of her body, professional sportsmen and women are paid for the right of command over how they use their bodies (in terms of their training, diet regimes and coaching). Finally, she argues that sexuality and self are intimately connected, so that “*when a prostitute contracts out use of her body, she is selling herself in a very real sense*” (1988:207).

From the data I collected, however, I could find little evidence to suggest that female street prostitutes in Edinburgh perceive their occupation in this way. They do not feel that they quite literally sell their selves when they contract with clients. For female street prostitutes in Edinburgh, prostitution is a job. As Carla remarked when we met: “*I’m just a lassie who’s got a job. .... This is my job.... That’s what I do. ....*” (Carla, age 25). Another sex worker, Anna, also introduced herself saying “*... it’s what I do for living. You could say it is my job, and it’s good money*” (Anna, age 30). This discursive representation of the prostitute body is clearly informed by the understanding that sex workers are free to sell their labour to the highest bidder in a mutual exchange, as are other workers under capitalism.

Interestingly, for women who work in the sex industry defining prostitution as work, necessarily involves differentiating between *relational sex*, which is reserved for sex with their partners and “being in love”, and *work sex*, which is purely physical and uninvolved. This definitional separation of *relational sex* from *work sex*, when and if it is employed, must be constructed, sustained and reproduced continuously. However, during fieldwork I observed that, due to the intensity and

intimacy of their physical involvement in their work, prostitutes do not always find the distancing process easy; the differentiation between *relational sex* and *work sex* is not clear cut and always easily accomplished. Instead, the research I conducted supports an argument that a variety of styles and methods are employed to sustain the mask/s which make earning a living in the sex industry possible. These distancing techniques are: (i) drugs; (ii) use of condoms; (iii) routines and (iv) rules governing clients transactions.

The most obvious and frequently used technique adopted by female street prostitutes in Leith to maintain the necessary degree of distance, from the nature of the work, or at least from certain aspects of it, is the use of drugs. The degree of distance provided by drug use is central to the division between “work” and the private domain for female street prostitutes in Edinburgh.

Nevertheless, drug use plays a paradoxical role in prostitution. During the time I spent with street prostitutes in Leith, I observed that soft drugs (such as caffeine, nicotine, alcohol, marijuana and valium) were widely used to keep the workers

awake during long and cold nights and also for relaxation. In addition, soft drug arguably helps sex workers to play the role/s required, to become the product that clients demand and also to distance their everyday selves from the work. By contrast, in my study, the use of hard drugs seems to be incidental and, in fact, none of the 60 women were working as street prostitutes to finance their use of heroin, and soft drugs were, without doubt, the drugs of choice for distancing themselves from the job they do <sup>160</sup>. The use of drugs by prostitutes is, however, much more complex. Although many appear to use soft drugs as a way of tolerating the rigours of selling sex for money, they also recognise that this is not without its difficulties. For example, drug use can render the individual worker less able to take care of themselves in an environment where there is little protection for prostitutes. Moreover having unimpaired judgement is critical for the assessment and selection of clients – although increased effectiveness in terms of being better able to manage encounters has to be balanced against the advantages drug use gives in enabling workers to distance themselves from their work.

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<sup>160</sup> This is a rather controversial and important finding. Other studies report that many injecting female drug users take to sex work as a means of funding an already established habit, either their own or that of their partners (Taylor, 1993; EUROPAP, 1994; McKeganey and Barnard, 1996 ).

For street sex workers, the most obvious way to erect a barrier between their bodies and those of their clients is by insisting on the use of condoms. Arguably the insistence by prostitutes that their clients should use condoms is entirely attributable to the danger of HIV transmission; but the fact that the prostitutes I interviewed often do not use condoms with their partners (that is in relational sex), suggests that the sheath provides more than simply prophylactic reassurance. The insistence on the use of condoms, therefore, could be another distancing strategy available to sex workers.

Other strategies for erecting a barrier which I observed during fieldwork involve running through preparatory routines; a process in which role-playing becomes automatic. These routines include making up and hairstyling in specific ways, only wearing particular clothes for work which are not worn at any other times and engaging in rituals <sup>161</sup> such as always having a cup of tea or coffee before going to work. Less tangibly, these techniques also involve the attracting and “sussing out”

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<sup>161</sup> McKeganey and Barnard (1996) see these rituals as entailing “*the detailed preparation of both mind and body*” and go on to quote one of their respondents in this regard: “*I keep ma clothes in the wardrobe, they’re for ma work and I never wear them apart from that. Anyway I sit there on the sofa and basically I switch off. I have my cup of tea before I go. I say ‘Right, that’s it, that’s me.’ I go and phone for my taxi*” (1996:85).

of the clients, figuring out what they want or are likely to need, and reading their body language to anticipate potential problems.

There are also other ways in which sex workers in Leith attempt to lock their work into a specific and tightly bounded place in their identities. For example, from my observational work, the women do not select or reject clients on the basis of any particular attraction to or repulsion from them. While allowing them to make a living from prostitution, this indifference to avoid attraction can ensure that they do not feel themselves to be “*merely indulging a personal taste for anonymous sexual encounters involving the exchange of cash*” (O’Connell Davidson, 1996:193). On the basis of my research, an argument can be sustained that their acceptance of any kind of client, as long as they will play by their rules (e.g. using condoms, no kissing) also functions as part of their attempt to keep work and non-work distinct.

All of this contributes to what I call the “management of the symbolic location of commercial sex” which street prostitutes in Leith accomplish. Managing the symbolic location of commercial sex also involves treating clients very differently

from non-commercial partners. Thus all the women in my sample use a pseudonym with and never disclose personal information to clients. As will be seen in the next section, this process is crucial to the construction of sex workers' identities.

### 5.3 The Construction Of Identity

Although female street prostitutes in Edinburgh define prostitution as work, the police officers I interviewed overlay the notion of work with moral judgement about its nature. The following statement typifies the perceptions of the police: “*Yea, right, it is a job. But what kind of job is that? ....*” (Sergeant, age 38, twenty years service) 162. As will become clear, this kind of perception has important consequences both for policing prostitution and for the construction of identity.

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162 Most of the police officers I met had a similar opinion. For example, a sergeant said: “*Now they call it sex work. They are not prostitutes, they are sex workers now ... I suppose ...*” (Sergeant, age 38, twenty years service). A police officer stated: “*I don't see prostitution as work. But then, again, you could say that they do their job. I do mine. .... No much fun though! .... It is quite sad, really. Some of them are quite pretty ... We keep an eye on the situation, and we are there if something happens, but there is not much else the police can do.*” (PC, age 29, eight years service). Another police officer added: “*...you are asking about my relationship with the women who are working in this area? What do you mean by relationship? There is no relationship. .... It is part of my job to come into contact with some of the women who are involved in the sex industry in Edinburgh, and it is my job to make sure that everything runs smoothly in the area where they work. In a strange way, you could say that we are looking after them, making sure that they do not have trouble with their punters or with the local residents. Sometimes, we have to intervene also because they are fighting amongst each other ...*” (PC, age 27, ten years service).



Through the practice of “working“ on the street as a sex worker, a woman’s identity is utterly changed from that of a woman who is inconspicuous, to that of a woman whose identity is subject to a cultural definition, a product of power relations between men and women. The transition involved here marks a shift from women as subjects to women as objects.

The women themselves experience and articulate quite clearly a shift from the subject position of “*I am doing my job*”, to the position that could be summarised in the words of the police officer already mentioned: “*What kind of job is that?*”.

The moment the police officer questions the nature of the women’s “work”, the women’s perception of their own identity begins to change – they are becoming a ‘sight’ (Berger, 1972) 163.

The discursive shift from the subject position of becoming a worker to the object position of becoming a ‘sight’ is constructed in various ways. The first category is talk. I quickly observed clear proscriptions on what can be talked about. For

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163 Berger (1972) argues that “.....men act and women appear. Men look at women. Women watch themselves being looked at. This determines not only most relations between men and women but the relation of women to themselves. The surveyor of women in herself is male: the surveyed is female. Thus she turns herself into an object - and most particularly an object of vision: a sight.” (1972:47).

example, Mandy described the difference between working in a sauna and working the street with reference to forms of talk. She said: "*Aye, I work both here and indoors. .... I like it better here [the streets] 'cause I do what I want. I don't have to put up with any nonsense. Indoors [the sauna], it's like say, going to a party where you cannae say I don't want to dance.....*" (Mandy, age 22). And Anne added: "*If you are working indoors you need to be nice and pretty, and young... .... You cannae really be a junkie, and do what you like. You cannae really swear ...*" (Anne, age 36).

Another source of information about the construction of identity surrounds dress. Indeed, the issue of dress becomes a major space in which identity is reformed as an object under scrutiny. The demand for a certain kind of dress also puts pressure on the women to make a statement about an identity they do not feel they have. As Carla put it: "*.... I don't wear the same gear when I'm working and when I am with the bairns .... With them I am just their mum ..... I'm only a sex worker when I'm working, not 24 hours a day.....*" (Carla, age 25). Dress also signifies an identity over which sex workers cannot exercise choices based on what feels right for them.

As Shona pointed out: “.....sometimes I cannae be arsed. It takes for ever to get ready to go to work.... I spend quite a lot of money on clothes..... It doesn't feel right sometimes to get all dressed up just to go to work. But we all have to earn a living, don't we?” (Shona, age 25).

Part of the “anxiety” over dress is that it not only represents differences; it is also impossible to “get it right”. As Maria said “if you look too tarty the other girls think you wanna take all the business. But punters like to see what they're getting, if you know what I mean. The buzzies, as well ..... They are men, after all. They don't mind to see young girls, as long as they are good looking..... Didn't you notice that they always go for fat old bags if they want to arrest a lassie? ...” (Maria, age 23).

The women's comments on behaviour are also an important data source in relation to how sex workers' identities are constructed. None of the women saw themselves as knowing how to behave, yet they felt it was “difficult to get it right”. As Tina explained “.....you cannae win. Sometimes it's dead difficult to get it right. It doesnae matter what you do or you say, it's wrong..... they'll [the police] find

*something to moan about, and they're after you.....*". (Tina, age 26). Yet "acting" in certain ways is a crucial determinant of prostitutes' identity.

The evaluation of the body through acting is reminiscent of Foucault's (1979) discussion of Bentham's Panopticon, an architectural form designed to maximise obedience through individualisation and surveillance. In this form people exist in spaces that are "*....small theatres, in which each actor is alone, perfectly individualised and constantly visible ...*" (Foucault, 1979:200). The constant possibility of being seen by police officers produces obedience in sex workers as subjects and the internalised male gaze produces the women's consent to their being positioned as objects. Thus, female street prostitutes in Leith had fully internalised the male gaze: "*We cannae really go anywhere else. The bizzies can check on us.....*" (Mandy, age 22); and "*This is a tiny wee place and they can see what you're doing all the time*" (Leigh, age 29).

Returning to Foucault's discussion (1979) of the Panopticon, it is important to stress Foucault's notion that the success of surveillance depends on shaping the

desire of those who are surveilled. Indeed, Foucault's point is to examine how subjects come to exercise self-government in the interests of the powerful. What appears to happen is that "good behaviour" as defined in dominant discourses, is internalised through the constant possibility of being under scrutiny. This process is crucial to the construction of sex workers' identities. For example, as Carla said:

*"I always feel that I'm watched. Someone is watching me. No that they are here all the time. Mind you, it's more of a feeling than anything else ..... But it works for me. It keeps you straight. But, I always watch my back, just in case the bizzies are there to ask questions....."* (Carla, age 25).

In relation to the construction of identities it is clear that policing is central. Women who work as street prostitutes in Leith have to develop identities which defend themselves against auto critique from an implicit model of "normal" sexuality. These identities need to be constructed and maintained, both symbolically and practically. As my research demonstrates, how this is accomplished shows that practices which define what is normal or deviant, legitimate or illegitimate, in thought or deed, are not self-sustaining. As Foucault

(1979) insists, and as is argued in the next section of this chapter, these divisions have to be policed 164.

#### 5.4 Policing Shame

While I have described the discursive shift produced in the movement from street workers as subject to prostitutes as object, my analysis does not adequately reflect the regulatory power that cements the object position in place. Here my argument is that the cement for the shift from subject to object is sex workers' emotional experience of shame 165; a shame produced by policing, in this case the Leith local police.

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164 I discussed already how the historical passage from pre-modernity to post-modernity, if it can be thought of in such terms without distortion, can be understood in terms of a move from direct physical control (for example torture, flogging, corporal punishment), through rules-based, rational-legal control (for example, industrial bureaucracy) where control is external, to a means of control where individuals, aided by powerful socialization processes, internalize beliefs which generate action that can be seen to be "in-accordance-with-a-rule". This occurs without the need for specific orders or instructions, advance specifications or direct supervision. The technology which epitomizes this shift Foucault identified in the well-known example of Bentham's Panopticon. The significant element in the disciplinary "gaze" is that those subject to discipline believe in the possibility of their being watched (not even its actuality). Imagining this ocular intrusion into their world, they behave in response to it. Discipline may not be externally imposed but the source of discipline is imagined to be external.

165 Current research findings on shame indicate that a woman still has "less than" status. Cook (1986) devised an instrument to measure internalised shame and he found that there is a definite link between women's internalised shame and a sense of inferiority and alienation.

This section, therefore, analyses the process through which subservience to power is instilled in the subject's identity through the production of shame. As outlined in chapter 1, for the purpose of my analysis, shame is taken to mean "... *more than loss of face or embarrassment. Shame is an inner sense of being completely diminished or insufficient as a person. It is the self judging the self*" (Fossum and Mason, 1986:8) 166. Shame is the result of the ego's failure to attain an ego ideal, the "[f]ailure to attain an ideal or goal serves then as a major precipitant of shame with the concomitant threat of rejection or abandonment by the significant others" (Morrison, 1989:82).

As I already pointed out, in the case of the women working as street prostitutes in Leith, the ego ideal is the ability to behave "properly", according to the local police. This form of control opens up the possibility of being scrutinised. The penalty for failure is shame, with its threat of rejection by other sex workers and "punishment" by the police.

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166 They continue: "[a] moment of shame may be humiliation so painful, or an indignity so profound, that one feels one has been robbed of his or her indignity, or has been exposed as basically inadequate, bad, or worthy of rejection. A pervasive sense of shame is the ongoing premise that one is fundamentally bad, inadequate, defective, unworthy, or not fully valid as a human being" (Fossum and Mason, 1986:8).

From data collected during fieldwork, it was clear how street prostitutes in Leith seem to obey rules of the discourse that are themselves contradictory: the women must be different from the working women they are; they must be objects of desire who achieve the contradictory instruction not to stand out.

The women's distress about behaving in a proper way, seemed based on a fear of being judged both by other sex workers and by the police officers with whom they come in contact, while working at the docks in Leith. For example, talking about the local police Lee suggested "*.....they make you feel that you're worth nothing. Just by the way they look at you. .... I'm not ashamed to be a working woman. It doesn't bother me what they think of me. But you know, sometimes I wish they could see that it could have been their wife, or their sister who is on the game. They wouldn't look at you in the same way, then*" (Lee, age 24). And Anna added: "*I feel that they're judging me. And I don't like it..... but the buzzies, they shouldn't really judge us, or look down to us. ....*" (Anna, age 30).



Under the scrutiny of the male gaze operated by local police officers, sex workers are threatened with shame. This threat not only demands their obedience to the same ideal notion of what a woman is, but it also repositions other sex workers as a potential source of criticism. For example, Trisha said: *“I don’t like lassies who do drugs. It’s not good. They’ll do anything for money. They don’t use any protection. They’re not trustworthy. They’ll sell you to the bizzies. They’ve got no morals. They’re always bad news. I don’t even go near a junkie me. Too risky. There’s always a big tragedy there. They’ll sell their bairns for a shot ....”* (Trisha, age 39). And Mandy felt that *“even women who are drinking too much, are dangerous. They also talk too much. They don’t have self-respect. That’s the only time when you see young [male police] officers really taking the piss of the lassies. Asking for a freebie, or things like that. They always do that, when it’s a big group of lads. Some sort of macho thing, I suppose”* (Mandy, age 22).

It is hard to overestimate the regulatory function of shame. Many sex workers have witnessed the humiliation of being treated like *“a piece of meat”* 167, as Roberta

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167 Roberta said that *“to the bizzies, you’re just a piece of meat. They can be quite rude sometimes, especially if they think that you mean trouble. They even called me a lesbian once, would you believe it? .... just because I was cuddling a young lassie who had lost some gear. She was devastated, poor thing.”* (Roberta, age 32).

put it. Or, as Norma said, the fact that “..... *they make you feel so wee, it's almost as if they want to punish you for what you do for living. They don't say it in so many words, but it's the attitude. Their attitude stinks ....*” (Norma, age 33).

The shift from the subject position of working women into a sexual object position creates actual and potential shame through the internalisation of the male gaze by police officers as the ego ideal. And, as I have already argued, this shame carries with it threats which have important consequences for interactions with significant others, namely other street prostitutes and the local police.

For example, the following comments by Danielle and Norma illustrate this point. Danielle explained that “*the only way out is to give them some information. And, honest to God, you could tell the bizzies, anything ..... Mind you, it's the only time that I feel great. I feel great just knowing that they will wear anything I tell them. Just telling them wee stories gives me a buzz...I feel in control..... I don't care any more if the bizzies feel sorry for me 'cause I'm working the street and they think they can blackmail me.... It's just great .... I even feel smarter than the other*

*lassies.....*” (Danielle, age 27). Norma expressed similar feelings when she added: *“aye, they make me feel very stupid every time they stop me. But I always have the last laugh: I just waste their time, giving the idea that I want to talk and help them. As if ...I think it’s cool ....”* (Norma, age 33). In other words, if sex workers want to *“feel in control”* and *“have the last laugh”* they have to be prepared to give the police some information.

As I will argue in the next section, for street prostitutes in Leith, one way to avoid shame (and feeling *“really wee”*) is to agree to strike deals with the police in order to re-negotiate their power. As part of the businesslike relationship sex workers describe, deals – in the form of gossip and talk about other people, mainly other sex workers - are struck with the police. The pressure to comply 168 with this perceived need to strike deals with the police illustrates how policing prostitution constructs the women’s sense of themselves.

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168 Avoiding shame by making the right choices produces a self-regulatory woman who in Walkerdine’s (1989) terms, lives out *“the illusion of autonomy [which] is central to the travesty of the word ‘freedom’ embodied in a political system that has to have everybody imagining they are free the better to regulate them”* (1989: 29).

## 5.5 Rumour And Gossip

The concepts of rumour and gossip as specific forms of communications have been defined and analysed extensively in social science research 169. Rumours are tales, passed from person to person, whose origin and validity are never certain, while gossip is typically defined as distinct from rumour (Rosnow and Fine, 1976; Merry, 1984; Turner, 1993). Gossip is defined both by what information is being communicated and how that information is transmitted; content and process are equally important. Communication between a particular group of people about the character and behaviour of people known to the group is considered gossip (Yerkovich, 1977; Merry, 1984). Bergman (1993) argues that gossip requires a specific network, while rumours contain information that is of interest to a wider audience 170.

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169 The field of sociolinguistics, which explores the complex relationship between language and society, has been developing since the 1960s (LePage, 1997). One avenue of research within this field has been an examination of the influence of language on the development of social networks (Hymes, 1964; Goodwin, 1990; Hudson, 1996; Tabouret-Kelly, 1997). Individuals affiliate with many different communities or networks which serve different purposes in their lives. These communities or networks are defined by many different elements, such as geography, ethnicity, gender, education, profession, etc. Language also creates social networks and serves to define both inclusion and exclusion criteria for these social communities (Hudson, 1996; Tabouret-Kelly, 1997).

170 While gossiping can define the intimacy of a relationship or inclusion in a network, at the same time it defines exclusion from the network as well. The very act of participating in gossip serves to mark a distinct social group, therefore playing a significant role in the maintenance of group and social affiliation in terms of the demarcation and preservation of social sets. In addition to setting the boundaries of a network, gossip can also serve to regulate behaviour within the network. Gossip,

During fieldwork, from my interviews with and observation of female street prostitutes in Leith, it emerged that gossip is a powerful tool that sex workers use to define their relationship with the local police. The process involved in defining this relationship is crucial to setting boundaries between themselves and the police. These boundaries are themselves critical to the creation of sex workers' sense of self-identity. As Trisha put it: "*.....my relationship with the polis is based on their stupid idea that I could grass my pals. I'm not gonna do it unless there is something big for me. But what usually happens, it happened to me anyway, is that I cannae keep my gob shut. I tell the polis what they want to hear. To keep them sweet.*" (Trisha, age 39) 171.

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as a tool of social control, may be used to evaluate the behaviour of group members and to communicate resulting criticisms. It may also be used to usher in conformity, aligning members' behaviours with group values and objectives (Gluckman, 1963; Black, 1984, Bergmann, 1993). Gossip, as a genre of informal communication, disperses information about behaviour - both unacceptable and acceptable - that result in a regulatory effect on members' behaviour (Bergmann, 1993).

171 Other women had similar stories to tell. For example Leigh said: "*When I was down the South, they used to tell the girls when they were coming to lift us. So you could organise things, like someone looking after the bairns and you knew that you had to make that little wee bit extra dosh so you could have everything sorted in no time, in no time at all .... Here, you never know what and when it's going to happen. They can lift you anytime .... It all depends on what else has happened that night. If they're bored they may even pick on you because you walk up and down ... or because they don't like your look... But if they're looking for information because they want to make an arrest, it's all darling here and darling there.....*" (Leigh, age 29). And both Carla and Anna shared similar stories: "*They're there to pick up whatever piece of information they think they can use. Anything will do, as long as it makes their evening worthwhile. You know what? Me and my pals, we used to tell the polis a pack of lies. Just for fun. No real harm in it. It's also my wee revenge 'cause they don't treat me with respect. And they think I'm thick. But I'm only working the street, I dind't have my brain removed. ....*" (Carla, age 25). "*I usually tell them a lot of crap. That's the easy way out. No hassle at all. They are happy and so am I..... So they can move on to another lassie. It's a game, I ken that, but I have to protect my interests ....*" (Anna, age 30).

Gossip amongst my sample of sex workers, about people known to that group, often involved speculations about who was dealing drugs, or about who has been tested positive to the HIV virus, and about who, having been coerced by the local police, was a police informant. Indeed, from my observations of their conversations, and from what female street prostitutes told me during interview, conversations about these topics were, without doubt, the most prevalent. Anne described a typical conversation: “...*I ken who’s got it [HIV] the Weegies, they’re all boggin’ and they’re always stoned... .. I’m straight me..... the polis ken that ...they use the lassies..... and for the lassies talking to the polis it’s kind of cool.... they can keep their habit going....they’re not gonna get the jail for dealing a wee bit of smack... ..*” (Anne, age 36).

Most of the women said that the majority of their conversations involved speculating about those women who are police informants. For example, as Lee said, she had such conversations on a regular basis with her female friends: “*...you cannae go wrong, hen.... We ken the lassies who cannae keep their gob shut. Nout to do with them. Me and my pals cannae even talk to them. Too bad, if there’s*

*someone who they say she's a grasser, it must be true..... it's always true....."* (Lee, age 24). Sex workers also said that this type of gossip was the only way in which the issue of police informants was discussed.

In addition to outlining the content or structure of the gossip that they share, sex workers also described the function of gossip in the creation and maintenance of social relationships. The information disseminated through rumours and gossip about who is a police informant led some sex workers to the conclusion that they can tell if someone has been "*talking to the polis*" simply by looking at them; they claimed to know "the look" 172. For example Maria said: "*I ken who's a grasser, just by looking at them. They never look at you but they really want to be your pals, you know what I mean? ...*" (Maria, age 23).

Such gossip – about informants and who is "grassing up who" - influences the nature of social relationships of most of the women working as street prostitutes in Leith. Mandy explained that "*when I see a girl working on her own, I*

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172 As de Certeau (1984) notes, the response to the gaze is the "look", the management of impressions by the disciplined so that they appear to be controlled. Behind the look, myriad resistances, an alternate microphysics of power, come into being and provide the ground for subversion and change.

*immediately think she's with them [the police], not with us. And I try to keep clear...*" (Mandy, age 22).

Gossip about other members of the social network of female street prostitutes in Leith was considered by the women in my sample to be a key influence not only on who they interact with, but also on how they behave towards others. One woman stated that gossip about other sex workers can influence the advice given to women who are new on the street. For example, Sylvia noted that "*...if there are new lassies I always make sure that they know about other lassies who are too cosy with the polis ...You better not mess with them... ..*" (Sylvia, age 40).

Other women, however, felt that gossip is generated for vindictive reasons. As Paula stated: "*.....it could be that may be a young lassie is making more money than some old tart ... That could be, so she [the older woman] might say bad things about her like she's a grasser and that.... But it may or may not be true.....*" (Paula, age 29).



Whatever the reason in particular instances, my sample of sex workers revealed that they certainly modified their own behaviour based on the gossip and rumours they received on the street about other women. Leigh explained that: *“I check my back all the time. I just want to be sure that nobody talks about me behind my back. See, in a funny way, it’s easier to talk to the polis. At least I know where I stand. ....I tell them what they want to know.”* (Leigh, age 29). In this kind of way, gossip and rumours play a significant part in the construction of prostitutes’ sense of identity.

## **5.6 Policing Truth**

Another important facet in the construction of female sex workers’ identity surrounds the issue of truth telling. What we have come to call truth, or what any culture determines to be truth, is largely the effect of a long and complex process of authorisation. And the question, “What is truth?”, cannot be separated from the process of verifying that truth. This is particularly relevant to how female street

workers share the street with the police. In other words, the women could decide on different versions of the “truth” in order to maintain their presence on the streets. In effect, they “policed the truth”.

How the women police the truth is most apparent in relation to the way in which they provide information to the police, that is, in “informing”. “Telling the truth” in informing can be compared to telling the truth in confession. “Telling the truth” dominates the process of confession; it structures that performance as well as the grounds for its judgement. Telling the truth may be a form of punishment, as well as an effort to stave it off. In order to stand as an authoritative producer of truth, then, one must successfully position oneself as a confessing subject whose account adequately fulfils enough of the requirements of confession.

Foucault (1979a) saw the confession as central to the discourse on sexuality and the sexualization of discourse. The confession is archetypal in terms of power relations. Power relations have a “.....*strictly relational character* ..... *The existence depends on a multiplicity of points of resistance*” (Foucault, 1979a:95).

Within this context, I wish to examine how sex workers negotiated the discourses of truth, which cannot, in this particular instance, be seen to draw authority simply from a privileged relation to real life. Rather, my argument is that, in the case of female street prostitutes, authority is derived through proximity to the rhetoric of truth telling: the confession.

The legacy of the confession for women working as street prostitutes in Leith persists. The confession necessarily includes the self-policing of truth. As Lee said: *“I tell them what they want to hear and I don’t feel bad about it”* (Lee, age 24).

The role of sex workers as informants to the police is rooted in the confession. However, in this particular case, telling the truth or not telling the truth is irrelevant as far as the women are concerned. What is much more significant is the fact that some women feel they have no choice but to “grass”, whereas others believe the choice is theirs and that the choice made has important consequences. For example, Danielle felt she had no choice: *“ If I get arrested, none of the lassies are gonna stay with the bairns. See, it’s not a choice. You have to do it, and that’s it .... Never*

*mind if they call you names..... it's me that counts and the bairns... .. .”* (Danielle, age 27). She had to “grass” to stay out of prison sometimes. But Margaret said: *“If you're a grasser, the lassies ken what you're up to. And they cannae forget that, ever. But it's a choice and sometimes you have to make a choice....”* (Margaret, age 29). This shows how Margaret would make choices depending on how she could best maintain her position on the street.

However, Carla said that *“I will never grass any of the lassies. They're not really pals. Well, some of them are. But this is not the point ..... I've got no problems to grass a punter. Some of them are nutters. The polis ken who they are, but no matter how many times you complain they cannae take you seriously 'cause you're working. I've been on the go since I was 16 and I've met so many women who would sell any information so they can work in peace. Or, so they think, 'cause a grasser has no a very happy life in this business. Nobody is gonna talk to a lassie who grassed her pals .....even if the lassie had no choice. It's so difficult to get it right, but you have to learn how and when to shut up. That's for your own benefit,*

*that is .....*” (Carla, age25). Grassing, therefore, has very real consequences and is the source of the tremendous anxiety women exhibit “to get it right”.

For Mandy, “getting it right”, meant silence: “*just keep your gob shut and you’ll be fine. That’s my motto... The polis are too nose, they need to know nout. Just let them talk, and they’ll be happy*” (Mandy, age22).

Thus, the policing of female street prostitution in Edinburgh can be described in terms of a relationship between male speech and female silence, which takes place within a cultural context; a context within which the (enforced) silence of women can be read as the norm, even when women manage to speak and achieve influence. Sex workers in Leith do not simply “*take themselves to the market and name a price*”, as the prostitute in Irigaray’s (1985) text does; rather they are using the market as a way of being in control of their sexuality and having economic determination. I am not suggesting here that the prostitute body should be constructed as a petty bourgeois entrapeneur, but rather that - in contrast with the feminist discourse that has consistently reproduced prostitutes in the position of the

female other, - my research data support the recognition of commercial sex as being just as valid and worthy as non commercial sex.

## 5.7 Conclusion

In this chapter my aim has been to emphasise that sex workers in Edinburgh, while “situating” themselves in relation to male police officers working in the Leith area, provide examples of what Rich (1986) calls “*the politics of locations*” 173.

My approach to taping and transcribing the conversations I had with the women working as street prostitutes in Edinburgh was to engage in a dialectical process in order to question, analyse and understand the construction of identity. Through this process it became clear that policing female street prostitution was central to the construction of identity in two ways. First, the women I spoke with experienced, through their particular knowledge of the street, a shift from the subject position of

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173 She describes it in the context of self-representation and stated that “..... *I need to understand how a place on the map is also a place in history within which as a woman, ... .. I am created and trying to create. Begin, though, not with a continent or a country or a house, but with the geography closest in - the body.*” (1986:212).

working women, proud of their (financial and emotional) independence, to that of the women as object of the male gaze, i.e. male police officers. This, in turn, lead to the production of shame as a consequence of the internalisation of the sense of self as an object of the male gaze.

In order to overcome the shame of being treated like “a piece of meat”, street prostitutes in Leith described talking to the local police as an empowering process through which they could reach an understanding, however provisional, of the relationship through which their identity is produced.

The next chapter looks more closely at the way sex workers’ identity is shaped through their ability to draw on and generate knowledge – whether this knowledge is discursively constructed or not – and how they utilise this knowledge when they are dealing with the local police.

## **Chapter 6 THE CONSTRUCTION OF KNOWLEDGE(S)**

### **6.1 Introduction**

This chapter examines how identity is constructed through the ability of sex workers to draw on and generate knowledge(s). The analysis here is based, empirically, on some of the issues raised during my conversations with sex workers which I referred to in the previous chapter. In particular, I explain how the process of “informing” the police affects sex workers’ sense of identities.

A key analytical question here concerns whether sex workers can be assumed to have been conscious of the implications of their actions in their role as informants. In attempting to make sense of their role as informants, I found the dichotomy itself, between conscious and unconscious, inhibited further understandings of the processes involved for sex workers. The other key analytic question, as far as understanding the construction of identities is concerned, relates to the relative lack of overt resistance and conflict in relation to the gender transformation – from



subject to object – described earlier. Here I found myself in need of a framework to understand power processes operating from a basis of consensus, or rather “acquiescence”.

In chapter 1 I briefly outlined how I intended to make use of Bourdieu’s concept of *habitus* in the analytic framework for my thesis. In this chapter, I make explicit use of the concepts developed by Bourdieu in his work *Outline of a Theory of Practice* (1977) in analysing both the meaning of informing and the power process involved in shaping sex workers’ identities. Bourdieu argues that “[i]t is because subjects do not, strictly speaking, know what they are doing that what they do has more meaning than they know” (1977: 72). This understanding is central to discovering both the meaning of informing for sex workers and how policing prostitution constructs identities.

This chapter also outlines the *stocks of knowledge* 174 that female sex workers have at their disposal in their interaction with the local police in Leith. *Social knowing*

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174 This term derived from the writings of Schutz and Luckman (see e.g. Schutz, 1962; Schutz and Luckmann, 1973; Berger and Luckmann, 1967; Luckman, 1982). Schutz introduced the concept of “stocks of knowledge” to describe such mutual knowledge and represents a reformulation of Husserl’s notion of “lifeworld” in a more sociologically interesting direction. For Schutz, stocks of knowledge consist of “ordered experiences” that actors implicitly use to interpret the gestures of

is the term I will use to denote the continuous process involved in the creation of *stocks of knowledge*, while *knowledge* is used in its broadest sense to mean information relevant to the police.

Two further qualifications about the analysis presented in this chapter are necessary. First, my emphasis on a situated theory of social action (Thrift, 1985) 175 means that I will have rather less to say on the production, distribution and circulation of knowledge, than on its availability. This is not a derogation of these other elements, but merely an effect of the emphasis I have chosen: I am primarily interested in how the knowledge that sex workers have at their disposal to negotiate their relationship with the local police shapes sex workers' sense of self. Secondly, and closely connected to this, the fact that knowledge is actually available does not mean that it has to be acted upon, nor that it is questioned or undisputed.

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others and to organise their own responses. Schutz's early work on this topic was later supplemented and completed by Luckman (Schutz and Luckman, 1973); unfortunately, this more detailed analysis of the "lifeworld" is rather philosophical and imprecise. But the essential idea is crucial: people acquire sets of cognitions that implicitly structure their perception of, and orientation to, the world.

175 This chapter thus forms an attempt to develop a theory of situated social action as discussed by Thrift (1985). Such a theory, he argues, must continually intersect with both the presence and absence of social structure, and with the continual turmoil of social groups in conflict in a complex process of "structuring". Social groups, in fact, can be seen as the intermediate point in the process of "structuring" between social structure and individual, and between individual and social structure.

## 6.2 Information As A Gift

Bourdieu's (1977) concept of *habitus* 176 is particularly relevant to the issues discussed in this chapter. According to Bourdieu, each individual - from her or his earliest upbringing - is consciously engaged in mastering this common code, through confrontations with other individuals. By definition, it also presupposes a minimum concordance in the worldviews of interacting agents. By defining *habitus* as an area between that of "*willed intention*" and a "*disposition*" located inside and outside the agents themselves, Bourdieu opens up a subtle region of decision-making within and interaction between people; a region which is largely relevant to understanding gender relationships and to this particular research. The notion of *habitus* makes it possible to analyse how "dispositions" – even if they are not consciously formulated – can play a crucial role in determining what will seem to an agent as "*the widest sense of limits*" within which he or she can act or think.

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176 Bourdieu describes *habitus* as "*the durably installed principles*" which produce and reproduce the "*practices*" of a class or class fraction (1977:12). Centrally, *habitus* consists of "*classificatory schemes*" and "*ultimate values*". These, according to Bourdieu are more fundamental than consciousness or language, and are the means by which groups succeed, or do not succeed, in imposing ways of seeing favourable to their own interests. While each *habitus* is set by historical and socially situated conditions, it also allows new forms and actions, but is far from allowing the "*creation of unpredictable (or unconditioned) novelty*" (1977:23).

From his concepts of *habitus*, Bourdieu develops what he calls a series of *strategies* 177. Strategies are operationalized to a greater degree than the more diffuse and abstract concept of *habitus* and open the way to a better understanding of the “*limited freedom*” he accords individuals. Strategies can also be used to analyse how a process of change is shaped as in the examples provided by the quotes from Carla and Alison. For example, Carla argued: “....*I’m more in control now than when I first started. Now, I can kid on that I know what the polis want me to ‘know’ ..... After all, it’s all a big act: I act with my customers, and I act with the polis. It’s all about surviving, really ....*” (Carla, age 25). And Alison added: “.... *You see, even working on the street has its own rules. The golden rule is that you need to know your limits. Basically, that means to know how far you can go with a punter before he becomes dangerous, and how far you can go with the polis, without losing your self-respect and the respect of the other girls who are working here.*” (Alison, age 29).

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177 One could apply Bourdieu’s concept of strategies to various levels of interaction between agents. In fact, strategies include gender relationships, permitting a social relationship to be seen as an organisation of opposing interests.

In his explanation of the concept of strategies, Bourdieu uses Mauss' (1950) concept of "gift". The gift and the counter-gift can be interpreted as a series of "*at once risky and necessary improvisations of everyday strategies*" (Bourdieu, 1977:171). The giver's undeclared calculation must reckon with the receiver's undeclared recognition, attempting to satisfy her/his expectations without appearing to know what they are. The most profitable strategies are those which give the illusion of the "most authentic" sincerity, leading to the seeming disinterestedness with which gift-giving is carried out. An example of this from my research is well expressed by Lee: "*if a woman is smiling when she's talking to the bizzies, she can tell lies, and nobody is any wiser .... With a smile you can 'buy' anything you want.....* ." (Lee, age 24). In other words, the gift of a smile gives Lee the opportunity to "locate" herself in a position of control.

In the context of sex workers in Edinburgh, Bourdieu's concept of strategies can be used hypothetically to reconstruct the decision-making of street prostitutes. Their decisions can be viewed as guided more by "implicit principles", defying articulation not because they are necessarily taken unconsciously, but rather

because they required no further questioning. In this subtle area of the *habitus* of decision-making in the street, the interests of those who are perceived by society as the weaker members (i.e. street prostitutes) would dissolve as their assertion would be linked to a weakening or destruction of their interests (i.e. “surviving the street”) as a whole. Informing, therefore, is the most obvious way to (be allowed to) survive.

Thus, in relation to informing Tara pointed out that *“it’s part of surviving, really. It’s the only way to work. The only way I know, anyway. I have already a lot of stress from clients who are asking for a freebie, or for some kind of discount, so I can do without being harassed by the police. That’s why I talk to them. After all, I’m only saying what they already know. And if being helpful to them means them helping me, well, all the better.....”* (Tara, age 36).

Bourdieu’s emphasis on “time” as a gift also has considerable heuristic value in analysing my data. During fieldwork, it emerged that street prostitutes in Leith – apart from giving their time <sup>178</sup> to paying customers in exchange for money - also

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<sup>178</sup> It may seem banal to remark upon the importance of time in prostitution, given that sex workers are usually hired by the hour, or fragments or multiples thereof. However, during fieldwork, I came

give their time to male police officers who are patrolling the area, exchanging information with them, thus reinforcing a network of alliances upon which their work as prostitutes depends. This gift, from street workers to police officers, is not without return in the form of (physical and emotional) protection. For example, Shona explained: *“It’s kind of funny to think that my enemy can also be my friend.... I mean, I like to think that if I’m in any sort of danger, the police will be there for me. I always thought that, if I can find time to talk to them, and maybe helping them a little bit when I know something about a punter, well, I think that they will have time for me, and they will respect me.....”* (Shona, age 25).

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to realise that time plays a deeper, indeed often paradoxical role in shaping the social and psychological character of prostitution. The prostitute attempts to regulate the experience for the client to achieve appropriate outcomes and employs both interactional strategies and technologies to do this which consist mainly in non-verbal social negotiation between bodies. She then has to react and adapt to the effect of these strategies on the client’s body, sometimes increasing urgency, sometimes reducing it. Street prostitution is also affected by the passage of natural time – the busiest periods in the industry are at night – but also by cyclical time, given that human sexual activity is known to increase in spring and summer. Further, the menstrual cycle may affect both working days and working moods as a result of menstrual symptomatology, and the encounter itself involves the acceleration and control of body rhythms such as the heart beat. Street prostitution is also influenced by the prostitute’s life-cycle – as there are usually a limited number of years in which she can enjoy being in great demand – and by the life-cycle of others (for example, the fact that many female street workers are single parents working to support their children). Moreover, street prostitution is bounded by institutions and regulations which emerge and change over time and are frequently the subject of political lobbying and pressure, which means that at least some prostitutes have to remain oriented to history, to past campaigns, and to the speed of social changes. Finally, the acceleration of technological innovation can be seen to have affected the time within which contemporary prostitution takes place. While prostitution has arguably always been a 24/7 industry, innovations such as the mobile phone or the pager now mean that the prostitute is potentially always within easy reach of her clients. Perhaps this technology could render street work safer, as it provides a straightforward way to call for help. However, it also means that the division between work and leisure, permeable at the best of times, could become harder to draw for individual workers. Once equipped with a mobile phone and/or a pager, a prostitute’s working day / night may conceivably be endless, because they are always “available”.

Nevertheless, if the expected amount of time given by the women remains the same or increases, their position becomes progressively more insecure, as Trisha explained: *"It's only 'cause I used to go out with someone who went down for bank robbery. Big style. I had the bizzies on my back all the time. Even now, the bizzies think that I ken everything, but I don't. And even if I ken something, no way I'm gonna be a grasser... I've got no time for it. ... .."* (Trisha, age 39).

Furthermore, if sex workers' position becomes increasingly defined by the police in terms of "time", rather than as having a degree of resource control, their position shrinks at a level where prostitutes' identity is transformed. As Maria explained: *"... the bizzies..... want me to ask my punters for information on this and that. I'm not a priest or a social worker.....or a friend.... I'm not here to make conversations..... Why should I waste precious time chit chatting to the punters? I'm in this business 'cause of the money and I cannae see the logic of doing anything else than what I do .....unless I get money for it....."* (Maria, age 23).



Another advantage of utilising Bourdieu's concept of strategies for the analysis of how the relationship between female prostitutes and male police officers is central to sex workers' identities, is that strategies neither involve a dichotomy, nor do they imply a linear development, but rather a pendulum or a combination of two arguments. The interesting point, for the purpose of this particular study, is not only that the relationship between female street prostitutes and male police officers can remain undisputed within the context of the street, but that it can be imperceptibly transformed over time, as the alterations in social relations are consolidated. What, in fact, would have appeared to some street prostitutes to be beyond the "*widest sense of limits*" could well be considered "*normal*" or "*obvious*" to other street prostitutes. Mandy explained that "*there're lassies who would grass just for the sake of it. They think it's cool. And they think they're very smart, 'cause they'll never get the jail if they talk to the bizzies. That's what the bizzies promise, anyway..... But it doesnae work like that. The bizzies might promise you that they'll leave you in peace, but they never. They cannae. It's their job..... Some lassies are cool about grassing..... They think the bizzies will protect them if they're in danger..... But it's rubbish.....See, the bizzies are like punters:*

*they like to have their regular lassies. They use them for a wee while and then they move on to other lassies.....”* (Mandy, age 22).

Although sex workers I observed seemed to remain unaware of it, the relationship between them and the police changes over time. For example, as a police officer put it: *“eradicating prostitution is not our main concern. But ....., we often use sex workers as source of information, as they always seem to know what is happening in the area. We usually familiarise with a couple of girls for a certain period, weeks or months even, and then we look for new ones..... We do not promise anything in return. It’s their choice..... .”* (PC, age 38, twelve years services).

As time passes, and the relationship with the local police changes (in relation to the information sex workers can exchange with the local police), it is inevitable that the options for sex workers will appear more limited. These changes appear to take place for many different reasons, and are not recognised as shifts in power relations between the sexes. Nevertheless, they create new identities for both sex workers and the police officers involved – both as individuals and in relation to each other.

These new identities provide different options, while interacting with the emerging reality of “*making a living on the street*”. As Norma put it. “.... *It’s always us that we’re giving. You ken what I mean. It’s not grassing on someone what the bizzies expect us to do, it’s more being a kind of ‘nice lassie’. You ken what I mean.....* When I was younger, much, much younger, I used to have a punter who was a bizzie. He would pay, like a normal punter, but he was always asking funny questions. So, one day, I says: ‘well, pal, I’ll tell you what you want to know, but it will cost you extra dosh. I’m not using my time to chat to you, when I’m working .....’. And the poor man would pay. Honest! I wasnae grassing. I was more talking about things, things I ken, like I do with you. I’m not grassing, am I? It’s just talking ...It’s talking about making a living on the street.....” (Norma, age 33).

The decision to talk “about things” opens up the possibility for street prostitutes to dictate different levels of interaction with the local police. However, some prostitutes decide not to talk to the police.

The task remains to distinguish, for example, between the silence of some sex workers, due to an attempt to neutralise effects opposed to their interests, and the silence which is due to lack of perception of the situation. Esther, for example, was silent because she decided to remain silent: “....*If I know something, or if I see something, I keep it to myself.....*” (Esther, age 40). On the other hand, Gina’s silence indicates that she is not aware of what is happening: “*I dinnae ken what’s going on.... I only work few days a week, when I get someone looking after the bairns.... I don’t see many different punters, always the same ones, so I couldn’t tell many stories and I’ve got nothing to do with the polis....*” (Gina, age 21).

The data presented in this section about the *habitus* and the strategies of decision-making in the street, can be analysed in relation to Bourdieu’s analysis of resistance 179. In fact, Bourdieu stresses that the disadvantaged/oppressed within a

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179 Bourdieu’s concept of resistance can be criticised on two points. Bourdieu emphasised a strong utilitarian bent in the response of his “actors”. They can be interpreted as being forever involved (un)consciously in optimising their social positions, by acquiring cultural, social and economic capital. Bourdieu was relatively silent on the potential of a joint struggle for change, of organisation and political co-operation between groups. This perspective has been criticised by a number of authors, who speak of Bourdieu’s actors as strategists and not strugglers. His world contains endless transformations rather than revolutions and social change (Swartz, 1977; Di Maggio, 1979; Garnham and Williams, 1980; Joppke, 1987). This criticism is closely linked to Bourdieu’s emphasis on class struggle taking place solely among the dominant groups themselves, which strive for a symbolic legitimacy of their interpretation of the world. Social change at best becomes no more than a circulation of élites. The dominated class, located by the above authors in the working class, is seen by Bourdieu as devoid of all interaction in the struggle of legitimacy, as Joppke (1987) puts it: “[t]he proletariat is invisibly forced to be silent, or to resort to the clumsy and fragmented use of a language ‘borrowed’ from political and cultural élites” (1987: 68).

social relation often cannot do otherwise than comply with the dominant classification, not necessarily because they have internalised it, but because compliance is the best option to them. Thus concepts such as *habitus* and strategies make it possible to contradict views of the oppressed as being too ignorant or passive to oppose forces controlling them. This analysis circumvents simplistic notions of actors lacking “consciousness”, and also gives more room to respect people’s actions, as it accords others an ability to assess and judge their situation, rather than classifying them as too ignorant to do so. In the context of female street prostitution in Leith, this means that sex workers have the ability to control the level of the intensity of their relationship with the local police. The intensity is regulated by the amount of information (if any) they share with the police.

### **6.3 “Feeling Right About Things”**

One of the key ways in which policing prostitution constructs identities relates to the importance which sex workers attach to “feeling right” about the information

they share with the local police. Anna explained that “..... *the main thing is that if a lassie feels right about grassing, then it’s fine..... As long as she doesnae upset other people. If it feels right, just go for it.....*” (Anna, age 30).

For sex workers, to “feel right” about their dealings with the police, has less to do with moral issues but rather more to do with predictability. As Roberta put it: “*No that I trust the bizzies, not really. But I don’t really trust the lassies either..... Some of them are silly wee lassies, and they wouldn’t move a finger to help me. At least, with the bizzies, I know that if I’m really in a mess they can help.....*” (Roberta, age 32).

As contradictory as it may seem, female prostitutes in Leith need to create a sense of structure, even if it is an illusionary one. In an important sense, the structure itself is real – after all, sex workers do pattern and reproduce their interactions in space and across time – but part of sex workers’ sense of structure depends upon implicit accounts and claims of “what is likely to happen”. Even if these accounts and claims are factually wrong, they are nonetheless crucial to a sense of structure,

because they give sex workers the confidence to continue interacting and to resume or reproduce their interactions with the local police.

As female prostitutes in Leith make claims about means-ends, sincerity, and normative appropriateness, they forge agreements over rights and duties, and how to go about negotiating normative issues with the police. And, on the basis of normative appropriateness, they create a predictable reality. As Maria put it: “.... *we need them as much as they need us. It's not like I go to the polis and say: 'Aye, I'm such and such, I'm a working woman and, by the way, if a punter tries to rob me, would you help me? I want to grass on my pals, send my supplier to jail, so I'll never touch drugs for the rest of my life, so please, would you help me? It's more like trying to be real and talk to them. It comes with the job I do to be able to talk with the polis.....'*” (Maria, age 23).

One could argue that categorising and creating a normative order are very much interrelated: they not only facilitate categorising a situation, they also help determine duties and rights, and the interpretative schemata employed by female

street prostitutes in their interaction with the local police. For example, in Claudia's words: "*..we know where we stand|with the polis..... If a girl looks really chatty and pretty, that's it, she will never get the jail..... No matter what she has done .....*" (Claudia, age 28)

A particularly significant aspect of structuring which emerged during fieldwork was routinization 180. The structuring process involved in routinization is directly produced by role making and role taking, as sex workers seek to meet their needs for self-confirmation. Routines are essential in creating the sense of predictability or trust that will, in turn, influence sex workers' sense of security. Thus, much of "feeling right about" a situation, such as the role of female street prostitutes as informants, is related to their capacity to create routines.

In conjunction with the processes of categorising and creating a normative order the process of routinization promotes security and predictability. These structuring processes, therefore, meet fundamental human needs, in this case, the basic needs

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180 See chapter 5, for a description of routinization as one of the distancing techniques adopted by sex workers to differentiate between *work sex* and *relational sex*.



of sex workers for security and predictability. This understanding makes sense of my observational work where I found that the greater the needs, for security and mutual trust, the greater the sex workers' efforts are at framing the interaction 181.

As Danielle explained: "*I've been attacked, raped and robbed so often that the polis think I'm making it up. It's just bad luck. But that's why I'm desperate for help now. And the polis, well, they're not really there for me.... It's only 'cause I lost it with them a few months ago that now I've to work harder to gain their trust.... Time will come when they will need me, I'm positive about it.....*"

(Danielle, age 27).

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181 The level of framing activity in this interaction revolving around account-making and taking, is primarily a function of needs for a sense of facticity as influenced by needs for trust, whereas the level of framing activity revolving around claim-making and taking is primarily a function of needs for a sense of ontological security as these influence the level of needs for trust. The degree of categorisation of an interaction is a primary function of the extent to which account-making and taking are successful in meeting needs for facticity and a secondary function of the extent to which claim-making and taking are successful in meeting needs for ontological security and trust. On the other hand, the degree of normatization of an interaction is a primary function of the extent to which claim-making and taking are successful in meeting needs for ontological security and trust as a secondary function of the extent to which account-making and taking are successful in meeting needs for facticity. The degree of routinization of an interaction is a partial function of the extent to which claiming and accounting are successful, both directly and indirectly through their effects on their structuring processes, in meeting needs for security and trust.

The next section describes the knowledge(s) available to sex workers in their interaction with the police and how the knowledge(s) street prostitutes have at their disposal shape their sense of identity.

#### **6.4 Knowing And Unknowing**

According to Thrift (1985), all groups of actors have some degree of “penetration” of what is going on within the reciprocal flow of action and structure in which they are both constituted and constituting. But their ability to draw on and generate knowledge is simultaneously limited by the very experience of the production of practices and the continual monitoring and reinterpretation of this experience in the light of subsequent events.

I argue that sex workers’ knowledge is grounded in their biographically unique experience of practising a particular behaviour – dictated and enforced through policing - and that their power to reason can exist only relatively autonomously

from this grounding in experience. The following quotes from my sample of sex workers illustrate this point. Alison argued: “....everything I know I have learnt it myself. I never went to school, not really.....and, well, all I know I couldn't get it from anywhere else. It's just standing there, night after night, that you can learn a lot about people. That's a good school, I think... you can learn a lot about life ....”

(Alison, age 29). And Lynn explained that:“No one says what you can or cannae do when you start working the street. It's not the sex bit, that I'm talking about..... It's everything else, even talking to the punters. I didnae ken that, when I started. And look out for the polis, I didnae ken that either.... But it's all down to experience ....” (Lynn, age 23).

For sex workers in Leith, all knowledge is, in fact, the result of the particular *habitus* used to generate practices and monitor, interpret, reconstruct and ultimately confirm them. Once again, the effect is to provide a particular horizon on future experience and to analyse past and present experience. Trisha eloquently described it: “.....you wouldn't say that I'm a granny. I've been working all my life. Here, in Glasgow, in Aberdeen, and down the South. Maybe it's wrong, I don't know. But

*I'm hurting no one. I'm so used to this kind of money, and to the people. It's a way of life. It's my life and I like it..... And if it wasn't for this, I would have been a silly wifey. All I know about life I learnt it here, on the street....."* (Trisha, age 39).

Knowledge here is clearly learned on the street.

For sex workers, there is also the basic fact that all the practices are situated in time and space. The constraints of the human body and the physical infrastructure of society – the town and the street - are such that knowledge must be generated from a series of practices (and experiences of these practices) that form part of an irreversible and repetitive form of conduct, one that usually sets quite severe limits on what can be thought – and on the amount of time available to think it .

If sex workers' experience, *habitus* and position in time and space are the same, then communication will be easier and knowledge more likely to be disseminated than if any one of these factors is different. In fact, street prostitutes usually have only very partial knowledge of or access to knowledge that is available within a particular social group or society 182.

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182 Every society has an overall stock of knowledge and although some of this will be available to all its members, some will be differentially distributed amongst various social groups: there is thus a

Each society, in fact, and each social group within it, will have its own level of understanding of the conditions of its existence dependent upon the stock of knowledge that is available to it. First, there is knowledge that is “*unknown*”. For sex workers, this is the knowledge that it is simply not possible to have because of their position in history and space 183.

In the words of a police officer “...*prostitutes have been around since time immemorial. The lower-class prostitute is the street walker, the prostitute that does not necessarily operate from a fixed place of abode, and who relies on what one might term passing trade. A street prostitute is, by definition, the kind of prostitute towards whom the efforts of the police authorities are almost exclusively directed because she presents a greater threat to public order and decency and in most cases could be termed a public nuisance. She is the criminal of the female class, the poor relation .....*” (Sergeant, age 38, twenty years service). Thus unknown

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social distribution of knowledge. The distribution will be dependent upon all the numerous dimensions of social group structuration, such as biological differentiation (gender, age, race, etc.), class (the capital-labour relation), the state, the region and all their cross-correlations.

183 As Castoriadis (1971) puts it: “[t]o have an experience of history as a historical being is to be in and part of more history, as well as in and part of society. It necessarily means thinking of history in terms of categories of one’s own epoch and one’s own society (these categories being themselves the products of historical evolution). It also means thinking history in relation to some objective or purpose, which purpose is history itself.” (1971: 217).

knowledge to street workers, nevertheless, is central to the production of female street prostitutes' sense of identity. It shows how they are defined in terms of a threat to public order and decency – “the criminal of the female class”.

There is also knowledge that is not understood. It is not within the frame of meaning of a society, a social group within that society, or members of a social group living in a particular region. This lack of understanding can come about for a number of reasons. For example, as Maria put it: “*I dinnae ken about the law and that, but I ken when to keep my gab shut... ..I ken what to do, and I ken how to look after number one... ..*” (Maria, age 23).

Intimately related to the type of unknowing mentioned above, there is a knowledge that is undiscussed. This is knowledge that is taken for granted. This form of unknowing is a prime characteristic of many systems of practical knowledge but it should not be seen as their exclusive prerogative.

There is also the type of unknowing that results from knowledge being actively and consciously hidden from a society, certain groups within that society or groups within a particular region.

Finally, there is the type of unknowing that results from distortion, in terms of being known in a distorted fashion by society, social groups within a society, or social groups within a particular region.

The first type of unknowing can be seen as a historical constant. The other types come together in different combinations in different societies and social groups to produce a social distribution of knowledge (and non-knowledge).

From my analysis of the empirical data – interviews and observation – my argument is that four main types of knowledge (Schutz, 1962) go to make up the stocks of knowledge that are available to street prostitutes in Leith in their interaction with the local police, an interaction which is pivotal for sex workers’

sense of self. These are (i) the unconscious, (ii) practical knowledge, (iii) empirical knowledge and (iv) “natural philosophy”.

These four types of knowledge form loose clusters of information about particular practices ordered in particular ways, and this emphasis on practice has two important consequences. Firstly, these types of knowledge do not arise from distinctive forms of rationality, and secondly they are not the product of long term changes in metaphysics or beliefs. They do not form separate discourses or categories of beliefs. The very nature of human conduct as a compartmentalised stream of action and thought, in space and time, means that very few actors have a completely and consistently developed world view (while even fewer apply it to their actions).

Unconscious knowledge is based upon forgotten practices 184, for example the idea that all street prostitutes are “streetwise” and therefore familiar with the criminal life of city streets.

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184 As Bourdieu (1977) puts it “...the unconscious is never anything other than the forgetting of history which history itself produces by incorporating the objective structures it produces in the second natures of habitus” (1977:79).



Practical knowledge 185 can be defined as that informal (but not necessarily unstructured) type of knowledge that is learnt from the experience of watching and doing in highly particular contexts and in direct mutual interaction.

Esther recalled “..... *the first time I was arrested. I didn't have a clue. Everything was happening so fast..... Like in a nightmare, a sort of bad trip.... I didn't know what to say, and how to say it. It was like in a movie, but worse, much worse..... I was so worried that people I knew would find out about me being arrested.... So I decided to pack it in. But it didn't last very long, though. And I was back: I needed the money and 'working' was the only thing I knew. But I promised myself that it won't happen again. All the tricks I knew with the punters, the way I can talk to them, all came back to me..... So, now, every time they stop me or whatever, I just*

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185 Practical knowledge has four major components. First, it is unarticulated, that is, it is based upon practices that have, over the course of history, become naturalised so that much of its content now inhabits the realm of the undiscussed and, certainly, the uncodified. Second, practical knowledge is part of a continuous and repetitive flow of conduct which takes place in finite time and which is oriented towards doing. Third, practical knowledge is local, that is, is knowledge produced and reproduced in mutual interaction that relies on the presence of other human beings on a direct, face-to-face basis. Such knowledge is deeply imbued with both historical and geographical specificity, taking its cues from local contexts each with their own particular ensemble of practices and associated linguistic usages. Finally, practical knowledge tends to be based upon organic analogy or metaphor and, following from the third component, these analogies or metaphors are usually based upon proximity.

*pretend I'm talking to a punter ..... I smile, but not too much, if I smile too much, they might think I've got something to hide .....*" (Esther, age 40). This quote clearly shows how practical knowledge defines sex workers' identity in the correlation of patterns of bodily action and interaction that Esther displays.

The stock of empirical knowledge is built up as a result of the general process of the rationalisation of knowledge. This process involves both the proffering of a rational explanation and the organisation of knowledge in a systematic fashion. Empirical knowledge, like practical knowledge (with which it continues to share many similarities) leans towards the mastery of the conditions of existence, but it is exercised within a learning process which is not only cumulative but systematised and co-ordinated over large tracts of space and over longer time-horizons, particularly by modern state and economic institutions.

Empirical knowledge overlaps with knowledge gleaned from "natural philosophy". I use natural philosophy to denote knowledge that attempts to unify a number of bodies of knowledge into one whole, as knowledge about knowledge. That the

availability of knowledge has a crucial effect on the form and content of natural philosophy, and indeed, on the other types of knowledge is worth establishing in some detail. As Esther stated: *“I think that, in order to do my job properly, I have to make sure that I can work safely and that I’m always in control. All I know about people, I had to learn it the hard way on the street.....”* (Esther, age 40). And Lee added that: *“..... when I started I knew nothing. But you learn, everybody does.....”* (Lee, age 24).

From conversations with sex workers in Leith, it is clear that spatial variations in the distribution of the various types of knowledge (particularly the empirical) exist and that within the constraints set by those broader patterns, sex workers have different degrees of access to the types of knowledge which go to make up their stock of knowledge: in short, that types of knowledge are socially distributed over space 186. As I have already stated in chapter 4, space, in fact, could be seen as a frame of reference for actions 187.

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186 During the centuries, there has been an increase in the spatial variations of knowledge, which reflect changes in the spatial organisation of society and in the social distribution of knowledge. Considerations about class, gender and age are also very relevant when one comes to consider empirical knowledge in a more systematic way.

187 Space, indeed, is a frame of reference for the material aspects of social actions, in the sense of a formal-classificatory concept. In fact, as Werlen (1993) suggests “[s]pace is not an empirical but a formal and classificatory concept. It is a frame of reference for the physical components of actions

The availability of knowledge is a vital component in the construction of sex workers' identities because the knowledge produced, and distributed, by sex workers in Leith, in their interaction with the local police, is the way in which female street prostitutes can exercise power even when their bodies are subject to surveillance, colonization and commodification.

## 6.5 Conclusion

This chapter has emphasised the importance of adequately conceptualising power and resistance in analysing the process of policing female street prostitution. My argument is that the notion of power needs a conceptual framework which allows female street prostitutes to be invested with power, thereby dissolving the dichotomy between the powerful (i.e. the police) and the powerless (i.e. female sex workers), while (re)shaping and re(inventing) sex workers' sense of identity. I have shown how the powerful become transformed, both in their conceptualisations of themselves and the "other" in the course of their interaction. My analytical

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*and a grammalogue for problems and possibilities related to the performance of action in the physical world'* (1993:3).

framework recognises that the most powerful, in this case the police, have the ability to operate from levels of ignorance whilst asserting their power. In contrast, the less powerful, in this case female street prostitutes, are aware of their own lack of power and their relatively disadvantaged position. Even if this entails non-articulation or indirect forms of resistance, my argument is that this should not be equated with ignorance.

A theory of power and resistance needs concepts which incorporate the vast scope of an unarticulated frame of reference, providing the final “borders” which make conceptualisation possible in the first place. Such a theory has to provide an understanding of how power relations can change in content over time as well as how they can be resisted. Without wanting to suggest that power cannot also be asserted by (actual or threatened) brutal and physical force, it is also important that we get a grip on the more subtle, unformulated operations of power. To this end, Bourdieu’s (1977) concepts, particularly those of *habitus* and strategies, offer a substantial contribution to developing an analysis of how power and resistance operate in the context of distinctions based on gender.

## **Chapter 7 CONCLUSION**

### **7.1 Introduction**

This thesis has challenged the adequacy of accounts of prostitution which typify women who are prostitutes as either “victims of patriarchy” or “diseased in their bodies”. My own approach has concentrated on uncovering some of the more complex realities and meanings of prostitution. Through an analysis of the policing of female street prostitution in Edinburgh, this thesis has demonstrated the importance of understanding how sex workers’ sense of identity is constructed.

Questions of identity, its construction and maintenance, are central problems for contemporary social theory. They are also right at the heart of sex work, where women come to seek support for an identity which is constantly changing and under threat. My argument in this thesis is that it is primarily through policing that female street prostitutes’ identities are constructed.

By taking control of the street, through the management of their personal identities, female street prostitutes in Leith routinely exercise power in all sorts of subtle and even unorthodox ways. These power practices are not dramatic, but rather microscopic attempts to shift the power imbalance in favour of the women themselves, thus constantly reshaping their own identity. The power practices described in this thesis are: (i) the range of “distancing” techniques – such as use of drugs, condoms, routines and rules governing client transactions – employed to maintain a strict divide between work sex and non-work sex, discussed in chapter 5. These techniques used for managing the contradictions of working as a street prostitute while preserving self-esteem have an inevitable impact on sex workers’ identity. Other power practices are (ii) the ability of female street prostitutes to negotiate their power through the regulatory function of shame and the negotiation of “truth” (as discussed in chapter 5) and, (iii) consequently, female sex workers’ ability to draw on and generate knowledge(s) which the women use constantly to shape their relationship with the local police (chapter 6).

This concluding chapter of my thesis brings together the main issues raised in my analysis of the data collected during fieldwork and in my conversations with female street prostitutes in Leith. As my discussion in this thesis more generally suggests, prostitution can be seen to provide a fragile analytical space where particular, but not necessarily predictable, struggles are waged by female street prostitutes to shape, consolidate and build a coherent sense of self.

The thesis has been produced as part of a commitment to feminism. However, as I have argued in this study, a commitment to feminism is ambiguous in its lack of definition, since feminism consists of a diversity of aims, strategies and theoretical underpinnings. In particular, in this final chapter I want to explore briefly the notion of what I describe as a feminist “common sense”<sup>188</sup> conception of power, as power is the crucial issue around which this thesis has revolved. In fact, the policing of female street prostitution, which is pivotal for the construction of female prostitutes’ identities, goes hand in hand with a notion of power and the extent to which power is exercised over and by prostitute women themselves.

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<sup>188</sup> The notion of common sense refers to mundane understandings of social life or what people need to know in order to make sense of what they, or others, are doing in the course of their everyday lives. For feminists, part of this “common sense” concerns our (and other women’s) experience with oppression and exploitation in social life. This experience as well as our beliefs about it, form the basis of what I am calling feminist “common sense” here.



## 7.2 Feminist “Common Sense”

My initial confrontation with the data collected in my empirical study of female street prostitution in Leith convinced me that power was not going to be an easy issue with which to come to terms. Moreover, as I argued in chapter 1, this conviction was also fuelled by my reading of feminist literature on prostitution (in particular, Pateman, 1988; MacKinnon, 1987; Irigaray, 1985; Rubin, 1984).

Whereas power had become an undeniable topic within these studies, it was often conceptualised in a way which was problematic. Originally, in fact, studies on social interaction were not about power and gender at all 189.

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189 Social interaction tended to be viewed as an essentially orderly and harmonious enterprise – a co-operative co-production involving the activities of all participants (Garfinkel, 1967). These participants had, in principle at least, access to the same kinds of interactional resources for engaging in social interaction. In other words, they were peers in the interaction game. Apparently, they had no gender. Feminist scholars have since taken this issue with this stance (Henley, 1977; Fishman, 1978; Fisher and Todd, 1983, 1986). What they discovered was that where gender was a part of the interaction, power was soon to follow. An explicit attempt was made to uncover how the asymmetrical power relations between men and women were being constructed within and through their talk. While I do not believe that this model is entirely wrong, it clearly had some serious drawbacks as a conceptual framework for understanding the policing of female street prostitution for the purpose of this particular study. Moreover, it is a model which is of limited usefulness in understanding gender and power more generally. The main problem is that it draws implicitly upon what one could refer to as feminist “common-sense” notions of gender relations. Despite the merits of these notions, they are not infallible and, in fact, are in need of some elaboration.

Feminist “common sense” deals with power and tends to treat power within gender relations as repressive. Women, in general, and prostitute women, in particular, are regarded as the inevitable victims of male supremacy. Moreover, female prostitution is seen as one of the most visible outcomes of patriarchy, and female prostitutes are always theorised as helpless and hapless at the hands of the evil-intentioned, omnipotent male. This view of power has methodological and political implications for investigating the policing of prostitution and ultimately, the construction of prostitute women’s sense of identity, as it reinforces and perpetuates the myths and ambiguities surrounding the contemporary understanding of sex work: namely, that prostitutes are “victims of patriarchy”.

The notion inherent in feminist “common sense” concerning power in gender relations is that power is inevitably linked to domination and subordination. The implication of this linkage is that power is basically a nasty business, employed by men for the sole purpose of keeping women down, silencing them or otherwise preventing them from acting, thinking or feeling as they would choose to do, when

left to their own devices. However, there are several difficulties with such a conception of power, as the data in my thesis have demonstrated.

First, if one wants to investigate power, one will be forced to look for it in situations which involve overt and authoritarian forms of control by men over women. This eliminates those instances of interaction between the sexes which are friendly and sometimes pleasant. Since much of the interaction between male police officers and female street prostitutes in Leith could be characterised in precisely this way, a model of power is clearly required which will enable us to investigate it anywhere. In other words, what is needed is a model of power relations which can also deal with power as it is exercised in friendly encounters.

Secondly, if power relations are strictly of the coercive or repressive kind, it is difficult to account for why prostitute women continue to go along with them. The only possible explanation becomes that they are, indeed, powerless to do anything about them or, more probably, the misguided victims of what used to be dubbed "false consciousness". This, once again, relegates women squarely to the position

of victims; passive and unenlightened victims of circumstances beyond their control. Again, the data in this thesis suggest that prostitute women have and can exercise (some form of ) power, albeit in many different subtle ways.

Thirdly, if power is equated with domination and subordination, it is difficult to see how, as feminists, we could ever develop forms of social action and interaction which are something different from that.

An adequate (feminist) model of power, therefore, needs to recognise that power is not only linked to domination, but that it can also be a potentially positive and enabling force. Whereas feminist common sense is an essential prerequisite for examining power in gender relations, alone it is neither complex nor dynamic enough to come to terms with many of the everyday encounters between the sexes.

By describing how female street prostitutes fare in the various contexts of their daily lives on the street – without dismissing the fact that structured asymmetries exist in the resources available to prostitute women for exercising control over

what happens in any encounter – this thesis has shown how relations of power are being negotiated through the construction of identity. That is, the process by which relations involving domination and subordination are produced, reproduced and transformed. This requires, amongst other things, being particularly alert to how prostitute women exercise control, even when their resources are limited, or when they do not come out on top. It also involves directing our attention to the often microscopic and sometimes even trivial ways in which prostitute women routinely undermine asymmetrical power relations or display some degree of perception about what is going on, despite being unable or unwilling at that particular moment to do anything to alter the course of events.

Uncovering how female street prostitutes in Leith make and reshape their social world could help to explain how and why these boundaries change or, more to the point, might be changed at some future date. In short, looking at the data presented in my thesis, I suggest that an adequate feminist analysis of gender relations requires replacing a top-down model of power with a model which treats power

relations as something to be negotiated by parties, both of whom have access to some resources, albeit unequal ones.

Furthermore, I argue that in order to come to terms with how power works to construct asymmetrical gender relations at the level of face-to-face interaction, a conception of power is needed, that enables us to link agency to structured relations involving domination and subordination. In other words, what this thesis has demonstrated is that while multiple discourses and practices co-exist within a social setting, they are hierarchically ordered.

### **7.3 Conclusion**

In chapter 1 I discussed four contemporary feminist theorists' writing of the prostitute body. My choice of these theorists - Pateman, MacKinnon, Irigaray and Rubin - was because one of the major aims of this study has been to show that even critical discourses – which problematise the modern image of the prostitute within

the more general context of a feminist project – appropriate “the other” through assimilation.

In chapter 1, I also addressed the fact that Foucault’s notion of knowledges and truths, as the bearers of power <sup>190</sup>, raise a number of relevant questions for feminists. In his emphasis on the body as the ever-intensified locus of power and resistance, Foucault signals a site around and about which feminists have long struggled <sup>191</sup>, although they have not fully analysed it in theoretical terms.

As I argued in chapter 1, the specificity of women’s bodies and the provision of a theoretical space in which to discuss them, outside the phallogentric regimes of representation, has become more urgent in feminism. Foucault suggests how the body may be viewed as an object of power and resistance, without being

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<sup>190</sup> This has strengthened feminist interrogations of theory, especially since the 1970s. While still analysing and challenging the positions occupied by “real women” – an indispensable feminist commitment, but one that is of limited success unless undertaken with deeper investigations – feminists have also begun to question the implicit or sometimes explicit misogyny of theories, disciplines, and intellectual frameworks, criticising them and attempting to avoid their pitfalls. With his critique of the concept of truth, and his suggestion of theory as a strategy or tool, Foucault has contributed to the developing sophistication of feminist counter-researches in the sciences and humanities.

<sup>191</sup> E.g. in campaigns associated with birth-control, abortion, body-images and more recently, nuclear disarmament and the international peace process.

committed to biologicistic, naturalistic or essentialist notions. Nevertheless, I argue that Foucault does not specify the sexual particularity of bodies and the implications of this for understanding regimes and technologies of power. Male and female bodies may well entail two different forms of control, modes of knowledge and forms of resistance 192.

As I have indicated in chapter 2, the challenges which are presented for theory are mirrored by empirical complexity. Methodologically, problems of gaining access and building trust are enormous in this field of research, as I discussed in chapter 2, which deals with the issues related to the methodology of this study. In some ways interviewing seems to be a particularly pallid form of investigation in an area which provokes such passion, both among and outside the participants themselves.

However, audio or video taping encounters is not only difficult to do unobtrusively,

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192 Foucault's account of marginal political struggles and subjugated discourses confirms the practices and system of organisation of various women's groups, which have generally refused hierarchical organisation or representative leaders. Specific groups and issues enable women's groups to come together for strategic purposes. These groups do not represent others, less fortunate – as some Marxists claim – but only themselves and the positions or experiences that link them with other women. While Foucault's marginalized, localised struggles rule out the concept of "The Revolution", smashing patriarchy in one fell swoop, he made clear that a revolution of sorts is already under way. Patriarchal relations can be transformed, not through reformism, but in strategically located strikes at power's most vulnerable places. In this sense, his work confirms method and ideals already developed by feminists, thus providing a theoretical justification for some or many of them.



but may also generate problems in gaining ethical approval and legitimacy in the research community 193.

Chapter 3 looked more closely at female street prostitution in Edinburgh, providing an historically informed analysis of the policing of female street prostitutes. In particular, I examined in this chapter how it is in modernity that “woman” is fully dichotomised into madonna/prostitute and such equivalent couples as good girl/bad girl, normal/abnormal, licit/illicit. I also showed how the medical-moral-legal discourses of modernity have produced a lasting image of the prostitute as the profane body; discourses which have dominated society’s image of the prostitute, and which feminists have sought to redress.

The territorialization of the prostitute body has been addressed in chapter 4, which focussed on the dichotomy between public and private space in describing the way in which street prostitutes in Edinburgh share the street with the local police. I also

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193 On the other hand, actual participation as either prostitute or client would certainly offer insights not otherwise available, but would be even more controversial given the status of street prostitution in particular.

describe sex workers' attitudes towards fear and vulnerability while working on the street.

In chapter 5, "*The Life of the Ladies of Pleasure*", I showed that prostitute discourse itself is a contested terrain that reproduces the dichotomy of the prostitute as a powerful sexual being and a disempowered sexual victim. In particular, I described how female street prostitutes in Leith experience the shift from the identity of working women to the identity of women as the object of the male gaze (namely police officers). I also argued that the shift from subject to object grounds the experience of actual or threatened shame, interpreted here as the ego failure to attain an ego ideal. I then addressed some of the issues related to the role of street prostitutes as police informants for the police.

Chapter 6 described and analysed the stocks of knowledge available to street prostitutes and how these knowledges contribute to the construction of sex workers' sense of identity.

In conclusion, it is important to ask how this thesis contributes to general theorising about the female prostitute body? In answering that question, it is important to comment in more detail on the specific way in which I have built my argument in this thesis. At the outset of my inquiry into the policing of female street prostitution in Edinburgh, I expected to find the kinds of phenomena so abundantly and convincingly described in feminist literature on women and prostitution, as outlined in chapter 1, looking in particular at the contribution of Pateman (1988), MacKinnon (1987), Irigaray (1985) and Rubin (1984). In other words, that prostitutes are simply instruments or victims of patriarchy. In challenging this assertion I came to the conclusion that the way in which sex work is viewed depends a great deal on how other concepts – sexuality and femininity, for example – are defined and discursively constructed. In fact, what I found in my exploration based on the data I collected in this thesis is that not only is sex work complex – far more complex than many feminist scholars acknowledge – but that it also blurs many of the conventional boundaries which frame it. Consequently, although sex work may well be primarily an interaction, the nature of that interaction and its

meaning for participants, is affected by local communities, language, legislation and global movements of capital, among other things.

As my discussion has established, there is much work yet to be done if we are to reach an adequate analysis of prostitution as an occupation, as an industry, as an encounter, as a form of autonomy for women, and, above all, as a site of subjectivity. Prostitution offers a rich field for both detailed micro-study and global analysis 194

Moreover, sex workers do not simply “*take themselves to the market*” (Irigaray, 1985) as they do not sell their bodies: they sell both far more and far less than that.

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194 However, having researched prostitution in settings as diverse as Italy, Scotland, Thailand and Zimbabwe I understand that it is important to take into account the fact that the study of particular communities tends to surface knowledges which are specific to the conditions in which those communities subsist, and which are concrete and pragmatic, helping members of those communities to live their lives successfully in the community’s milieu, wherever that might be (the docks in Leith, the massage parlours of Bangkok or Phuket, the streets of Rome or Milan). Social structures and rules of behaviour adapt to these circumstances and concepts such as fact, evidence, justice and legality shift and vary across cultures. Indeed, even the metaphysics of these knowledge-producing communities will have strong local elements in their formulation, with the effect that social concepts often taken to have synonymous meanings in different places – such as, for example, power or leadership – appear somewhat incommensurate on closer examination. Therefore, a prostitute “trained” on the streets of Leith, is not immediately able to operate successfully on the streets of Rome, for instance, as they do not have the requisite local knowledge – the techniques and the interpretative understanding of the other social, legal and economic context/s – to do so. Consequently, conclusions drawn from the streets of Leith and the streets of Rome are unlikely to be identical, or applicable in their entirety to any other location where prostitution takes place. This caution applies to those situations which are relatively similar (as, for example, street prostitution in Scotland and Italy), as well as those which are not (female and male child prostitution in Thailand and Zimbabwe). Therefore, I argue that we need to regard local knowledge for what it is – spatially (and temporally) located – before attempting the process of translation into other contexts.

Sex work, in fact, is always incompletely commodified and it is the nature of that partiality that female street prostitutes negotiate, with others (such as for example, police officers but also clients) and amongst themselves.

In seeking to gain some understanding of street prostitution, which is commonly understood as representative of the darker and dirtier side of (female) sexuality, I have discovered that both elements are present: that sex work can be rewarding as well as degrading. However, and more importantly, I have discovered the *chiaroscuro* of sex work, the *nuances* of light and shade which go to make up the textural complexity of the phenomenon.

## **Annex 1 Prostitutes: Who Are They?**

This thesis has described and analysed female heterosexual street prostitution. However, it is important to fully recognise that other forms of sex work exist and they exhibit similarities but also some very significant differences from heterosexual female prostitution.

First, male prostitution: male prostitutes can be seen soliciting on the streets of most big cities, and found alongside all-male massage parlours on the advertising columns of contact and gay publications 195. In many big cities, male prostitutes, mostly in their late teens and early twenties, work the streets and gay bars, tending to cluster in up-market locations. They are easy targets for entrapment by policemen posing as clients. Some male prostitutes use coded messages on the computerised Minitel information system (linked into the telephone network) 196 to make contact with their clients, who are largely executives and professional married middle-class men - the same client bracket using female prostitutes

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195 See e.g. inter alia The Pink Paper, Gay Times, Gay Scotland, Positive Nation, Boyz, Pulse and Zipper.

196 See e.g. Gay Exchange, a nation-wide chat-line.

(Roberts, 1992:315-6). Arrington (1987:42) explains that "[t]he boys get into it for the same reason [as the girls]: many of them running away from home need the money. Sometimes the boys are not accepted for their homosexuality and are kicked out of home. .... There are many boys hustling on the street that have girlfriends - not all are ..... homosexuals. But they do have a saleability until they are a certain age, and once they hit that certain age and they're not cute enough or they don't have enough of a tight ass for the males they are driving around, then that's when they start cross-dressing. The whole myth is that the males are homosexuals and for homosexuals. Not true. It is the same men that are buying the girls that are buying the boys." (1987:42). And, as Davis and Simpson, (1990), put it "... because it involves a contract between two men, male homosexual prostitution confounds those who regard (female) prostitution as a simple rehearsal of gender inequality..."(1990:104).

Although the number of studies published has recently increased, still more research is needed on male homosexual prostitution 197. As Alex, a male sex

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197 See inter alia Weeks, J., 1985, *Sexuality and its Discontents*, London: Routledge and Kegan Paul; Davis, P., and Simpson, P., 1990, "On male homosexual prostitution and HIV" in Aggeltorn, P., Davies, P., and Hart, G., (Eds.), 1990, *AIDS Individual, Cultural and Policy Dimensions*, London: Falmer Press; Butts, W., M., 1947, "Boy prostitutes of the metropolis", *Journal of Clinical Psychopathology*, 8, pp.673-81; Harris, M., 1973, *The Dilly Boys: Male Prostitutes in Piccadilly*,

worker I met during fieldwork 198, explained: "... there is a difference between what a male does in the room to a female. I'm expected to give oral sex as a part of my service whereas a woman isn't, and can charge extra. Women are expected to have intercourse as part of their service whereas I'm not. If they want me to do what I do to my lover then it's big money, because it's jumping the line. Depending on the client I may do it, but I am aware of the health problems with long term anal sex. ....".

Another facet of the male prostitution scene, which has existed since time immemorial, is the transvestite trade, which now has acquired a new twist, with the

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London: Croom Helm; Hoffman, M., 1979, "The male prostitute" in Levine, M., P., (Ed.), *Gay Men: The Sociology of Male Homosexuality*, New York: Harper and Row; Jersild, J., 1965, *Boy Prostitution*, Copenhagen: G.E.C. Gad; Luckenbill, D., F., 1986, "Deviant career mobility: the case of male prostitutes", *Social Problems*, 33(4), pp. 283-296; Marotta, T., et al., 1988, "Males doing sex work in the San Francisco Bay area: a typology and description", unpublished paper, *Institute for Scientific Analysis*, San Francisco; Pitman, D., J., 1971, "The male house of prostitution", *Transaction*, 8, pp. 21-7; West, D.J. and de Villiers, B., 1992, *Male Prostitution*, London: Duckworth and Davies, P. and Feldman, R., 1997, "Prostitute men now" in Scambler, G. and Scambler, A., 1997, *Rethinking Prostitution. Purchasing Sex in the 1990s*, London: Routledge; Chiasson, M.A., Lifson, A.R., Stoneburner, R.L., and Ewing, W. et al., 1988, "HIV seroprevalence in male and female prostitutes in New York City", paper presented at the IVth International Conference on AIDS, Stockholm; Coombs, N.R., 1974, "Male prostitution: a psychological view of behaviour", *American Journal of Orthopsychiatry* 55 (5) pp.782-9.

198 Although this thesis focuses on female street prostitution, I had decided, while I was collecting my data, that in order to have a broader picture of the sex industry in Edinburgh it would have been interesting to talk to some men involved in the sex industry as male prostitutes. I met 4 men, age between 17 and 22, who are currently working as "rent-boys" in Edinburgh and 2 men, age 29 and 31, who used to work as male prostitutes, one in London and in Sidney.



invention of surgical and hormone techniques, which can physically transform men into women (and more rarely, vice versa) 199.

One study (Perkins and Bennet, 1987:12) estimates that as many as half of all male transsexuals have at some point in their lives passed through prostitution, as a means by which to raise the substantial sums necessary to pay medical expenses. These transsexual prostitutes are often only distinguishable from their female counterparts by their more flamboyant styles of dress and soliciting.

It seems that the provision of male prostitutes for female clients is the largest growing area of the sex trade market, although it has a long way to go before it becomes widespread. As Bell (1985) points out "*[a]s women get more financial power, more and more women are calling up escort services. There are now a couple of escort services in the Yellow Pages that advertise for women. It's the money, because they don't have the money. Not only that, [women] have not yet learned to give themselves permission to need that. They don't know how to say it's*

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199 As Vincent (1993) puts it "*[t]here are 50,000 transsexuals in Britain: men and women whose sexual self-perception is diametrically opposed to the body in which they find themselves, for which error they seek physical correction with ever intensifying zeal*", (1993:4).

*okay that they just have someone over for their own lustful purposes."* (1985:217).

It will be interesting to see if and how this new sector of the trade develops over the next few years.

There are also women who use the service of female homosexual prostitutes. However the number is very small, "*.....simply because - as Goodall (1995) suggests - [t]he number of women who telephone massage parlours to enquire about the provision of lesbian services is very small indeed....*" (1995:256).

Another aspect of the sex industry which has a long history, but has become more widespread and visible in the last twenty years or so, is juvenile prostitution, i.e. 12, 13 or 14 year-old girls and boys who sell sex. As Serill (1993:45) points out, we are now facing "*... an explosion in child prostitution, driven in part by client fears of AIDS. .... Everywhere, including affluent Europe and the U.S., the pattern is the same: kids run away to escape domineering parents or because they are being physically or sexually abused. Some children fall into prostitution through*

*abduction or trickery. Easy prey, they become chattel for the sex merchants....."*

(1993:45).

## Annex 2 “No Bad Women, Just Bad Laws”<sup>200</sup>

Legislation in relation to the sex trade historically goes hand in hand with intolerance of sexual freedom in general, and women's sexual freedom in particular. Prostitutes have always been primary targets of this repression. As Roberts (1992) states "*[t]he whore is seen as dangerously free, her financial and sexual autonomy strikes at the root of patriarchy, threatening the interests of male moralists and legislators - some of whom are among her best customers* 201. *And the whore is free in the sense that she does not bind her sexuality to any one man; on the contrary, she openly challenges the notion of monogamy*" (1992:354).

The sexual traditions of Western civilisation are based mainly on biblical and Christian teaching (Whiteley,1967). For many centuries the Christian Church

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200 The title of this Annex comes from a slogan taken by the prostitutes' movement. It seems to sum up most grievances felt by sex workers, who do not consider that they are "bad women" because they do not harm society, and their lives – apart from working in the sex industry – are no different from other women's lives.

201 A very interesting account of the women who sell sex and the men who pay for it, is offered in Boyle, S., 1994, *Working Girls and their Men*, London: Smith Gryphon Ltd; see also Silver, R., 1993, *The Girl in Scarlet Heels*, London: Century Random House and McKeganey, N., and Barnard, M., 1996, *Sex Work on the Streets. Prostitutes and their Clients*, Buckingham: Open University Press.

elevated virginity and chastity and despised sex 202, and, as I will describe later, this attitude continued to be expressed in Britain until the end of the 19<sup>th</sup> century, when prostitution was even more despised although, in some instances, it was regarded by Christian theologians as a necessary evil. The references to prostitution found in the Book of Leviticus (1952) are typical: "*Do not profane your daughter by making her a harlot, lest the land fall into harlotry and the land become full of wickedness*" 203 (1952: 29).

Western laws on prostitution have three major sources: Mosaic, Ancient Roman, and Germanic laws. The Mosaic laws provided the basis for early Christianity's anti-sexual attitudes. But in practical terms, prostitution flourished as much in Israel as it did in any other nation of the Near East, as references to it in the Bible testify 204. Christians were aware of this, and, since most of them were more

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202 St. Augustine commenting on prostitution, asked "*What can be called more sordid, more void of modesty, more full of shame than prostitutes, brothels, and every other evil of this kind? Yet remove prostitutes from human affairs, and you will pollute all things with lust; set them among honest matrons, and you will dishonour all things with disgrace and turpitude*". De Ordine, II.4(12).

203 All Biblical reference/citations are from the Revised Standard Version of The Holy Bible, Wm. Collins Sons, New York, 1952/75.

204 E.g. Ezekiel 16:26 and 27, 23:8; I Kings 22:38; Isaiah 23:16; Hosea 4:15 to name a few.

familiar with Roman laws and attitudes than those of the Israelites, it seems appropriate to look at Lex Romanicus for inspiration.

Despite their general contempt for women who become prostitutes, the Romans were more interested in regulating prostitution than eradicating it 205. Thus, the idea of regulating prostitution by state control occurred first to Solon of Athens, who in the 6<sup>th</sup> century BC established state controlled brothels, or *dicteria*, as an alternative to prostitutes soliciting on the streets 206.

Roman prostitutes were forbidden by law to own property. Thus they were distinguished from other women, since aristocratic women could and did own

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205 A total ban on prostitution attempted by Leo I (c. AD 460) was unworkable. Theodosius had made efforts (AD 428) to stop fathers or owners profiting from the prostitution of their daughters or their slaves, and Justinian (AD 535) tried to stop women being forced or tricked into prostitution: some prostitutes had been forced to swear an oath, or to sign a contract, to work for a pimp, and believed that the law would enforce it. Justinian and Theodora converted a palace into a splendidly furnished convent for former prostitutes and named it "Repentance".

206 Henriques (1962) reported that alongside the state brothels, many independent street walkers plied their trade, in spite of Solon's legislation. The author describes the many squares of the Athenian port Piraeus by night as "...given over to the prostitutes. The city centre of any modern European city would be a cathedral close compared to Piraeus at the height of its fame" (1962: 54). The red-light districts were, in fact, lucrative female enterprise zones, for the women who traded in them engaged in a business in which men had no financial stake other than that of paying clients – or bribed officials. Many of the women organised themselves into groups, working communally with one older woman a "mistress", who looked after their interests. Some streetwalkers were completely independent, operating their trade from private rooms or from taverns.

property 207. In comparison, in Ancient Germania a very different process was at work. Prostitution was considered such a heinous crime and a woman accused of it was so ruined, that the Germans dealt harshly with anyone falsely accusing a woman of it (Bullough, 1964). And wherever they went in Europe, they took their fierce laws on prostitution with them.

Medieval canonical lawyers, however, felt that the Germanic laws were too harsh. They were also uninspired by the Scriptural laws, since these were too impractical. So once more Christian States and the Church looked to the laws of Ancient Rome, as practical and efficient means to ensure the growth of town life in the Middle Ages, and gladly adopted the principles of *Lex Romanicus* 208.

As towns grew in size, and space was at a premium, authorities sought either to confine prostitution or to remove it from the city 209. However, as Roberts (1992)

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207 For non-slave Roman women to prostitute themselves meant they gave themselves the same status as slaves. The aristocrat woman who turned to prostitution, in fact, was banished from the city.

208 The acceptance of prostitution is very much linked to the pre-Christian idea of sexuality as living energy. For a further discussion see *inter alia* Federici and Fortunati (1984).

209 Thus, for instance, prostitution in Sandwich was confined to a section of the town, while in London it was ordered outside the city walls (Bullough, 1964 p.113). In Valencia prostitutes were confined to a brothel quarter, with armed guards enforcing the law. In Venice in 1446 a law was passed forbidding prostitutes to eat, drink or sleep in taverns (Henriques, 1963, p.52).

points out "*....issuing decrees was one thing; having them carried out was another.*

*Given the lack of effective law enforcement at the time, not to mention the general corruption of officialdom, it seems unlikely that the decrees had any lasting*

*effect."*(1992:78-9). City authorities throughout Europe made continuous attempts

to control the movements of prostitutes, in particular street-walkers, and confine

them to certain areas of the cities, but contemporary accounts reveal that prostitute

women would use the streets wherever and whenever they chose (Roberts, 1992)

210.

By the late Middle Ages, however, prostitutes were often forced to comply with

dress regulation, in order for them to be distinguished at a glance. For example, in

Leipzig prostitutes were required to wear a yellow cap with blue trimmings; in

Vienna a yellow handkerchief had to be pinned at a shoulder; in Augsburg they

had to wear a green sash; in Zurich and Bern it was a red cap; in Bergamo a yellow

one; in Parma it was white; in Milano black, and so on (Henriques, 1963). As Bell

(1994:41) suggests the "*.... processes of societal exclusion and inclusion of women*

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210 See chapter 3, section 3.2, for a discussion about the making of the female prostitute body in Edinburgh.



*working as prostitutes in the Medieval and Renaissance periods, moving through the shifting policies of repression, tolerance, and institutionalisation, set prostitutes apart from other women".*

The Reformation brought profound changes to the laws on prostitution. It is worth remembering at this point that this period was also characterised by widespread "witch-hunting" (Federici and Fortunati, 1984), which is to some degree a synonym for a more general form of "women-hunting", prostitution being only one example 211.

However, the days of toleration were over, as Reformists turned to the old Germanic laws to enforce their notions of moral order. Once the Reformists had successfully reconciled traditional notions of romantic love with the medieval

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211 The suggestion that the stereotype of a witch was always a woman seems tautological. The identification of the relationship of witch-hunting to woman-hunting is intended to concentrate attention on such questions as why women were criminalised on a larger scale for the first time in this period and whether there is any significance in the simultaneous rise of prosecutions for witchcraft (old women) and infanticide (young women); whether there was any change in the socio-economic position of women in this period; why a female society should seem particularly threatening at this puncture and to what extent the popularisation of Christianity, a patriarchal form of religion, was a factor. For a further discussion on this topic see Larner, C., 1981, *Enemies of God*, Oxford: Blackwell. See also Seth, R., 1969, *In the Name of the Devil. Great Scottish Witchcraft Cases*, London: Jarrolds, and for a general overview Robbins, R., H., 1959, *Encyclopædia of Witchcraft and Demonology*, London: Spring Books.

custom of arranged marriage and had introduced the ideology of marriage as a culmination of romantic love, legislating against sex beyond marriage was an easier matter. This is at the core of prohibitionist laws on prostitution to the present day. Calvinism, which spread much more widely than the more moderate Lutheran Church, introduced such ideas to Scotland.

Morality was not the only focus of concern in relation to prostitution during the Reformation. The period of Church reform coincided with the spread of syphilis, and this provided the Reformists with extra fuel for prohibiting prostitution 212. Prostitutes were blamed for its spread, and many cities simply passed laws banning prostitution altogether 213. Curiously though, while the rest of Europe responded to syphilis with anti-prostitution legislation, Spain, at the height of its inquisitional power, retained a tolerant attitude toward prostitution. For instance, in the port of Seville, a hotbed of syphilis (and some may argue was a major point of entry for the disease, if they concede to the theory that syphilis was a native American disease brought to the Old World by Spaniards returning from the New World),

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212 Just as the same argument prevails among the more conservative elements of the 20<sup>th</sup> century.

213 In England in 1546 Henry VIII gave into pressure by ordering all brothels to be closed (Henriques, 1963).

town authorities ordered a medical surveillance of the city's only brothel in 1580 but did not consider closing the place (Perry, 1976).

For the next two centuries, throughout Europe, legislation on prostitution wavered back and forth but gradually the laws were relaxed and fell into disuse.

The English Parliament, under Puritan influence, reaffirmed its previous position on prostitution, when it retained ordinances on brothel prohibition in 1626. But while Britain remained uncomfortable with prostitution, on the Continent brothels became as much a part of community life as taverns, theatres and sporting arenas. Indeed, prostitutes also solicited business in these social gatherings. Thus, in 1751, England passed a **Disorderly Houses Act** and a **Brothel Act** in 1755, which, together with the common law on brothel-keeping, kept houses of prostitution to a minimum by prosecuting brothel owners/landlords.

The Napoleonic Wars brought changes to prostitution on the European Continent

214. While the licensing system became the established method of dealing with

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214 Napoleon's Grand Army was ravaged with gonorrhoea and syphilis, and once again prostitutes were held to blame. He therefore abolished camp following and forced medical inspections of

prostitution on Europe's mainland for the next century and a half, Britain adopted another measure, which would have far reaching consequences across the Empire and the Commonwealth well into the 19<sup>th</sup> century. Thus, in Britain, the first important Acts of Parliament in the 19<sup>th</sup> century were the **Contagious Diseases Acts of 1864, 1866, and 1869**, introduced to protect Her Majesty's Naval and Military personnel overseas 215. No one seemed to consider that it might have been the men carrying venereal diseases with them 216, rather than prostitutes in the country of occupation passing the infection onto them 217.

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brothels in towns were his army billeted. Finally the Code Napoleon of 1810 introduced a system of brothel licensing across Europe. Only Berlin refused to comply, finally passing laws against brothels, which forced the closure of all its prostitution houses in 1844. However, an outbreak of syphilis in the years following this led to a reversal in 1851, with the re-opened brothels under strict regulation and health surveillance as reported in Bullough (1964).

215 The Act for the Prevention of Contagious Diseases, 29 July 1864, reads: (sec.16) "*Within the said period of Twenty-four Hours the Authorities of such Hospital shall cause a Certificate signed by the Medical Officer who has made such Examination, stating (if the Fact be so) that on such Examination it has been ascertained that such Woman has a Contagious Disease, to be made out and laid before the Justice by whom the Order was made, or some other Justice having the like Jurisdiction: and thereupon such Justice may, if he thinks fit, order the Authorities of such Hospital to detain such Woman in the Hospital for Medical Treatment until discharged by such Authorities, and such Order shall be a sufficient Warrant to such Authorities to detain such Woman, and such Authorities shall detain her accordingly; provided that no Woman shall be detained under any such Order for a longer Period than Three Months.*" This Act does not apply to Scotland. The term "public place" here means (sec.2) "*...a Thoroughfare or other public Street or Place, or a House or Room which is open to the Inspection of the Police*".

216 A series of amendments to the Acts enabled authorities simply to quarantine any woman in a lock hospital (medical prison) on someone else's suspicion that she was infected. It always involved confining women and most often prostitutes.

217 The same argument used in the 19<sup>th</sup> century – when syphilis was perceived as the disease of sin and the prostitute as the source of infection – is nowadays used by proponents of the idea of legal brothels who argue that the spread of HIV virus has made regulation of the sex trade necessary. As the English Collective of Prostitutes (1992) pointed out "[t]he suggestion by some police and politicians that legalised brothels and/or mandatory AIDS testing may be a solution to AIDS is little short of a proposal for concentration camps where 'contaminated' prostitutes women would be locked away from the rest of the community, from its resources, its protection, its humanity, to be

As mentioned above, the Contagious Diseases Acts, 1864, 1866 and 1869, gave the police power to detain, register and "treat" women they deemed to be prostitutes.

The Acts, *"identified sex as a public issue, differentiated male from female sexuality, marked certain types of sexual activity as dangerous, .... The Contagious Diseases Acts created prostitution as a distinct legal category...."* (Bell, 1994:55).

From the Contagious Diseases Acts, 1864, comes the definition of common prostitute 218, a definition which, although not extended to Scotland at that time, gave prostitutes a new social identity, making a clear distinction between women in general and "fallen women" in particular. By 1869 there were 18 districts in England, in which any woman could be arrested on suspicion of being a common prostitute. The determinants of prostitute status used by the police were

*".....residence in a brothel; solicitation in the streets; frequenting places where*

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*visited sporadically by 'clean citizens' whom they will service. It would also set a dangerous precedent: any sector of the population which may be labelled 'high risk' can be interned. We have always opposed legalised brothels on the ground that prostitute women should be allowed to advertise and get into touch with clients legally, without interference and pimping by the State, whether in the form of central Government, local community or the police."* (1992:50).

218 The expression *common prostitute* appears to have been first used in the Metropolitan Police Act 1839 [2&3 Victoria C.47 section 54(11)] where the *common prostitute* is associated with a night-walker. It reads as follows: *"Every common prostitute or night -walker loitering or being in any thoroughfare or public place for the purpose of prostitution or solicitation to the annoyance of inhabitants or passengers ....."*.

*prostitutes resort; being informed against by soldiers and sailors; and lastly the admission of the woman herself* (1871:6). Unless she could prove otherwise to the police, or in court, she was registered as a common prostitute and had to submit to fortnightly medical examinations. Refusal to be examined meant imprisonment and if found to be suffering from venereal disease, she would be interned in a Lock hospital 219 for up to 9 months. The word common prostitute reappeared in the **Criminal Law Amendment Act, 1885**, which now included Scotland.

Feminists of the 19<sup>th</sup> century, rightly, saw the legislation as highly discriminatory, and finally the Acts were repealed in 1886, following a furious campaign led by Josephine Butler 220. The repeal campaign was organised around 3 key objections:

(i) the double standard involved in punishing the women but not the men for

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219 Lock hospitals were pseudo-medical prisons for prostitutes. Here, the women were subjected to a regime of mindless discipline and arbitrary regulation. "Treatment" consisted of mercury poisoning. Many women were found on arrival to be free of any disease; others were infected by doctors using unsterilised equipment (Roberts, 1992).

220 Following a trip to Brussels Josephine Butler was confronted by English women working in brothels there, who she assumed, they had been kidnapped. She told her account to a hack journalist, W.T. Stead, who followed up with a highly fictitious and sensational article called "The Maiden Tribute of Ancient Babylon" in the Pall Mall Gazette. It blew Butler's story out of proportion with implications of hundreds of innocent English girls being whisked off to the Continent and forced into prostitution. A massive public demonstration in Hyde Park following the article brought together feminists, evangelists, Anglican church leaders, Socialists and radicals of every kind and creed. The British Government responded with the Criminal Law Amendment Act, 1885. (Perkins, 1992).

engaging in the same sexual act; (ii) the class bias of the Acts, which targeted and punished public prostitutes i.e. street walkers and (iii) the interference of the State, as prostitution was created as a distinct legal category.

Among Victorian doctors, police and the "officer class" in the armed forces, regulation appeared to be the best solution to the "evil" of prostitution. A rationale for this type of attitude could be found in the metaphor of contagion (Sontag, 1988), which was itself centred upon the terror of syphilis. Venereal diseases were widespread at all levels of 19<sup>th</sup> century society. Nevertheless, the fear of sexually transmitted diseases was exaggerated. As Roberts (1992) argues, prostitutes "*... being in the front line of possible infection, were the real experts on the problem, and their preventive measures included examining clients and refusing to have sex with infected men. If a whore found herself to be infected, she would often resort to herbal remedies and simple cleansing treatments that even doctors had to admit were more effective than mercury poisoning*" (1992:247). In fact the significance of syphilis was, like so many Victorian ideas about sex and prostitution, largely symbolic. "*.....[I]t encapsulated the 'corruption' that the Christian imagination*

*located in all sexuality, thus demonstrating the dire consequence of moral deviance. Men of God loved to terrorise their congregations with the mythical figure of the diseased whore...." (Roberts, 1992:247).*

The urge to blame others for misfortune or disease existed for long time. The arrival in Europe of syphilis at the end of the 15<sup>th</sup> century, lead to a spate of attributing the malady to one's neighbours 221.

The first piece of legislation to make a frontal attack on the existence of prostitution since the 17<sup>th</sup> century was the **Criminal Law Amendment Act of 1885**, which also included Scotland. In the years following, this Act effectively closed not only organised brothels but the little rooms, where street prostitutes often took their clients. In this way the existing structure of prostitution, which was female-dominated and independent, was broken down and driven into the hands of male pimps and other entrepreneurs. It alienated prostitutes from the working-class

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221 Thus the English and Italians called it "the French disease" while the French attributed it to the Neapolitans. The Turks saw syphilis as the Christian disease, while the Chinese gave it a Portuguese origin. the Germans, Americans, Spanish, Syrians, Egyptians and English were also blamed. See Bullough, V., and Bullough, B., 1987, *Women and Prostitution. A Social History*, New York: Prometheus Books, p. 149.



female population, through the creation of a legal stigma, which clearly gave prostitutes a separate identity from other women. It also raised the age of consent from 13 to 16 for girls, which enabled greater police involvement in private family affairs and made juveniles a particular legal entity, foreshadowing the emotional response to "white slavery"(Walkowitz, 1980).

In **1889, The Infectious Disease (Notification) Act**, gave power to local Authorities 222 to extend the definition of infectious disease, to make sure that sex workers could always be penalised. In the years between 1900 and 1950, legislation on prostitution mostly resulted in a reprise of themes thrown up during the previous century.

Basserman (1955:234) describes the status of prostitution in Europe during the First World War as follows:"....*[t]he apostles of conventional morality no doubt welcomed the decrease of the number of brothels in Paris and Petersburg to a quarter of the previous figure, in Brussels to a sixth and even in Lyons and*

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222 Fifty years later the term "local authority" will become the local Health Authorities as defined in the National Health Service (Scotland) Act, 1947.

*Antwerp to a half. .... New wartime laws were passed affecting this sphere as well as others and its free development was subjected to regulation. Roaming girls and women could not be tolerated in the communications zone. It was impermissible for whole armies to be exposed to infections by venereal disease. In the face of such considerations all the usual objections to the brothels were dismissed - for instance the inability of an inmate to decline, as her street colleague could, the attentions of a client, and the tendency of the resident harlot to take less care of herself than the freelance, since the former could rely on a constant stream of customers." (Basserman, 1955:234).*

Once the First World War ended, the public concern and legislation moved on, mainly because the issue of prostitution was simply exhausted. Indeed, it was only after the end of the Second World War that prostitution once again became a relevant issue. By this time the British economy was beginning to recover from the ravages of the war, and female prostitutes again became visible on the streets, and a comprehensive schedule of legal action was then set in motion.

In 1954 the Wolfenden Committee was appointed, its brief being to report on the sex trade. In 1956 the **Sexual Offences Act** was passed and in 1959, following the recommendations of Wolfenden, the notorious **Street Offences Act** became law.

As Weeks (1985:54-5) points out "*[t]he Wolfenden strategy deliberately avoids speaking of the merits of particular forms of sexuality, and relies instead on shifting appraisals of what is socially acceptable. This is in turn based on a wholly artificial distinction between the personal and the public. .... The result has been confusion over the definition of 'private' (.....) and over 'consent', which is crucial to the liberal approach..... [T]he Wolfenden strategy provides a framework for potentially extending rather than reducing the detailed regulation of sexual behaviour either by new forms of legal surveillance of the public sphere or by refined modes of intervention (medical, social work) into the private*" (1985:54-5).

In 1959, the Street Offences Act effectively introduced an informal method of police registration, since after two cautions for soliciting, a woman could be labelled "common prostitute". Under this Act a woman could be convicted of soliciting, the term soliciting covering "*..... not only spoken words but also*

*various movements of the face, body and limbs such as a smile, a wink, making a gesture and beckoning or wriggling the body in a way that indicates an invitation to prostitution."* (Sion, 1978:83).

This definition - broad enough to include any manifestation of public sexual behaviour by women - capped the long struggle of the State (dating at least as far back as the 18<sup>th</sup> century) to control women's freedom of sexual expression. Since 1959, the unspoken but all pervasive threat has hung over all women, who venture into the streets of Britain at night, namely, unless they are careful about their appearance and behaviour, they may be arrested on a charge of soliciting simply on the word of the police.

The English Collective of Prostitutes observed that *"[p]rostitution laws are not only about prostitutes. They keep all women under control. At any time, any woman can be called whore and treated like one. Each woman has to watch in her own life whether what she's doing is 'good' or 'bad', to censor her movements, behaviour and appearance."* (Roberts, 1992:287) 223.

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223 This quotation appears also in Jaget, C., 1980, *Prostitutes-Our Lives*, Bristol: Falling Wall Press, p. 21.

A woman is thereby branded for life and if she appears in Court, the term “common prostitute” is read out as the first item of evidence against her before the trial even begins, whether or not the woman is still working in the sex industry 224.

The Street Offences Act, 1959, as said, followed the proposals of the Wolfenden Committee, which gave two reasons for recommending imprisonment. The first was deterrence; the second was explained in the Report as follows: “...[w]e believe that the presence of imprisonment as a possible punishment may make the court anxious to try, and the individual prostitutes more willing to accept the use of probation in suitable cases.” (Wolfenden Report, 1959:93).

The Street Offences Act, 1959, like other European legislation 225 in the same period, decreed that prostitution itself remained legal, while surrounding it with

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224 This is a startling anomaly in the legal system: even convicted rapists and murderers do not have previous records read out in court before being tried. In rape and child custody cases, too, this offensive and legal smear is read out and is obviously prejudicial to the outcome of a woman's case.

225 In Italy a similar law was sponsored by a female politician, the socialist senator Lina Merlin, in 1958. She closed the brothels and criminalised soliciting and advertising introducing severe penalties for procurers or “anyone who in any way favours or profits from the prostitution of another”. The Italian authorities banned all forms of registration and even went so far as to legislate in favour of special reformatories for women who wanted to get out of the life, and a special female police squad to work with prostitutes - although neither of these two schemes had been put into operation.

conditions of illegality. In fact, in most European countries, prostitution itself is not illegal. However, the practice of prostitution is effectively rendered illegal through restrictions on organising, advertising and living off the proceeds of prostitution. The exact wording of the law varies between countries in Europe, and there are often disputes over exactly what is legal and what is not. In addition, the way in which the laws are enforced varies widely across Europe, within countries and over time (EUROPAP, 1994).

In brief, the exchange of sex for money is not a criminal activity, but many of the activities surrounding the practice of prostitution are criminalised. Prostitutes who work alone, independently, and do not contravene any laws on public order, nuisance or permitted sexual relations, are technically operating within the law. However, as prostitution is not regarded as a legitimate occupation, prostitutes cannot really make a living 226.

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226 Therefore prostitutes are denied rights in relation to state benefits and pensions. Prostitutes have been presented with tax demand for their earnings, but denied the right to form business and claim expenses against tax. Therefore, operating as a prostitute is necessarily outside the law. In addition, any adults who share a prostitute's income are subject to prosecution.

In 1985, the Thatcher Government brought in new legislation (**Sexual Offences Act, 1985**) against kerb-crawling, i.e. public soliciting by prospective clients in a street area, although not an offence in Scotland and Northern Ireland. Prospective clients who frequent red light areas may be charged with breach of the peace. This law was supposed to maintain "equality" between the sex worker and the client: the client could also be arrested, but as Nina Lopez-Jones from the English Collective of Prostitutes (1992:289) 227 commented at the time: "*[t]hat's like lowering men's wages to make them equal to women's.*"

In fact, the kerb-crawling law, widely promoted as a measure to increase the safety of women on the streets, did manage to further increase "*..... police powers against prostitute women and black and other working-class women and men. Prostitute women are always the first to be arrested, and now any man police choose can be arrested and convicted for kerb-crawling on police evidence alone.*" (Delacoste and Alexander, 1992:274). The fact is that women's safety on the street - or anywhere else for that matter - has hardly been seen to be of great priority to the forces of law and order.

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227 Quoted in Roberts, 1992, op. cit. p. 289.

### **Annex 3 The Law On Prostitution In Scotland**

In Scotland, the provisions and legal enactments which the police have at their disposal in dealing with sex workers and their activities, are mainly the **Sexual Offences (Scotland) Act, 1976**, the **Civic Government (Scotland) Act, 1982**, and the **Criminal Law (Consolidation) (Scotland) Act, 1995**, which makes it an offence for any male person to persistently importune or solicit in public for immoral purposes.

A man who walks down the street approaching women for sexual purposes commits an offence under this provision. The making of a single sexual suggestion in such circumstances would not be persistent importuning, although it might be prosecuted as a breach of the peace.

The Civic Government (Scotland) Act, 1982, with its stated objectives of “*preservation of public order and safety and the prevention of crime*”, identifies the following prostitution-related offences:



“[A] prostitute (whether male or female) who for the purpose of prostitution

(a) loiters in a public place;

(b) solicits in a public place or in any other place so as to be seen from a public place; or

(c) importunes any person who is in a public place,

shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding 50 pounds.” (section 46 (1)).

Section 46 (1) of the above mentioned Act, demands as a *conditio sine qua non*, for loitering and soliciting to be criminal acts, that they are in a “public place”.

This could suggest that loitering and soliciting would be tolerated in a “private space”. However, the law defines public place as “..... any place (.....) to which the public have unrestricted access and includes

(a) the doorways or entrances of premises abutting or any such place; and

(b) any common passage, close, court, stairs, gardens or yard pertinent to any

tenement or group of separately owned houses .....” (Civic Government

(Scotland) Act, 1982, section 133). And the definition of “public place” is even

extended (section 46,2) to “..... *any place to which at the material time the public are permitted to have access, whether on payment or otherwise*”. Virtually every locality in Scotland, according to the law, can be labelled as a “*public place*”.

A woman, found soliciting or loitering for the purposes of prostitution, receives two cautions from the police, on the third occasion she is charged and brought to Court. If guilty - and identified as common prostitute - the following sentences are at disposal of the judiciary: fines and/or three months imprisonment for a third or subsequent conviction.

As Gordon (1978) argues, the distinction between “*just a prostitute*” and a “*common prostitute*” is that the common prostitute does not select to whom she makes her services available, whereas the “*just a prostitute*” does. The difference is of great importance for the *onus probandi*: once labelled a common prostitute, the burden of proof no longer falls on the prosecution, but on the supposed prostitute.

Not surprisingly, sex workers are negative about this aspect of the law. For example, Pat said: “.....*the problem is not the bizzies .... The problem I suppose it's the stupid law*“ (Pat, age 32) 228.

Moreover, female sex workers find it unjust that their loved ones, if male, are put in the same category as pimps. Section 12 (1) of the Sexual Offences (Scotland) Act, 1976, deals in fact with this issue in a very indiscriminate way by defining him as “*every male person who-*

*(a) knowingly lives wholly or in part on the earnings of prostitution, or*

*(b) in any public place persistently solicits or importunes for immoral purposes*

*.....”.*

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228 Many sex workers share Pat's opinion. For example, Mandy said: “*how would you fancy it, if in Court they would call your name? .... Such and such, being a common prostitute, did loiter and solicit for the purpose of prostitution, ... see I know everything ..... how do you plead? Trust them! They call you a tart .... Was it not supposed to be something like you're innocent until they prove that you are guilty? Or something like that? ..... Mind you, you are guilty anyway ....*” (Mandy, age 29). Sharon recalled that “*..... last time I was in Court, I think was last Tuesday, I could batter the lassie next to me. She was nippin' my heid with all this crap about how innocent she was ..... She was blaming the police for everything .... But she hasn't got a clue. It's not just the police. It's everybody and if they decide that they don't like you, that's it. It's the police, the law, the D.S.S., it's everybody ....*” (Sharon, age 28).

This law reinforces social isolation of sex workers though making it difficult for them to live with an adult, who may be charged with procuration and living off immoral earnings of a prostitute 229.

The Sexual Offences (Scotland) Act, 1976, section 12 (4) also criminalises “*every female who is proved to have for the purpose of gain, exercised control, direction or influence over the movements of a prostitute in such a manner as to show that she is aiding, abetting or compelling her prostitution .....*”. It is quite difficult to imagine how a prostitute can make contact with a client without breaking the law: a prostitute, in fact, cannot solicit for the purposes of prostitution and no one else can do it for her.

When sex workers in Leith talked to me about the law, they described it as “ancient”. For example, Susan said: “*I don’t know, it’s quite easy hen to describe the law on prostitution. The laws and everything else, is ancient, pre-historic. The*

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229 For example, as a police officer explained: “... .. *Women are not allowed to solicit or accost any person in a public place or loiter in a public place for the purposes of prostitution. Most street workers who come to the attention of the police are charged with these offences. ... .. If they have a friend who looks out for them, taking down number plates of the cars they get into and just trying to make sure that they get into as little trouble as possible, they might get done for ‘living off immoral earnings’.* Then again, so might someone they take out for coffee, or their partners ...” (PC, age 32, ten years service).

*bizzies don't have any compassion ..... They always say the law this and the law that .... But it's an excuse ....the laws we have are too old.... ” (Susan, age 28).*

The police seem to agree with what the women have to say regarding the law on prostitution. For example, a police officer said: *“Punishing them won't solve the problem of prostitution. No matter what you do to keep them off the street: they come back..... They all come back to work in the same area. .... You don't see them for a couple of days, a week may be, but then they are back and usually they have more financial problems than when they we arrested them..... May be the answer is a different set of moral values or may be, and I say may be, we should think of alternatives, may be diversion 230 from the criminal justice process ..... I*

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230 In 1981, the Steward Committee's Report on Alternatives to Prosecution recommended the setting up of a number of schemes for diverting minor offenders out of the criminal prosecution system. In addition to police warnings, Procurator Fiscal warnings, Procurator Fiscal fines, and reparation to victims, they envisaged an established procedure whereby suitable offenders could, with their consent, be referred for medical treatment, or make contact with a voluntary or statutory social welfare agency for treatment or practical assistance. Entry to such a scheme should be based on the offender's willingness to co-operate but in the event of non-compliance, it would be open to the Procurator Fiscal to invoke the sanction of prosecution. There are obvious difficulties here where co-operation ceases only after an offence becomes time-barred or where the offence is sufficiently old to create problems of evidence in terms of what witnesses remember. The justification for “primary diversion” schemes can be summarised as follows:-

(a) the prosecution of offenders who commit minor offences may be an exaggerated and inappropriate response to the commission of the offence;

(b) some offenders are more in need of help or treatment than punishment;

(c) pre-prosecution diversion should relieve the pressure on criminal courts and reduce delays and costs. It is thereby a means of promoting more effective use of criminal justice and community resources.

Generally speaking, diversion schemes are appropriate where the public and the individual interest are best served, not by prosecution and punishment, but by encouraging and assisting the alleged offender to conform to accepted standards of behaviour. It is, in fact, essential that the offender is

*don't know, it is so frustrating sometimes .....*" (Sergeant, age 37, eighteen years service) 231.

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willing to participate in the scheme. The Steward Committee suggested that Procurators Fiscal should consider as a matter of routine factors such as the triviality of the offence, the likelihood of recurrence, the consequence to the victim, the effects of conviction and the distress already suffered by the victim. Applying such criteria to prostitution-related offences would not normally place such offenders in an appropriate category for diversion, as such activities tend to be deliberate, habitual and are essentially victimless. Some would argue that prostitution is a demand-led service and participants should not be subject to criminal sanctions, but there is no doubt that soliciting or loitering in public places for such purposes has nuisance value which merits police action. The diversion process is clearly not intended to decriminalise any offences, but merely to provide a method of dealing with minor offenders outwith the criminal system. For a more detailed discussion of the alternatives to prosecution see Young, P., 1997, *Crime and Criminal Justice in Scotland*, Edinburgh: The Stationary Office, pp.66-70.

231 Other police officers shared similar views. For example, one officer explained that *"..... women who are engaged in the sex industry, especially if they are involved in self-help groups or similar organisations are not complaining about us. They are complaining about the laws on prostitution. And then, of course, they complain about us ....."* (PC, age 31, fourteen years service). Another police officer added: *"I must admit, sometimes I think society should be more understanding towards women who work as prostitutes. But the women as well should be more understanding. This [Leith] is considered a non-harassment zone: we leave them alone, unless, of course, there is a problem. And often they are the problem. They are too loud, too drunk may be, too high on drugs, fighting amongst themselves and fighting with their men. Sometimes with their punters as well."* (Sergeant, age 38, twenty years service). And another officer said: *"I would like to make a case for a red-light district in Edinburgh, that would improve our relationship with street workers .... The fact ... the fact is that whether or not street prostitution is legal, it happens anyway. It is not the job of the law to reflect the moral predilections of individuals, but rather to protect the safety and liberty of society. A red light district is not saying prostitution is morally right – it is a practical solution to a long-standing problem that cannot be morally abrogated."* (PC, age 29, ten years service).

## GLOSSARY

BARRY *adj.* Good, pleasing, excellent

BIZZIES *n.* Police

BLOB *n.* The HIV virus

BOGGING' *adj.* Extremely dirty

BRASSIC *adj.* Penniless (rhyming slang: boracic lint= skint)

CHIB *n., vb.* To assault with a razor or other sharp implement

COWIE *n.* Edinburgh slang for anything that is unmentionable. In this specific context it stands for the HIV virus

HEN *n.* Term of affection for a girl or a woman

JELLIES *n.* Temazepan (so called because of the soft jelly-like substance inside the capsule)

JUNKIE *n.* A person dependent on drugs

LABDICK *n.* An officer of Lothian and Borders police (derived from initials L.A.B.)

LASSIE *n.* Girl

LIKE/LIKES/LIKESAY *interj.* An essentially meaningless addition to any utterance

POLIS *n.* Police

SMACK *n.* Heroin

TEMS *n.* Short for Temgesic, buprenorphine

WEEGIES *n. pl.* Occupants of Glasgow (derived from Glas-wegi-ans). A derogatory term for Weggies is soapdodgers.

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