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**‘Ulster Says No’:
Regulating the consumption of commercial sex spaces
and services in Northern Ireland**

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ABSTRACT:

Commercial forms of sex such as prostitution/sex work, strip clubs and even sex shops have been the subject of much political debate and policy regulation over the last decade or so in the UK and Ireland. These myriad forms of commercial sex and land usage have managed to survive and even thrive in the face of public outcry and regulation. Despite being part of the UK we suggest that Northern Ireland has steered its own regulatory course, whereby the consumption of commercial sexual spaces and services have been the subject of intense moral and legal oversight in ways that are not apparent in other UK regions. Nevertheless, in spite of this we also argue that the context of Northern Ireland may provide some lessons for the ways that religious values and moral reasoning can influence debates on commercial sex elsewhere.

Introduction

It is no exaggeration to suggest that daily life in Northern Ireland (NI) has changed significantly for the better following the paramilitary ceasefires in 1994 and the multi-party peace agreement – *The Belfast Agreement* – signed in 1998. The bombing and shooting attacks, the heavily militarised police who had to patrol with equally militarised regiments of the British Army and the sectarian killings that were commonplace during the violent socio-political conflict (i.e. ‘the Troubles’) that erupted between 1968 and 1994 are now thankfully a thing of the past. Belfast in particular, has ceased to resemble a rather inglorious imitation of Beirut to become a lively, modern cultural city. Testimony of how far Belfast has come is reflected in the city being awarded *The Guardian and Observer Travel Awards 2016* for ‘Best UK City’¹. Nevertheless, the literature on peace-building efforts in transitional and post-conflict societies suggests that once the issues that sustain violent conflict are addressed they are invariably replaced by new and often more elusive ones (McEvoy & McGregor, 2008; Galtung, 1985). While the constitutional question in NI and the debate about whether the region should remain as part of the UK or be integrated into the Irish Republic has not been fully resolved to everyone’s satisfaction it is now a much less salient issue than it was during the conflict. Questions about the constitutionality of NI have now been joined, overtaken even, by other historically suppressed issues that are also tied to cultural and identity politics. In summary, as sectarianism between the dominant ethno-religious blocs has moved sideways, the politics of gender and sexuality have become ‘new’ sites of disagreement and foci for how identity politics are played out in the jurisdiction. Hence, as democratic governance has evolved in NI, sexual dissident groups such as LGBT communities and sex workers have faced immense challenges in relation to being heard and having their human, sexual and labour rights acknowledged. Of course, these debates mirror those that have occurred in other post-conflict environments

where traditionalists often battle it out with modernisers over issues relating to gender and sexuality (Buss et al, 2014) but they have nevertheless caused considerable friction in NI.

This paper highlights the nature of the political attitudes and policy regulation towards the provision and consumption of commercial sexual spaces and services in Northern Ireland.

The paper is structured into several parts. First, by way of an introduction we present a broad overview of the character of NI as a sectarian society and how this form of identity politics has given way, albeit marginally, to other sites of political contestation. This provides both a contextual and conceptual backdrop to understanding the nature of identity politics and the moralistic underpinnings of the regulation of commercial sexual services within NI. We then highlight the spatial and regulatory contours surrounding the regulation of commercial sex generally but also how the '(sub)urban sexscape' (Maginn & Steinmetz, 2015) has been informed by particular discourses within NI, paying attention to (i) sex shops, (ii) strip clubs and (iii) prostitution/sex work. We link these developments to a number of contributory processes and a desire to retain social norms premised on fundamentalist Christianity, heteronormativity and patriarchy (Ellison, 2015). Ultimately, the term *sextarianism* is used to describe the broad political attitudes and policy responses to commercial sex in NI.

From Sectarianism to Sextarianism

The primary title of this paper, 'Ulster Says No', relates to a political slogan adopted in the mid-1980s by the Democratic Unionist Party (DUP), the largest Unionist/Protestant political grouping in NI, and was used to express their and wider Unionist/Protestant opposition to the Anglo-Irish Agreement which gave the Irish Government an advisory role in the governance of NI. The involvement of the Irish government (and indeed any other Irish organisations) in the affairs of NI was deemed a form of 'foreign' interference in the national affairs of NI. However, the slogan also speaks to the desire to reject the

social liberalism of the Westminster government and the conservative Unionist/Protestant desire to retain the status quo and defend established institutions such as the family, marriage, right to life, Christianity and heterosexuality. In terms of the latter issue, the DUP in particular, is renowned for its vehement campaign against the legalisation of homosexuality under the polemical slogan – *Save Ulster from Sodomy*. Despite being a part of the UK and ardent defenders of the Union, unionist politicians have sought to ensure that NI retains a degree of autonomy on certain socio-legal matters thereby contributing to NI's special case status when it comes to regulating sex and sexuality. For example, politicians from both sides of the political divide in NI, but especially from the DUP, opposed the decriminalisation of homosexuality, despite legislation having been passed in England and Wales in 1967. Homosexuality was eventually decriminalised in 1982 but only after a ruling by the European Court of Human Rights.

Sectarianism: Perpetuating Ethno-Religious Differences

Sectarian schisms between the two dominant ethno-religious groups – Catholics and Protestants – came to a head following the outbreak of civil unrest in the late 1960s that eventually led to the establishment of Direct Rule² by the British government and paved the way for an extended period of socio-political and ethno-religious conflict (Darby, 1995) – what is euphemistically called ‘the Troubles’. Sectarianism was such an omnipotent force during the 1970s and 1980s that it brought about a new wave of socio-spatial segregation, particularly within local housing markets and the education system but it was also a major contributory factor in a high number of conflict related deaths (Sutton, 1994). Indeed, Jarman (2005: 10) contends that sectarianism became so normalised in NI that it was ‘frequently not recognised nor regarded as a problem any longer’. Furthermore, such was the omnipotence of sectarianism during the period of socio-political conflict that all mainstream public policy issues – economic, education, health, social and welfare

policy, heritage and culture - were augmented through a sectarian lens rather than any kind of rational policy lens. Crucially, during this period, matters relating to gender (Fegan & Rebouche, 2003) and sexuality (Kitchin, 2002; Kitchin & Lysaght, 2004) tended to be marginalised or excluded from the policy agenda.

Brewer (1992:352) notes that sectarianism is a 'nebulous' term. This is because 'the social markers [of sectarianism] are more opaque and less deterministic' when compared to racism where social markers (i.e. skin colour) are clearly visible and used to define in- and out-group boundaries. Nevertheless, Brewer (1992: 359) defines sectarianism as 'the determination of actions, attitudes and practices by beliefs about religious difference, which results in their being invoked as the boundary marker to represent social stratification and conflict'. Sectarianism, then, can be seen as the institutionalisation and reification of socio-cultural stereotypes about 'the Other' that seek to perpetuate differences, render political, economic and legal disadvantage and even lead to violence and intimidation against those individuals who are perceived as being from 'the other side' (Darby, 1995).

Sectarianism is mediated and sustained through a lack of knowledge, trust and contact between ethno-religious communities as a result of persistently high levels of segregation within housing markets and the primary and secondary school education system (Gallagher, 1989). Sectarianism also continues to play out in the chambers of the NI Assembly and local councils where democratically elected officials from both sides regularly lob rhetorical accusations at one another about the lack of recognition and acceptance of their respective cultural symbols and practices (e.g. language, flags and parades), ethno-religious identities and equal of opportunity. Nevertheless, statistics from the Police Service of Northern Ireland (PSNI) show there was a 27 per cent reduction in the number of recorded crimes with a sectarian motivation from 1,217 in 2006/07 to 889 in

2012/13 (Nolan, 2014). Other research points to a qualitative shift in attitudes with a majority of Catholic (71%) *and* Protestant (70%) respondents stating that they would prefer to live in mixed residential neighbourhoods (Devine, 2013).

Of course, none of this is to suggest that sectarianism has been or is likely to be eradicated any time soon. Rather, the prevalence of sectarianism is abating, albeit at glacial-like speed. However, this has been enough to open up new fissures for issues relating to sex and sexuality and to put these on the policy agenda.

Dominant political groups from both sides of the ethno-religious spectrum, but particularly from within certain branches of unionism, have long sought to maintain the socially conservative, heteronormative and patriarchal status quo that has stereotypically defined NI. Hence, LGBT communities as well as other sexual dissidents, most notably, women seeking abortions and sex workers have faced major challenges in having their voices heard and claims for their human, sexual and labour rights to be recognised in law. This is despite the fact that many of these sexual rights (i.e. same sex marriage, gay adoption, gay blood donation and access to abortion) have been enshrined in law elsewhere in the UK. Paradoxically, the illegality surrounding abortion and same sex marriage in NI belies the fact that many members of the Unionist/Protestant community have traditionally defined themselves as more ‘British’ than ‘Irish’ in community surveys (Darby, 1995).

Same-sex marriage has been a much contested issue within the NI Assembly having been voted on five times in three years but each time this vote has been vetoed by the DUP on the grounds that it does not command the wider support of its constituency. However, the position adopted by the DUP actually runs counter to public attitudes on same sex marriage. An Ipsos MORI Poll (2015), for example, found that 57% and 75% of Protestants and Catholics respectively supported same sex marriage. In terms of political affiliation, the poll found that fairly large proportions of those who voted for the DUP

(45%) and the UUP (49%) agreed with marriage equality. In comparison, nationalist voters and those affiliated to the cross-community Alliance Party, were significantly more in favour of same sex marriage: SDLP (61%), Sinn Féin (80%) and the Alliance Party (79%). The political contestations surrounding sex and sexuality and the traditionalist standpoints of the polity are defined here as constituting *sextarianism*. Sextarianism goes right to the heart of how sexuality, as a ‘new’ site for identity politics, is refracted within NI and points to broader questions around sexual subjectivities, gender and agency (Fegan & Rebouche, 2004; Kitchin, 2002). So what is sextarianism?

Sextarianism: Perpetuating Heteronormativity and Governing Sexual Dissidence

Sextarianism is a corollary of sectarianism. That is, whereas sectarianism uses ethno-religious identity as the social marker to perpetuate difference, discrimination and even harm on ‘the Other’, sextarianism sees both sides of the religious *and* political divide coalescing, albeit to varying degrees, on matters related to sexuality, sexual practices and sexual citizenship (Smyth, 2006). Sextarianism basically operates from a position of moral superiority that is rooted in social and Christian conservatism, patriarchal authority and heteronormative sexuality. This superiority/authority is galvanised via the political system in NI on account of the inseparability of church and state, that is, of course, due to the deep-rooted ethno-religious and sectarian schisms that prevail in NI. Despite such divisions the Protestant and Catholic churches have long adopted a unified socially conservative standpoint on the sexual mores of Ireland – north and south – since at least the 19th century (Kitchin & Lysaght, 2004; Smyth, 2006).

While some of the issues relating to sexual commerce and sexual citizenship animate politicians from across the religious divide, the DUP, which has strong links to a Protestant fundamentalist Church – the Free Presbyterian Church (FPC) – has arguably been the most

vocal and animated political party. Indeed, as the lawyer and feminist activist, Wendy Lyon (2015:42) notes:

The DUP remains one of the most socially conservative parties in Western Europe. It is fiercely opposed to abortion and LGBT rights, and advocates for the teaching of creationism in schools.

Both the party and the Church adopt a socially conservative stance on a range of issues (e.g. homosexuality, abortion, creationism, stem cell research and faith schools) but have increasingly turned their attention to the issue of commercial sex (Ellison, 2015; Tonge et al, 2014). This parallels developments that occurred in the U.S. where Anglicans have had major internal struggles with the issue of homosexuality (Valentine et al., 2013) and where evangelical Protestant groupings have become increasingly active in debates around commercial sex and human trafficking (Campbell & Zimmerman, 2014; Bernstein, 2007). The DUP's fundamentalist standpoint on matters relating to sexuality and commercial sex are indicative of wider concerns within the party and its supporters that NI is 'becoming less and less evangelical, less Christian' (DUP MLA Jim Wells, cited in Tonge et al, 2014: 144). Religious groups in NI have lost a series of social and political battles – Sunday trading, Sunday licensing and Sunday football – that point to the increasing dominance of an increasingly neo-liberalised and consumerist-based society (Slater, 1997; Clarke, 2003; Sayer, 2003). From a traditionalist Unionist standpoint, such liberalisation and the sharing of power with Catholics/Nationalists/Republicans in the NI Assembly has contributed to a deepening sense of ontological insecurity whereby they see their established value system as under threat (Ellison, 2015; Tonge et al, 2014). This is reflected both in political and moral terms. In political terms, only a small majority (estimated at 56%) of Protestant/unionists voted for the Belfast Agreement, while a greater majority within the DUP and the FPC were actively opposed (Tonge et al, 2014). Importantly, in moral terms,

it is also this latter group who have been most vocal and critical about the social liberalisation of society which is seen in part as being informed by the progressive policy agenda of successive UK governments on issues such as LGBT equality legislation, civil partnerships and lowering the age of homosexual consent for gay men.

A host of other issues such as reproductive choice, creationism, gay marriage, adoption and blood donation (Duggan, 2012; Horgan & O’Conner, 2014, Smyth 2006) as well as the presence of commercial sex in the form of sex shops, lap-dance clubs and, most recently, sex work (Royle, 1984; Maginn & Ellison, 2014) continue to agitate the DUP and other conservative faith-based groups such as the FPC, CARE in Northern Ireland³, the Caleb Foundation, and Evangelical Alliance. The attitudes of these various Protestant groups, as well as the Catholic Church and some of its affiliated organisations towards commercialised forms of sex is underscored by processes of labelling, stereotyping and, ultimately, stigmatisation (Becker, 1973). Those that produce, supply and/or consume sex toys, pornography, BDSM and/or sex work are deemed deviant, abnormal and immoral (Hubbard, 2008; Maginn & Steinmetz, 2015).

Just like sectarianism, sextarianism may take multiple overlapping and inter-dependent forms – political, social, civil/legal and paramilitary – and exercised at an individual and/or institutional level:

- *Political sextarianism* – this involves democratically elected officials, their political parties and institutional affiliates articulating particular religious or morally informed standpoints towards ‘sexual dissidents’ (Kitchin & Lysaght, 2004; Kitchin, 2002). These views will be expressed within formal political and decision-making spaces (e.g. NI Assembly, council chambers or policy documents) plus via the media as a means of asserting authority and reinforcing what constitutes ‘abnormal’ sexual identities and practices:

- *Social sextarianism* – this refers to the casual everyday verbal, physical and virtual/online discriminatory attitudes expressed by citizens, individually and/or collectively, towards particular sexual minorities (e.g. LGBT communities and sex workers) or those that transgress supposed social norms. This form of sextarianism is, of course, structurally embedded within wider society and reified via political and media institutions and discourses.
- *Civil/legal sextarianism* – this has its roots in the democratic will and decisions made by elected representatives who assert that they have a democratic mandate to either block or introduce laws that might otherwise confer equal rights and full citizenship on sexual dissidents. Relatedly, since sexual dissidents tend to be denied full citizenship rights, the activities that they engage in often occupy legal grey spaces. Furthermore, the wider social stigma surrounding certain sexual groups and practices means that sexual minorities' relationships with the state, especially the police, are often precarious.
- *Paramilitary sextarianism* – this sees both Loyalist and Republican paramilitary groups enacting what is euphemistically termed 'community policing' against those who engage in antisocial behaviour. As Kitchin & Lysaght (2004) have noted, sexual dissidence has often been classified as a form of antisocial behaviour and 'policed' by paramilitary organisations.

For many NI politicians and religious organisations commercialised forms of sex represent a threat to social and moral order. The socially conservative and heteronormative underpinnings of sextarianism seek to countenance 'deviant' sexual desires, and the consumption of sexual products and services by prohibiting the presence of and denying

access to commercial sex spaces that have become increasingly mainstream across (i) physical spaces such as the high street, shopping centres and night time economy precincts, and (ii) virtual spaces such as online adult retailing, escort websites and swinger/BDSM communities on the internet (Hubbard, 2008; Brents and Sanders, 2010). This socio-spatial mainstreaming of commercial sex across urban, suburban and virtual spaces has given rise to attempts to reimpose a moral geography on NI's evolving (sub)urban sexscape (Maginn & Steinmetz 2015) and to reinforce the longstanding conservative position on sexuality within Ireland (Inglis, 1998).

Regulating Sex Shops

Sex shops have been a contentious issue at the local council level, especially in Belfast, since the first sex shops opened in the early 1980s (Royle, 1984). Concerns about sex shops have tended to centre on the perceived 'dread risks' (Hubbard & Lister, 2015) associated with this type of land use and the belief that such premises lower the tone of local neighbourhoods and attract undesirable types of people. As Royle (1984) notes, the first two sex shops to open in NI were located in quite distinct locations. The first commercial premises - *Private Shop* - opened in August 1982 on the Castlereagh Road in East Belfast. The geographies of this shop were somewhat contradictory. On the one hand, the actual site of the shop 'could not be faulted, it lay between a betting shop and a public house thus completing an intriguing retail cluster catering to three of the seven deadly sins, greed, gluttony and lust' (Royle, 1984: 51). Simultaneously, however, the premises was located in a 'staunchly Protestant' area thereby cutting it off from prospective Catholic customers given the segregated nature of Belfast during the early 1980s. Hence, from a retail theory perspective the location of the shop was inappropriate. Moreover, this inappropriate location was compounded by the fact that East Belfast 'has many residents who hold strong religious beliefs, it has been proudly described as the city's 'Bible belt'

(Royle, 1984:51). Sure enough, the opening of the shop provoked opposition from political and religious organisations such as Peter Robinson from the DUP, local MP and former First Minister of the NI Assembly; the official Unionist Party (now the UUP); plus Protestant – Iron Hall Evangelical Church and the Baptist Church – and Catholic organisations – Church of the Nazarene. The shop was also the subject of daily pickets by Christian protestors. It was recently revealed that government officials in the early 1980s ‘were so shocked by its opening that they looked at updating the law on the sale of pornography, and enlisted legal advice’ (Rutherford, 2013).

In contrast, the sex shop in Gresham Street⁴ was deemed to be in a more appropriate location in that the area was ‘non-residential so there are no local sensibilities to be offended, it is in Belfast’s CBD and is thus neutral territory where members of both communities go’ (Royle, 1984: 52). Whilst this shop also endured some protests, mainly from the Women’s Rights Movement, ‘these were by no means as well attended as those organised by religious bodies on the Castlereagh Road’ (Royle, 1984: 52). The significantly better market location of the Gresham Street sex shop combined with the area’s zone of transition character (Burgess, 1925) helps explain why sex shops have persisted in this area with the number of shops increasing to six during the mid-2000s - see Photographs 1 and 2 for examples of the sex shops that have operated in Gresham Street. This was despite the council’s the ruling that the number of sex shops in this area should be zero (Belfast City Council, 2014). In contrast the poor market location plus the moral outrage and protests from political and religious actors resulted in the closure of the Castlereagh Road sex shop within one year of opening.

INSERT PHOTOGRAPH 1 ABOUT HERE

INSERT PHOTOGRAPH 2 ABOUT HERE

BCC recently reiterated its long standing policy that the number of sex shops in Gresham Street should be zero (Belfast City Council, 2014: F768). Despite this policy and a rather protracted legal process which culminated in a House of Lords ruling in 2007 supporting the council's refusal to grant a licence to a sex shop, Miss Behavin'⁵, sex shops have continued to operate within the area. In late 2014 the owners of two other sex shops in the area tried again to secure a license so that they could operate legally. In a sign of political pragmatism entering into the debate, a local councillor from the nationalist SDLP, Pat McCarthy, indicated that he would be inclined to support the application noting that: 'You go to any other city in the world and there are sex shops – they are a part of reality,'⁶ Ultimately, however, a Health and Environmental Services Committee meeting in late October 2014 to consider the license re-applications recommended to the full council that the 'number of Sex Establishments in the Gresham Street locality remain as nil, on the grounds that the presence of such premises would have an adverse impact upon the current and envisaged character of the area'. Notably, this recommendation was moved by Cllr. Tim Attwood from the Nationalist/Catholic Social Democratic Labour Party and seconded by Alderman Guy Spence (DUP).

Whenever sex shops have opened elsewhere in NI a more conservative tone has been evident. For example, when a sex shop opened in Omagh, a rural town in the west of province, some elected officials expressed their disapproval as reflected in the following comments (Belfast Telegraph, 2005, *emphasis added*):

I think it is *morally* wrong and there is no need for it in any town, much less Omagh. [...] I do not think it is me who has the problem [with these shops]. [...] The people with the problem are those who frequent shops like that.

(Cllr Paddy McGowan, Independent)

I will not rest until it is closed. It is absolute filth and there is no place for it in this town. (MLA Tom Buchanan, DUP)

Despite the ‘illegality’ of sex shops in Belfast and the political opposition to them since they emerged in the urban landscape in the early 1980s, their ongoing presence clearly indicates that there is a demand for the goods – sex toys, lingerie and pornographic magazines and DVDs – that they sell. Further indications of the wider demand for adult products is also evident from an article in the *Belfast Telegraph* (2013) about the sales of adult products by one of the UK’s largest online adult retailers. The article noted that three towns in NI were listed in the online retailer’s ‘top 10 sexiest cities’, where sexiest was measured by expenditure on adult products. The seaside town of Bangor, County Down, ranked first on this ‘top 10’ list with people spending more than 6 times the average on adult products than other customers. The two other NI towns that featured in the ‘top 10’ list were Newtownards (County Down) and the border town of Newry (County Armagh). Notably two of these towns – Bangor and Newtownards – are predominantly Protestant (approximately 80%) and are represented mainly by DUP and UUP NI Assembly members respectively.

As far as can be ascertained, there has only ever been one licensed sex shop in NI. The license was granted in 2007 by the former Newtownabbey Borough Council to a shop located within an industrial estate. This decision was seen by some as contradictory in light of the then recent House of Lord decision on the *Miss Behavin’* sex shop case in Belfast. This was articulated in the comments of a local DUP councillor, William Ball, who commented that:

From my personal perspective I voted against it on the grounds that it wasn’t just *morally* wrong but I felt it was *legally* wrong as well⁷,

The decision to grant a license to this sex shop, according to media reports at least, seems to be grounded in the fact that because it was discrete and situated in an isolated location as opposed to a shopping high street and thus removed from residential areas, schools and places of worship then ‘the argument that innocent people who happen to be passing can be corrupted is negated’⁸

The desire to exclude sex shops from the Gresham Street area also appears to be underscored by hopes that the local area will be regenerated. A retail-led masterplan for the area was prepared back in 2005 by the Department of Social Development but has yet to be realised. A key reason for this is that major development and investment in Belfast over the last decade or so has been focused in other parts of the city, most notably the Cathedral Quarter and Laganside. Prospects for the regeneration of the wider Gresham Street/North Street area seem to be increasing due to regeneration spillover from the Cathedral Quarter, with the University of Ulster developing a new £250 million campus nearby. Sex shops however seem to be an inappropriate fit for the regeneration vision for the area and the types of people, largely students and professionals, who are mainly expected to consume this space.

Regulating Sexual Entertainment Venues

As a major city within the UK/Ireland, Belfast arguably stands out from other cities such as Liverpool, Leeds, Birmingham, Newcastle, Manchester, Glasgow and Cardiff) in that it has no lap-dance or striptease clubs. This is also in stark contrast to the ROI, a predominantly Catholic nation, where the Catholic Church once exerted considerable influence within the polity, wider society and via the education system. According to the World’s Best Strip Clubs website (<http://www.worldsbeststripclubs.com/country/ireland/31>) there are a total of 18 strip clubs in the ROI: Dublin (11); Cork (2); Limerick (2); Waterford (2) and Galway (1). By way of further contrast, Hubbard & Colosi (2015) note that in 2004 there were

some 350 ‘sexual entertainment venues’ (SEVs) in England and Wales. However, following political and community backlash against SEVs the number of clubs had fallen to less than 215 by the end of 2014 as local authorities refused to issue new or renew existing licences.

Only one dedicated lap-dance venue has ever operated in Belfast. The *Movie Star Café* opened in 2002 and was located in Botanic Avenue in South Belfast, an area renowned for its night-time economy (NTE) and adjacent to a university precinct and a private rented housing market that caters to a largely student population. The owner of the venue circumvented the need to apply for a licence for a sexual entertainment venue by using the then pre-existing restaurant and entertainment licence for the premises. News that Belfast was to open its first lap-dance venue was greeted with disgust and contempt by representatives from the FPC and DUP who vowed to protest outside the club:

We all know what these places are like - they do nothing but promote sin, desire, lust and consumption [...] They stir up emotions in men and if they know naked women will be frolicking around, who knows what problems it could lead to. (Rev. Eric Smyth, DUP councillor)⁹

It is a most unsavoury, a most seductive, a most immoral presentation. [...] It is really theatrical pornography and that is something I feel Belfast can do without.¹⁰

(Rev. David McIlveen, Free
Presbyterian Church).

McDonald (2003) reports that there was ‘a united front, with councillors from all parties at City Hall determined to take away the *Movie Star Café's* licence when it [came] up for renewal in a matter of weeks, and effectively shut it down’. Despite protestations from the owner that he would challenge any refusal to renew the club’s licence, *the Movie Star Café* eventually closed approximately one year after it had opened. The on-going protests

outside the venue ultimately played a significant role in undermining the economic and financial viability of the club. The determination by Belfast City Council to close down its only strip club and its policy of zero sex shops in Gresham Street has been matched, if not bettered, by the now amalgamated Larne Borough Council. In 2009, this predominantly Protestant/Unionist council, took a pro-active policy stance by adopting the motion that it ‘would not be minded to consider positively an application for a sex establishment in the area’. Again, it would appear that this decision was underpinned by religious moral beliefs:

Veteran Ulster Unionist councillor Roy Beggs — who proposed the anti-adult business motion — said it was “about time” to show that it’s a sin to flaunt flesh. “Adam and Eve covered up after the Garden of Eden, so I think these businesses are completely inappropriate,” the former east Antrim MP told *Sunday Life*¹¹

Ultimately, whilst efforts to prohibit the establishment of commercial sex venues such as sex shops and strip clubs may result in the creation of visible and symbolic moral landscapes such decisions do *not* prevent the consumption of adult products and entertainment. Licensing regulations may render bricks and mortar sex shops invisible but such regulation does not extend to online adult retailing and/or Freeview or fee-paying pornography sites. Relatedly, despite the absence of any strip clubs in NI all this means is that the consumption of such commercial sexual entertainment is displaced and consumed as part of ritualised night time economy (NTE) excursions under the guise of ‘stag/hen parties’ and a low-cost airfare from Belfast to cities such as Amsterdam, Prague, Liverpool or London. The lack of strip clubs does not appear to have stopped the supply and demand for other forms of commercial sex, chiefly sex work/prostitution. However, the introduction of the *Human Trafficking and Exploitation Bill, 2014 (HTE 2014)* in 2015 seeks to eliminate the consumption of sex work by criminalising the purchase of commercial sexual services.

Regulating Sex work/Prostitution

Whilst conservative Unionist/Catholic politicians, Protestant/Catholic churches and their affiliated faith-based organisations have a fairly long history of campaigning against homosexuality, reproductive rights, sex shops and, in the last decade or so, strip clubs, they have had relatively little of substance to say about sex work/prostitution until fairly recently - 2012 in fact. This of course does not mean that there was no opposition to this form of commercial sex. Rather, the relative lack of noise on this matter historically is premised on the small-scale nature and political insignificance of sex work during ‘the Troubles’ (1968-1994). From the 19th century, as a port city Belfast had a reputation as somewhere where commercial sex could be procured quite easily around the now demolished Sailortown area of the docks in inner East Belfast (McCormick, 2009). However, as ‘the Troubles’ evolved over the 1970s/1980s and surveillance in Belfast by the police and the British Army intensified, the small street-based commercial sex work scene shrank as sex workers moved to indoor venues (hotels, apartments, houses). Expressed simply, sectarian and paramilitary conflict combined with a generally depressed economy stifled the development of any kind of sophisticated sex markets, including street-based sex work scenes that were more common in other UK and European cities. In addition, those who are offended by ‘deviant’ sexual practices were more focused on opposing efforts to extend the legalisation of homosexuality in England and Wales to NI during the 1970s and 1980s (see Tonge et al, 2014).

A particular policy interest in sex work and a desire to regulate it more effectively was reflected in the publication of two NI Department of Justice Reports (DOJ, 2010, 2011). The roots of this ‘new’ policy interest in sex work can be traced back to increased reporting of sex work in the media plus agitated concerns from local councillors and the police about street-based sex work and brothels that slowly emerged following the signing of the Belfast Agreement in 1998 (Ellison, 2015). Whereas Belfast and Derry/Londonderry, the two largest

cities in NI, were traditionally seen to be the primary, if not exclusive, markets for commercial sex there were growing reports of clandestine brothels operating in provincial towns such as Banbridge, Portadown, Lurgan, Craigavon and Dungannon. In other words, sex work was no longer an urban problem; it had infiltrated and ‘contaminated’ the rural idyll of Ulster. Around the same time human trafficking began to emerge as a major political and policing concern at the national level in NI and followed earlier concerns raised by the UK Home Office (2004, 2008). Notably, the fundamentalist Christian organisation CARE had also expressed its concerns about the links between prostitution and human trafficking, describing itself as ‘one of the first organisations to start to raise awareness, bring agencies together and try to persuade the government to take action’.¹² Local media reports in NI also highlighted that policing operations had uncovered brothels that were exploiting *potentially* trafficked women from Chinese, African, East European and South American backgrounds (DOJ, 2010).

In considering how best to respond to the problems of prostitution in NI a DOJ report (DOJ, 2011) highlighted that much political and policy rhetoric in the UK has centred on the idea of ‘ending demand’. The Report noted that the UK Home Office (Home Office, 2008) gave strong consideration to what many anti-sex work advocates regard to be the gold standard in regulating prostitution – ‘the Swedish model’ (Bindel & Kelly 2003; Ekberg, 2004) – that results in the criminalisation of buyers. Ultimately, however, this approach was seen at the time as a step too far. Instead the UK government proposed to introduce ‘a new [strict liability] offence to criminalise those who are found to be paying for sex with a person who is being controlled against their wishes for someone else’s gain’ (Home Office, 2008:3). In addition, the UK government also embarked on ‘hard-hitting marketing campaigns to raise awareness of the exploitation that women involved in prostitution may face’ (DOJ, 2011:100). The tagline of one such campaign declared: ‘Walk

in a punter. Walk out a rapist’. The rhetoric behind this slogan was about conflating sex work and human trafficking as one and the same issue and thus amplifying wider public sentiments to oppose both of these activities. For sure, whilst there have been people in the UK, including NI, forced into sex work via human trafficking (see NCA, 2014) government authorities and NGOs have in recent years tended to either ignore or refuse to accept the difference between *coerced* sexual exploitation and *consensual* sexual commerce. This was the case during the passage of the *HTE Bill* where, for example, the Chairperson of the Justice Committee, Paul Givan (DUP), stated that he hated using the phrase ‘consensual prostitutes’. In other words he did not accept that there was such a thing as consensual commercial sex. A similar attitude was expressed by other Unionist members on the Justice Committee, most notably Jim Wells (DUP) who was persistent in rhetorically and directly arguing that all women in sex work had been coerced:

I hate to use the phrase, but the ‘Happy Hooker’ does not exist on this island [Ireland]. These women [in prostitution] are subjugated, terrorised and forced to do something that no human being should be asked to do (They Work For You, 2013).

The moralistic discursive utterances on sex work by Unionist politicians is a clear indication of the presence of religiously-informed political sectarianism within the NI policy process. Further evidence of this mode of sectarianism was reflected in the fact that the fundamentalist Christian NGO organisation CARE, which has been at the forefront of lobbying and working with politicians to introduce legislation to criminalise the purchase of sex work, assisted Lord Morrow in putting together the *HTE Bill*. In addition, two representatives from CARE and Gunilla Ekberg, an anti-sex work feminist and former advisor to the Swedish government on prostitution and human trafficking, presented evidence alongside Lord Morrow during the committee hearing stages of the Bill. All supported the introduction of the ‘Swedish model’ which was seen as the most effective means of ending the demand for commercial sexual

services and human trafficking, which were seen as inextricably linked phenomena. The introduction of the Swedish model under the guise of the HTE Bill marks NI out as unique within the UK insofar as it is the only jurisdiction to have introduced this regulatory approach. Indeed, there is now some distance between the position of the NI Assembly and the UK government given that the latter has articulated a more pragmatic and reasoned view of sex work and its regulation (Home Affairs Committee, 2016).

Recent media reports highlight that a raid on a brothel in NI resulted in not only a man being arrested for purchasing sex but three females were also arrested for keeping a brothel (McDonald, 2015). This jars with both the political and legislative intent of the HTE Bill with its supposed emphasis on the criminalisation of buyers *but* the decriminalisation of sellers. The decision to arrest the females in the case merely serves to reinforce the perception that the supply of commercial sex services is still deemed a criminal and stigmatised act. Whilst the HTE Bill has only be in effect for just over a year the lack of arrests, and, more importantly, convictions, suggests that enforcing the sex buyer law in NI is fraught with major challenges.

Conclusions

This paper has suggested that the regulation of commercial sex spaces and services in NI remain highly contested issues. The social and cultural dominance of religion, the deep ethno-religious schisms that prevail between Unionists/Protestants and Nationalists/Catholics and the relative immaturity¹³ of the political institutions point to the dominance of morally-informed policy-making as opposed to more rational evidence-based policy-making. It has been shown that in the case of NI the regulation of sex shops, strip clubs and, more recently, sex work has been prone to policy capture by largely Unionist politicians and their supporters who exhibit strong Christian fundamentalist views on matters pertaining to sex and sexuality. The political actors and discourses underpinning

the introduction of the HTE Bill in 2015, a zero tolerance policy towards sex shops in inner city Belfast and a determination to refuse issuing a license to a strip club all point to an overarching sense of ontological insecurity about the moral well-being of NI in the face of an increasingly liberalised and sexualised society. Furthermore, there appears to be a political and policy disconnect between the political classes and a significant portion, if not a majority, of wider Northern Irish society. This has been reflected in the degree of political clout that some religious groups exert within the NI policy arena. Tonge et al (2014) point to the huge influence exerted by the small Free Presbyterian Church which is representative of only one percent of Northern Irish Protestants but which is disproportionately represented in the NI Assembly with 37% of DUP MLAs being members of the church (Tonge et al, 2014). Indeed, as they argue, ‘it is remarkable that so many members of a single tiny church can populate a political party’ (2014: 137).

While this paper has focused on the ways that NI has departed from other UK regions in the regulation of sexuality and commercial sex spaces it may be the case that the jurisdiction provides a portent for developments elsewhere in the UK. In particular, there are potential lessons for diverse English cities with large religious minorities. A comparative analysis of the regulatory and religious contours across local council areas could help map the multi-faceted religious and moral geographies surrounding commercial sex at a range of levels: metropolitan, borough and neighbourhood. For example, between 2011 and 2013 posters began appearing in the London boroughs of Tower Hamlets, Waltham Forest and Newham declaring: ‘You are now entering a Sharia controlled zone. Sharia Rules Enforced’ with images indicating that smoking, drinking and music were banned in the neighbourhoods (*The Telegraph*, 2013). A group of young Muslim men who described themselves as representing an organisation termed the ‘Sharia Project’ confronted sex workers, people considered to be gay, those drinking alcohol, couples

holding hands, and women whom they considered to be dressed immodestly (*The Telegraph*, 2013). The role of religion and ‘sectarianism’ in political debates and influencing policy decisions on the sex industry as outlined in this paper therefore offers a potentially useful conceptual framework for analysing and understanding how commercial sex venues and practices are perceived and regulated elsewhere in the UK.

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Photo 1: 'MissTique' Sex Shop, Gresham Street, Belfast



Source: Paul Maginn (2009) – this shop is still operating

Photograph 2: ‘Bliss’ and ‘Naughty Butt Nice’ Sex Shops, Gresham Street, Belfast



Source: Paul Maginn (2009) – both shops are no longer in operation.

¹ <https://www.theguardian.com/travel/2016/mar/05/travel-awards-2016-the-winners>

² In 1972 the NI Parliament was suspended indefinitely by the British government who responded to allegations that it had systematically discriminated against the Catholic minority.

³ CARE is a London-based Christian lobbying group that has a particular appeal to religious fundamentalists insofar as it maintains a definite stance on a range of social issues including homosexuality, abortion, stem cell research, faith schools, gay marriage and also prostitution and human trafficking.

⁴ A street in Belfast’s Central Business district.

⁵ http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/6590155.stm

⁶ <http://www.belfasttelegraph.co.uk/news/northern-ireland/belfast-to-get-all-hot-and-bothered-as-fresh-sex-shop-storm-breeds-30543466.html>

⁷ <http://www.newsletter.co.uk/news/northern-ireland-news/outrage-over-sex-shop-1-1854986>

⁸ <http://www.belfasttelegraph.co.uk/life/ulsters-king-of-porn-28449701.html>

⁹ The Daily Mirror ‘Lapdancing club opens in Belfast - cleric plans protest
<http://www.thefreelibrary.com/LAPDANCING+CLUB+OPENS+IN+BELFAST%3B+EXCLUSIVE+Cleric+plans+protest.-a088237560>

¹⁰ http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/2097761.stm

¹¹ <http://www.belfasttelegraph.co.uk/news/larne-launches-preemptive-strike-on-sex-shops-and-strip-clubs-28499686.html>

¹² <http://www.care.org.uk/about-us/our-history#>

¹³ While the political institutions were established in 1998, in reality it is only since 2007 that they became operational when Sinn Fein decided to take their seats.