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Academic Presses: Publishing Prostitution Apologists

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Abstract

In the past few five years, academic presses are publishing books advocating the decriminalization of prostitution, the policy prescription buttressed by attempts to minimize the harm of the sex trade industry as well as sex-trafficking. This review essay explores the presses' eager embracing of this approach, the reasons for it, and the effects of their publications on violence against women. These include the silencing of survivors' voices, and the drying up of violence research as academics pursue topics of interest to publishers, as opposed to exploring the lives of women.

Keywords

academic press, decriminalization, prostitution, sex positivity, carceral state, sex work, publisher

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A BOOK REVIEW ESSAY

ACADEMIC PRESSES: PUBLISHING PROSTITUTION APOLOGISTS

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ABSTRACT

In the past few five years, academic presses are publishing books advocating the decriminalization of prostitution, the policy prescription buttressed by attempts to minimize the harm of the sex trade industry as well as sex-trafficking. This review essay explores the presses' eager embracing of this approach, the reasons for it, and the effects of their publications on violence against women. These include the silencing of survivors' voices, and the drying up of violence research as academics pursue topics of interest to publishers, as opposed to exploring the lives of women.

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SEVERAL YEARS AGO, I HAD A CONTRACT from an academic publisher for a work that provided the accounts of numerous individuals who were survivors of acquaintance rape. To my astonishment, when I submitted the manuscript, both the editor and the peer reviewer found the real accounts of rape survivors I interviewed to be "too sensational." How can what really happened be "too sensational?" Does that mean not believable? Clearly, there was an inability to accept the reality contained in my manuscript. Quickly, I withdrew it before the press rejected it.

Several years later I heard of the difficulties two Canadians, Jeanne Sarson and Linda MacDonald, had in obtaining a publisher for a book that told the stories of child victims whose parents made money off them in the commercial sex trade. I contacted the two authors, who informed me via e-mail of the publisher responses. Although two presses said the manuscript was "compelling," neither was interested in publishing it, without giving a reason for the turn-down. One of the presses has a board comprised of a few people well-known for their support of "sex work" in their province. Another publisher with a radical feminist bent, known for work on the harms of prostitution, deemed the manuscript "too brutal" and "excruciating," and promoting it would be a "nightmare." The publisher said it had tried with a difficult manuscript before but had to cancel the publishing. Was the press anticipating nasty blowback

from pro-prostitution or libertarian forces? Last year, the authors had to self-publish their book *Women Unsilenced: Our Refusal to Let Torturer-Traffickers Win* (2021).

I decided to sample some books from academic and feminist/radical presses in the United States on prostitution and sex trafficking. This article takes a look at some recent works on the sex trade industry published by these entities between 2016 and 2021. This is not a formal research project, nor is it a survey of the entire field of academic presses, but an examination of a number of recent books from prominent academic publishers. My findings, shared here, give much food for thought about current barriers facing violence researchers today.

In my analysis I asked what the world view was of the academics, and how the authors employed data or facts to back up their positions. Did they use any data? Did the authors properly interpret the selected data? Did they cherry-pick data? Did they attempt to ignore data by labeling it as “fake news,” and how often did they use less than acceptable definitions, enabling them to discount data?

After reviewing a number of recent books from prominent academic presses, I found that their authors employed two distinct approaches, with some works combining both. For clarity, in this review article I will discuss them separately.

The first is the idea that prostitution is all about sex. They think those wishing to abolish prostitution are waging a war against sexual freedom, in favor of more conventional family structures, and must be pushed back as a result. A second group of authors agrees that prostitution abolitionists are against sexual freedom, but they emphasize the role of the “carceral state,” which employs harsh criminal justice responses to regulate sex in society. This focus on the evils of the state’s regulation of sex through the criminal justice system certainly resonates today with Black Lives Matter advocates in the wake of the murder of George Floyd in Minneapolis back in 2020. To a person these authors reviewed here and embraced by academic presses advocate for the complete decriminalization of the sex trade industry, without regard to the ramifications for individuals and communities affected by this policy. Some of the authors seem oblivious to any harm inflicted by the sex trade, but more often they blithely minimize it, usually without any reference to data or statistics. Often, they acknowledge the data, but discount it, calling it “fake news.” Inventing new definitions for common terms is another tactic, a practice of totalitarian dictators, which also minimizes the prevalence of harm. This manipulation of facts is startling for academic publications.

THE WAR ON SEX

For convenience I will refer to the pro-sex position that prostitution is all about sexual freedom contained in these books as “sex-positivism,” which I define as a belief that all consensual sexual activities are fundamentally healthy and pleasurable, and no moral distinctions among types of activities or choices should be made. Sex-positivity supporters in academia are finding an enthusiastic audience from academic presses. Duke University’s compendium of articles (2017) called *The War on Sex*, edited by David M. Halperin and Trevor Hoppe, can serve as a primer for the approach. Although the editors do not deny that sex can be a vehicle for very serious harm and admit that “sexual freedom is not a license to abuse others” (p. 4), nonetheless they persist in declaring that sexual abuse is but a pretext for legislating against sex in general, a war against disapproved sex, sex that is “admittedly unsavory, disgusting, or selfish” (p. 4). With this statement the authors seem to imply that what you and I might call sexual abuse is really just disgusting sex, a definition that a pornographer

might approve, and, more importantly, enables the authors to minimize the abuse in prostitution.

How do you prove that concern about sexual abuse is just a pretext? Although the authors make no attempt to prove a pretext, the book persists in claiming that the concerns of victims, advocates, the media, and policy makers are mere pretexts to a hostility to sexual freedom, which opponents of sexual abuse will find to be a serious libel.

The War on Sex's introduction provides an enumeration of the many ways sexual freedom is under threat. At closer look, however, many of the examples are mere reiterations of the original premise, such as “a mounting tendency to treat sex itself as a danger or threat;” “an intensifying urgency to protect people from sex;” and an increasing regulation and criminalization of sex,” with no examples or data provided (p. 7). This list of ominous developments is, in the main, a mere restatement of the original generalization.

Verso provides Judith Levine, a free-lance author, and academic Erica R. Meiners (*The Feminist and the Sex Offender: Confronting Sexual Harm, Ending State Violence*, 2020) with a platform for more of the same: efforts to keep children safe from sexual exploitation are fueled by the goal to police sexual deviancy. Here, the authors attempt to present data minimizing the prevalence of child sexual exploitation. They write, for example, that the number of commercialized sexual exploitation cases of children adjudicated from 2004-2013 is very low. However, one cannot determine prevalence based on the small number of cases detected by law enforcement or coming to their attention. Moreover, their treatment of on-campus rape statistics is equally erroneous. They allege that the prevalence figures include cases of intoxication, while for many years now these cases have been treated separately, and now commonly used prevalence figures include only cases in which violence has been used (Raphael, 2013).

Verso claims to be the largest independent, radical publishing house in the English-speaking world, and publishes many authors who have been Soros Justice Media Fellows, including Levine and Meiners. However, most of the authors of books in this review essay did not appear to have received support from the Soros program, which over the years has funded projects and writers advocating for the complete decriminalization of prostitution (Raphael, 2018). We cannot blame financier George Soros for the existence of these books.

Two authors have attacked the #MeToo movement on similar grounds. Verso has published a compilation of magazine columns by former Nation editor JoAnn Wypijewski (*What We Don't Talk About When We Talk About #MeToo: Essays on Sex, Authority, & the Mess of Life*, 2020). Here you might be surprised to read that we don't know if movie producer Harvey Weinstein is a violent criminal, despite the huge number of credible accusations against him. Again, Wypijewski's definition of sex is a pornographer's dream: sexual liberation involves pleasure, danger, and risks. But, she says, all the danger is exaggerated. Without proof, she avers that many accusations involve ambiguous interactions or harassment, not assault. Her argument boils down to this: victims are unjustified in their anger about sexual abuse and just need to toughen up (Donegan, 2021). This book of essays does indeed demonstrate a sex panic all right: the panic of Wypijewski that by calling attention to violence and abuse, sexual liberation will disappear.

Northwestern Professor Laura Kipnis (*Unwanted Advances: Sexual Paranoia Comes to Campus*, 2017) has a similar take in her condemnation of most prosecutions

of on-campus rape and sexual harassment, all of which she views as attacks on sexual freedom. The book does not have the intellectual vigor one would expect from an academic. No data or facts back up sweeping generalizations. In a nutshell, her position is that women want to have sexual adventures, make mistakes, and then blame others. Thus, the complaining women are blaming men for their own mistakes. Kipnis suggests: "What dimwitted sort of feminism wants to shelter women from the richness of their own mistakes? Their own ambivalences?" (p. 204-5). Critic Moira Donegan (2021) gets it exactly right about these authors: "They want compassion, empathy, and second chances; they want deliberativeness and nuance. But they only want these things selectively, *from* women, and *for* men" (p. 9).

New York University Press has published a startling work by Angela Jones, a former stripper, now an associate professor of sociology in the State University of New York system, called *Camming: Money, Power, and Pleasure in the Sex Work Industry* (2019). This book praises online sites in which customers pay to watch and direct the erotic acts of the women found on them. Customers watch the women ostensibly pleasing themselves with sex toys and other objects, and can, for extra money, direct and control the sex toys themselves. Jones's take on camming is this: these women workers are on the frontlines of the struggle for sexual freedom. By performing these acts, they give themselves and their paying customers pleasure, with no risk of harm to themselves. Jones states that her goal is to open up an entirely new subfield in sociology-the sociology of pleasure.

The author's approval of the activities on these sites had this researcher losing sleep at night. No activity requested by a buyer was off-limits or disapproved, and no concern was ever expressed for the girls and women.

Consider these items.

Incest Play

Cam performers told Jones that incest play is popular with clients. Frequent requests include daddy-daughter and father-son, or mother-son. Jones thoroughly approves of these scenarios:

These fantasies and scenes allow people to push social boundaries around incest taboos, without actively breaking the incest taboo, and thus, facing the possibility of criminal and social sanctions (p. 205).

Race Play

Race play, Jones says, is a role-playing scenario that involves using racial slurs during sex acts or re-enacting a master/slave relationship. In one typical scenario, a Black man wants a white person to play the role of a slave owner and then degrade him as a slave. Or the Black man rapes the plantation owner's wife or penetrates her consensually. Jones writes that she refuses to pathologize or judge girls who do race play: "There is pleasure in these highly charged racial images-not just trauma and oppression (p. 209)."

Kink Work

A young girl acts the part of a submissive that supposedly "brings multiple and overlapping pleasure" (p. 221). Totally naked, she wears a bondage mask with spikes with words such as "cunt" and "fuckhole" inscribed on her chest in red lipstick. Two pictures show the reader the distressing scene.

Although Jones asserts, without proof, that most “sex work” is voluntary, she does admit it is plausible that people could be forced to participate on these sites. But she does not let that thought interfere with her assertions about the pleasures of camming. She does mention, without further comment, some deleterious effects on the women’s bodies from the frequent use of sex toys, including vaginal infections and anal prolapse, when the walls of the rectum become loose, causing pain, itching, and bleeding.

Astounded by New York University’s acceptance of this strange “feminist” thesis, I decided to do a bit of Internet sleuthing about camming. Right off the bat I found the case of a young woman in the U.K. whose customer ordered up more and more serious acts, resulting in her asphyxiation and death. As she struggled to breathe, the client watched the screen as if it was a movie, making no move to call for help. He killed himself after he was imprisoned while awaiting trial for her death (Kitching, 2019).

There were also accounts of research demonstrating the grip that crime rings in Russia and Romania have over these larger and more popular camming sites, with girls required to simulate sexual pleasure eight hours a day, a long way from sexual liberation or their own pleasure (*Uncovering the Dark World*, 2020).

Writer Adrian Nathan West (2020) explored a number of the biggest camming sites, reporting that if the girls did not comply with customer demands for painful or degrading acts, they would be fired. But more importantly, West has read Jones’s book, and like me, found it deeply repugnant, identifying for me the source of my disquiet:

There is something creepily utopian, almost reminiscent of Maoist “right thinking,” in the proposition that a woman’s right of consent should yield to a man’s fetishes when compensated, or that sex ennobles reenactments of racism so long as the presumptive oppressed party is calling the shots... (p. 6).

By calling obvious pain “pleasure,” Jones tries to create an alternate reality reminiscent of the speech of totalitarian dictators. West also contests Jones’s amazing claim that these practices subvert ideas of race, gender, and power:

If this had been true, shouldn’t they be well and truly subverted by now? How long do we wait for a theoretical apparatus to produce results before we decide it’s reached its expiration date? (p. 8).

And how could a university press come out with a book like this, so intent on re-labeling harm as pleasure, so subservient to trendy ideas about sex that on their very face appear harmful?

A book *Neo-Burlesque: Striptease as Transformation*, Rutgers University Press (2020) accepts Lynn Sally’s depiction of the revival of burlesque (“called neo-burlesque”) as an important part of the sexual revolution. Its author, who reveals herself as a stripper who teaches it now as an art form, explains that burlesque theaters are springing up all over New York City. She claims that the display of the female body on stage is liberating for both the performer and the audience—striptease as a form of empowerment. This is, explains Sally, because burlesque seems to poke fun at rather than simply reinforce “raunch culture.” Her thesis: because of the use of parody, “burlesque puts forth a positive portrayal of women’s sexuality on stage” (p. 5). For Sally, flaunting one’s sexuality supports a feminist agenda: like Jones, Sally believes the transgression on stage will extend beyond into the broader society.

I found it difficult to find the parody in the many descriptions of burlesque scenarios in this book. One example will suffice. In *Martini Time*, a performer starts in a sparkly red gown and gloves, when removed revealing a red-sequined and fringed bikini. She lodges a cocktail shaker in between her ample breasts and shakes the cocktail. After retrieving a cocktail strainer, the performer places it between her teeth. She lowers the strainer to the top of the cocktail shaker and begins to tip her upper body down. As she bends forward, the alcohol slowly travels through the strainer into a martini glass resting on a high stool. Then she removes her bra, one strap at a time. The performer digs her hand into her bikini bottom and pulls out some olives, which she throws into the martini. Then she goes to the front of the stage and passes the martini to a very enthusiastic male audience member, who willingly drinks the cocktail she has made with her breasts.

Sally explains that the performer is imitating a drag queen with a deliberate representation of raunch—vulgarity coarse and tasteless—based on the male’s interest in gazing at a well-endowed women’s body. It is unclear how this scenario “subverts gender norms” (p. 173); instead, it is playing to conventional ones. After observing some neo-burlesque performances, esteemed New Yorker magazine dance critic Joan Acocella (2013) would seem to agree; she does not view neo-burlesque as a revolutionary development, but rather a late outgrowth of postmodern art, which is exaggerated and cheerfully sleazy.

Sally’s book has what I call a pseudo-academic format, with its focus on definitions and history, all in an attempt to bring neo-burlesque into the mainstream of feminist theory. Even if one could view these skits as parodies (which is a stretch), why would a parody of stripping be feminist and revolutionary? By accepting this book for publication, Rutgers normalizes and approves activities in which women’s bodies are paraded for public gaze, just as New York University Press did for camming. This appears to be a regression, not a revolution, a substitution of myth-making for reality.

A recent Queens University Press (Canada) joins the chorus with Meredith Ralston’s *Slut-shaming, Whorephobia, and the Unfinished Sexual Revolution*, (2021). Here the author, a Canadian women’s studies professor, advocates for sexual equality for women, and she views the sex trade industry as an important part of women’s being able to implement this equality, arguing for its decriminalization. Why? Criminalizing and stigmatizing selling sex reinforces the sexual double standard and the good girl/bad girl dichotomy that cause sexual violence. Ralston fails to consider whether women’s sexual autonomy would be actually decreased when laissez-faire about prostitution would create a situation in which girls and women would be expected to, or coerced, into providing sex to men.

I will end this parade of horrors with yet another perplexing book published by New York University Press, *Sex and Stigma: Stories of Everyday Life in Nevada’s Legal Brothels* (2019) by professors Sarah Jane Blithe and Anna Wiederhold Wolfe, assisted by Breanna Mohr, a student of theirs with experience in the Nevada sex trade. From the very beginning, the authors declare that those advocating the abolition of prostitution are individuals receiving pressure from the moral majority to see the sex trade as immoral “dirty work” (p. 6). They also view abolitionists as “anti-sex” feminist scholars (p. 35). The authors must also minimize the existence of sex trafficking, citing old data from 2005 to 2011, just when efforts to eradicate sex trafficking began. Amazingly, they refuse to call parents, who put their child out to make money for them in prostitution, as traffickers; they are merely child abusers. As in the other books, relabeling simply eliminates the problem for these authors. Harm is now pleasure;

parental traffickers making money off their children in the sex trade have nothing to do with prostitution.

With this off their chests, the authors proceed to describe the research they did in Nevada's legal brothels. Accepting the wisdom of legal brothels, their goal was to study issues of shame and stigma; they wanted to understand how the women providing sex in the brothels were affected when they engaged in their communities, conducting everyday business. The researchers conducted nearly 20 hours of ethnographic observations at nine brothels (one-third of Nevada's total), along with in-depth interviews with 10 women in the brothels, three brothel owners, and five other staff. Given their philosophy on prostitution and their research question, it becomes clear just how they obtained access to the brothels.

As a result of their research the authors found that the existence of the legal brothels did not eliminate a sense of shame of the women and stigma toward them, although advocates of decriminalization of the sex trade always claim that getting rid of penalties will destigmatize prostitution. In the end, it looks like the researchers are attempting to create support for legalization of all prostitution. What New York University Press, yet another academic press in whole-hearted embrace of sex-positivism is thinking, I have no idea.

One prominent critic, Michelle Goldberg (2021), argues that the sex-positivism represented by these books is dated and may be falling out of fashion: "There are growing signs that young women are rebelling against a culture that prizes erotic license over empathy and responsibility" (n.p.). For Goldberg (2022), sex-positivity is "what you get when you liberate sex without liberating women" (n.p.).

Sex-positive feminism became a cause of some of the same suffering it was meant to remedy. Perhaps now that the old taboos have fallen, we need new ones. Not against sex, but against callousness and cruelty (Goldberg, 2021).

If she is correct, some academic presses appear to be embracing or clinging to a somewhat passe concept that values complete erotic freedom over prevention of individual and community harm.

I should make a note that blind adherence to decriminalization mars an otherwise very fine book published by Verso by Molly Smith & Juno Max, both of whom have worked in the sex trade. *Revoltin' Prostitutes: The Fight for Sex Workers' Rights* (2018) seems at times like a breath of fresh air. The authors are focused on the safety of those in the sex trade, who, they write, are in the industry only due to economic necessity. They state that this book will not argue that "sex work" is empowerment that will lead to self-actualization; the sex industry is both sexist and misogynist; we do not argue that nobody experiences harms within the industry, and these are not minimal and should not be disregarded; "and the difficult truth is that harm will come to people selling sex tonight, tomorrow, and for the foreseeable future" (p. 38).

But ultimately the authors fall back on the predictable recommendation of decriminalization as a method of keeping those in the industry safe until structural, economic, and cultural changes can prevent severely marginalized people "from having to do the worst jobs" (p. 52). Given what has come before, it is disappointing that the authors do not attempt an analysis whether decriminalization will lead to higher demand for sex, and more coercion to meet this lucrative need, and hence more violence against women and girls. And will the hands-off attitude of law enforcement empower buyers to enforce their sexual preferences (like no condoms, for example) through violence?

THE CARCERAL STATE

The second theme of academic books on prostitution policy in the United States is “carceral feminism,” a condemnation of punitive law enforcement activities as an anti-violence strategy to respond to sexual violence. Certainly sex-positivism is a given, but the emphasis is on the criminal justice response and its dangers. The perpetrator here is the “neoliberal state,” browbeating everyone to its morals and values through the criminal justice system.

Elizabeth Bernstein of Barnard College is generally recognized as having coined the term “carceral feminism;” her fully developed thesis is explored in a book published by The University of Chicago Press in 2018, *Brokered Subjects: Sex, Trafficking & the Politics of Freedom*. Bernstein believes that contemporary responses to violence have facilitated, “rather than countered, the carceral controlling arm of the neoliberal state” (p. 21). She condemns much of contemporary feminism’s approach to violence prevention - attempting to hold perpetrators accountable through the criminal justice system. Yet she falters when having to decide about what to do with violent abusers.

Consider her discussion of the case of a man named Mujahid, who was being prosecuted in federal court for 40 counts of sex trafficking. The man’s defense lawyers asked Bernstein to serve as an expert witness. Bernstein admits that the case involved accusations of “brutal violence towards the women he lived with and employed, including forced sexual encounters and beating severe enough to break noses and rib cages” (p. 49). And the case file revealed the fact that the young women had all experienced multiple incidences of child sexual abuse at the hands of stepfathers and brothers, and brutal rape from strangers. Yet, ignoring the extreme violence from Mujahid against the young girls, she concludes there was no evidence that these women had been forced to work in prostitution against their will, and that most of the violence experienced at the hands of the defendant was primarily concerned with “other aspects of their relationships with him” (p. 51). Thus, against all common sense, Bernstein refuses to believe that Mujahid’s extreme violence contributed to the women’s decisions to do his commercial bidding, another example of relabeling-it is not sex trafficking, but domestic violence!

The case never went forward, as in the interim Mujahid received a 50-year combined sentence on conviction of four counts of sexual assault of other incarcerated individuals, leading the prosecutor to dismiss the sex trafficking cases as the defendant would be serving a life sentence already. However, Mujahid’s trial forces Bernstein to confront the issue of “What to do with the dangerous few?” (p. 49). But she is not able to answer this question. First, she turns to Sister Helen Prejean’s work against the death penalty, citing Sister Helen’s statement that the deepest moral question is what to do with people who are guilty. As Sister Helen’s comments relate to the death penalty, it is difficult to see how this provides any answer to the many instances of violence against women in today’s society to which the death penalty does not attach. Then Bernstein falls back on the tried and true-minimizing the amount of sex trafficking, but her use of data is problematic. For example, she wants to determine prevalence of sex trafficking by using the relatively low number of T visas issued to sex-trafficked individuals, when T visas are only applicable to those trafficked into the United States from foreign countries, who represent only a small percentage of trafficked individuals; the existence of domestic sex trafficking has alluded Bernstein. Furthermore, she writes that individuals are more likely to experience violence from police officers and social service workers than they are from clients and pimps. As between 80 and 90 percent of prostitution occurs in indoor venues, police officers,

who usually do not have access to indoor venues, cannot perpetrate a majority of the violence.

Next, the author tries to minimize the amount of sex trafficking by some more relabeling: most of individuals sex-trafficked were already working in the sex trade industry, and therefore are not trafficked. This is also beyond common sense. Just because a woman initially volunteered does not mean that she cannot later become a victim of a sex trafficker and need assistance to free herself. Nor will Bernstein accept that sex-trafficked individuals are “slaves,” because, she writes, they have been paid by the customer, a further example of how Bernstein fails to understand the operation of the sex trade industry; sellers of sex controlled by pimps do not get to keep the money from the buyer. These examples again show a massive effort to change definitions to create a new “truth.”

In addition, Bernstein attempts to make a negative connection between advocates working against sex trafficking and promotion of right-wing family values antithetical to sex-positivism. That many evangelical groups are active against sex trafficking cannot be gainsaid. But Bernstein’s example causes head-scratching. She writes of a keynote speaker in an American Association of University Women conference in 2006, introduced as a former prosecutor and a mother. “Visibly pregnant with a prominent diamond ring on her left finger, this well-coiffed and well-dressed lawyer reminded her audience of the important deterrent effects of criminal law and conveyed the horror of human trafficking...” (p. 58). Was such a keynote speaker to don casual clothes, hide her pregnancy, and take off her diamond ring, so she would not inadvertently be promoting family values during the conference? Was a married woman with children disqualified from speaking about sex trafficking because she might be presumed to be a supporter of family values?

The University of California Press has jumped on the carceral control bandwagon in a big way. Jennifer Musto of Wellesley College published *Control and Protect: Collaboration, Carceral Protection, and Domestic Sex Trafficking in the United States* (2016), a book heavily indebted to the work of Elizabeth Bernstein, to whom the author gives full credit. In any discussion of prostitution policy, one must balance the ideals of sex positivity with harm to individuals and community. But right off the bat, Musto refuses to engage at all with the dark side of sex-positivity, writing an entire book without reference to it. In the work’s preface she explains why:

To begin with, this book does not, in any comprehensive way, describe the violence, exploitation, trauma, or suffering that people vulnerable to what is now called “domestic sex trafficking” experience at the hands of individuals *presumed to exploit them* (e.g., pimps and traffickers) or whom they interact with while in these situations (e.g., johns and clients, or in some anti-trafficking actors’ preferred terms, buyers and exploiters)” (p. xiv. Italics added).

Note the use of the words “presumed to exploit them,” which I think represents the views of academic publishers about these accounts that they deem unbelievable, explaining the publishing difficulties of authors like myself and Jeanne Sarson and Linda MacDonald. It is difficult to understand how an academic press could approve a book that in the beginning baldly states that its author will not address such a major consideration. As we have seen, other authors have attempted to deal with the problem by minimizing or denying harm. And of course, Musto cannot help herself; even after saying she will not discuss violence, her book repeats the same “fake news” platitudes. Descriptions of sex trafficking are “morally panicked caricatures or melodramas that reflect the ideological persuasions and projections of the narrators...” she

writes (p. xiv). Thus, Musto ends her preface by asserting that “neoliberalism, or more specifically, the carceral protectionist cures it authorizes, is the biggest pimp daddy of them all,” controlling vulnerable populations through punitive responses (p. xvi).

And Musto attempts to minimize the serious violence experienced at the hands of buyers by using the words of a prostitution survivor she has interviewed. The young girl, Lelani, describes how, when soliciting sex, she got into a car, was choked by a man other than the driver, who must have come from the trunk, and was later thrown out of the car, stranded, barefoot, miles away from home. Lelani told Musto that this was not the worst thing that ever happened to her. Now I assume that Lelani was communicating the fact that this was a kind of normal, run-of-the mill occurrence, and she had been confronted with far worse violence in prostitution. But the author takes this at face value: If Lelani told Musto she wasn't too bothered, then Musto won't be either, even though everyone should be outraged about a young girl having had to experience something like this and finding it routine.

Two Irish academics, Eilis Ward and Gillian Wylie, develop the same theme in Routledge's 2017 book of edited readings, *Feminism, Prostitution and the State: The Politics of Neo-Abolitionism*. The tune is the same: radical feminism has allowed the state power to victimize the bodies of “sex workers.” They too must minimize the amount of sex trafficking, finding *all* statistics problematic and politicized, without providing any examples or proof.

A different tack is taken by Alison Phipps, a British professor of sociology, in *Me, Not You: The Trouble with Mainstream Feminism*, published by the University of Manchester Press (2020). The author condemns the entire mainstream feminist movement as racist, as protecting white womanhood and white supremacy. She is in a rage about how the punitive criminal justice system has harmed Black and poor men. Her anger enables her to defend the Black pimp, attacked because “he evokes colonial anxiety about violent men of color who need to be contained through criminal and community violence” (p. 99). For the author, the need to punish Black pimps emerges from a compulsion to protect white women. These are extraordinary statements. The author's view of racism pushes her to totally ignore the needs of Black women and girls whose pimps and traffickers, as well as customers, coerce and abuse them.

In truth, the #MeToo movement and demonstrations against the murder of George Floyd have undercut this book's thesis, making it seriously out-of-date. Yet in a new forward to the paperback edition, post George Floyd, Phipps doubles down on her original thesis; none of these new movements has made a serious dent in the racism endemic in the feminist movement: the protests “were carried into the world at least partly along the destructive channels of white supremacy” (p. xvi). Phipps wants to condemn novelist Barbara Kingsolver, who has written, “If the #MeToo resolution has proved anything, it's that women live under threat” (p. 74). This Phipps labels as the lament of a white woman for imperiled white femininity. Gratifyingly, the #MeToo movement created an inclusive community comprised of all women, of all ages and race/ethnicity, who have experienced the same harms, and clearly this is what Kingsolver meant. And the demonstrations after the death of George Floyd were notable in showing people, of all races and ethnicity, united in their outrage. The author appears to have a total misunderstanding and misreading of the #MeToo movement, adhering to her thesis, facts come what may.

One could worry that these world-wide protests and movements may not have staying power, but to argue that they are based on white supremacy seems perverse, when the opposite appears to be the case. Also, perverse seems Phipps's depiction of

the criminal conviction of doctor-to-the gymnasts Larry Nasser as irrelevant, because the criminal justice system continues to punish unknown and vulnerable people of color. To justify her thesis, the author totally misses the significance of these cases involving white men: no longer will their race protect them from their bad deeds, a significant step forward.

The University of California Press continues to publish screeds against state intervention against violence against women, with two law professors' cases for decriminalization of domestic violence, Leigh Goodmark's *Decriminalization of Domestic Violence: A Balanced Policy Approach to Intimate Partner Violence* (2018), and Aya Graber's *The Feminist War on Crime: The Unexpected Role of Women's Liberation in Mass Incarceration* (2020). As Dianne Post (2020) in a detailed review of these books for *Dignity* amply demonstrated the erroneous or outdated data used by these professors to buttress their claims that criminalization of domestic violence has caused mass incarceration, I will not enumerate all the factual inaccuracies here. Here is just one example. In a blog about the book, Goodmark (2020) proclaims that the criminal legal system hasn't eliminated or lowered the rate of intimate partner violence. This is totally and completely erroneous. Although rates of domestic violence have recently plateaued, or even risen during the COVID pandemic, using National Crime Victimization Survey data from the Department of Justice, one expert estimates that domestic violence against women has decreased 79.3% between 1993-2015, a staggering success rate (Raphael, Rennison, & Jones, 2019).

Compare this hard data with Goodmark's thesis: "I would argue that the criminal legal system serves no useful purpose in addressing intimate partner violence" (n.p.) Puzzlingly, the total condemnation of criminal justice responses in these books is oblivious to the deterrent aims of criminal law, a fact that law professors should well understand.

Another critique of the carceral state is based on a Marxist analysis. *Feminism for the 99%: A Manifesto* by Professors Cizzia Arruzza, Tithl Bhattacharya, and Nancy Fraser came out in 2019 by Verso. Here, in a book no larger than a pamphlet, the authors label the criminal justice system a tool of the capitalist state, keeping poor persons subservient. However, startlingly, the authors' concern is more for the perpetrators than the victims:

...the criminal justice system targets poor and working-class men of color, including migrants, while leaving their white-collar professional counterparts free to rape and batter; it also leaves women to pick up the pieces; traveling long distances to visit incarcerated sons and husbands, providing for their households alone, and dealing with the legal and bureaucratic fallout of imprisonment" (p. 29).

The authors believe that gender violence will not be eradicated until the social system undergirding capitalism has been abolished. Interestingly, the manifesto is silent on the important issues of prostitution and pornography. For a book of feminism, it seems weirdly indifferent to the harms men inflict on women, a flaw manifested by all of the books about the carceral state under review here.

If some of these ideas of the carceral state sound familiar, it is because French philosopher Michel Foucault, who died in 1984, developed them years ago; they are not original, and the authors reviewed here duly pay homage to him. Foucault indicted the carceral state, which historically replaced the absolute authority of the monarch with methods of social control, more subtle forms of eliminating unapproved

behavior. And it was the intellectual, Foucault said, who should point out the need not to be so governed: “By withholding consent, the intellectual could remind others of their ‘self-incurred tutelage,’ and also of their ability to escape from it” (Miller, p. 316). Clearly, many academic authors and their publishers have heeded the call, perhaps taking it to a new extreme. This is because it is difficult to understand just how Foucault would react to circumstances today. Lately, some commentators have reminded us that the philosopher never developed a coherent theory of the state, something that could determine the difference between a legitimate use of state power and an illegitimate one (Huneke, 2021). We have seen this problem bedevil the global debate over state and federal COVID-19 mandates and restrictions today.

As for sex-positivity, Foucault was for it, but research will find public statements against violence and coercion, making clear that within sexual encounters the state could regulate violence such as rape (Miller, 1993). Certainly, during his life Foucault showed no interest in women and girls’ positions in a gendered or patriarchal society but advocating for total decriminalization of prostitution in his name may be problematic.

CONCLUSION

These academic authors begin with views of the role of sex and the state, which demand decriminalization of prostitution. Their stance reveals the profound influence of philosopher Michel Foucault on both academics and their publishers. And this influence is not new; for example, according to their web sites, New York University Press and the University of California Press have been publishing similar titles for many years.

To sustain this position, these authors must somehow deal with the issue of the harm of prostitution and sex trafficking. Their only resort is to minimize it. Sometimes to give them the benefit of the doubt, their minimization is based on a lack of understanding of the operation of the contemporary sex trade industry. At other times this reflects the authors’ deliberate attempt to wall themselves off from the suffering of others by labeling these severe injuries as melodramatic or false, “fake news.” They also redefine away that harm by explaining that what you or I would label harm is actually pleasure and empowerment. All these tactics are used by totalitarian leaders to keep truth from their publics.

If peer review operated properly in academic presses, informed reviewers may have been able to shine a light on these strategies. In my experience, academic presses do not have fact checkers, but they do rely on peer reviewers who presumably have enough expertise to detect erroneous factual statements. Given that I do not support decriminalization of prostitution, I would never be selected as a peer reviewer for the works under review here, because I would have recommended rejection. But in the process editors would have gained knowledge about the many data errors and unsupported assertions in these works. The lack of effective peer review and adequate editing have resulted in books purveying “facts” that bear no relationship to reality, to buttress theories that as a result may not be appropriate for the times in which we now live. This seems to be an abrogation of duty on the part of the academy.

You might ask, “Why does it matter?” Books from academic presses are rarely reviewed in mainstream publications and seldom reach best-seller status. I think it matters a lot. The reasons are several.

These publishing choices make it impossible for those with alternate views to have a voice. The women and those who work with them are erased as their stories

are not published. These victims are invisible, hidden in plain sight in our communities. Traffickers ensure their victims' silence through violence and threats of violence. As Sarson told me, by their silence publishers become "promoters of women's silencing," enabling traffickers. By normalizing the institution of prostitution that has created the demand for women's bodies (often supplied by coercion), academic presses become facilitators of sex trafficking.

It can also be argued that this erasure prevents research on violence against women, ultimately drying up public and private funds for violence research. Additionally, scholars needing a book for tenure will choose to do research or write on topics favored by the academic journals and presses, limiting the amount of research being undertaken on violence against women.

Furthermore, academic press books provide intellectual ballast for ideas already being put forward in society, many by those who profit from the sex trade industry. With an academic seal of approval, more popular and well-read policy magazines will pick up the ideas (Musgrave, 2021). And academic publishers encourage their authors to blog, tweet, speak on panels and write in these magazines as a way of promoting book sales.

Perhaps a better philosopher than Michel Foucault for our times is political philosopher Hannah Arendt, whose life was disrupted by totalitarian regimes during World War II. After fleeing Nazi Germany and escaping from a French detention camp, the young Jewish woman came to the United States in 1941. Certainly, from these experiences, Arendt has quite a different take on the role of intellectuals. Their job, she has written, is to promote the common good (Benhabib, 2022). For Arendt, institutions outside the political realm, whether or not educational academies, provide the means by which truth can be victorious: "Yet the chances for truth to prevail in public are, of course, greatly improved by the mere existence of such places and by the organization of independent, supposedly disinterested scholars associated with them" (Arendt, 2000, p. 574).

For Arendt, the role of the intellectual, then, is to speak the truth.

Conceptually, we may call truth what we cannot change; metaphorically it is the ground on which we stand and the sky that stretches above us" (Arendt, 2000, p. 574).

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