

WELL INTO THE SEMESTER, SELINA, JAZ, AND JULIE GO DEEP INTO LAWS...

HEY JAZ!
HOW'S THAT TERM PAPER
COMING ALONG?

ACTUALLY, I'M DONE, AND I WANTED
TO TELL YOU TWO ABOUT IT.

I WAS COMPARING THE
ADVERTISING LAWS IN CANADA AND THE
U.S. AND EXPLAINING HOW THEY MAKE IT
DIFFICULT FOR SEX WORKERS.

WAS THIS FOR
YOUR "SEX, LOVE, AND
POLITICS" COURSE WITH
JOHNSON?

YEAH. IN CANADA,
CERTAIN SECTIONS OF
OUR CRIMINAL CODE
PROHIBIT ADVERTISING
SEXUAL SERVICES.

IN 2014 WHEN THE NEW SEX WORK
LAWS WERE INTRODUCED UNDER THE PROTECTION OF
COMMUNITIES AND EXPLOITED PERSONS ACT, THEY INCLUDED A
PROVISION THAT MAKES IT ILLEGAL TO ADVERTISE THE
SALE OF SEXUAL SERVICES.

THERE'S AN IMMUNITY WRITTEN INTO THE LAW THAT
SHIELDS SEX WORKERS FROM ARREST FOR ADVERTISING THEIR
OWN SEXUAL SERVICES. BUT THIRD-PARTY WEBSITES AND NEWSPAPERS
AREN'T ALLOWED TO CARRY THEM.

SO SEX WORKERS CAN GET THEIR OWN
WEBSITE AND DOMAIN NAME, BUT THAT CAN BE REALLY HARD,
EVEN IMPOSSIBLE, FOR LOTS OF PEOPLE.

ADVERTISING IS A SUPER IMPORTANT
FORM OF COMMUNICATION FOR ESTABLISHING
THE TERMS OF SERVICES...

I MEAN, FOR
RUNNING ANY BUSINESS!

THAT'S RIGHT. I'VE HEARD FROM OTHER SEX WORKERS THAT WHEN THE LAW CAME INTO EFFECT IN 2014, SOME OF THE SITES THEY ADVERTISED ON SHUT DOWN.

I CONNECT WITH CLIENTS THROUGH A FAN SITE AND AN ESCORT ADVERTISING SITE THAT'S HOSTED OUTSIDE OF NORTH AMERICA.

IT'S AN EVER-SHIFTING LANDSCAPE WITH NEW SITES COMING AND GOING ALL THE TIME, AND THEY KEEP GETTING MORE EXPENSIVE.

WHAT ABOUT THE U.S.? CAN THEY ADVERTISE THERE?

SEX WORKERS ALWAYS FIND A WAY TO CONNECT WITH THEIR CLIENTS, BUT I'VE HEARD IT'S GOTTEN REALLY DIFFICULT IN THE U.S.

THAT'S RIGHT.

IN 2018, THE U.S. PASSED FOSTA, WHICH STANDS FOR THE "FIGHT ONLINE SEX TRAFFICKING ACT," AND SESTA, THE "STOP ENABLING SEX TRAFFICKING ACT," WHICH SOUGHT TO CRACK DOWN ON SEX TRAFFICKING BY TARGETING ONLINE PLATFORMS.

JUST AFTER FOSTA WAS SENT TO THE PRESIDENT FOR HIS SIGNATURE, BACKPAGE.COM WAS SEIZED BY THE U.S. DEPARTMENT OF JUSTICE.

WHEN BACKPAGE WAS SHUT DOWN, WHAT WENT WITH IT WAS AN IMPORTANT MEANS FOR ADVERTISING. THIS CAUSED SEX WORKERS TO RESORT TO LESS ACCESSIBLE MEANS OF ADVERTISING AND CAUSED A HUGE ECONOMIC DISRUPTION FOR SEX WORKERS.

I ASSUME FROM THE NAMES OF THE ACTS THAT THIS WAS ANOTHER ATTEMPT TO ADDRESS TRAFFICKING. BUT I CAN TOTALLY SEE HOW THE LANGUAGE IS SO BROAD THAT IT TARGETS ALL ONLINE SEX WORK.

I WONDER IF THAT WAS THE INTENTION ALL ALONG, TO SHUT DOWN SEX WORK...

OH YEAH, ABSOLUTELY. FOSTA AND SESTA CREATED CRIMINAL LIABILITY FOR ONLINE PLATFORMS IF THE CONTENT COULD BE SEEN AS FACILITATING SEX TRAFFICKING OR PROSTITUTION.

THE OWNERS OF BACKPAGE WERE CHARGED FOR FACILITATING PROSTITUTION – NOT TRAFFICKING – AND HAVE BEEN EMBROILED IN A LEGAL CASE FOR SEVERAL YEARS.

RECENTLY, A MISTRIAL WAS DECLARED BECAUSE THE PROSECUTION KEPT FOCUSING ON CHILD SEX TRAFFICKING EVEN THOUGH THE OWNERS HADN'T BEEN CHARGED WITH THAT.

SO YOU CAN SEE HOW THESE CONCERNS ABOUT TRAFFICKING ARE ACTUALLY EFFORTS TO ELIMINATE SEX WORK.

SO THIS IS, IN PART, WHY SEX WORKERS ARE HAVING A HARDER TIME ACCESSING WEBSITES WHERE THEY CAN CONNECT WITH THEIR CLIENTS.

YEAH, AND THAT'S CAUSING REAL PROBLEMS FOR SEX WORKERS.

LET ME SEE HERE:

FOR EXAMPLE, IN THE MONTHS AFTER FOSTA AND SESTA WERE ENACTED, SOME SEX WORKERS DECIDED TO WORK ON THE STREETS BECAUSE THEY WEREN'T ABLE TO CONNECT WITH CLIENTS ONLINE.

FOR THOSE WHO LACKED EXPERIENCE ON THE STREET, THIS MOVE INCREASED THEIR RISK OF VIOLENCE. LOTS OF STREET-INVOLVED SEX WORKERS WERE PREPARED FOR THIS, BUT SEX WORKERS WITH LITTLE STREET EXPERIENCE HAD A MUCH HARDER TIME WORKING IN ISOLATED AREAS TO AVOID POLICE DETECTION.

RIGHT.

BEING ABLE TO ADVERTISE ONLINE CAN EMPOWER US TO GET CLIENTS AND TO SCREEN THEM. AGAIN, IT'S VITAL TO RUNNING A BUSINESS. SO THESE LAWS EFFECTIVELY DISEMPOWER SEX WORKERS.

BASICALLY, THE MORE HARD UP WE ARE FOR BUSINESS, THE MORE VULNERABLE WE BECOME. PREDATORS KNOW THIS, AND THEY TAKE ADVANTAGE OF THIS.

IT'S ALSO WORTH POINTING OUT THAT CREDIT CARD COMPANIES HAVE BEEN COMPLICIT IN CRACKING DOWN ON SEX WORK UNDER THE GUISE OF ANTI-TRAFFICKING CAMPAIGNS, BY WITHDRAWING THEIR SERVICES FROM ADULT WEBSITES SUCH AS ONLYFANS AND PORNHUB WHERE SEX WORKERS EARN INCOME...

THAT'S A GOOD POINT TOO. IT'S NOT ONLY CRIMINAL LAWS, BUT ALSO INDUSTRY AND CORPORATE POLICIES THAT ARE TRYING TO MAKE LIFE DIFFICULT FOR SEX WORKERS. I'LL ADD THAT TO MY PAPER AND CREDIT YOU IN A FOOTNOTE, SELINA!

MY VERY FIRST ACADEMIC CITATION!

I AM SO PROUD.

IT SOUNDS LIKE YOU'VE DEFINITELY MADE THE POINT THAT SEX WORK IS A BUSINESS, AND ALL OF THESE LAWS AND POLICIES MAKE IT DIFFICULT TO ENGAGE IN IT SAFELY AND RELIABLY.



HEY, IF YOU'D LIKE
TO DO SOME READING ABOUT THESE ADVERTISING
RESTRICTIONS AND HARMS, HERE'S A SHORT LIST
OF RECOMMENDATIONS!

AK SAINI, "MOURNING ON INTERNATIONAL WHORE'S DAY,"
FEMINISTING.COM (2018).

BLACK SEX WORKER COLLECTIVE, BEST PRACTICES
POLICY PROJECT, THE OUTLAW PROJECT, ET AL.,
"PROMOTION AND PROTECTION OF THE HUMAN RIGHTS
AND FUNDAMENTAL FREEDOMS OF AFRICANS AND OF
PEOPLE OF AFRICAN DESCENT AGAINST EXCESSIVE
USE OF FORCE AND OTHER HUMAN RIGHTS VIOLATIONS
BY LAW ENFORCEMENT OFFICERS" (2020).

BLACK SEX WORKER COLLECTIVE, BEST PRACTICES
POLICY PROJECT, THE OUTLAW PROJECT, "FOSTA
SESTA FONE CALLS | NOT YOUR RESCUE PROJECT
| PART 16," [HTTPS://YOUTUBE/OWHGBKCVGIA](https://youtu.be/OWHGBKCVGIA) (2020).

CANADIAN ALLIANCE FOR SEX WORK LAW REFORM,
SEX WORKERS, ORGANIZATIONS, AND INDIVIDUALS
ADVOCATING FOR SEX WORKERS' RIGHTS AND
COMMUNITY WELL-BEING (2015).

K. PORTH, LANDMARK ONTARIO CASE RULES CERTAIN
SEX WORK LAWS UNCONSTITUTIONAL (2020).

A. STERLING, "NEW RISK-SPACES, NEW SPACES FOR
HARM," RED LIGHT LABOUR, EDS., E. M. DURISIN, E. VAN
DER MEULEN, AND C. BRUCKERT (2018).

ILLUSTRATIONS BY ADDISON FINCH

TEXT BY KERRY PORTH, KERRY WATERS, BEATRICE OMBOGA, NADINE FLAGEL, NATASHA
MHURIRO, C ICART, CHRIS ATCHISON, ADDISON FINCH, AND GENEVIEVE FUJI JOHNSON

MANY SPECIAL THANKS TO JENN CLAMEN AND TO AK SAINI, P. SAUNDERS, ERIKA SMITH,
AND ZEE XAYMACA FROM BEST PRACTICES POLICY PROJECT.

ANUNUSUALACADEMIC.COM (2023)

© GENEVIEVE FUJI JOHNSON