

Self-determined Sex Work as Care Work Between Experiences of Integrity and Vulnerability

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Sex work or prostitution marks a controversial topic for Protestant sexual ethics. It is also a multifaceted phenomenon because it can occur in very different forms: the spectrum ranges from poverty, emergency and procurement prostitution to the self-determined and insured sex worker with all imaginable shades in between. In the current economic system, goods and services are exchanged, traded, sold, acquired and paid for, so sex work can also be understood as work. For the purposes of this article, we will therefore start from an understanding of sex work as care work. Care work can be understood as the satisfaction of needs and interests of third parties and the self. If sex work is discussed as care work, this has a variety of consequences. These include the fact that questions of vulnerability and integrity come to the fore. Integrity can be comprehended as self-realisation or autonomy and thus as potentially vulnerable, taking up Axel Honneth's early reflections on the issue of recognition. Integrity in Axel Honneth's sense can - according to a first approximation - play a role for sex work on three levels: physical or corporeal level, structural level and lifestyle or way of life level. Finally, the essay discusses the concept of negotiated or consensual morality as a contribution of Protestant ethics.

1. Introductory reflections on sex work

“Let us fight for a free society with the right to sexuality, a deeply human need for closeness, tenderness, touch, desire - with consensual sex without taboos and legal prohibitions.”¹

This is the demand of the German activist sex worker Stephanie Klee, and this article would like to discuss what this confrontation she is talking about could look like. To this end, the article examines the thesis to what extent self-determined sex work as care work represents an experience of integrity and vulnerability. In my opinion it is important, that Protestant ethics stand up for processes of recognition of sex work. Therefore, it is necessary to

¹ Stephanie Klee, ‘Care-Revolution & Prostitution – Ein anderer Blickwinkel macht’s’, in *Sexarbeit. Feministische Perspektiven*, edited by Jenny Künkel and Kathrin Schrader (Münster: Unrast Verlag, 2019), pp. 96-104, at p. 104, (own translation).

understand the tensions of this occupational field and its social stigmatisation and to outline the connection between integrity and vulnerability, which is particularly important for sex work. The conditions of sex work and the legal situation are very much country-dependent. The article focuses on the German situation and because of that uses mainly German-language literature. Some references to English-language titles can be found in the footnotes.

Therefore, I am first introducing the tensions in the understanding of sex work by activist sex workers on the one hand, and positions in Protestant ethics on the other hand. Some necessary definitions and description follow, in order to clarify the scope of this article. In a second step I argue why and how sex work can be understood as care work. If sex work is discussed as care work, this has a variety of consequences. These include the fact that questions of vulnerability and integrity come to the fore. I am then, thirdly, supplementing this understanding of sex work with insights of Alex Honneth's theory of recognition, especially regarding vulnerability and integrity, which will help to understand the ethical problems in traditional negative perspectives on sex work. Finally, I draw my conclusions on an evaluation of sex work from a Protestant ethical perspective

Sex work or prostitution marks a controversial topic for Protestant sexual ethics in Germany. Protestant ethics deals with questions of human conduct of life from a theological perspective and is thereby a plural phenomenon. This diversity is also evident in questions of sexual ethics. What these approaches have in common, however, is that they understand sexuality strongly as a relational event that is lived within a monagement and binding partnership². This does not apply to sex work. Moreover, tendencies of repressing or marginalising human sexuality can still be found in German- and English-language theology today.³ Previous theological approaches have tended to aim at "rescuing" sex workers, in the sense of offering them support to give up this work. This line of thought is often strongly normatively charged and theologically underpinned.⁴ Sex work is also such a multifaceted phenomenon because it can occur in very different forms: the spectrum ranges from poverty, emergency and procurement prostitution to the self-determined and insured sex worker with all imaginable shades in between. In any case, a sharp distinction must be made between sex work and human trafficking. Sex work should be understood here as a largely self-determined professional activity in the field of body-related services and thus as care work, while human trafficking is always a crime.

In the discourses, it is also important to keep in mind sex workers in the informal sector, queer sex workers, refugees, sex workers who are HIV-positive or drug users.⁵ Here the question of self-determination must be discussed in a different way. Also at this point

² This also applies to approaches that see themselves as non-conservative, cf. Peter Dabrock, Renate Augstein, Cornelia Helfferich, Stefanie Schardien and Uwe Sielert, *Unverschämt – schön. Sexualethik: evangelisch und lebensnah* (Gütersloh: Gütersloher Verlagshaus, 2015).

Attempts to think about the connections between religion and sexuality in a more diverse way can also be found in the USA, for example, cf. Kelsy Burke, 'The False Dichotomy of Sex and Religion in America', *Sociology of Religion* 83:4 (2022), pp. 417-433, online at <https://doi.org/10.1093/socrel/srab062> (accessed 2023-05-22).

³ Thia Cooper, 'Fair Trade Sex: Reflections on God, Sex, and Economics', *Feminist Theology* 19:2 (2010), pp. 194-207.

⁴ Cf. Lauren McGrow, 'Doing It (Feminist Theology and Faith-Based Outreach) With Sex Workers – Beyond Christian Rescue and the Problem-Solving Approach', *Feminist Theology* 25:2 (2017), pp. 150-169; Nadia Bolz-Weber, *Shameless: A Sexual Reformation* (New York: Convergent, 2019).

⁵ Cf. Tom Fixemer and Verena Hucke, 'Queere Geflüchtete und die Diskursivierung des ‚Anderen‘ in Debatten um Sexarbeit, ‚Willkommenskultur‘ und Schutz', *Gender* 1 (2022), pp. 41-54.

the multifaceted nature of the phenomenon becomes apparent. Sex work is mostly carried out by women*⁶.

The following considerations focus exclusively on voluntarily performed sex work.⁷ Most self-employed sex workers operate in independently rented apartments, in studios, or in escort or BDSM. They are independently able to decide which activities they want to offer and which they refuse. They are not under the coercion and violence of a pimp. Any form of forced prostitution is to be rejected from an ethical point of view. It is inhuman and a crime and constitutes an act of violence that has nothing to do with self-determined sexuality. How to deal with such criminal acts remains to be discussed elsewhere.

Within the evangelical-theological discourse, there is now repeatedly an argumentative mixing of forced prostitution and self-determined sex work. Siit can be observed that there are strong voices within German Protestant ethics that problematise the partly positive portrayal of sex work in the media, such as Annette Noller, chairperson of the board of the Diakonisches Werk Württemberg, who states: "The misery of the women who are sexually exploited in human trafficking, their objectification as a sex object, as a commodity in this business, their subjection to violence and their experiencing of pain - also psychologically - is not shown."⁸

This quote shows particularly clearly that in ethical discourses, provisions between prostitution and trafficking in human beings repeatedly run into each other in terms of argumentation, although it is precisely here that sharp differentiations are necessary.⁹ However, even the term "voluntariness" for the practice of sex work is ambivalent, since the reasons for entering sex work are manifold and factors such as poverty and the lack of other income opportunities often play a role in this context. This places sex work in the discourse on precarious work, as other jobs, such as in retail or the service sector, are done out of simple economic necessity or less with a focus on personal self-realisation. Here, sex work can also be understood as a way of securing one's personal life.

Sex work is thus a generic term for all forms of sexual and erotic work.¹⁰ It refers to a consensual sexual or sexualised service between adult business partners in return for

⁶ The asterisk is intended to indicate that the term *Women includes women, lesbians, intersex, non-binary, trans and agender persons.

⁷ Any form of forced prostitution as an illegal form of forcing people into prostitution must be rejected in the strongest possible terms. It is a violation of human rights and a criminal offence (§ 232a Forced Prostitution StGB). Forced prostitution is supplemented under criminal law by "exploitation of prostitutes" and "pimping".

⁸ Norbert Schäfer, 'Württemberg's Diakonie-Chefin: „Medien vermitteln verzerrtes Bild von Prostitution“' (30.05.2022), *Pro. Das christliche Medienmagazin* online at <https://www.pro-medienmagazin.de/wuerttembergs-diakonie-chefin-medien-vermitteln-verzerrtes-bild-von-prostitution/> (accessed 2022-10-27) (own translation).

⁹ Similar tendencies can also be found in Protestant sexual ethics in the USA. Here, the way sex-trafficking is dealt with (and the attempt to suppress it) is strongly influenced by Protestant-Christian ideas and thus prevents a differentiated perception of sex work (autonomy of the performers, etc.). Yvonne Zimmermann, for example, states that this religious grounding is problematic because it limits victims' autonomy and fails to adequately address the causes and consequences of trafficking, cf. Yvonne C. Zimmermann, *Other Dreams of Freedom: Religion, Sex, and Human Trafficking* (New York: Oxford University Press, 2013).

¹⁰ Martina Schuster, Almut Sülzle and Agnieszka Zimowska, *Disourse on prostitution and human trafficking in the context of UEFA EURO 2012. Academic study of discourse and campaigns in the run-up to the 2012 European Football Championship finals as the basis for advising decision-makers*. UEFA (December 2010), online at <http://lastradainternational.org/lisidocs/Disourse%20on%20prostitution%20and%20human%20traffi>

payment or other material goods. Prostitution, on the other hand, as the explicit physical practice, toleration and stimulation of sexual acts in return for payment, represents a sub-sector of sex work. It is not always possible to draw clear lines of demarcation here. In the context of sex-positive feminist politics, the term sex work is also used synonymously with prostitution in order to emphasise its service character and to promote the recognition of sex work as paid work. The term itself goes back to the sex work activist Carol Leigh.¹¹ With this term, sex work is a non-stigmatising term that can be used to focus on work and also care work.

In *Protestant sexual ethics* there has been a certain agreement so far “that the separation of sexuality from the personhood of a human being is to be evaluated as problematic and sexuality should therefore, if possible, be lived within a binding, monogamous relationship”¹². All these characteristics - monogamy, commitment and exclusivity - do not apply to sex work, at least not at first glance. The Protestant ethicist Frank Surall, for example, argues with the figure of “self-sex” in Volkmar Sigusch's work, describing a one-sided focus of sexuality on the satisfaction of the needs of only one person, in the context of sex work the customer. This instrumentalisation of another human being for one's own pleasure would be ultimately inhumane and therefore not compatible with Kantian ethics and its categorical imperative.¹³ Furthermore, he states: “It also seems problematic that sexuality is treated as a commodity and as an object that can be bought, as it often cannot be reduced to the body alone, while at the same time sex workers demand recognition for their work, in which they have neither experienced immaturity nor oppression”.¹⁴ From an ethical point of view, this tension must be kept in mind and further illuminated: What does this mean for dealing with the phenomenon of sex work? Can or must there be ethical and social recognition here? What forms of recognition, also as a professional activity¹⁵, are possible and perhaps even ethically required?

What can an ethical assessment of sex work as a multi-faceted phenomenon look like that tries to avoid stigmatisation? And what can even a responsible prostitution policy look like from a Protestant perspective? Can such a policy be found at all? Nathalie Eleyth summarises the current situation of Protestant ethics and shows which positions can be found in the discourse: “It is not always easy to make clear decisions in the debate about sexuality for sale. On the one hand, it seems problematic from a Protestant perspective that sexuality is treated as a commodity and as an object that can be bought. Sexuality is fundamentally not to be reduced to the body alone, but always has something to do with the soul and personhood of a human being. On the other hand, representatives of the

cking%20in%20the%20context%20of%20UEFA%20EURO%202012.pdf (accessed 2021-03-13) and Heike Zurhold, ‘Interaktionen in der Sexarbeit: Gesundheitsförderung und Empowerment für Beschaffungsprostituierte’, in *Risiko mindern beim Drogengebrauch: Gesundheitsförderung, Verbrauchertipps, Beratungswissen, Praxishilfen*, edited by Jan-Hendrik Heudtlass and Heino Stöver (Frankfurt, Main: Fachhochschul-Verlag, 2002), pp. 104-119.

¹¹ Cf. Carolin Küppers, ‘Sexarbeit’, *Gender Glossar / Gender Glossary* (2016), online at <http://gender-glossar.de> (accessed 2022-07-04).

¹² Cf. Nathalie Eleyth, ‘Prostitution – (K)ein Thema für Theologie und Kirche?’, *Evangelische Theologie* 73/5 (2013), pp. 391-398, at p. 395 (own translation).

¹³ Cf. Frank Surall, ‘Ethik der Lebensformen’, in *Handbuch der Evangelischen Ethik*, edited by Wolfgang Huber, Torsten Meireis and Hans-Richard Reuter (München: C.H. Beck, 2015), pp. 451-516, at p. 465.

¹⁴ Cf. *ibid.*

¹⁵ Beate Leopold, ‘Alles ist käuflich...: Sexualität, Markt und Macht’, in *Prostitution und Menschenhandel. Was hilft? Neue Bündnisse und Wege in der Arbeit. Dokumentation der Fachtagung des Diakonischen Werkes der EKD vom 14. bis 16. März 2001 in Berlin*, edited by Zentraler Vertrieb des Diakonischen Werkes der EKD (Berlin, 04/2001), pp. 9-14.

whore movement claim that it is perfectly possible to be a self-determined sex worker who experiences neither immaturity nor exploitation.”¹⁶

In the current economic system, goods and services are exchanged, traded, sold, acquired and paid for, so sex work can also be understood as work.¹⁷ For the purposes of this article, we will therefore start from an understanding of sex work as care work.¹⁸ Sex work, like many other forms of care work, is a body-based service provided in one-to-one contact and involves caring for another person. Activist sex workers advocate for understanding their activity as care work in order to valorize it, to understand it as socially relevant and thus to destigmatize it. This understanding will be followed here.

2. Sex work as care work

Care work can be understood as the satisfaction of needs and interests of third parties and the self, as a “work of looking after the physical, psychological, emotional and developmental needs of one or more other people”¹⁹. The term care work, on the other hand focuses on the content of work and refers to the concrete care activities, i.e. education, nursing, caring, teaching, and the provision of care, such as care activities, i.e. bringing up, caring for, looking after, teaching, counselling.

This care work can be unpaid in families, but it can also be paid in state institutions, in institutions of social organisations or in private companies. Since care work refers to the work content of caring activities, it is also of central importance in the discussion of basic human needs and the possibility of a society that is oriented towards these needs.”²⁰ So it is a central part of all human life, but is often socially marginalised and takes place invisibly, often being done by women*.²¹ “Every person is dependent on care; what constitutes care and which forms of care are considered more important than others are questions of great political importance.”²² Thus, thinking about care work is based on an image of humanity that can only think of every human being as integrated in a relationship and thus dependent on others.

The above-mentioned definition of care work can also apply to self-determined sex work, in which the needs, in this case sexual needs, of another person are also taken care of. This work is also about offering and providing (erotic-sexual) and thus body-related services in exchange for money.²³ This work could also be understood as a body-bound caring activity. The demand to recognise sex work as care work and thus to draw attention

¹⁶ Eleyth, ‘Prostitution – (K)ein Thema für Theologie und Kirche?’, p. 397 (own translation).

¹⁷ Cf. Renate Kirchhoff, ‘Prostitution – was hat Kirche damit zu tun’, in *Prostitution und Menschenhandel – (k)ein Thema in Kirche und Diakonie?! Dokumentation der Fachtagung vom 23 bis 25. Juni 1988 in Berlin*, edited by Zentraler Vertrieb des Diakonischen Werkes der EKD (Berlin, 2/1998), pp. 16-38, at p. 36.

¹⁸ Cf. Künkel and Schrader, *Sexarbeit. Feministische Perspektiven*

This article works with the term care work. However, the related concept of care ethics is only touched on in passing.

¹⁹ <https://eige.europa.eu/thesaurus/terms/1059>, zugegriffen: 17.05.2022.

²⁰ Gabriele Winker, *Care Revolution. Schritte in eine solidarische Gesellschaft* (Bielefeld: transcript, 2015), p. 17.

²¹ Cf. Lea Chilian, ‘Care-Ethik/Care-Ethics’, *Ethik-Lexikon* (Version 1.0, 11.10.2018), online at <https://www.ethik-lexikon.de/lexikon/care-ethikcare-ethics> (accessed 2022-11-25).

²² Ibid.

²³ In doing so, capitalist and structural relations of power and dependency, which can coincide with gendered attributions, are not to be obscured in any way.

to the commonalities between sex work and other forms of care work and ultimately to destigmatise sex work has so far been raised mainly by activist sex workers themselves.²⁴

If one further assumes that sexuality and the experience of intimacy and eroticism are an important part of the human experience of life and the body²⁵, then sex work can also satisfy these needs beyond the framework of a love relationship. This is always linked to the question of whether living out sexuality with another person is a human right. Representatives of the sex-positive movement in particular argue that way.²⁶ Finally, sex work as care work can be interpreted as part of self-care in the Foucauldian sense and thus also as a form of (reciprocal) self-empowerment.²⁷

The rejectionist attitude of Protestant sex ethics and these reflections on sex work as care work are in tension with each other. This tension becomes particularly clear when looking at sex accompaniment or sex assistance for people with disabilities. A distinction can here be made between passive and active sexual assistance. *Passive sexual assistance* includes, for example, the provision of sexual articles, sexual counselling, the establishment of sexual contacts, preparatory activities such as transport to a sexual encounter, undressing a couple for sexual contact, protection from heteronomy and structural violence. It can include acts such as stroking, hugging, holding and caressing, which makes it difficult to strictly separate from active sexual assistance. *Active sexual assistance* includes sexual massage, hand masturbation and sexual intercourse, i.e. sex work if paid. In particular, sexual assistance in general should be about helping people to help themselves, i.e. masturbation, sexual and contact counselling. Such forms of sex work often seem to be socially less provocative, so that a division into “good” (socially accepted) and “bad” (socially rejected) sex work is threatening.

Here it is particularly relevant for the ethical discourse to consider to what extent the experience of sexuality, also with another person, actually represents a human right that must also be implemented, for example, within the framework of participation.²⁸

3. Axel Honneth's concept of integrity and vulnerability in the context of his recognition theory

In order to better understand self-determined sex work and thus facilitate ethical evaluation, it may be useful to consider integrity and vulnerability in this context. These

²⁴ Cf. Undine de Rivière and Kathrin Schrader, ‘Sexarbeit ist Care-Arbeit – das spüren viele’, in *Care! Zum Verhältnis von Sorge und Sozialer Arbeit*, edited by Christiane Bomert, Sandra Landhäußer, Eva Maria Lohner and Barbara Stauber (Wiesbaden: Springer VS, 2021), pp. 251-266.

²⁵ This is a central assumption of the Protestant discourse on sexual ethics, at the latest since the memorandum on sexual ethics of 1971, cf. *Denkschrift zu Fragen der Sexualethik*, edited by Evangelische Kirche in Deutschland, 2nd edition (Gütersloh: Mohn, 1971).

²⁶ Janet W. Hardy and Dossie Eaton, *The Ethical Slut: A Practical Guide to Polyamory, Open Relationships & Other Adventures* (Emeryville, CA.: Greenerly Press, 1997).

²⁷ Michel Foucault, ‘Vom klassischen Selbst zum modernen Subjekt’, in *Michel Foucault. Jenseits von Strukturalismus und Hermeneutik*, edited by Hubert Dreyfus and Paul Rabinow, 2nd edition (Weinheim: Beltz, 1994), pp. 281-292.

²⁸ There are many arguments in favour of both directions. For example, it can be stated that sexuality belongs to the creaturely reality of the human being and represents a basic need. However, should there be a right to sexuality, this right would have to be guaranteed in any case, with all the consequences, including legal ones. Particularly challenging in this context is the Incel community, in which men strongly advocate for their right to sexuality with women, cf. Amia Srinivasan, *The Right to Sex* (London et al.: Bloomsbury Publishing, 2022).

points are particularly relevant to a question about recognition of self-determined sex work.

Integrity can be understood as self-realisation or autonomy²⁹ and thus as potentially vulnerable to other people as well as to structures, taking up Axel Honneth's early reflections³⁰ on the issue of recognition. His ethic of recognition is based precisely on human integrity and the fact of human beings' vulnerability. Even if self-determined and insured sex workers cannot be called victims per se - and this is crucial - they are actually more vulnerable than many other workers due to the stigmatisation, devaluation and moralisation of their work, also - if sex work is illegalised - due to assaults by the police or due to obstacles in guaranteeing basic health care. Again and again, sex workers also experience dimensions of invisibilisation and othering³¹. Many German activists further argue that the so-called law for the protection of persons working in prostitution (Prostitution Protection Act - ProstSchG) in Germany reproduces the victimisation, homogenisation and stigmatisation of sex work through the state reporting requirements and sex workers as well as the negation of agency and interpretative power along the lines of self-determination of work, body and sexuality.³² Looking at sex work from a sex-positive perspective does not mean romanticising the conditions under which many sex workers work, but lead to a fairer and less pejorative ethical evaluation of sex work, which must then also have political consequences.

Honneth's theory is a contribution to political philosophy as well as social philosophy. Political and social philosophy can both be understood as a "critical instance of reflection"³³. They are spaces of thought in which, "which standards for successful forms of social life are discussed"³⁴. In Honneth's view, social philosophy has a bridging function between ethics and sociology. Its task is to "reconstruct developments in society and the social in general and 'pathologies of the social' in particular and to subject them to criticism".³⁵ This offers particular opportunities for assessing sex work.

Honneth's reflection on human vulnerability is decidedly embedded in a normatively oriented social theoretical framework, namely his theory of recognition. Here, vulnerability plays a decisive role, also in terms of theory strategy, since, in Honneth's view, it can provide decisive empirical evidence for the necessity and possibility of a critical theory of society. "It is the fact of suffering from unkindness, social deprivation, disenfranchisement, exclusion from social participation, reification, etc. that makes it necessary to critically examine historically and socially conditioned life circumstances."³⁶ In doing so, he is concerned not only to focus on suffering that is articulated and

²⁹ Cf. Charles Taylor, *Multikulturalismus und die Politik der Anerkennung* (Frankfurt, Main: Fischer, 1993), p. 13f.

³⁰ Cf. Axel Honneth, 'Integrität und Missachtung. Grundmotive einer Moral der Anerkennung', in *Glück und Gerechtigkeit. Moral am Ende des 20. Jahrhunderts*, edited by Ruthard Stäblein (Frankfurt, Main: Insel, 1999), pp. 271-288.

³¹ Cf. Lisa Duggan, 'The New Heteronormativity. The Sexual Politics of Neoliberalism', in *Materializing Democracy: Toward a Revitalized Cultural Politics*, edited by Russ Castronovo and Dana D. Nelson (Durham and London: Duke University Press, 2002), pp. 175-194.

³² Cf. Fixemer and Hucke, 'Queere Geflüchtete', p. 45.

³³ Markus Dederich, 'Gefährdete Integrität. Axel Honneths Theorie der Anerkennung', in *Schlüsselwerke der Vulnerabilitätsforschung*, edited by Robert Stöhr, Diana Lohwasser, Juliane Noack Napoles et al. (Wiesbaden: Springer VS, 2019), pp. 201-219, at p. 201.

³⁴ Axel Honneth, *Das Andere der Gerechtigkeit: Aufsätze zur praktischen Philosophie* (Frankfurt, Main: Suhrkamp, 2000), p. 13.

³⁵ Dederich, 'Gefährdete Integrität', p. 201.

³⁶ Ibid., p. 202.

denounced by social movements. Rather, there is a danger of not perceiving “facts of social injustice”³⁷ that are not publicly articulated. Honneth also endeavours to identify “such forms of institutionally caused suffering and misery [...] that also exist before and independently of all political articulation in social movements”.³⁸

It is primarily about such vulnerabilities from which political obligations can be derived. These are articulated in “feelings of humiliation and disrespect”.³⁹ Furthermore, they are always bound back to society. For Honneth, recognition theory is the appropriate conceptual instrument to “categorically decode social experiences of injustice as a whole”.⁴⁰ Acknowledging another person means “perceiving in him or her a value characteristic that intrinsically motivates us to no longer behave self-centredly, but according to the intentions, desires or needs of that other person”.⁴¹ Because the ethics of recognition starts with human integrity and the fact of its vulnerability, it demonstrates an explicit protective character.⁴² Furthermore, he claims that only those who feel positively noted, respected and valued by the behaviour and communication of their fellow human beings also experience themselves as socially recognised in an elementary form.

4. Three levels of integrity with Axel Honneth

In the following, I show how integrity in Axel Honneth’s sense can - according to a first approximation - play a role for sex work on three levels:

4.1. Physical or corporeal level

Those who perform sex work as well as those who receive it have bodily experiences of vulnerability and integrity. “On the one hand, sex work is an explicitly body-related activity; on the other hand, the body of the sex worker - and in another way also the body of the client - is produced as a body on the border of the socially normal, which repeatedly challenges hegemonic ideas of sexuality and corporeality.”⁴³ Bodily integrity can be violated by neglect, humiliation, infliction of pain or violence.⁴⁴ Here, too, sexuality represents an intimate space of getting involved with each other and being touched, limited, however, by the permanent nature of the service. However, a one-sided and naive idealisation should be resisted just as much as a blanket condemnation of sex work as a form of sexuality outside of a partnership.⁴⁵ If sexual self-determination is further understood as integrity thus as part of personal rights, sex work can enable such experiences. At the same time, the activity of sex work means

³⁷ Axel Honneth, ‘Umverteilung als Anerkennung. Eine Erwiderung auf Nancy Fraser’, in *Umverteilung oder Anerkennung? Eine politisch-philosophische Kontroverse*, edited by Nancy Fraser and Axel Honneth (Frankfurt, Main: Suhrkamp, 2003), pp. 129-224, at p. 137.

³⁸ Ibid., p. 139.

³⁹ Axel Honneth, ‘Die Pointe der Anerkennung. Eine Erwiderung auf die Erwiderung’, in *Umverteilung oder Anerkennung?* edited by Fraser and Honneth, pp. 271-305, at p. 281.

⁴⁰ Honneth, ‘Umverteilung als Anerkennung’, p. 157.

⁴¹ Axel Honneth, *Das Ich im Wir: Studien zur Anerkennungstheorie* (Frankfurt, Main: Suhrkamp, 2010), p. 118f.

⁴² Cf. Dederich, ‘Gefährdete Integrität’, p. 204.

⁴³ Rebecca Mörgen and Anna Schnitzer, ‘Prostitution – Körper – Soziale Arbeit: Eine einführende Verhältnisbestimmung’, *SozProb* 29 (2018), pp. 89-98, at p. 91 (own translation).

⁴⁴ Cf. Axel Honneth, *Kampf um Anerkennung: Zur moralischen Grammatik sozialer Konflikte*, 2nd edition (Frankfurt, Main: Suhrkamp, 2003 [1992]).

⁴⁵ For example, Molinski argues in the TRE article Prostitution II. Ethical, in *Theologische Realenzyklopädie*, Vol. 27, edited by Gerhard Krause and Gerhard Müller (Berlin and Boston: De Gruyter, 1997), pp. 531-538.

a massive dimension of surrender and poses a threat to one's own vulnerability. Sex workers are threatened by experiences of violence of different dimensions: One could argue in two different directions: on the one hand, female sex workers in particular could be seen as victims in a male-dominated society. Here, prostitution is perceived as violence against women, in which human dignity is violated. On the other hand, sex work is seen as a sexual service that is legally practised and thus justified in society. Sex workers perform this activity voluntarily and in a self-determined manner. It can be assumed that the two areas merge smoothly in reality. A person working in a self-determined manner can also run the risk of experiencing violence from clients or pimps. The framework conditions of sex work and the different places of work have a considerable influence on the potential danger, as a result of which assaults and acts of violence can take place. A distinction must be made between verbal, psychological, physical and sexual violence. Physical assaults with or without injury or light/severe violence with life-threatening consequences, sexual violence and coercion to view pornographic images/films must be included in this context. Rape, e.g. with injuries or homicide, is to be considered the most severe or extreme form of sexual violence.⁴⁶ Sex workers are therefore exposed to a variety of physical hazards, even if they are self-employed and insured. There is an urgent need for different framework conditions that enable sustainable protection against violence. The realisation of such framework conditions would be much easier if the reduction of its stigmatisation assumed with an ethical reassessment of sex work penetrates the public sphere.

4.2. Structural level

Thinking about sex work as care work in the field of tension between vulnerability and integrity also offers structural approaches for an ethical assessment of sex work beyond stigmatisation. This level refers primarily to the normative self-understanding of a person and their possession of rights. "This level is violated by the structural exclusion of certain rights within a society, which others claim for themselves as a matter of course. For Honneth, rights are, in a general sense, legitimate claims of individuals that guarantee their equal participation in an institutional order as full members".⁴⁷ For example, there is an opportunity here to understand sex workers not paternalistically as victims, but rather as autonomous individuals who have a right to recognition. This requires legal and political framework conditions that actually ensure self-determination in the exercise of such an activity. Violation of integrity and thus the experience of vulnerability lie in the structural exclusion from certain rights within a society that others claim for themselves as a matter of course. This applies in many ways to people who work in sex work, for example, in matters of labour law, health insurance or taking up another professional activity after or during sex work.

4.3. Lifestyle or Way of life level

Finally, the third level concerns the way of life of individuals and groups. Here, an evaluative form of disregard for integrity is present when individuals or groups are denied social value, for instance through processes of othering: "What is meant by this is that their kind of self-realisation is not given social esteem within a given societal transmission horizon."⁴⁸ At this level, the disregard and the resulting violation occur through the denial of recognition of specific forms of self-determination and through the withdrawal of solidarity. It is precisely this experience that sex workers describe

⁴⁶ Cf. Julia Wege, 'Sexualisierte Gewalt und Prostitution', in *Handbuch Sexualisierte Gewalt und pädagogische Kontexte: Theorie, Forschung, Praxis*, edited by Alexandra Retkowski, Angelika Treibel and Elisabeth Tuider (Weinheim and Basel: Beltz Juventa, 2018), pp. 360-368.

⁴⁷ Dederich, 'Gefährdete Integrität', p. 207.

⁴⁸ Ibid.

in a formative way, for example the activist Stephanie Klee: "Why can't they [people, note S.J.] stand in solidarity for the rights of sex workers (as well as for the rights of other discriminated groups or other workers)? Because they cannot imagine that sex work under good conditions can be a good job and that these conditions can be extended to all sex workers? Or because they are suspicious that sex workers violate everything that is generally considered decent, bourgeois and normal for women?"⁴⁹ At the same time, sex workers describe that similar violations can also affect the users of sex work.

These considerations, based on Axel Honneth, have political consequences: these concern legal equality and protection, but above all also social and ecclesiastical destigmatisation. Here, Protestant ethics can contribute perspectives of a consensus morality.

5. Consensus morality as a building block for the evaluation of sex work from the perspective of Protestant ethics

With regard to the sexual-ethical discourses as a whole in Protestantism, three things can be stated:

1. "Protestant discourses on sexual ethics have so far primarily reacted to processes of social and legal change, only rarely actively accompanying them and almost never initiating them. In doing so, they are always faced with the challenge of updating their own message of unconditional acceptance of human beings without being accused of merely falling prey to the spirit of the times. This also applies to the ethical evaluation of sex work.
2. Protestant discourses on sexual ethics are only slowly adopting a dialogical format of ethics; the temptation to speak more about people rather than with them is still too great in many places.
3. Gender role stereotypes around sexual needs and desires have changed a lot and can be largely abandoned."⁵⁰

This is where the concept of negotiated or consensual morality can be brought in. Consensual morality can be understood here as a discursive reaching of consensus between two equal adult partners in a concrete and limited situation. In doing so, the legitimate difference of two people must also be considered, as well as the acceptance of difference and respect for the autonomy of others. In this way, each person is trusted and expected to take responsibility for his or her own needs and wishes.

In social philosophy and ethics, the question of consensus has been discussed in connection with the orientation of action to the common sense of a community. From the point of view of Protestant ethics, it was criticized here that ethical orientation is to take place by ignoring the basic convictions of people on which ethical orientations are based. This is connected to the insight of Christian ethics that human action gains its orientation from faith, which cannot be established by consensus.⁵¹

⁴⁹ Klee, 'Care-Revolution & Prostitution', p. 102.

⁵⁰ Sarah Jäger, 'Norm und Abweichung. Sexualethische Diskurse im Protestantismus der Gegenwart', in *Rechte des Körpers: Juristische, philosophische und theologische Perspektiven*, edited by Christian Berger, Michael Frey and Florian Priesemuth (Berlin and Boston: De Gruyter, 2022), pp. 107-128, at p. 124 (own translation).

⁵¹ Cf. Christoph Schwöbel, 'Konsens III. Ethisch', in *Religion in Geschichte und Gegenwart 4 Online*, edited by Hans Dieter Betz, Don S. Browning, Bernd Janowski and Eberhard Jüngel, online at

Consensus morality is otherwise mostly debated in the context of discourse ethics.⁵² On the one hand, it can be criticized that the demand for consensus orients the living conditions of society to an unattainable ideal and thus obstructs the path to realistically attainable goals.⁵³

Morality in terms of sexuality has not become superfluous, but it has changed in our present.

“The focus is no longer on the evaluation of the respective sexual practice, nor on the concrete social form, whether heterosexual, homosexual or bisexual, marital or non-marital; what is decisive in the present is rather the consensus: both participants must voluntarily agree to the sexual act.”⁵⁴ The law today therefore reacts extremely sensitively when this consensus is not upheld.

The concept of consensus morality has been little applied to sexual ethics issues. In my opinion, this is where the opportunities are particularly good, because at this point it is not a matter of finding a consensus of the convictions that guide a society's actions, but rather of establishing the agreement of both parties for a very concrete individual situation. Here, the argument of individual responsibility, which also has a tradition in Protestant ethics, can be made strong. Protestant sexual ethicists in particular criticise especially the negotiating ethics of the “legal consent models” and complain that sexual self-determination is becoming the decisive yardstick here. Frank Surall points out that this does not mean that acts are therefore necessarily good.⁵⁵ Sven Lewandowski critically remarks: “Morality has thus retreated from the realm of the sexual and to a position of formal consensus.”⁵⁶

In my opinion, however, voluntariness, consensus⁵⁷ and equality are also constitutive criteria for a Protestant sexual ethic,⁵⁸ because responsibility and an awareness of own needs can be exercised and the right to sexual self-determination can be strengthened in order to counteract sexist and patriarchal residual structures.

If consensus is made the decisive characteristic of assessment, this has consequences for the ethical assessment of sex work as care work. As long as it is carried out without coercion - and this is where the question of genuine voluntariness poses

http://dx.doi.org/10.1163/2405-8262_rgg4_COM_12102> (accessed 2023-05-22). Schwöbel makes reference here to Nicolas Rescher, *Pluralism: Against the Demand for Consensus* (Oxford: Clarendon Press, 1993).

⁵² The criticism by Seyla Benhabib, for example, is worth mentioning: “[T]he difficulty with consent theories is as old as Rousseau's dictum – ‘On les forcera d'être libre.’ Consent alone can never be a criterion of anything, neither of truth nor of moral validity; rather, it is always the rationality of the procedure for attaining agreement which is of philosophical interest. We must interpret consent not as an end-goal but as a process for the cooperative generation of truth or validity.” Seyla Benhabib, ‘In the shadow of Aristotle and Hegel. Communicative Ethics and Current Controversies in Practical Philosophy’, in *Situating the Self. Gender Community and Postmodernism in Contemporary Ethics* (Cambridge: Polity Press, 1992), pp. 27-73 p. 42.

⁵³ Cf. Schwöbel, ‘Konsens III. Ethisch’.

⁵⁴ Isolde Karle, *Liebe in der Moderne: Körperlichkeit, Sexualität und Ehe* (Gütersloh: Gütersloher Verlagshaus, 2014), p. 103.

⁵⁵ Cf. Surall, ‘Ethik der Lebensformen’, p. 464.

⁵⁶ Sven Lewandowski, *Sexualität in den Zeiten funktionaler Differenzierung: Eine systemtheoretische Analyse* (Bielefeld: transcript, 2004), p. 322.

⁵⁷ Such a consensus finds its limit at the transition to a criminal offence, for example in the case of cannibalism.

⁵⁸ Michael Haspel, ‘Sexualität, Sexualethik’, in *Evangelisches Soziallexikon*, 8th edition, edited by Martin Honecker, Horst Dahlhaus and Jörg Hübner (Stuttgart et al.: Kohlhammer, 2001), col. 1393-1402, at col. 1397.

challenges - there are no grounds for condemnation or stigmatisation, neither in the social nor in the (labour) legal sphere.

It seems important to me to consider further how sex work can be understood as care work and what ethical and political consequences this would have. For this purpose, a first attempt should be shown here to develop new ethical evaluation patterns of self-determined sex work.

Furthermore, in my opinion, Protestant ethics must stand up for processes of recognition of sex work on all three levels shown - physically, structurally as well as in the area of ways of life - and also introduce its own voice into the political-social discourse.

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