

Social Psychology, General Strain Theory and Prostitution Laws: A Case Study of the Nigeria Society

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Abstract

People have different views on the subject of prostitution. A lot of arguments have been raised to explain the social concerns of the sex business. Proponents of legalizing prostitution believe that it will go a long way to reduce crime, improve public health, increase income, help people out of poverty and allow consenting adults make their own choices. Social psychological paradigms posit that there are psychological and social factors that serve as predisposing factors and precipitating factors to people who end up choosing prostitution as an option. The problematic of this paper is to probe into the causes and consequences of prostitution in Nigeria, and to what extent legalizing it will resolve the socio-psychological question of why people choose prostitution.

Keywords: prostitution, prostitution laws.

1. Introduction

Prostitution and other transactional sexual relationships are particularly common in our society today. Worldwide, the practice produces over \$100 billion in revenue annually (Gungul and Audu, 2014). Prostitution is referred to as the oldest profession in the world as it meets the natural urges of humans in return for money, and is claimed to be as old as civilization itself (www.politics.co.uk). There are 40 to 42 million prostitutes in the world; three quarters of them are between the ages of 13 and 25, and 80% of them are female (Fondationscelles, 2012). Perceptions of prostitution are based on culturally determined values that differ in societies. In some societies, prostitutes are viewed as members of a recognized profession, in others they have been shunned, reviled and punished with stoning, imprisonments and even death (Jenkins, 2014). But as with all matters of sexuality, prostitution continues to be debated on both social and moral levels. Opponents and moral conservatives believe the practice is intrinsically morally corrupt and a challenge to family values, therefore regarding a ban to be justified in the name of public morality. Prostitutes' quasi-criminal status has led it to be closely associated with organized crime, poverty, drug abuse, child abuse and people trafficking. A health dimension to this debate adds that prostitutes have a large number of sexual partners; hence they are more likely to have sexually transmitted diseases and be vectors for spreading these infections (www.politics.co.uk). Proponents for the legalization of prostitution believe that prostitution is a harmless act and laws against it only exacerbate the attendant risks of the trade.

1.1 Explaining Prostitution

"...there are women who search for love, and there are those who search for money"
-www.directessay.com-

Prostitution has been defined as the granting of sexual favours for monetary gain (Giddens, 2010). Prostitution describes negotiation and performance of sexual services for remuneration (Bindman, 1997). The word 'prostitute' began to come into common usage in the eighteenth century. In the ancient world, most purveyors of sexuality for economic rewards were courtesans', concubines (kept mistresses) or slaves (Giddens, 2010). Prostitution remains one of the oldest professions in the world; the practice of selling sex for cash or other immediate compensation has existed across cultures and times (Alobo and Ndifon, 2014). A key aspect of modern prostitution is that the prostitutes and their clients are generally unknown to one another. A recent analyses have amplified the definition of prostitution by describing the conditions usually present in such commercial sexual relationships: It's an activity that has sexual significance for the client, An economic transaction which involves exchange of something of economic value and emotional difference-though the participants may enjoy the affinity at the period but their interaction has nothing to do with affection for one another (Dallas, 2002). The business of sex has overtime undergone various name rebranding- from whores, sluts, harlots, tramps, to hookers, prostitutes and now sex workers (Siegel, 1983). This describes the social perception of the business. Prostitutes are regarded as people who probably lacked proper upbringing, have no shame; loose and easy women etc. There are different problems associated with prostitution; one of the major problems is that the activities linked to prostitution are dangerous and sometimes illegal- it's often controlled by criminals who run the business as they run black market (www.wikipedia.org). There is also the problem of human trafficking- where women are forced into sex work and are exploited. Another concern is the issue of child prostitution. Child prostitution is a term for children working as prostitutes. In 1192, Ron O' Grady estimated the number of child prostitutes to be 1 million in the US. And according to Estes and Weiner, 12 to 14

years is the average age of entry into prostitution for girls less than 17 years in the United States, while the average age for entry into prostitution worldwide is between 11 and 13. In the Philippines, UNICEF estimated that there are 60,000 child prostitutes and many of the 200 brothels in the notorious *Angeles City* offer children for sex (www.bbc.co.uk). Further considerations into the dire consequences of prostitution reveal that prostitution not only gravely impairs women's health - as it exposes them to STDs-including Chlamydia, Gonorrhea, herpes, pelvic inflammatory disorders and HIV/AIDS; but firmly belongs to the category of violence against women (Raymond, 1999). The sex of prostitution is physically harmful to women in prostitution. STDs (including HIV/AIDS, Chlamydia, Gonorrhea, herpes, human papilloma virus) are alarming among women in prostitution. The emotional health consequences of prostitution include severe trauma, stress, depression, anxiety, and self medication through alcohol and drug abuse (Raymond, 1999). David and burke (1998) have stated that prostitution itself may not *inter alia* offend public decency or be exploitative, but a number of activities related to it infringe the perceived purpose of the criminal law. Conspicuously, prostitution operates hand in glove with theft, drug abuse, rape, human trafficking, suicide and other social maladies. In Nigeria, prostitution has become rampant. Today we have many brothels sprouting in every city corner. Hotels are flooded at night by ladies looking for customers. Prostitution in Nigeria can be decomposed into four forms: Institutional prostitution- which is mostly practiced in registered hotels and motels, Freelance prostitution- which involves individuals who once in awhile dabble into sex trade, corporate prostitution-which explains prostitution found in work organizations, solely spurred by quest for employment, promotion etc, and finally, international prostitution which involves cross border sex work and human trafficking (wakdok, 2010). Prostitution is practiced in Nigeria as an adaption to poverty, unemployment, and easy ways to make fast money. It is often associated with social problems such as unwanted pregnancy; unsafe abortion; spread of STIs'; sexual harassments; drug addiction; divorce etc (Alobo and Ndifon, 2014). Nigeria has become a major exporter of women for prostitution; 60% of prostitutes in Italy and Belgium are Nigerians (daily times, 2011). All the issues raised bring to the fore questions of legalization of prostitution as a regular occupation.

2. Prostitution Laws and Commercial sex work

"We need to regulate prostitution in the country so that if anyone

Wants to indulge in it (prostitution), the person should be registered and issued a license... if we say we want to stop it, it will be difficult. It is done in other countries; let us regulate it by issuing a license..."

-Senator Ike Ekweremadu, 2011-

The above statement is one of the arguments in support of legalization of prostitution. All countries have laws making prostitution either legal or illegal to engage in, promote or profit from. Prostitution laws explain the diverse laws across the world on the phenomenon of prostitution. From the sociological [perspective, prostitution laws refers to a system of criminal regulation and government control of prostitution, wherein certain prostitutes are given licenses which permit them to work in a specific and usually limited ways (PEN, 2014). Prostitutes' rights organizations (COYOTE, National Taskforce on prostitution) use the term decriminalization to mean the removal of laws against prostitution. The first prostitution statutes were enacted during the so called progressive political monument of the last nineteenth and early twentieth century's in Europe, when prostitution was seen as one of the biggest threats to public health because of its potential to spread debilitating venereal diseases such as syphilis and gonorrhea. Prostitutes were viewed as moral failures. The male customers were not held up to scorn, but the women who practiced it were seen as responsible for increases in crime and the general decay of social morals (www.legal-dictionary.thefreedictionary.com). Today the legal status of prostitution varies from, country to country. Some countries have made prostitution illegal and prohibited, while others have tried to regulate it. In Canada for example, prostitution itself is illegal but most other activities surrounding it are not. For instance it is illegal to live of the avails of prostitution (Matthews, 1997). Same laws apply in Sweden, Bulgaria, Norway and Netherlands (www.aboutsociology.com). In the United Kingdom and France, prostitution is legitimate business but they are regulated- with respect to health. In the United States, prostitution is only legal in Nevada amongst the 50 states of the country. In Africa, many countries actually shun against prostitution but overlook its activities. Senegal and cote de'voire permit the operations of brothels. In Egypt, Libya, morocco, Tunisia, Gambia, Ghana, Liberia, Niger, Togo, Angola, Cameroon, Central African republic, Congo, Burundi, Ethiopia, Eritrea, Kenya, Madagascar, Malawi, Rwanda, Seychelles, Somalia, Tanzania, Uganda, Zambia, Zimbabwe, Botswana, Namibia, south Africa, and Swaziland, prostitution is illegal, but most of these countries rarely enforce the prostitution laws (www.wikipedia.org). In Nigeria, prostitution has become widespread amongst the different categories of people. The rate at which prostitution has spread and operates is quite alarming. It has reached the level that those who engage in it now demand respect from the society (Badejo, 2012). Proponents of the legalization argue that it will remove the stigma associated with prostitution and increase profit. Legalization of prostitution would mean regulating it. And this would allow Government collect millions of dollars annually in taxes, reduce collated crime, and protect the public from sexually transmitted diseases (www.legal-dictionary.thefreedictionary.com). Ana lopes, president of Britain's general union (GMB) sex workers branch,

posited that “sex work is legitimate work and problems within the industry are not inherent in the work itself... it is vulnerability, not the work, which creates victims... sex workers should enjoy the same labour rights as other workers and the same human rights as other people”. The international union of sex workers (IUSW) based in London sees unionization as the first step towards the professionalization of sex work (Giddens, 2010). The IUSW campaigns for the decriminalization of all aspects of sex work involving consenting adults, other rights available to any other regular citizen and an end to social attitudes which stigmatize those who are or have been sex workers.

Much of the arguments for legalization of prostitution actually depend on the strengths of two arguments; that the harms of prostitution are decreased if it is legalized and that prostitution is a choice for those in it. There is little theoretical and empirical evidence that either of these arguments is true. There is no evidence that legalization somehow decreases the harm of prostitution. In fact legalization, as research reveals, increases prostitution of children, sex buyers, and demands for cheaper and unrestricted sex acts (Farley, 2010). Prostitution, legal or not, doesn't change the emotional consequences of the act of selling sex (www.noonk.net). Also the theory of prostitution being a choice raises the question of why just *some* women choose to be prostitutes. Only a tiny percentage of women actually agree that they are into prostitution for the love of it (Nwakanma, nd). For most, prostitution is not a freely made choice because the conditions that would permit genuine choice are not present: physical safety, equal power with buyers and real alternatives (Post, 1999). Guinilla S. Ekberg, a special advisor on prostitution and trafficking in women, argued in her speech in Stockholm that the theory that prostitution is an acceptable solution to poverty simply means that prostitution is an acceptable solution for women living in poverty. The prostitution industry exploits to its advantage the fact that most women and children who are into it come from the oppressed and vulnerable group in the society (Ekberg, 2002).

3. Social Psychology and Prostitution

Social psychology is interested in how peoples' thoughts, feelings and behaviours are influenced by the actual and implied presence of others (Douglas et al, 2005). Social psychological explanation of prostitution argues that a combination of social and psychological factors causes some women to go into prostitution. For this theory, there are three main reasons why some women become prostitutes. First are the predisposing factors such as parental promiscuity, parental neglect, child abuse or some other traumatic event in the individuals' life. Another is the attracting factors (Pull Factors) such as belief that women can make an easy life or make a lot of easy money as a prostitute. There are also precipitating factors (Push Factors) such as poverty, unemployment, economic challenges or other environmental influences that can push people into prostitution (Rooks II, 2006, Aloba and Ndifon, 2014).

3.1 The General Strain Theory

The strain theory was first developed by Emile Durkheim in his study on suicide, but was later refined by Robert k. Merton, and then by Ronald Agnew in the 1990s. Merton argued that deviance depends on the extent to which the society provides the means to achieve cultural goals. For Merton, prostitution is one of the reactions to the societal roadblocks in achieving socially accepted goals; which many join to alleviate themselves from their economic situations (Macionis, et al, 2009). Agnew in his work “pressured into crime”, stated that “people engage in crime because they experience strains and stressors. For example; they are in desperate need of money... crime may be a way to reduce or escape from strains”. The strain theory proposes that crime, especially delinquency, occurs as a result of the feelings generated by negative relationship with others. Agnew's strain theory suggests behaviours such as prostitution are rather corrective actions taken to cope with socioeconomic demands. John Reid in her book “A girl's path to prostitution: Linking caregiver adversity to child susceptibility”, also used the general strain theory to explain how many young girls enter into prostitution owing to pressures from the home and the society.

4. Analyzing the Facts

Juxtaposing the findings of researches on prostitution and the postulations of these two theories reveals an answer to the question of why prostitution persists and why people go into it. A recent study by Khans MS, et al,(2010) in Pakistan, revealed that the driving force behind women resorting to selling sex were poverty, materialism and the desire to move up in the society. In the United Kingdom, 70% of women in prostitution are single mothers who do not receive social benefits (Kara, 2009). Prostitution is a sexually exploitative, often violent economic option most often entered into by those with lengthy history of sexual, racial and economic victimization (Ibid, 2009). The fact remains that women choose prostitution for economic reasons (Post, 1999). Women become involved in prostitution for reasons such as homelessness, child sexual abuse, mental ill health, trauma, previous sexual violence, drug and alcohol misuse, money pressures and poverty (www.supportproject.co.uk). These forces which serve to lead women into prostitution are what should be

addressed, not legalizing the trade. Women are in legal prostitution for the same reasons they are in illegal prostitution- a lack of alternative survival options. Besides, legalizing prostitution doesn't cure the problems associated with trade, e.g. women trafficking, the mental health of the prostitute, drug abuse, rape and other violent acts (Raymond, 1999). And in the societies where prostitution has been legalized, it hasn't really enjoyed the regular work satisfaction envisaged. In New Zealand and Australia for instance, decriminalization of prostitution only resulted in an increase in illegal, hidden and street prostitution. In Netherlands and Australia, there was also an increase in child prostitution as prostitution was decriminalized (www.noonk.net).

5. Conclusion

The social psychological question of prostitution is "why people go into prostitution". Theoretical and empirical evidences available have revealed that a sizeable percentage do so, not as a choice, but as the last option to their socio economic challenges. Prostitution exposes the individual, his/her clients and the society to a lot of harmful situations. Hence legalizing what is harmful doesn't make it less harmful! Neither does it address the cause of the act (www.womensupport.co.uk). Rather concerted efforts should be made to curb the malaise of unemployment, gender inequality, human trafficking, sexual abuse and poverty which stand as push factors to socially disapproved behaviours. Women are most hit by the situation of poverty. The Nigeria minister of women affairs and social development-Hajiya Zainab Maina, said 70% of women in Nigeria are living below poverty line (Pwangba, 2013). This poverty situation actually exposes them to situations that force them to have no option than to 'commodify' their mouth, rectum and vagina. It is therefore imperative for the state to focus on addressing the socio economic causes of prostitution and not the legality of the trade. Fact is, treating prostitution like any other job doesn't deal with the long term psychological effects and physical effects of having unwanted and often violent and abusive sex, numerous times a day and having to act like you enjoy it. (www.object.org.uk/index.php/the-prostitution-facts). Normalizing prostitution normalizes an extreme form of sexual subordination and objectification; it legitimizes the existence of an underclass of women and it reinforces male dominance over women. According to Melrose (2002), 74% of women cite poverty as the primary motivator for entering prostitution. Because of poverty and lack of legitimate opportunities in the country, deviance has become the most attractive option. Legalizing prostitution may not solve the problem, but a total criminalization of the demand for such sexual services and a concerted effort to solve the cancer behind the spread of prostitution.

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