



5-2004

The History of Prostitution Reform in the United States

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UNIVERSITY HONORS PROGRAM

SENIOR PROJECT - APPROVAL

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PROJECT TITLE: The History of Prostitution
Reform in the United States

I have reviewed this completed senior honors thesis with this student and certify that it is a project commensurate with honors level undergraduate research in this field.

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The History of Prostitution Reform in the United States

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University Honors
Spring 2004

In the American tradition of reform, prostitution has been adopted during every period of American history. Those working for social change did so under an array of ideologies, from religious convictions to personal freedoms. Some individuals and organizations combated prostitution as a moral or social evil while others attacked prostitution as an injustice against women. Beginning in the colonies and ending at present day, this research intends to present the ideologies and organizations behind prostitution reform. This research will focus on sexual labor that women choose as a profession.

Colonial America

As Europeans settled in North America, the population consisted almost exclusively of men in search of the traditional “life, liberty, and property.” History obscures the more base desires of this original colonizers- sex. Few men brought their wives and children to the colonies, but they still required an outlet for their sexual passions. The small number of women who lived in the colonies experienced relative freedom, and prostitutes from Europe clustered in the New World, like the men looking for fortune, sexually serving men arriving in the colonies. With the stabilization of the colonies, families joined the men and institutions, such as churches, sprung up to meet the needs of the newcomers. The sex trade continued to expand as merchants and sailors replaced some, if not all, of the family men. Female indentured servants, if they chose not to marry after manumission, found sex work lucrative. Protest from clergy and the religious voice of Boston succeeded at getting brothels outlawed in 1672.¹ Because women could no longer work out of brothels, many took their business into public and

¹ Hobson, Barbara Meil. *Uneasy Virtue: The Politics of Prostitution and the American Reform Tradition*. New York: Basic Book, Inc., 1987. 13-15.

solicited on the streets. By 1699, open prostitution offended communities to the extent that several of the larger cities passed laws against “nightwalking.”² However, prostitution continued to flourish into the eighteenth century as women disregarded the laws and officials became lax concerning enforcement.

With few exceptions, most prostitutes worked in lower-class neighborhoods. These areas were populated primarily by immigrant families and characterized by rowdy drinking and gambling. Growing concern for prostitution came to a head with what Connelly describes as the “whorehouse riots,” a series of events that destroyed brothels in several large cities: “Annoyed citizens took to the streets to ransack and torch brothels in Boston in 1734, 1737, and 1825; in New York City in 1793 and 1799; in St. Louis in 1831; and in Chicago and Detroit in 1855.”³ However, these riots occurred only in working class neighborhood even though by this time a few brothels were operating in wealthier parts of cities and appealing to more elite clientele. In 1790 Massachusetts made it illegal to conduct business in a “bawdy house,” although the term was loosely defined.⁴ By 1816 the Boston Society for the Moral and Religious Instruction of the Poor had been formed. This group estimated that almost a million dollars a year was being spent on prostitution, and they assessed the need for reform based on the premise that sons of the middle class were squandering their inheritance on sex rather than preserving family estates. Missions were opened next to taverns and brothels and one Boston missionary society concluded that there were over two thousand prostitutes in the city.⁵

² Rosen, Ruth. *The Lost Sisterhood: Prostitution in America, 1900-1918*. Baltimore: Johns Hopkins UP, 1982. 2.

³ Connelly, Mark Thomas. *The Response to Prostitution in the Progressive Era*. Chapel Hill, North Carolina: UNC Press, 1980. 4.

⁴ Woolston, Howard Brown. *Prostitution in the United States*. Montclair, NJ: Patterson Smith, 1969. 24-25.

⁵ Hobson 20-22.

Early American settlers hoped for a land of opportunity, and they found it, particularly regarding sex. Compared to European life, the few women who settled here experienced relative freedom and discovered that sex was high in demand. As more women established themselves, however, growing moral codes and increased public awareness objected to the availability of sex for sale or trade. Colonial society regarded prostitution as a moral infraction rather than a crime, although clergy and irritated neighbors lobbied for laws against sex work in the eighteenth century and found legal closure for their concerns, although there was little actual change.

Victorian America

By the early nineteenth century, the American sex industry had equaled, if not surpassed, that of Europe. At the onset of the Victorian era, this prevalence caused increased vigilance concerning prostitution and reform took on two separate ideologies. Although citizens still objected to young women choosing sex work as a means of living, reformers diverged as to what should be done about this social problem. Women and men differed drastically in what they believed to be the source of the problem and in their proposed solutions. Women reformers began to recognize prostitution as the corruption of young girls by male seducers, while men declared that women who chose sex for a living were inherently immoral but useful under the “doctrine of necessity.”

Women adopted prostitution reform as a popular cause in the early 1830s, in a religious movement inspired by the Second Great Awakening. Based on this moral interpretation of sex work, and even prior to the feminist movement, reformers blamed men for the condition of prostitutes. Men, they argued, seduced young girls and lured them into a life of corruption from which it was almost impossible to escape. The Moral

Reform Society, based in New York, issued a statement in 1835: "Let the condemnation of the guilty of our sex remain entire; but let not the *most guilty of the two*- the deliberate destroyer of female innocence- be afforded even an 'apron of fig leaves,' to conceal the blackness of his crimes."⁶ Simultaneously movements were forming to protest the monopoly of professions by men, and reasoning followed that women without financial and family resources were easy targets for men's predatory nature because they had few alternative sources of income. William Sanger found the reasons for women to enter prostitution foremost as financial "destitution" as well as parental death or alcoholism. Immigration, Sanger realized, also had a profound effect on the amount of prostitution in New York, estimating that almost 62% of the sex workers were not native citizens.⁷ The movement that emerged out of this ideology focused on two courses of action: helping women "escape" prostitution and ostracizing men who provided the demand and the finances needed for a viable sex industry.⁸

Many social movements formed to help women out of prostitution and to shelter young immigrants and girls entering the cities, lest they be preyed upon by men and forced to enter a life of vice. First started in New York in 1832, Magdalen Societies sprang up rapidly throughout the states, totaling 445 by 1839. Not only did the women members of the New York chapter provide a House of Refuge for at-risk women, but they also spread news within their organization with their own newspaper, *Advocate of Social Reform*. They attracted the attention, and infuriation, of society's elite when they

⁶ Hill, Marilyn Wood. *Their Sisters' Keepers: Prostitution in New York City, 1830-1870*. Los Angeles, CA: University of California Press, 1993. 66.

⁷ Hill 53, 72.

⁸Rosen 7.

published the names of men observed visiting brothels.⁹ Magdalen supporters in Philadelphia also established a facility to assist adolescent women renounce their lives of prostitution. Focused on achieving rehabilitation, the matrons and reformed women of the Magdalen Society Asylum isolated themselves in a life of work and prayer, free of temptation or male tempters. Although the Society went through transformations of policy as often as it went through matrons, occupancy remained consistent until the 1870s when a new matron placed increasingly harsh restrictions on the girls. Women continued to inhabit the asylum, particularly during the winter months, until the facility finally shut down in 1908.¹⁰ While the Philadelphia Magdalen Society experienced continued support, many organizations failed to garner the support necessary to maintain their struggle to abolish the sex trade. However, they brought attention to the issue of prostitution and inspired other groups to take up the cause of prostitution reform. Unfortunately for their ideology concerning sex work, many of these new reformers were men who advocated prostitution reform rather than abolition and their predecessors concern for women “lured” into prostitution.

Beginning in the 1870s city officials and medical authorities, a faction of the population made entirely of white males, pushed for regulation of prostitution under the “doctrine of necessity.”¹¹ This ideology promoted prostitution as a legitimate way for men to diffuse sexual tension without offending the sexual mores of their wives, who were restricted under ideals of Victorian sexuality. Prostitutes, on the other hand, were considered common women with no need for protection because they were corrupt by

⁹ Rosen 7.

¹⁰ Ruggles, Steven. “Fallen Women: The Inmates of the Magdalen Society Asylum of Philadelphia, 1836-1908.” *Journal of Social History* 16.3 (Spring 1983): 65-82.

¹¹ Rosen 9.

their nature. Leading into the twentieth centuries, factories became staples of city landscapes, as well as poor women from rural areas who came to find work. Young women who were unable to find suitable work or became frustrated with working conditions in the new industrial age found that prostitution provided more generous wages while allowing them freedom from harsh, constant supervision in the factories. The traditional family structure deteriorated and girls no longer went straight from being a dutiful daughter to being an obedient wife, but instead had the opportunity to develop personal and economic independence. Because of this women no longer had the same social controls that pressured them in their country lives. City ordinances, witnessing increased levels of prostitution, decreed that prostitution was legal under the conditions that sex workers undergo medical examinations, licensure, and pay taxes. Minneapolis and St. Paul became exemplars of this type of regulation.¹² Cities that chose not to regulate prostitution in law often did so de facto by regularly arresting prostitutes or madams in order to maintain the appearance of combating prostitution. Helen Reynolds describes this type of selective enforcement as a “control model” of prostitution, used to negate public accusations of police negligence.¹³ Unfortunately, this type of control over crime often leads to police abuse of power by extorting money or services from those involved in prostitution.

In the nineteenth century, prostitution reform efforts flourished and gained support from various sectors of the society. However, conflict arose concerning the goals of the prostitution reform movement. Women’s organizations primarily advocated the

¹² Best, Joel. *Controlling Vice: Regulating Brothel Prostitution in St. Paul, 1865-1883*. Columbus, OH: Ohio State University Press, 1998. 14-33.

¹³ Reynolds, Helen. *The Economics of Prostitution*. Springfield, IL: Charles C. Thomas Publisher, 1986. 39-42.

rescue of women involved in prostitution, but insisted that it was the men who needed reforming. After assuming the role of social reformers, men appealed to their peers and chose to restrict prostitution to certain areas of the cities and limit the rights of individual prostitutes, requiring women to be licensed and medically examined in order to continue legally in the sex industry. This conflict between rescuers and regulators led to an interpretation of prostitution that both sexes could agree on as the Victorians issued in the Progressive era.

Progressive America

At the turn of the century, increased vigilance on the part of women led a movement to, once again, place responsibility on men for sex worker's corruption. However, this time men and women were both equally responsible for the prostitution problem and for finding a solution. Women like Jane Addams argued for the establishment of vice commissions to investigate the connections between prostitution and organized crime. "White slavery" became an overwhelming argument against prostitution and also against the punishment of girls engaged in the business, under the supposition that no woman chose to enter sex work, but were instead deceived by procurers who seduced them and procuresses that convinced young women to meet them in unfamiliar areas under the pretense of obtaining a legitimate job. Reports spread of procurers going to the extreme lengths of performing fictitious weddings in order to seduce young women, and then acted as pimps once the "marriages" had been consummated and the girls were no longer pure for a real marriage.¹⁴ Fear of these types

¹⁴ Addams, Jane. *A New Conscience and an Ancient Evil*. New York: MacMillan, 1912.

of criminals led Congress to pass the Elkins-Mann Act in 1910, which made it illegal to transport a female across state lines for “immoral purposes.”¹⁵

With the spread of germ theory, social hygiene became the ideology through which prostitution reform was pursued. Social hygiene movements dominated in the early years of the twentieth century, leading up to and during World War I. Several cities implemented sex education in schools, avoiding the mention of actual sexual acts.¹⁶ The American Social Hygiene Association was formed and advocated sexual restraint for men as well as women. “Immoral” women, including prostitutes and “pick-ups,” became targets of public ridicule.

During the World Wars, soldiers’ sex lives became a matter of national importance. Posters compared sex workers to the enemy combatants and asserted, “most prostitutes (private or public) have either syphilis or gonorrhea or both” and stating “You can’t beat the Axis if you have VD.”¹⁷ Prostitutes provided a negative image to associate with Germans. Propaganda presented the image of the prostitute in direct opposition to that of the healthy soldier. Sex became the battle that soldiers were fighting; those who chose sex did so in opposition to national service. The “fit to fight” campaign presented soldiers with the opportunity to serve their country by remaining sexually pure in order to avoid venereal disease. Having previously commissioned Disney to make short films concerning issues important to military personnel, the U.S. Army Signal Corps also used Disney to make a film about venereal disease in order to protect the health of its enlisted

¹⁵ Hobson 142.

¹⁶ Carter, Julian B. Birds, Bees, and Venereal Disease: Toward an Intellectual History of Sex Education.” *Journal of the History of Sexuality* 10.2 (April 2001) 213-49.

¹⁷ “American Social Hygiene Posters.” 2001. University of Minnesota: University Libraries. 12 Sept. 2003. <<http://digital.lib.umn.edu/IMAGES/reference/swhp/SWHP0032.jpg>> and <<http://digital.lib.umn.edu/IMAGES/reference/swhp/SWHP0132.jpg>>.

men.¹⁸ Despite the warnings about sex, men continued to hire sex workers and women continued to flock to military bases in order to provide sexual services.



Figure 1 Poster 1940. Propaganda emphasized the threat that prostitutes posed to American soldiers and the war effort.

¹⁸ Elsheimer, Skip. "VD Disney: A Disney Film about Venereal Disease." No date. *Other Zine*. 3 April 2004. <<http://www.othercinema.com/otherzine/ozissue2/vd.html>>.

¹⁹ "American Social Hygiene Posters." 2001. University of Minnesota: University Libraries. 12 Sept. 2003. <<http://digital.lib.umn.edu/IMAGES/reference/swhp/SWHP0140.jpg>>.

Contemporary America

Not long after World War II ended, second wave feminism claimed prostitution as one of its causes. Feminists encouraged women to assume responsibility for issues that affected them, and many did just that- including prostitutes. Minority women still did not have the resources to achieve financial independence and many middle-class women, found that their college educations helped little in their efforts to achieve a professional status. Prostitution remained as one of the few lucrative occupations open to women. In 1973, the same year that *Roe v. Wade* gave women the right to privacy concerning pregnancy and abortion, Margo St. James declared that women needed the right to privacy concerning sex, regardless of whether or not it was purchased. Although she had previously organized a group called WHO (Whores, Housewives, and Others), St. James clarified her goal and renamed her initiative COYOTE, or Call Off Your Old Tired Ethics, to pressure San Francisco city officials as well as residents to decriminalize prostitution laws that prevented women from engaging in sex for money. St. James and her followers accused lawmakers and law enforcement officers of being discriminatory against women, particularly African American sex workers. The Prostitutes' Education Network explains that

for many women, because of poverty and lack of alternatives, prostitution has been their only option, yet the system targets Black women for punishment. The laws against prostitution are enforced disproportionately against women of color. Although 20 to 30% of prostitutes are women of color, the vast majority of those sentenced to jail time are women of color.²⁰

²⁰ "Black Women and Prostitution." No date. *Prostitutes' Education Network*. 4 Dec. 2003. <<http://www.bayswan.org/Racism.html>>.

Women of color, the group argued, are particularly targeted for police harassment and arrest because minority women have fewer resources (due to social inequality) by which to enter more private businesses such as escort services, massage parlors, and hotel brothels.

COYOTE assessed the “problem” of prostitution as being linked to the larger problem of women being controlled by men. The national movement to legitimize prostitution began with a name change that recognized women’s labor in the sex industry- sex workers. Movement leaders insisted that sex labor should be considered equal to any other work that a woman, or man, may provide. Sex work is equated with many other occupations, both physical and mental; lawyers sell their brains, typists sell their fingers, dancers sell their legs, models sell their image.²¹ Additionally, the most recent ideologies concerning sex work infantilized women in the sex industry by denouncing them as victims of circumstances that they obviously fail to comprehend. Sex workers resent this discourse, as well intentioned as it may be, because it also makes demands of them to quit sex work but neglects to offer solutions to the other problems that women face outside of prostitution. Many women have entered prostitution to seek relief from other social ills, such as the feminization of poverty, high divorce rates, unequal pay, and single motherhood.

The National Task Force on Prostitution, an umbrella organization for the movement, provides an information network for prostitutes and prostitutes’ rights advocates nationwide. Like COYOTE, these groups often choose names that describe

²¹ Jenness, Valerie. *Making It Work: The Prostitutes’ Rights Movement in Perspective*. New York, NY: Aldine de Gruyter, 1993. 67-69.

their goals at reform and also employ playful acronyms that establish curiosity among the public. A few of the more interesting titles include:

ASP (Association of Seattle Prostitutes)
CAT (California Advocates of Trollops)
DOLPHIN (Dump Obsolete Laws; Prove Hypocrisy Isn't
Necessary)
FLOP (Friends and Lovers of Prostitutes)
HIRE (Hooking Is Real Employment)
HUM (Hooker's Union of Maryland)
PASSION (Professional Association Seeking Sexual
Identification Observant of Nature)
PONY (Prostitutes of New York)
PUMA (Prostitutes' Union of Massachusetts Association)
SPARROW (Seattle Prostitutes against Rigid Rules over
Women)²²

These leagues establish many resources for sex workers in their communities, such as legal counsel, safety advice, health clinics, and crisis hotlines. Within the organizations, women engage in traditional means of group communications, such as newsletters, regular meetings, and conventions. Outside of the organization, sex workers stage letter-writing campaigns and lobbying efforts.

Although these alliances use traditional means of communicating their agenda to each other and the public, they also participate in more radical activism, such as COYOTE's annual Hooker's Ball, which attracts media as well as city officials and has become a nationally known affair.²³ In addition, St. James gained international support from prostitutes' networks while living abroad and organized the International Committee for Prostitutes' Rights, which later hosted two World Whores' Congresses in 1985 and 1986. COYOTE presented a Bill of Rights to the congresses that later became

²² Jenness 3.

²³ "Call Off Your Old Tired Ethics." 2000. *Walnet*. 16 October 2003.
<<http://www.walnet.org/csis/groups/coyote.html>>.

the basis for a formal ideology and course of action.²⁴ As McElroy outlines the sex workers' ideology and reasoning behind their goals:

1. Laws against women have historically been used to harass and oppress women in the sex industry, not the men who are customers. This means that laws against prostitution almost amount to de facto laws against women.
2. Laws against activities associated with prostitution also become de facto laws against women, for example, laws against running a brothel.... Such laws effectively deny prostitutes the right to work indoors in a warm, safe, and clean place.
3. Antiprostitution laws ensure that prostitutes will be unable to report violence committed against them to the police.... Prostitutes who complain to the police are likely to be further abused.
4. Criminalizing prostitution has driven the profession underground and resulted in horrible working conditions for the women involved. Its black market nature attracts other illegal activities to the trade.
5. Antiprostitution laws function as a form of censorship against women, because they keep prostitutes from speaking up for fear of being targeted by police.
6. To the extent that prostitution creates a public nuisance, laws already exist to prevent these problems.²⁵

Second-wave feminism gave sex workers a legitimate platform on which to protest laws and less radical political groups with which to ally, such as the National Organization for Women.²⁶ Concern over human rights and personal freedoms even incited the United Nations to pass resolutions against sex trafficking, giving the sex workers' movement the perspective that voluntary prostitution is supported by the United Nations as well as many of its participating states, although the United States is not one of them.²⁷

²⁴ Pheterson, Gail, ed. *Vindication of the Rights of Whores*. Seattle, WA: The Seal Press, 1989.

²⁵ McElroy, Wendy. *Sexual Correctness: The Gender-Feminist Attack on Women*. Jefferson, NC: McFarland & Company, 1996. 131-32.

²⁶ Jenness 72.

²⁷ McElroy 131.

Although the recent efforts of sex workers to gain recognition of their occupation as a legitimate and necessary function of society, organizations such as Women Hurt in Systems of Prostitution Engaged in Revolt (WHISPER) and Concerned Women for America (CWA) have taken the efforts to oppose sex workers, appealing to government and researching the negative effects of prostitution on communities and individual prostitutes. Although these groups fail to garner the media attention that groups like COYOTE have attracted, they have the advantage of being on the conservative side of the issue. In such a controversial and long-debated issue, where most efforts have been on the behalf of regulation or abolition as seen in the Victorian era, the sex workers face a very difficult challenge.

During the course of American history, prostitution reform has gone through many ideologies and had the devotion of many men and women. Although colonial America treated prostitution as a nuisance, rather than a crime, clergy and other reformers lobbied for legal change to outlaw prostitution and other vices associated with the sex trade. Victorian standards of sexuality as well as religious movements of the time put pressure on society to help those who were in need, including prostitutes. Whereas female reformers focused on the harm caused to women because of prostitution, male reformers towards the end of the nineteenth century emphasized the damage done to society, particularly men and families, because of the diseases that sex workers carried. These two reform ideologies formed a compromise to eradicate prostitution in the progressive era and into the wartime periods that immediately followed. By focusing on disease as well as criminals luring women into sex work, rather than men in general, men and women reformers found common ground on which to combat prostitution. In the

World Wars, job opportunities increased for women and prostitution was identified as an enemy that could ruin America's soldiers and was heavily attacked through new media such as movies and color posters. As the second wave of feminism emerged following World War II, sex workers carved a niche for themselves in the protest for women's rights. Contemporary prostitutes define their plight as one of women and workers, with men trying to define women's work experience as well as their bodies. Though trends in prostitution ideology have consistently built on each other, it is only recently that sex workers have become vocal about their own lives. By dropping the early argument that prostitution is a moral issue, prostitutes and reformers in the twentieth century re-appropriate the issue as one between workers and the government as well as the right to privacy and sexual freedom.

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