

Prostitution and the Good of Sex

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Abstract: On some accounts, prostitution is just another form of casual sex and as such not particularly harmful in itself, if regulated properly. I claim that, although casual sex in general is not inherently harmful, prostitution in fact is. To show this, I defend an account of sex as joint action characteristically aimed at sexual enjoyment, here understood as a tangible experience of community among partners, and argue that prostitution fails to achieve this good by incentivizing partners to mistreat each other. To substantiate this claim, I explore ways in which prostitution fails on the virtues of temperance, respect, and sincerity.

Keywords: virtue ethics, prostitution, sex, joint action, Kant, respect

Sex workers are regularly exposed to significant harms, which appear deeply bound up with prostitution as such. For this reason, some form of prohibition on buying or selling sex is often considered necessary to protect them. Some authors have challenged this view, arguing instead that legalizing and de-stigmatizing the practice would mitigate these harms more effectively.¹ This liberal approach to prostitution finds particularly consistent expression in some recent papers by Ole Martin Moen, who argues that the harms associated with prostitution are not intrinsic to selling sex but result from the external circumstances, under which sex workers currently and contingently have to practice their trade. Therefore, they would be better protected, he thinks, by a regulatory framework that grants them employment contracts and welfare benefits, subjects brothels to inspection, and generally removes harm-causing conditions by normalizing sex work as a regular profession. Considered purely in itself, Moen believes, prostitution is a generally harmless and even beneficial practice, in that it enables people to exchange sex freely for other goods they value more at the time. Hence, “we must concede that it might be rational to engage in prostitution, and for some, irrational to opt out of it.”²

Moen supports this conclusion with compelling arguments, which I do not intend to challenge in this paper. Instead, I will argue that prostitution is indeed *intrinsically* harmful, independently of whether it also carries extrinsic harms, and even when engaged in within an ideal regulatory framework. Accordingly, I will say little on prostitution as a social, legal, or

¹ For some notable contributions, cf. Ericsson 1980; Primoratz 1993; Nussbaum 1998.

² Cf. Moen 2014a; 2014b; Earp/Moen 2016. Quote in Moen 2014a, 80.

policy issue and focus on isolating its intrinsic ethical character. I define ‘prostitution’ as participation in sex in exchange for money or its equivalent, and ‘sex work’ as the professional practice of prostitution as a means of earning one’s living. Moen classifies prostitution as a form of casual sex and argues that, “if we accept the increasingly common view that casual sex is not harmful, we should accept that neither is prostitution.” He defines casual sex as “sex engaged in for the sake of enjoyment or recreation without long-term commitments and emotional attachments”.³ I claim that, even if we accept that casual sex is normally harmless, there is reason to think that prostitution is not.

My argument turns on two defining features of sex as an activity. Sex is (1) *joint action* (2) aimed at a *characteristic telos or end*, which entails a standard of excellence for evaluating any exercise of our sexual capacities. Moen's view presupposes that sex characteristically aims at *sexual enjoyment*, pictured as pleasant bodily sensations. I will defend an alternative account of sexual enjoyment as a distinctive experience of community. Prostitution generally fails to attain this good because it undermines the joint character of the sexual act and ultimately defeats the very point of sex. To substantiate this claim, I explore ways in which prostitution fails on the virtues of temperance, respect, and sincerity. I conclude that prostitution is detrimental to the good life by giving sex the wrong place in it, and that sex work is therefore not a profession the virtuous would consider an option, if they can avoid it. My argument assumes Moen's ideal regulatory framework and especially that those engaging in prostitution do so voluntarily. I end, however, with brief reflections on the current, ‘non-ideal’ state of sex work.

1. THE CHARACTERISTIC END OF SEX

Sex is a teleological concept. Knowing the meaning of any teleological concept requires some understanding of the characteristic function or end of the things it subsumes. Salient examples are concepts of artifacts, such as ‘toothbrush’, ‘saw’, or ‘vegetable peeler’, whose very names already indicate the characteristic function of their instances. To know what toothbrushes are, for example, one has to understand what one characteristically does with them. Unless one knows that their point is cleaning one's teeth, one has not really mastered the concept, even if one knows what other properties toothbrushes usually have. Indeed, why they have these properties is intelligible only in light of their characteristic function, which explains their typical design as contributing to or being required for cleaning one's teeth. Their function determines what toothbrushes need or ought to be like and therefore entails a standard of excellence for evaluating any given toothbrush as good or bad of its kind. Teleological concepts thus have a

³ Moen 2014a, 73.

descriptive, explanatory, and normative dimension: In knowing what a toothbrush is, one also knows what a good toothbrush is and why.⁴

This also applies to concepts of activities. Fully understanding their meaning requires knowing the characteristic ends of the activities they designate. A characteristic end is what constitutes an activity as *that* activity: aiming at this end is what performing this activity essentially consists in. Baking, for example, essentially consists in making baked goods, and someone is not in fact engaged in baking unless their actions in some way aim at this end. Baked goods thus represent the characteristic end of baking, which *as a matter of conceptual necessity* is pursued by anyone recognizably engaged in baking at all. It explains the various phases of baking and how they connect, and thereby enables us to identify particular goings-on as part of this process in the first place. Similarly, to understand what sex really is, it is not enough to know what motions and sensations, what practices and positions people usually group under this label. To master the concept fully, one needs at least some understanding of what makes all of these sexual in the first place; what they have in common that warrants labeling them as *sexual* practices, *sexual* positions, etc. It requires knowing that all these things can play a role in pursuit of the same end, which illuminates what sex is by explaining why humans and other animals characteristically do what counts as sex for them; and it is not possible to know this without at least some understanding of what this end substantially consists in.

Plausible candidates for the characteristic end of sex are *procreation*, the *expression of romance*, and *sexual enjoyment*. Moen's basic premise—that casual sex is not harmful and therefore permissible—is defensible only if we accept the latter, since both the procreative and the romantic view rule out casual sex as ill-suited to achieving what sex is about in human life. On the *procreative view*, the point of sex is to create conditions conducive to having and raising children, not merely by inducing conception but by enhancing the stability of marriage as the ideal environment for this long-term undertaking. Although casual sex can result in pregnancy, its lack of long-term commitment could impede the formation of well-functioning families and undermine the stability of existing partnerships.⁵ On the *romantic view*, sex is about celebrating the emotional bond between lovers and strengthening their long-term commitment, with or without children. As casual sex involves neither long-term commitments nor deep emotional attachments, the romantic view typically portrays it as devoid of meaning and value.⁶ Hence,

⁴ Cf. Müller 1998, 74-77.

⁵ The procreative view is defended most prominently in the Catholic and natural law traditions. For recent examples, cf. Newman 2015; Hsiao 2016. For a critical view, cf. Primoratz 1999, Chap 2.

⁶ Cf. Scruton 1986 for the most sophisticated defense of the romantic view. Also cf. Primoratz 1999, Chap. 3.

since casual sex aims at momentary enjoyment, it is a legitimate option only if the characteristic end of sex generally consists in such enjoyment.

Ordinary language use clearly supports this broadly *hedonic view of sex*. After all, when we speak of bad sex, we usually mean sex that is awkward, boring, mechanical, invasive, or otherwise unenjoyable, and when we imagine good or excellent sex, we typically think of sex that is passionate, spontaneous, intimate, sensual, intense or otherwise enjoyable. Although not every sexual act lives up to this ideal, this is still what people normally hope for when they pursue sex. In everyday contexts, few people think about sex exclusively or even primarily in terms of procreation, as that would render the sexual act too instrumental, and even the sexual expression of romance usually consists in enjoyable sex. It seems fair to conclude that sexual enjoyment is the *proximate end of sex*, while procreation and romantic intimacy are further ends that are properly pursued by means of it.⁷ As further ends, they are externally related to the activity proper, whereas any activity's proximate end is internally related to and constitutive of it. In other words, the proximate end *is* the characteristic end of an activity, and hence pursuing sexual enjoyment is what sex essentially consists in. Any further ends are *optional* for engaging in that activity, as they are not constitutive of it as such. That is, sexual acts need not contribute to procreation or express romance to qualify as good of their kind.

If sexual enjoyment is the characteristic end of sex, then engaging in sex and pursuing such enjoyment are not distinct activities. Rather, pursuing such enjoyment simply is what sex *is*, and hence sexual enjoyment is an end *necessarily* pursued by anyone recognizably engaged in sex at all. Therefore, any instance of sex can be evaluated as good or bad of its kind in terms of whether it meets the requirements of this end, and any attempt at treating enjoyment merely as an optional (and hence dispensable) end during sex can only result in bad, i.e. *failed sex*.⁸ To attain the good that attaches to sex in our lives, we thus need to understand the nature of sexual enjoyment and its requirements, which inform the standard of evaluation that determines what excellence at sex looks like. This standard represents a normative picture of the reasons we have for pursuing sex and for doing so only on certain occasions and in a specific manner. Failure to recognize these reasons easily results in inappropriate sexual behavior, which leads us to miss

⁷ Arguably, even the other animals do not intend procreation but pleasure when they pursue sex, as procreation is far too abstract an end and likely figures in their sexuality only as an unintended consequence.

⁸ This differentiates sex, and activities in general, from artifacts. There is nothing wrong with using artifacts for purposes other than their characteristic function because they do not have that function by nature. Ontologically, it is contingent to and imposed on them. Hence, they can be re-purposed at any time, so long as their matter fits their new function. Not so with the activities of living things, for these have their characteristic ends by their nature, i.e. their ends are *internal to and constitutive* of them. Cf Arist. Phys. II.1, 192b9-193a16. Any attempt at engaging in such activities for purposes incompatible with their characteristic ends will therefore simply cause them to *fail*. The case against prostitution I develop in section 3 is an application of this thought.

out on what is good about sex in human life and can harm both ourselves and others. What then is sexual enjoyment? What is it about sex that we, as humans, typically enjoy?

2. THE NATURE OF SEXUAL ENJOYMENT

Arguably, the most influential contemporary account of sexual enjoyment is the so-called ‘plain sex’ view, originally formulated by Alan Goldman.⁹ In crucial respects, Goldman's account of sex is congenial to the one advanced here. Like the present account, Goldman rejects what he terms the ‘means-end analysis’ of sex, which posits some “necessary *external* goal or purpose to sexual activity, whether it be reproduction, the expression of love, simple communication, or interpersonal awareness”¹⁰ and evaluates sex essentially as a means toward these further ends. Instead, Goldman argues, we should focus on what sex itself, plain and simple, aims at and consequently understand it in terms of what I have called its characteristic end. The fault of the ‘means-end analysis’, Goldman holds, “lies not in defining sex in terms of its general goal, but in seeing plain sex as merely a means to other separable ends.”¹¹

Goldman identifies this general goal as sexual enjoyment, which he conceives of in exclusively physical terms. On his view, “sexual desire is desire for the contact with another person’s body and for the pleasure that such contact produces; sexual activity is activity which tends to fulfil such desire of the agent.”¹² Goldman thus defines sexual enjoyment in terms of pleasant bodily sensations produced by touch, which attain their greatest intensity in physical climax, and understands sexual activity as characteristically aimed at eliciting and experiencing such sensations for their own sake. If he is right, prostitution arguably is capable of satisfying the characteristic end of sex and thus *not* harmful intrinsically (although perhaps still harmful extrinsically). Goldman's account therefore forms a necessary (but not sufficient) precondition for liberal views such as Moen's.

The ‘plain sex’ view appears attractive because it pictures our sexuality in continuity to that of the other animals. Its central weakness is that it overstates this continuity and thereby fails to appreciate the complex psychological dimension of human sexuality, which sets us apart. For instance, it entails an impoverished account of *sexual chemistry*. ‘Chemistry’ here signifies the gradual build-up of erotic tension between potential sexual partners through a process of signaling, generally known as flirting, which involves gestures, facial expressions, and a certain style of communication; a process that plays on the partners' reciprocal attraction and aims at

⁹ Cf. Goldman 1977. Also cf. Primoratz 1999, Chap. 5.

¹⁰ Goldman 1977, 268. Italics mine.

¹¹ Goldman 1977, 269.

¹² Goldman 1977, 268.

increasing their arousal and desire for each other. As such, flirting clearly is sexually enjoyable. At the same time, it represents a largely psychological process that does not require any bodily contact at all, even though it may propel us toward such contact. Goldman seizes on this latter feature in his own account of sexual chemistry, which he considers “preliminary to, and hence parasitic upon, elemental sexual interest”¹³—it is *mere anticipation of pleasant bodily contact*.

While a natural extension of the ‘plain sex’ view, this fails to explain why we experience erotic tension only with specific people. If sexual enjoyment is at core a matter of eliciting pleasant sensations by touching the right body parts in the right way, then it seems we have good reason to anticipate it from contact with just about anybody, provided they have the right skills. In fact, however, we are *not* capable of developing sexual chemistry indiscriminately and sometimes positively *repelled* by another’s touch, even when it is skillful. Indeed, people differ very much in who and what they find arousing or repelling. Goldman's account of sexual chemistry cannot accommodate these phenomena because, in focusing on skillful bodily contact as such, it leaves little room for individualized attraction.¹⁴

Moreover, and contrary to Goldman's own definition, it remains unclear how the ‘plain sex’ view can picture sexual desire as essentially *other-directed* at all. If sexual enjoyment just consists in pleasant bodily sensations elicited by touch, then there is no fundamental difference between being sexually touched by another human being, touching oneself, and being touched by a sex robot, toy, or other non-human entity. It only matters that such sensations are elicited; it does not matter how. Fundamentally, sexual desire is then *not* for one's partner but merely for sensations one can also experience independently of them, which in principle renders others fully dispensable for the sexual act. Hence, on the ‘plain sex’ view, *masturbation* figures as the paradigm case of sex, while sexual contact with others reduces to a rather peculiar variant of it.¹⁵ This appears counterintuitive since we usually speak of having sex ‘*with someone*’. It also fails to explain why people typically desire sex over masturbation, and some even up to the point of being willing to pay for it. As Roger Scruton notes, if both sex and masturbation were achieving essentially the same thing, we would be hard-pressed to account for “the widespread occurrence of sexual frustration.”¹⁶ In reply, Igor Primoratz has suggested that the widespread preference for sexual contact with others is explained by the further ends we pursue by means of it, which are non-sexual in themselves, such as the expression of love. Yet, this implies that

¹³ Goldman 1977, 270.

¹⁴ This indicates that Goldman understands sex as a *poiesis*, which can be exercised successfully regardless of the participants' character, and not as a *praxis*, the success of which essentially depends on it, as I will argue.

¹⁵ Primoratz 1999, 43-46 explicitly embraces this conclusion, rejecting the interpersonal character of sex because it is often invoked to condemn masturbation. Cf. Soble 2013.

¹⁶ Scruton 1986, 17.

desire for sexual contact with others is itself ultimately *non-sexual*, which again fails to capture the phenomenon of sexual chemistry.¹⁷

Finally, the 'plain sex' view has difficulty accommodating the fact that some derive sexual enjoyment from physical pain or from complex emotions such as humiliation. Since it defines sex as productive of pleasant bodily sensations, it may even entail that BDSM-related sexual practices, which often do *not* aim at such sensations, do *not* qualify as sex. Primoratz indeed holds that an act is sexual only to the extent that it in fact produces bodily pleasure, and that a couple who “engages in coitus utterly devoid of pleasure” therefore is not actually having sex.¹⁸ Arguably, that is too revisionist to be plausible.

We can attain an accurate picture of human sexual enjoyment—and of human sexuality in general—only if we recognize its predominantly psychological character, which permeates and transfigures the physical act. To understand this psychological character, we need to attend to the *intentional structure of sexual experience*. While experiences of sexual arousal and desire do involve bodily sensations, they are typically also centered on an intentional object—we feel arousal ‘*at*’ and have desire ‘*for*’—that they present in a distinctive way. Since we are rational beings, such objects are not merely present to us in perception or imagination; we also develop *conceptions* of them, which inform the quality of our experiences.

That is, our relationship to the objects of arousal and desire is mediated by *thoughts* about them, which relate these objects to our sexual values and beliefs. Such thoughts need not be occurrent thoughts; they need not be verbally present to us during episodes of arousal and desire. Indeed, some of them never may, given how notoriously difficult it can be to name what one finds arousing in a partner, situation, or position, and why. Nevertheless, thoughts of this kind tacitly inform our experience, in that their object is apprehended as *sexually significant* in light of them and experienced as arousing and desirable in virtue of that significance. In other words, the object attains a *sexual meaning* for us—a meaning that we apprehend in emotional, quasi-perceptual form when we experience sexual desire for it.¹⁹

What a particular sexual encounter means to us equally informs how we experience the bodily sensations involved in sex. Contrary to the ‘plain sex’ view, what we enjoy in sex is not just the sensation of plain physical touch but essentially *what that touch means*. This explains why the anticipation of another's touch can give rise to psychologically complex erotic tension and why, for some people, painful touch is sexually enjoyable. *Pace* Goldman, what another's

¹⁷ Cf. Primoratz 1999, 47. Also cf. Morgan 2003a, 10f.

¹⁸ Cf. Primoratz 1999, 47-49.

¹⁹ Cf. Morgan 2003a. Similar intentionalist accounts are advanced by Scruton 1986; Solomon 1974; Nagel 1969. On some differences between and problems with these views, cf. Morgan 2003a, 2-4, 9f.

touch means to us is not externally related to our experience of it. We need not discover it in an additional step but become aware of it immediately, for their meaning is internal to and partly constitutive of how we experience these sensations. It determines their experiential character. Another's touch during sex *feels* exciting, intimate, humiliating, or invasive *because* it has that significance to us and makes us aware of it in a tangible, quasi-perceptual form.²⁰

Human sexuality is transfigured by our capacity for meaning, which determines how we experience the intentional objects perceptually or imaginatively present to us. Since we have sex with others and are directed at them during the act, sex involves such objects *necessarily* and thrives on whatever significance these have for the participants.²¹ This differentiates it from solitary masturbation, which involves intentional objects only contingently. We can posit such objects by invoking our sexual fantasies, and thereby augment our experience, but we can also refrain from it and engage in objectless masturbation, merely enjoying the bodily sensations it affords. Therefore, masturbation is an essentially physical act that can acquire a psychological dimension *accidentally*, while sex essentially engages our psychology.

Hence, both differ in characteristic end. While masturbation essentially aims at physical climax, with whatever imaginative effort we muster subservient to that end, sex aims at a different kind of enjoyment essentially related to an encounter's meaning or significance for us; an enjoyment that is attainable even without physical climax, although it usually relies on and incorporates climax as a powerful carrier of significance. This difference in characteristic end furthermore entails a difference in standard of evaluation, which implies that one cannot fault masturbation ethically for its inability to realize the distinctive good of sex. Absent an argument that masturbation necessarily contravenes important human goods—that one cannot practice it *rationally* or *temperately*—there seems little reason to doubt that the pleasures of solitary physical climax add value to human life in addition to interpersonal sexual enjoyment, and that masturbation therefore contributes its own distinctive good.

Sexual enjoyment relates to a successful encounter's meaning or significance, which is implicit in the experience that the person each partner desires, as possessing sexual significance for them, *in turn desires them back*. This 'double reciprocity' of arousal and desire is equally central to other accounts that picture sexual enjoyment in psychological terms, as consisting in some kind of interpersonal awareness. Yet, these views fail to account properly for the *content* of this awareness, for *what* exactly the partners enjoy, i.e. for *what it means to be desired back*.

²⁰ This broadly Aristotelian view of human intentionality thus entails some version of the 'cognitive penetrability of perception'. For a critical overview, cf. Zeimbekis/Raftopoulos 2015.

²¹ This even holds of anonymous sex, as the thought of sheer anonymity may be what is arousing. Cf. Morgan 2003a, 8f.

Thomas Nagel, for instance, describes this interpersonal awareness as a “complex system of superimposed mutual perceptions”²², of being aroused during sex by the other’s arousal and the recognition that their arousal is due to one’s own. Yet he acknowledges himself that this account is “only schematic”²³, since it abstracts from “countless features of the participants’ conceptions of themselves and of each other”²⁴, which renders the end and moving principle of this spiraling process of desire obscure.²⁵ Robert Solomon, although he stresses the importance of *what* we communicate in sex, lists among the contents communicated attitudes so general and unspecific that it remains unclear in what sense the partners’ mutual awareness is distinctively sexual.²⁶ Roger Scruton, finally, claims that we become aware during sex of our partner’s embodied first-person perspective, which in turn tangibly confirms the reality of our own personal existence, as reflected in their attentive touch. For Scruton, the meaning and content of this mutual embodied self-awareness consists in the fact *that both are persons*. Hence, he pictures sexual desire as a longing for an impossible and ultimately illusory union with another numerically distinct and therefore ineffable ‘center of awareness’.²⁷ Yet, this emphasis on *bare personhood* implausibly restricts the kinds of thought that may render another sexually significant to us, which makes it difficult to account for the idiosyncratic shape that desire takes in any individual. It is then no surprise that, for Scruton, the grounds of sexual attraction are ultimately inexplicable.

Put differently, Scruton neglects the *material richness of the self* that shapes our desire. What we find sexually significant is an expression of our *personality*, of the distinctive style in which we habitually exercise the capacities constitutive of our personhood in relating to the world. This style manifests the conception we have of our place in the world. It is shaped by deeply ingrained and largely tacit beliefs about what the world is like and what matters in life; it represents our personal take on human existence and its conditions, on what is possible to us and important, on what we deserve and can expect. We experience others as sexually attractive *to the extent* that their features, gestures, and actions are significant in light of these beliefs; that they, at least partially, fit with our self-conception and *reflect* what life is to us.²⁸

²² Nagel 1969, 10.

²³ Nagel 1969, 12.

²⁴ Nagel 1969, 12.

²⁵ Cf. Solomon 1974, 336-338, 342.

²⁶ Cf. Solomon 1974, 341-344, where he lists “shyness, domination, fear, submissiveness and dependence, love or hatred or indifference, lack of confidence and embarrassment, shame, jealousy, possessiveness” (343). Also cf. Primoratz 1999, 34-40; Morgan 2003a, 11.

²⁷ Cf. Scruton 1986, Chap. 4, 111-130, 337.

²⁸ This seems particularly obvious for destructive sexual desires for domination and power. Cf. Morgan 2003b.

This may seem to grossly over-intellectualize sexual desire, since often we are simply attracted to another's physical attributes without knowing much about them otherwise, and especially so in casual sex, where the other's body is the main focus of interest. Yet, as indicated by historically and culturally divergent standards of physical beauty and attractiveness, the body and its presentation—how it is groomed, clothed, and shaped through diet and exercise—are not significance-free. Its features may embody strength, health, wealth, or power, and other values important to us, and hence our desire for certain bodies is in fact informed by what their features mean to us, by how we *eroticize* them. This often remains unnoticed since the meanings that render bodies and persons attractive are, to some extent, culturally mediated or ‘constructed’ and only confront us *tacitly* in the quasi-perceptual, emotional form of desire.

Being desired back by someone who, at least partially, embodies what life is to us then amounts to a very personal kind of *acknowledgment*, as it means that we are *worthy of what they represent*. Given that their body and person are invested with that particular significance, our coming to possess them during the sexual act tangibly confirms that *what matters to us is attainable and real*. For that reason, rejection can cut deep. Yet, if desire is reciprocated, the partners may attain an interpersonal awareness that culminates, ideally, in a cathartic sense of connection and mutual visibility during the act. To the extent that ‘double reciprocity’ suggests that this mutual acknowledgment is merely an act of exchange, it cannot fully capture its nature as an experience of *community*, which is rooted in the nature of sex as *joint action*.

To understand this, it helps to consider Kant’s view that sex consists in “the *reciprocal use* that one human being makes of the sexual organs and capacities of another”²⁹. On this picture, which has recognizable affinity to the ‘plain sex’ view, participants in sex necessarily instrumentalize each other’s bodies toward their own respective pleasure. They cooperate in the achievement of what effectively are *separate*, albeit qualitatively identical ends. This treats sexual enjoyment as achievable independently of one's partner and misses its interpersonal character. If understood in terms of connection, then neither partner can attain genuine sexual enjoyment without at the same time also attaining it for the other. That is why sex is best when each participant unreservedly focuses on the other, instead of trying to maximize their own pleasure with minimal effort and cost to themselves. It means that the partners’ respective ends are not externally related and distinct, but internally related and thereby effectively transformed into a numerically identical, i.e. *single* end.

On a proper view of sex, participants engage in joint effort toward a shared end. For that reason, their respective doings represent inseparable parts or phases of a single, unified activity,

²⁹ Kant 1991, 96 (AA 6:277). Italics mine.

not separate activities that happen to take place in the same spatiotemporal location. In contrast, on the ‘reciprocal use’ account, since the partners pursue separate ends, they also *do different things*, viz. each partner merely pleasures themselves by means of the other. In other words, the ‘reciprocal use’ account actually fails to deliver a genuine concept of sex. It neglects the role of joint intention and therefore represents sex merely as a peculiar form of masturbation, in which another human being is used akin to a masturbatory tool.

In successful sexual union, participants share in a distinctive experience of community, which manifests itself in an intimate sense of mutual visibility and openness. This experience reflects the internal relatedness of their respective ends. Each partner comes to incorporate the other’s end into their own, and thereby *each partner’s sense of self is extended to include the other*. In the heat of passion, as it were, the distinction between self and other is lost, though not in a way that erases or transcends the self. Rather, each partner’s self is affirmed in a very tangible experience of *sameness or identity* with the other, and this *Aufgehobenheit* of the self in union with the other forms the very object and content of sexual enjoyment.

To the extent that this experience of community fails, sex can be a source of insecurity and frustration. Bad sex involves a breakdown of interpersonal awareness; an unpleasant loss of meaning that alienates sexual partners and leaves them dissatisfied. This failure to experience themselves as part of a ‘we’ consists in the partners’ failure to integrate their ends successfully in the act, which requires some affinity or complementarity between their personalities.

This suggests that sexual enjoyment is attained best in contexts of romance or intimate friendship. Indeed, there are strong links between *sexual and romantic intimacy*, as enjoyable sex easily transitions into romance and romantic love often seeks sexual expression. As forms of intimacy, both fundamentally aim at the same kind of interpersonal awareness. Owing to its sheer physicality, sexual intimacy represents a momentary intensification of that awareness, in which partners, at least in the best case, share an experience of being reduced to their very core. Romantic intimacy, in contrast, is based on a longer-term project of systematically integrating the lovers’ lives and involves a deeper and more explicit understanding of their personalities. For that reason, their interpersonal awareness has greater complexity, stability, and duration, but is less perceptually immediate and therefore, usually, also less intense than in sex. It represents, however, a generally sound foundation for attaining its more intensified form.

Yet, despite this continuity, sexual intimacy does not require romantic intimacy. After all, strong mutual attraction *does* occur spontaneously, and occasionally even with people one is not otherwise intimate with. Since attaining sexual enjoyment is therefore just as possible in casual encounters as in stable relationships, romance arguably has no natural claim to being the

only legitimate context for sex. Connecting sexually with a stranger sometimes indeed may be easier than with a long-term partner, for long-standing relationships can be fraught with difficulties that make it hard to be sexually open and uninhibited. Casual sex involves no need to consider the history or future of a relationship but places partners in a situation that is purely sexual, unburdened by anything beyond their joint pursuit of enjoyment, and thereby sometimes more readily enables a spontaneous and uncomplicated, even if transitory sense of connection. Provided the chemistry is right, successfully engaging in a 'lovely fling' may, on occasion, even result in feelings of general benevolence—that such an intimate, positive experience of affirmation and community is in fact possible with otherwise strangers.

3. PROSTITUTION AND VIRTUE

Although, casual sex generally can be a source of genuine sexual enjoyment, this need not be true of all its forms. It seems particularly doubtful whether prostitution allows for the intimacy at the heart of successful sex. For prostitutes typically *participate in sex for money*, not for enjoyment.³⁰ At first glance, this may seem a silly objection. After all, we engage for money in many activities that have other characteristic ends, and this is generally true of paid work. For example, the art of painting, as an activity, aims at the production of excellent paintings, and nothing is wrong *per se* with selling such artworks for a living. Yet, significant problems occur when money-making is not an effect of engaging in an activity properly but *comes to displace its characteristic end*. Consider a painter who, although a master at her craft, only produces kitsch because it sells better. Arguably, such a person assigns money the wrong place in her life and malpractices her craft in ways that lose sight of what is actually good about it.³¹

In doing so, she fails to live up to virtue in several ways. Most notably, she displays a lack of temperance, both in her pursuit of money and her exercise of skill. *Temperance* is an important requirement for practical wisdom (or practical rationality, in contemporary parlance) in that it enables its possessor to engage in clearheaded and circumspect pursuit of the various goods in human life, always keeping their relative importance in mind. It consists in the ability to discriminate, in any given situation, between what actually matters in the grand scheme of things and what is petty and unworthy of pursuit. Since desire can cloud one's judgment in this regard, it is often thought that temperance consists in moderating the strength of one's desires, to avoid both excessiveness and deficiency of strength. Yet, fundamentally, temperance is not

³⁰ Given that typical routes into prostitution are characterized by difficult social and economic circumstances, this is the prevalent case. Cf. Sanders 2009, 39f. I consider exceptions in section 4.

³¹ Cf. Annas 2015, 101-103.

concerned with strength of desire *per se* but with its appropriateness. It aims at the cultivation of *good temper*, i.e. of an emotional life attuned and fully responsive to one's overall recognition of the good, and thereby supportive of right action. On this picture, deficiency in desire reflects an insensibility toward the good, as manifested in lacking a positive emotional response to good things. Excessiveness, similarly, displays itself in desiring unworthy things or in inappropriate ways, and only in that respect does strength of desire matter. If appropriate to the occasion, however, even passionate desire can be a perfectly temperate thing.

Intemperate desire undermines right action mostly by confronting us with *temptation*. It invites rationalization in favor of its objects and thereby induces us to lose sight of the wider context in which our pursuits are situated, making it impossible to coordinate them well. Our actions and thoughts are then no longer governed by reason or insight into what matters overall, but directed by blind desire for some end at the expense of other ends instead, and in this sense the intemperate agent has lost their grip on themselves. Yet the kind of self-command possessed by the temperate does not consist in a hardened ability to resist inappropriate desires. That is mere continence (*enkrateia*), as displayed by agents who still struggle to retain their correct understanding of the good. For the genuinely temperate, there is no need to struggle because their desires are informed by and reflect an understanding that is settled. Since fully temperate agents typically have rational desires, they are not carried away by their emotions, no matter how strong, but generally know what they are doing and what the implications of their actions are. That is why the Greek term *sophrosune*, once rendered by Rosalind Hursthouse as “thought which saves”³², translates into German as *Besonnenheit*: habitually being in one’s senses.

The form of intemperance most prominent in our kitsch painter is *greed*. She shows an excessive desire for money and pursues it indiscriminately, in ways deeply disrespectful of her customers. She is insincere in her dealings with them by pretending that the inferior quality she offers is the best she can do, possibly thinking that they would not be able to appreciate a superior painting anyways. Her approach to business is not driven by the thought that esthetically excellent art can enrich people's lives; she merely wants to make money from their lack of expertise. Through her indifference to their end of buying excellent art, she ends up treating them as mere means. Her greed also leads her to exercise her skill intemperately, in that she turns herself into a hack by churning out paintings indiscriminately, irrespective of their quality. This deliberate insensibility toward the good of painting shows a *lack of healthy vocational pride* in her ability. Despite being able to do better, she aims at the uneducated tastes of the many for no other reason than money, instead of contributing to their refinement by setting

³² Hursthouse 1981, 63.

forth her own standards of quality. She thereby reduces her skill to a mere means for money-making. This *lack of self-respect and integrity* puts her in contrast, for example, to Howard Roark, the protagonist of Ayn Rand's *The Fountainhead*.

As Rand portrays him, Roark is an architect who does business on none but his own terms. His designs do not follow popular taste but offer his own understanding of excellent architecture to his clients, to be accepted or rejected, but not changed, by them. In his work, he is motivated primarily by a *love of making* and a desire for excelling at it, not merely by a desire for gain. To Roark, as much as for Aristotle, money essentially is a means, not an end.³³ It is what enables him to continue building, not what he ultimately builds for. Consequently, Roark is not interested in acquisition by just any means, but only in ways that do not compromise his standards. He considers wealth an object of pride only to the extent that it results from and expresses his excellence. His pursuit of money as an architect therefore does not displace the characteristic end of his craft, but harmonizes with and supports achieving it.³⁴

In cases of prostitution, especially if practiced professionally, achieving such harmony of ends appears exceedingly difficult. When selling sexual services represents their main source of income, sex workers will often have little choice about whom to accept as client. Hence, they regularly may have to engage in sex with people they are not attracted to or even find repulsive. In such cases, sexual activity will largely focus on the client's desires alone and thereby fail to realize the interpersonal good of sex, especially for sex workers themselves. To the extent that sex work requires regularly engaging in what effectively is *bad sex*, it arguably impedes human sexuality from fulfilling its otherwise uplifting psychological function, and that impoverishes one's life significantly. Even if we institute all the protections that Moen envisions, sex work therefore still entails significant intrinsic harms. To the extent that sex workers intentionally put up with bad sex for the sake of money, they thus *misuse* their sexual capacities.

If done voluntarily, this displays a lack of virtue, and again the virtue primarily at issue here is temperance. In relation to sex, the relevant form of intemperance is *promiscuity*. Charges of promiscuity traditionally are associated with 'slut shaming' and other sex-negative attitudes directed particularly against female sexuality, by insinuating that the number of people a woman sleeps with could reflect negatively on her character. Fundamentally, however, promiscuity is not concerned with number of sexual partners *per se* but consists in the *indiscriminate pursuit of sex*. Put differently, promiscuity is the habitual failure to discriminate properly between good and bad reasons for pursuing sex on any occasion. Yet, what counts as a good or bad reason in

³³ Cf. Arist. Eth. Nic. I.5, 1096a6-8.

³⁴ Cf. Rand 1943.

this regard largely turns on what the characteristic end of sex is, and the appropriate number of sexual partners in turn depends on this.

On the procreative view, since procreation involves both giving birth and bringing one's children up to independence, more than one or two partners a lifetime seem hardly appropriate. On the romantic view, the appropriate number of partners will similarly remain rather limited because serious love relationships are rare and hard to come by. Yet, if sex aims at a distinctive kind of enjoyment that can even be attained in casual encounters, then there is *no categorical limit* to how many partners are appropriate, provided sex is not pursued randomly or for reasons incompatible with such enjoyment, but is based on genuine attraction and a serious commitment to making it enjoyable for all. On this picture, charging sex workers with promiscuity is *not* to criticize them for their number of partners but for sleeping with them indiscriminately, without proper regard for their own enjoyment, and thus for the wrong reasons.

Admittedly, promiscuity often involves excessive desire for sexual enjoyment; a desire that is frequently self-defeating because it makes the promiscuous too willing to go in for sex just because there is an opportunity for it, even if they feel no deep attraction to their partner.³⁵ And perhaps there are some sex workers who merely try to earn an income by living out their love of sex, likely setting themselves up for disappointment. Yet, promiscuity can equally result from *deficiency of desire* for sexual enjoyment. This may seem paradoxical but explains why a person might be willing to forego enjoyment regularly in exchange for money. Such a person can perform sex indiscriminately and as a service precisely because it is *not that important to them*. Of course, none of this implies that such a person would not appreciate good sex when it happens; they merely *lack a principled commitment* to it, which would express itself in pursuing sex *only* if it really promises to be enjoyable. Absent this commitment, engaging in passionless sex may not feel like a big deal if the compensation is right. A person's voluntary choice of sex work may therefore also be rooted in an insensibility toward the good of sex.

Where a principled commitment to sexual enjoyment is in place, a person is attuned properly to the good of sex because they have learned to respect its *dignity*. That there is dignity in sex may seem surprising, given that the most common conception of dignity is Kant's, who connects it to our participation in a rational nature rather at odds with what he considers mere animal inclination.³⁶ Yet, since the concept as such merely refers to a thing's *non-instrumental value*, there is no reason why one could not develop its connection to other concepts differently, to yield an alternative, broadly Aristotelian conception of dignity.

³⁵ Cf. Badhwar 2007, 139. This effectively reduces sex to pursuit of purely physical climax.

³⁶ Cf. Kant 1997a, 42f. (AA 4:434-437).

Conceptually, non-instrumental value is connected to being an *end-in-itself*. Within an Aristotelian framework, this status evidently belongs to the ultimate end, *eudaimonia*, and dignity therefore primarily pertains to it. While the good life is, in one respect, the only end of non-instrumental value, in another it is not. Consider Aristotle's tripartite distinction between things choice-worthy (1) solely for their own sake, (2) for their own sake but also for the sake of something else, and (3) merely for the sake of something else.³⁷ One way to develop this distinction systematically is this: Whereas (1) signifies the ultimate end, (3) signifies *mere means*, which are externally related to the ends they serve. Although such external goods may be necessary for attaining the good life, their value is largely instrumental. In contrast, we may take (2) to signify *constituent ends* that represent *specifications* of the ultimate end and therefore are internally related to it.³⁸ Hence, they are strictly speaking not instrumentally subordinate to this end, although they only have value in relation to it. As its constituent parts, they participate in the good life's status as an end-in-itself and therefore also in its dignity.

Sexual enjoyment has dignity because the kind of interpersonal awareness it involves evidently forms an irreplaceable aspect of the good life for political animals of our kind. Since it therefore represents an end worthy of respect, sex should not be engaged in merely as a means. Rather, we should always also aim at enjoyment for its own sake, in any sexual pursuit. Hence, respect for its non-instrumental value generally rules out putting up with bad sex as a means to other ends. Yet, this may seem too rigorist. Many people would likely be tempted to accept just one night of bad sex in exchange for, say, one million dollars, and perhaps understandably so given that this much money would make attaining other aspects of the good life much easier. Moreover, even engaging in prostitution regularly need not make sexual enjoyment entirely impossible. Just as eating fast food now and then does not preclude fine dining at other times, so sex workers could forego sexual enjoyment on the job but have intimate sex in their private lives, thereby attaining what is still a reasonably good life overall. Hence, even if prostitution entails intrinsic harms, these may be limited and compensated for by its benefits.³⁹

However, the fact that sexual enjoyment is partly *constitutive* of the good life imposes serious limits on such compensation. Since living well in part *consists in* enjoyable sex, we fail to attain part of what makes life good *whenever* we fail to perform this activity well enough. Any instance of bad sex diminishes one's quality of life *in absolute terms*, in ways one cannot

³⁷ Cf. Arist. Eth. Nic. I.7, 1097a30-1097b6.

³⁸ Cf. Wiggins 1980. On the present account, virtue roughly consists in substantive practical knowledge of (2).

³⁹ I want to thank two anonymous referees for pressing these points. The *fast food analogy* is somewhat misleading. Since fast food can still satisfy the characteristic end of eating, both fast food and fine dining represent permissible food choices, even if one is generally better. Both are therefore analogous to enjoyable sex, which also exists on a *continuum of greater to lesser quality*. A more fitting analogy to unenjoyable sex is *spoilt food*.

compensate for fully by having better sex at other times. After all, that one sexual encounter was enjoyable does not cancel out or reverse the fact that another was not. Its badness remains real as part of my history and marks my life as slightly worse than it would otherwise have been, even if that matters less to me over time. Thus, by aiming at enjoyable sex only now and then, sex workers do incur genuine losses to their overall quality of life.

Even if accepting such losses would enable us to attain other parts of the good life more easily, doing so is in principle *never* worthwhile because the putative gains cannot genuinely compensate for the loss. To think otherwise is to underrate the fact that the good life involves a plurality of *distinct* constituent ends. Since living well consists in their *joint realization*, attaining each of these ends is individually necessary for it. This implies that different aspects of the good life are *irreducible to each other*, and therefore no lack or loss in terms of one constituent end can be genuinely compensated for in terms of another. Since actions aimed at attaining one such end at the expense of another render the joint realization of all constituent ends impossible, they contravene the good life as such. They are *bad* in relation to the totality of human goods and therefore do not represent legitimate means, even if suitable toward some particular end. If some goods are nonetheless obtained through them, these represent *ill-gotten gains* because they do not truly benefit overall.

Of course, sometimes there are situations that force us to *sacrifice* one constituent end for another, to protect or attain something of greater value, and this may be a predicament many sex workers find themselves in. Yet, it is important not to mistake such sacrifices for *mere trade-offs*. While these may involve the kind of regret that stems from foregone opportunities, such *opportunity costs* do not represent genuine losses because they result, in this context, from choosing the most efficient way of attaining *all* the ends constitutive of the good life. Since trade-offs therefore do not render the joint realization of these ends impossible, accepting them is both harmless and beneficial. Sacrifices, however, consist in foregoing one constituent end for another and therefore *do* involve genuine loss—a giving up of something that cannot be replaced or compensated for by something else. While it is sometimes rational to sacrifice parts of the good life to *minimize overall harm*, such sacrifices do not truly benefit because they always involve incurring genuine harm of some kind. Hence, 'trade-off' views such as Moen's risk trivializing the harsh reality often faced especially by sex workers in poorer countries. Since intentionally engaging in bad sex does involve irrevocable loss and harm, it is excusable only in desperate circumstances; for a willingness to sacrifice parts of the good life voluntarily, i.e. without need, implies a *serious lack of self-respect and integrity*.

Failure to respect the dignity of sexual enjoyment also has repercussions for the sexual partners' relationship, in that it leads each to instrumentalize the other by undermining the joint character of their act. Since this grounds the respectfulness of their relationship in the fact that both partners desire sexual enjoyment as part of their own good, and thus in an apparently self-regarding motive, it may seem doubtful whether *respect for others* genuinely fits within the framework of a broadly Aristotelian ethics. Given its eudaimonist character, it is often held that such an ethics cannot but be *egoist*, i.e. primarily concerned with the agent's own good and therefore unable to accord others anything but instrumental value. It is central to the Aristotelian framework, however, that the good of others, such as that of my children, spouse, or friends, *can become incorporated into my own good*, so that I fail to attain part of what my good consists in if they fail to attain theirs. Typically, another's good is incorporated into one's own on the level of the good life's constituent ends, i.e. by adopting at least some ends constitutive of their good as one's own. Hence, depending on to what extent another's projects and pursuits become part of one's own life, incorporation of their good can be either partial or complete. Either way, by sharing in numerically identical constituent ends, the ultimate ends these are constitutive of become *internally related*. The ultimate end of the other then forms a constitutive part of my own and thereby equally attains the status of an end-in-itself for me. I thus come to appreciate that the other's life is undertaken for its own sake and deserves to be acknowledged as such—that they have a dignity worthy of respect, which limits how they can be treated.

Often, incorporation of ultimate ends is not just one-sided but *reciprocal*. By adopting each other's ends, two or more people come together to work on a common project, not in the sense of mere cooperation toward separate ends, but of joint effort toward a single, shared end. Therefore, to the extent that people share in constituent ends and thus incorporate each other's good into their own, they also become part of each other's lives and form a *community*, which effectively leads a shared life because it *aims at a single good common to all*. Arguably, such cases of joint intention, in which these people come to extend their sense of self, prove central to Aristotle's accounts of both friendship and political community.⁴⁰

Yet, directly incorporating the good of others in this fashion has its limits because we cannot share a life with everyone, which raises the question whether an Aristotelian ethics will be overly partial toward one's own community and therefore incapable of extending respect impartially to all human beings. However, in incorporating another's good *directly* into my own, I also come to incorporate the good of further people *indirectly*, as when I directly incorporate the good of person A and A in turn directly incorporates the good of person B. Since B's good

⁴⁰ Cf. Carreras 2012; Cooper 2010.

then forms a constitutive part of A's good and A's of mine, B's good also comes to be internally related to my own, which requires me to acknowledge B's dignity as an end-in-itself. It is precisely my respect for A that requires me to accord respect also to B—and by extension to any further people whose good B may have incorporated, and so on. In this way, everybody's good is connected through a complex web of internal relations to everybody else's, i.e. a correct specification of anybody's good either directly or indirectly contains everybody else's, and for that reason *the good life is the common end of humanity*. Although this shared life is somewhat anonymous, our joint effort towards it makes us visible to each other in our shared character as human beings, which underwrites the virtue of universal respect amongst us.

On a lesser scale, this pattern also applies to sexual relationships. What enables sexual partners to respect each other as ends-in-themselves is that their respective ends are internally related. Since neither can therefore attain sexual enjoyment without simultaneously attaining it for the other, both also seek their partner's enjoyment for its own sake in the very same act as pursuing it for themselves. Far from using each other as mere means, the partners in fact form a community of striving for and sharing in a single good. Since that good forms a constituent part of the good life, they thereby partially integrate their ultimate ends. Therefore, in applying themselves jointly and unreservedly to their shared enjoyment, they in fact acknowledge each other's good as an end-in-itself and thus respect each other's dignity.

Kant similarly emphasizes that respect among sexual partners depends on joint intention. Although he embraces the 'reciprocal use' account, Kant believes that sex can be domesticated and rendered respectful within the communal life of marriage, since marriage constitutes a unity of will among partners and thereby overcomes the reciprocal instrumentalization of one will by another that otherwise takes place in sex.⁴¹ His insistence that no divorce marriage represents the *sine qua non* of respectful sex is rooted in his conviction that unity of will cannot be attained in sexual union all by itself, not even partially or temporarily. Yet, if we reject the 'reciprocal use' account, we can recognize joint intention as a genuine feature of successful sexual union, even in casual sex, which therefore can be engaged in respectfully.

Kant's embrace of the 'reciprocal use' account is likely motivated by his metaphysics of personhood, which restricts personhood to our rational nature and treats our animality as accidental and hence external to it. Kant considers sexual desire naturally objectifying because he sees it as desire merely for another's gender-specific attributes, for features of their animality. It is desire for another merely as a male or female body, not as a human being or person as such,

⁴¹ Cf. Hanley 2014. For a critical assessment, cf. Rinne 2018, 71-83.

and thereby fails to respect their dignity as rational agent.⁴² On any suitably Aristotelian account of personhood, however, persons just are corporeal substances of a certain kind, viz. animate substances whose characteristic *modus operandi* is a variant of rational life. On this view, there is no split between our rationality and our animality, since the former is constitutive of and thus necessary and internal to the latter. Therefore, to desire a particular person *qua* person consists in desiring a particular corporeal substance—and how could one desire such a substance except through its physical and mental attributes? Since respect demands acknowledging the person as a whole, their own good and agency included, desiring another for and through their physical attributes is respectful if (a) one does not reduce them to these attributes but acknowledges that they form part of a larger totality, and (b) one does not merely desire to do something with these attributes, but to do something with them *together with that person*.

In cases of prostitution, however, the partners' intentions easily come apart, because its financial element introduces *incentives* into the prostitute/client relationship that can motivate both to disrespect and mistreat each other. While there may be exceptions to this pattern, these incentives make it plausible that it will hold at least for the most part, as sociological research confirms. On the client side, motivations for buying sex are admittedly diverse. Some primarily *seek physical pleasure and relief*, particularly in street prostitution where interactions tend to be brief and the most widely requested service, according to empirical data, is fellatio. Some clients feel drawn to buying sex by a desire for variety and experimentation, and sometimes by prostitution's taboo aspect. Such clients typically *ascribe particular meaning or significance* to the act of buying sex or the women involved, and this meaning often, but not exclusively, relates to affirmations of masculinity, although research suggests that acceptance of 'rape myths' and other misogynistic attitudes is uncommon. Clients are typically ordinary and non-violent men, who often even show some sensitivity toward overt exploitation. Finally, some clients buy sex out of loneliness or from a desire for sexual intimacy, which may be difficult for them to attain otherwise. Such clients primarily *seek fulfillment of their emotional needs*, as testified by female 'romance tourism' and by the increasing popularity of what sociologists term 'the girlfriend experience', which may include socializing, conversation, and emotional support in addition to sexual services and is marked by a wish for mutuality on the client's side.⁴³

⁴² Cf. Kant 1997b, 156 (AA 27:385). Also cf. Badhwar 2007, 142f.; Nussbaum 1995, 277; Scruton 1986, 83-85. Scruton shares Kant's dualism of animal and person and therefore considers sexual interest focused on the body as such the defining mark of obscenity. Cf. Scruton 1986, Chap. 3, 138-140. He differs from Kant in that he allows for persons to become *incarnated* in their animal bodies, for the rational to become contingently and temporarily *internalized* to the physical, during successful sex. Sexual interest in another's physical attributes is then legitimate to the extent that these embody the other's personhood and direct us toward it, but still not legitimate as such.

⁴³ Cf. Sanders 2009, 18f., 76-87.

Despite these differences, client motivation in all these cases is largely *self-centered* due to the financial character of the transaction, and therefore *excludes the reciprocity* required for respectful sex. This is particularly clear in the first case where clients patently do not seek sexual intimacy but merely use sex workers for their own relief, without much consideration for their enjoyment. In the second case, clients do not merely seek physical relief but desire sex workers themselves, and their desire is infused with thoughts and fantasies about them, i.e. mediated by the clients' psychology. Yet, their relationship remains one-sided in that clients pay sex workers to fulfill their fantasies, which does not require sex workers themselves to enjoy the interaction. In the third case, however, clients actually do seek intimacy with sex workers and have a wish for mutuality in their relationship. Yet, despite this wish, it is doubtful whether their interactions will manifest genuine reciprocity. At least for some clients, 'the girlfriend experience' promises all the benefits of regular intimate relationships without either the effort required to build them or the obligations that often attach to them.⁴⁴ These clients effectively substitute money for the demands made by intimate relationships and thereby use sex workers *to procure an experience of obligation-free 'intimacy'* for themselves. The prostitute/client relationship thus remains one-sided, since sex workers ultimately are expected to provide the outward semblance of mutuality, regardless of whether they themselves share any real attraction or desire for it.

Yet, even where clients are sincere in their desire for mutuality, the financial incentives involved also shape *sex workers' motivations* in an adverse way. To the extent that they depend on prostitution for a living, sex workers have a strong incentive to satisfy their clients' desires regardless of their own feelings and hence to submit to being sexually used by them. They are equally unlikely, however, to seek their clients' pleasure for its own sake, rather than *as a matter of business*. In rare cases, exploitation may even run the other way, since some sex workers aim to profit from their clients' desire for intimacy and to that end "manipulate customers' emotions, vulnerabilities and needs to extract financial gain, expensive gifts, cosmetic surgery, cars and other material goods in exchange for [...] 'friendship' and attention."⁴⁵

Given that money, not sexual intimacy or enjoyment, is the primary motivation for most sex workers, their interactions with clients typically focus on satisfying their clients' sexual desires and fantasies alone. This may require significant emotional labor from sex workers to conform their outward manner and appearance to client expectations, which they sometimes

⁴⁴ Cf. Sanders 2009, 81, 92.

⁴⁵ Sanders 2009, 79.

perform by manufacturing a separate identity or *persona* for their professional lives.⁴⁶ Put differently, sex work requires considerable skill at pretending that one actually desires one's clients, even when one finds them repulsive. It ultimately demands *cultivating a habit of insincerity*. Moen doubts that such habitual faking is ethically any more problematic in sex than in other areas of life. He rightly notes that we do not consider professional stage acting harmful, even though it may require significant emotional labor too.⁴⁷ Sex work and stage acting are not fully analogous, however. Since the characteristic end of acting is make-believe, an excellent actress must pretend; it is part and parcel of her craft. This does not apply to sex, although pretending admittedly does enhance enjoyment sometimes, as when partners act out their fantasies in role-play. Yet, to fake sexual enjoyment itself defeats the very point of sex.

This applies not only to sex workers but also to their clients, for insincerity and pretense are the very opposite of openness and visibility, absent which genuine intimacy and enjoyment are impossible. Even in case of 'the girlfriend experience', sex workers merely help their clients to the illusion of sexual intimacy and interpersonal connection and thereby conceal the fact that their clients are merely using them akin to masturbatory tools. That is, what essentially remains a purely physical act comes to acquire a psychological dimension for the client *accidentally*, in the same way this is possible in masturbation by drawing on one's fantasies. In effect, the client merely imagines the connection and, relying on the sex worker's faked performance, deceives himself into taking it for real. Yet, in truth, he remains alone with himself in the act. Attempts at procuring sexual intimacy and enjoyment in exchange for money are therefore self-defeating in much the same way that trying to buy friendship or love is.

In cases of prostitution, both sex workers and clients therefore have strong incentives to pursue sex with intentions adverse to its characteristic end, which leads them to disrespect each other by undermining the communal character of their act. Without joint effort toward a shared end, however, there can be no real sense of connection, no intimate experience of sameness or identity among sexual partners. In the end, joint effort and intention in sex depend on respecting the dignity of its end, i.e. on valuing shared sexual enjoyment non-instrumentally. This, I have argued, generally precludes using sex as a means for money-making.

4. EXCEPTIONS

Prostitution regularly contravenes the virtues of temperance, respect, and sincerity and therefore represents a form of casual sex that typically fails to yield genuine sexual enjoyment. Given its

⁴⁶ Cf. Sanders 2009, 22f., 47, 84.

⁴⁷ Cf. Moen 2014a, 79.

nature, it seems virtually impossible to harmonize the ends of money-making and enjoyment in the required way. Nonetheless, there could be circumstances in which their reconciliation might in fact be attainable. Since this could render the respective acts ethically acceptable, it seems worthwhile to consider briefly what such circumstances might be.

Generally, these would be cases where prostitutes make money from sexual activity in ways that allow them and their clients to attain the kind of intimacy at stake in sex. For example, sex workers could attempt to develop a more intimate relationship with their regular clients, emotional attachments and some degree of mutual care included. Alternatively, they might aim for a degree of success and financial independence that enables them to exercise discretion and only accept clients they themselves feel attracted to. Finally, some prostitutes might be inclined to sell sex by their sexual psychology, not for a living, but as a ‘kinky hobby’ that allows them to live out sexual objectification fantasies. Martha Nussbaum famously notes that semblances of objectification can at times form “a wonderful part of sexual life” and are ethically harmless in such contexts.⁴⁸ Occasionally engaging in prostitution to that end might represent an extreme case in point. If payment for sexual services becomes eroticized itself, e.g. as embodying power or vulnerability, then such services are no longer performed as mere means to money-making. Rather, the financial transaction turns into a mutually self-revealing phase *within* the sexual act and then forms part of what is arousing and enjoyable about it.

Yet, cases like these are rare and therefore make little difference to the overall picture. Given that typical routes into prostitution are characterized by difficult social and economic circumstances, few people actually enter sex work to live out objectification fantasies, and these might be better attended to in role-play.⁴⁹ While most sex workers, and those working online or indoors more so than those working the streets, have some control over whom to accept as client, their ability to be selective is often severely limited by financial need. Sex workers with a sufficient degree of financial success to exert complete discretion—so-called ‘high end’ or ‘elite’ prostitutes—represent a rare minority.⁵⁰ And while sex workers sometimes do develop more intimate relationships with their regular clients, sociological research suggests that these tend to be fairly unstable, due to tensions between the financial and emotional interests involved, and often become a source of significant trouble for both.⁵¹

It thus remains true that the intrinsic harms of prostitution are nearly impossible to avoid. Of course, genuine exceptions are imaginable. Yet, ultimately, these would only prove the rule,

⁴⁸ Cf. Nussbaum 1995, 271-291.

⁴⁹ Cf. Sanders 2009, 39f., 61-66.

⁵⁰ Cf. Sanders 2009, 19, 23, 36f.

⁵¹ Cf. Sanders 2009, 79.

for a general evaluation of the practice cannot proceed from rare and exceptional cases but must take into account what is likely and happens for the most part.

5. CONCLUSION

Prostitution generally is detrimental to the good life by assigning both sex and money the wrong place in it. For that reason, selling sexual services voluntarily displays a lack of virtue and thus manifests an attitude that is *unwise*. Yet, few enter into prostitution voluntarily. Typically, sex work is chosen in difficult social and economic circumstances, perhaps as the least bad option available. In such cases, ethical criticism just adds insult to injury, since choice is not entirely voluntary when subject to *duress*, economic or otherwise. If you find yourself, through no fault of your own, in a situation in which all your options are in some respect bad, you are not fully responsible for failing to act well. Ultimately, despite being able to select among alternatives, you had *no real choice*, no way to act well that was actually open to you.

Although entering into prostitution need not indicate a lack of virtue in such cases, the harms associated with it nevertheless remain real. That prostitutes may have no choice but to take on these harms, perhaps to avoid even worse, is tragic. It calls, not for their stigmatization, but for compassion and solidarity. In this respect, Moen is right that it appears doubtful whether criminalization represents the best way to help them, since it does not fundamentally better their situation. It merely takes away what may be their least bad option and perhaps exposes them to even greater harms by forcing them into illegality.⁵² It represses a symptom but does not really address the causes of their plight, and for that reason prohibition by itself seems an insufficient way to help. I ultimately agree with Martha Nussbaum that true solidarity requires extending the options that prostitutes have, to give them a perspective beyond sex work.⁵³

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⁵² Cf. Moen 2014b, 84. For illegality as a risk and ‘trapping’ factor, cf. Sanders 2009, 41-45.

⁵³ Cf. Nussbaum 1998, 720-723.

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