

Policing Prostitution

by Anaïk Purenne

In France, the law is rather vague regarding the meaning of prostitution. The job of defining it is often left to the police, but they focus on street prostitution, that of the lower classes, paying barely any attention to the often luxurious type of prostitution used by the upper classes.

A review of : Gwénaëlle Mainsant, [Sur le trottoir, l'État. La police face à la prostitution](#), Paris, Seuil, "La couleur des idées" collection, 2021, 354 p., €24.

In early June 2021, a specialised squad of the Paris judicial police hit the national headlines in France. The squad in question, the Anti-Procuring Squad (*Brigade de répression du proxénétisme*) is devoted to controlling prostitution and stopping procuring. That June, an international prostitution network operating from Eastern Europe had just "fallen". This highly organised network had used the public health crisis to establish itself in unoccupied Airbnb apartments in upmarket areas of the French capital. The Anti-Procuring Squad dismantles around 50 networks each year, and this news story illustrates several of the dynamics and protagonists at the heart of Gwénaëlle Mainsant's book on the contemporary control of prostitution: the decline of street prostitution (further accentuated by the pandemic) in favour of the internet sex trade, the rise of networks from Eastern European countries, and officers of the Anti-Procuring Squad (formerly known as the morality police, then "la Mondaine": the vice squad) investigating male procurers who exploit vulnerable young women.

Although the Anti-Procuring Squad is often associated with the image of luxury prostitution, the efforts of the police services are paradoxically focused on controlling street prostitution (which is declining and mostly concerns the lower classes rather than the more affluent circles who use the discreet prostitution mentioned above). This is against the background of a battle between policing units that follow different approaches to and visions of their work, an upsurge in securitarian discourses and an obsession with figures. As a consequence, not all social groups and illegalisms (in the Foucauldian sense) are equal before the law: they are treated differently depending on gender, class and race. This theory is supported by ethnographic research within several Parisian police services (the Anti-Procuring Squad, but also the Territorial Investigations Support Unit created in 2003 to combat soliciting and the Central Office for the Fight Against Human Trafficking). The author also draws on evidence from archives and from interviews with police officers, associations, magistrates, prostitutes and procurers. Far from an “individualising approach to the law that places responsibility for a crime on an individual” (page 31), the analysis shows how, in the absence of a legal definition of prostitution, the police perform an “on-the-job” categorisation that maintains a differential management of sexual illegalisms, by seeing prostitutes more as sources of intelligence than as people answerable to the law. This excellently written and researched work offers several important insights, providing a contribution to the sociology of the police that is enriched by a sociology of gender.

Defining prostitution “from below”: A focus on intelligence versus a focus on appearances

First of all, the analysis of the fight against procuring confirms several key observations of the sociology of the police, starting with the discretionary power of officers on the ground. Historically focused on the policing of the public peace, the study of concrete police work has long shown that officers have significant room for manoeuvre in their interventions. Responsible for applying the law, in practice, the police have great freedom of interpretation, because the texts are sometimes so ambiguous, contradictory or even silent in the face of the unpredictable situations they handle on a daily basis. Autonomy is also a characteristic of the investigative police, and the Anti-Procuring Squad is a clear example of this: given the vagueness of the laws on prostitution, illegal sexual activity is left to the police to define “from below”.

However, this autonomy of police services is not solely the result of the law remaining silent on certain matters. It is also a deliberate result of strategies aiming to maintain some distance from the sources of police work: judicial and hierarchical orders (motivated by political will) and social demand (for example from angry locals or associations providing help to prostitutes). This distancing from external pressures strengthens police officers' control over the definition of legitimate targets and real policing work. Here, the weight of the internal hierarchies of prestige within the policing profession is evident (in line with the saying that "catching a great crook makes a great copper"), as are the discrediting of social work and compassionate approaches. In the eyes of officers in the Anti-Procurring Squad, prostitutes are neither victims of sexual exploitation or trafficking, nor guilty of soliciting, but are seen primarily as sources of information to be courted, because "a good copper knows how to recruit informers" (page 142) who can help them bring down organised procuring networks. The Anti-Procurring Squad is part of the judicial police (the service responsible for investigating crimes in France), and historically, its mission is ambiguous. Officially, its role is to control prostitutes, but it has long engaged in intelligence work, seeing prostitutes less as people who are answerable to the law than as valuable informers who can be useful in investigating organised crime.

However, France's 2003 Domestic Security Law deepened uncertainties about the aims of the fight against prostitution and procuring. By making the clampdown on soliciting a priority, it led to competitive dynamics between services, involving a background conflict between pre-existing intelligence-focused approaches and the renewed concern with appearances. Whereas the Anti-Procurring Squad officers could use their discretion and turn a blind eye to certain facts in order to get useful information for investigations into procuring, the creation of a Territorial Investigations Support Unit dedicated to systematically cleaning up street prostitution (which is the most subjugated part of prostitution) complicated matters. This intensification of a type of policing that focuses on maintaining appearances and on figures has resulted not such much in the disappearance of prostitution as in its transformation, because prostitution has adapted. The landscape of prostitution in Paris is changing, as it moves to areas outside of the city itself and recruits customers differently (via the internet, by setting up massage parlours, etc).

Gendered institution, gendered interactions

Although police actions are contributing in this way to certain changes in prostitution, police work is simultaneously characterised by major inertia that hinders changes in the legal framework and in public action. Forms of prostitution that police officers perceive as different are growing (prostitution from China, Sub-Saharan Africa and Latin America, and male and transgender prostitution), yet they continue to focus on white, heterosexual prostitution.

This inertia in the face of these changes stems from a specific gender configuration, which is highlighted by an interactionist perspective that examines gender relations in continuity with the analyses of Geneviève Pruvost. Despite a relative feminisation, the Anti-Procurer Squad, like the police force in general, is still governed by male, heterosexual norms. Recruiting female informers and building a relationship with them is seen as the preserve of male officers, because the methods are based on a kind of interpersonal work that blends familiarity, paternalism and even measured seduction. Police officers are inclined to play the familiarity card with heterosexual, white, female prostitutes (seen as “real victims” who can help the police get to the “big villains” in organised crime). In contrast, discomfort, disgust or fear of stigma makes them reluctant to interact with homosexual men and with women from Sub-Saharan Africa (whether these women are prostitutes or procurers). Thus, in this world where the norm for a police officer is a white, heterosexual man, officers keep their distance from homosexual and transgender prostitution, female procurer and non-white prostitution. This is despite the fact that, as stated on the [Anti-Procurer Squad’s website](#), “the vast majority of female prostitutes (between 80 and 90%) are of foreign origin” (particularly Chinese or Nigerian) and that “80% of procurers are women”.

This results in two counter-intuitive observations. First, in their actions, the police distance themselves from the use of force and coercion, preferring an interpersonal approach that is seen as an essentially male skill. Second, the macho norms of this interpersonal work ultimately protect the most othered forms of prostitution: “paradoxically, by refusing to work or avoiding working on male prostitutes, police officers are not working on the most stigmatised populations, therefore they are not intensifying the stigmatisation of transgender individuals and cross-dressers. This is an unusual result in the sociology of deviance” (page 236).

These different observations not only relate to the gendered order of interactions between police and prostitutes. They are part of a bigger picture: that of the reconfigurations of the state's role when it comes to deviance and sexual morality (the subject of chapters 1 and 2). Through a Foucauldian reading, the analysis reveals great variability in the perception of sexual illegalisms and deviances over time, influenced by French society's changing relationship with sexuality since the end of the Second World War, between politicisation and de-politicisation, and between regulationism and abolitionism. With sexual liberation and the progressive de-politicisation of matters relating to sexuality throughout the 1960s and 1970s, the policing of "morality" (controlling licentiousness, obscenity, homosexuality, etc.) was replaced by the fight against procuring only. In spite of the prestige that traditionally surrounds the investigative police services, the Anti-Procuring Squad is therefore becoming the guardian of a historically dated and two-tier control of sexual activity that focusses on the sexual practices of the lower classes, while taking a much softer approach to policing upper-class practices.

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