

Towards multidimensional justice for sex workers: redistribution, recognition, and participation

Cite this article as: Aguayo-Westwood, P. Towards multidimensional justice for sex workers: redistribution, recognition, and participation. *Humanit Soc Sci Commun* (2026). <https://doi.org/10.1057/s41599-026-07952-z>

Pablo Aguayo-Westwood

We are providing an unedited version of this manuscript to give early access to its findings. Before final publication, the manuscript will undergo further editing. Please note there may be errors present which affect the content, and all legal disclaimers apply.

If this paper is publishing under a Transparent Peer Review model then Peer Review reports will publish with the final article.

Towards multidimensional justice for sex workers: redistribution, recognition and participation *

Abstract

In this article, I analyse sex work through Nancy Fraser's conception of justice in order to situate it within a broader framework of social justice rather than treating it primarily through criminal, moral, or labour-regulatory paradigms. I argue that sex work exemplifies the intersection of structural economic precarity, stigma, cultural misrecognition, and political exclusion. Drawing on Fraser's framework, in dialogue with Axel Honneth's theory of recognition and contemporary feminist scholarship, I analyse how redistributive, recognition-based, and participatory approaches can contribute to advancing justice for sex workers. Comparative insights from decriminalisation and rights-based frameworks, including New Zealand, Spain, and Latin American sex worker organisations, demonstrate that meaningful justice requires more than formal legal reform: it demands broader transformations addressing systemic inequality, stigma, and exclusion from political participation. The article ultimately argues that justice for sex workers depends upon a transformation of the economic, cultural, and political structures that sustain inequality.

Keywords: Sex work; social justice; inequality; feminist critical theory

Introduction

Debates over sex work have long reflected broader struggles over sexuality, labour, gender, power, and social legitimacy, shaped by shifting social, cultural, political, and economic conditions. Contemporary feminist debates have increasingly moved beyond reductive moral frameworks to confront the complex ways in which sex work intersects with structural inequality, patriarchal norms, labour precarity, migration, and social stigma. Rather than constituting a singular or uniform phenomenon, sex work encompasses diverse experiences situated along uneven spectra of agency, coercion, vulnerability, and economic strategy, requiring critical approaches capable of addressing this complexity (Lamas 2016).

Current discussions remain deeply polarised between competing normative frameworks. On one side, liberal egalitarian, decriminalisation, and labour-rights perspectives, including theorists such as Martha Nussbaum (1998), Jo Doezeema (2000), and contemporary sex worker rights movements, argue that sex work should be analysed through labour rights, bodily autonomy, destigmatisation, and broader systemic inequalities rather than moral exceptionalism alone. From this perspective, exploitation derives less from sex work per se than from poverty, criminalisation, legal precarity, and exclusion. Conversely, abolitionist thinkers such as Janice Raymond (2013), Ana de Miguel (2015), and other radical feminist scholars argue that prostitution is

* This work was funded by ANID-Fondecyt Regular Project No. 1260293.

intrinsically embedded in patriarchal domination, commodification, and gender inequality, thereby questioning whether meaningful consent or genuine autonomy can exist under such conditions.

More recent feminist scholarship has further complicated this divide by arguing that sex work debates cannot be adequately understood without confronting the centrality of stigma itself. In particular, Paula Sánchez (2022) argues that prostitution is socially organised through the figure of the “whore” as a historically produced mechanism of moral devaluation, gendered discipline, and social exclusion, one that extends beyond prostitution itself to regulate broader forms of female sexuality and deviance. From this perspective, stigma operates not merely as a byproduct of prostitution debates, but as a constitutive political, social, and epistemic structure that shapes recognition, legitimacy, and the conditions under which sex workers are heard, represented, or excluded. Sánchez’s approach demonstrates that contemporary disputes over abolition, regulation, or decriminalisation are also struggles over stigma, epistemic authority, and the social production of deviance.

Even these competing frameworks, however, may oversimplify the lived realities of sex workers when they rely too heavily on binary distinctions between victimhood and agency, coercion and choice, or oppression and labour, as Lisa Maher (1997) and Debra Satz (1995) have argued. In practice, many individuals occupy positions along a spectrum of agency and structural constraint. For example, call girls in affluent contexts may exercise considerable autonomy over their clients and schedules, whereas marginalised women, including migrants or those facing extreme poverty or violence, often experience conditions that render notions of full voluntariness deeply inadequate (Norma and Tankard Reist 2016). Recognising this complexity challenges reductive categorisations and underscores the need for analytical models capable of addressing the multiple and intersecting dimensions of social, economic, cultural, and political injustice that shape sex work.

These limitations not only expose the inadequacy of binary approaches but also reveal the need to account more carefully for the differentiated social locations through which injustice is experienced. Any adequate justice-oriented analysis must therefore avoid treating sex workers as a homogeneous category. Contemporary research increasingly demonstrates that experiences within sex work are profoundly shaped by intersecting factors such as gender identity, migration status, race, sexuality, class position, and legal precarity. Migrant sex workers, trans sex workers, male sex workers, and those working under conditions of extreme poverty or informal marginalisation often confront distinct configurations of stigma, vulnerability, criminalisation, and political exclusion. Since the injustices associated with sex work are neither uniformly distributed nor experienced in identical ways, recognising this heterogeneity is essential. Justice claims, therefore, are necessarily differentiated. Any multidimensional account of justice must consequently remain attentive to how redistribution, recognition, and political participation are differently structured across diverse social positions within sex work.

It is precisely in response to these limitations that the present article situates sex work within a more comprehensive conception of social justice that moves beyond purely legal or contractual approaches. Drawing on Nancy Fraser’s framework of redistribution, recognition, and representation, I argue that sex work must be understood as a phenomenon shaped by intersecting economic, cultural, and political injustices

(Fraser 2003, 2011, 2015). Fraser's approach enables a more expansive examination of legal and policy frameworks while also engaging the moral foundations of contemporary debates on sex work. In doing so, the analysis brings feminist theory, moral philosophy, and empirical research into dialogue, including insights from organisations such as Fundación Margen (Chile) and OTRAS (Spain), whose work documents the lived realities of sex workers and advances rights-based policy proposals.

This argument likewise develops in conversation with a growing body of scholarship that has increasingly employed broader justice-oriented approaches to analyse sex work beyond reductive legal, moral, or binary oppositions between victimisation and choice. Recent research has drawn particular attention to the importance of stigma, recognition, redistribution, and structural inequality in shaping sex workers' lived conditions (Huang 2014; FitzGerald et al. 2020). Fraser's tripartite account has proven especially valuable here by clarifying how economic injustice, cultural misrecognition, and political exclusion intersect under neoliberal conditions (García-Granero 2018). Building on these contributions, the article extends existing scholarship by applying Fraser's model, in dialogue with Honneth's theory of recognition, to examine sex work as a multidimensional social justice issue.

Taken together, these theoretical and empirical contributions support a more comprehensive understanding of sex work as a matter of social justice rather than solely criminal law, labour regulation, or individual choice. Such an approach emphasises the interdependence of redistribution, recognition, and political representation, while underscoring the need for normative approaches capable of addressing the overlapping forms of marginalisation, exclusion, and systemic vulnerability that shape sex workers' lives. Nevertheless, although abolitionist perspectives have raised significant concerns regarding commodification, exploitation, and the possible normalization of inequality, this article argues that an integrated conception of justice centred on destigmatization, redistribution, recognition, and political participation offers a stronger normative basis for evaluating the justice claims of sex workers. Rather than dismissing abolitionist critiques, the analysis treats them as a serious normative challenge while ultimately prioritising approaches that more directly confront stigma, political exclusion, and material injustice. The following section develops this argument by outlining the conceptual foundations of Fraser's tripartite conception of justice and clarifying how Honneth's theory of recognition further deepens its moral and psychological dimensions.

Theoretical Framework and Conceptual Foundations

Understanding sex work through the lens of social justice requires an analytical framework that transcends narrow moralistic or contractual perspectives. Traditional debates have relied on polarised notions of choice versus coercion, or victimisation versus agency. While these distinctions clarify certain aspects, they fail to capture the complex interplay of structural, cultural and political factors that shape the lives of sex workers. Nancy Fraser's multidimensional conception of justice situates injustice across three interrelated domains: redistribution, recognition and participation. This theoretical approach provides a robust foundation for understanding sex work as a field where economic and cultural hierarchies interact.

Redistribution: Economic Justice and Structural Inequalities

Fraser's dimension of redistribution foregrounds the material and economic inequalities that underpin social injustices. Redistribution, in this sense, requires transforming the social structures and institutions that generate and perpetuate disparities. Economic marginalisation of sex workers, manifested in precarious working conditions, informal arrangements and vulnerability to exploitation, cannot be reduced to individual choices. These conditions reflect systemic inequalities that intersect with gender, class, migration status and other axes of disadvantage (García-Granero 2018).

From a philosophical standpoint, Fraser's perspective resonates with egalitarian thought, including Rawlsian principles of distributive justice, which emphasise fairness in opportunities and outcomes (Rawls 1971). In applying this approach to sex work, it becomes clear that many individuals engage in sex work not out of preference but because of systemic barriers such as limited education, employment discrimination or immigration status. Addressing these injustices demands policies that enhance labour protections, expand social safety nets and ensure genuine opportunities for economic participation. Redistribution thus requires acknowledging that criminalisation and stigma exacerbate vulnerability within the sex trade and that economic justice must involve both structural transformation and empowerment.

Recognition: Cultural Justice and the Politics of Stigma

While redistribution addresses material inequalities, Fraser's second dimension emphasises cultural and symbolic forms of injustice. Recognition refers to the institutionalised hierarchies of status, honour, and social respect that shape individuals' capacity to participate as equals in social life. Axel Honneth (1995, 2003) similarly conceptualises recognition as a foundational component of personal identity and social integration, arguing that misrecognition, whether through disrespect, denigration, or social exclusion, constitutes a profound form of social harm.

Sex workers frequently experience multiple forms of misrecognition. Stigma, moral censure, and social contempt not only delegitimise their labour but also restrict access to essential social services such as healthcare, legal support, and housing. Such symbolic harms are not abstract; they produce tangible material effects, perpetuating cycles of marginalisation and vulnerability. Foundational feminist analyses have long highlighted the role of cultural narratives in shaping perceptions of sex work. Pateman (1988), Barry (1995), and MacKinnon (1989) emphasise that prostitution is often socially constructed as inherently exploitative, a framing that obscures the agency and lived experiences of workers. This moral and cultural framing contributes to systemic disempowerment and justifies regulatory approaches that ignore or undermine the voices of sex workers.

The insights of Nussbaum (1998) provide a critical counterpoint: by situating sex work within the broader category of labour that employs bodily capacities, she challenges the moralised distinction between sex work and other forms of labour. Cultural justice, therefore, entails dismantling stigmatising frameworks, reconceptualising sex work as legitimate labour, and affirming the dignity and autonomy of those who perform it. Recognition also involves acknowledging diversity within the sex worker population, including differences in socioeconomic background, migratory status, and personal motivations, thereby avoiding reductive categorisations such as victim or oppressor. Recognition, therefore, is not supplementary to justice but constitutive of sex workers' capacity to appear as legitimate social and political subjects.

Representation: Political Justice and Participatory Inclusion

The third dimension of Fraser's model addresses political inequalities. Representation focuses on the degree to which individuals and groups have the capacity to participate in shaping the norms, policies, and decisions that affect their lives. Fraser (2005) argues that political marginalisation constitutes a distinct form of injustice, irreducible to economic or cultural domains, whereby affected populations are excluded from deliberative processes or decision-making forums. In the context of sex work, representation is often systematically denied. Policymaking regarding prostitution frequently occurs without the active participation of sex workers themselves, leading to regulations that fail to reflect their needs or realities (Serughetti 2018; FitzGerald et al. 2020).

Political exclusion compounds economic and cultural injustices. Even in jurisdictions where sex work is decriminalised or legalised, the absence of meaningful avenues for worker participation in shaping labour standards, social protections, and public narratives limits the realisation of genuine social justice. Fraser's model emphasises that the achievement of parity of participation depends on institutional arrangements that not only enfranchise marginalised groups but also validate their claims as legitimate contributions to public discourse (2003 36-38). This emphasis aligns with contemporary discussions in democratic theory regarding the importance of inclusion, deliberation, and recognition in achieving normative legitimacy (Anderson 1999; Honneth, 2003). The exclusion of sex workers from the political 'who' of justice thus constitutes a fundamental violation of democratic principles.

The comprehensive approach of Fraser is particularly valuable because it captures the intersections of economic, cultural, and political injustices in ways that single-axis account cannot. The core argument is one of irreducibility and co-constitution: redistributive interventions without cultural recognition risk perpetuating stigmatisation, while recognition without economic empowerment may leave material inequalities unaddressed. Similarly, political inclusion without substantive redistribution or cultural acknowledgement cannot secure genuine parity of participation. Sex work, therefore, presents a paradigmatic case for the application of Fraser's tripartite model, as it exposes the interrelated dynamics of multiple forms of injustice.

Empirical and advocacy-based studies reinforce this theoretical insight. Organisations such as Fundación Margen (Chile) and OTRAS (Spain) document how sex workers navigate intersecting marginalities, highlighting the combined impact of precarious labour conditions, social stigma, and exclusion from policy debates. By incorporating these insights into a normative framework, scholars can move beyond reductive moral judgments and contractual assumptions, offering a robust analysis of justice that integrates empirical realities with theoretical consideration.

Bridging Fraser and Honneth: The Moral Psychology of Disrespect

While Fraser emphasises the systemic dimensions of injustice, Honneth provides a complementary lens focused on interpersonal recognition and the moral psychology of respect (a monist approach). Integrating these perspectives enables a richer understanding of sex work as a locus of both structural oppression and lived experience. Honneth's theory, based on the three spheres of recognition: Love, Rights, and Social Esteem, helps illuminate the subjective harm caused by misrecognition.

Misrecognition, whether through social stigma or exclusion from decision-making, has profound effects on self-respect, agency, and the capacity for political engagement. A lack of legal rights for sex workers (disrespect in the sphere of Rights) erodes their self-respect, while cultural condemnation (disrespect in the sphere of Social Esteem) prevents them from feeling valued by society, thereby damaging their self-esteem. For Honneth, the emotional and psychological suffering derived from this structural contempt is the moral source of political resistance. Thus, a theory of justice for sex workers must simultaneously address material redistribution, cultural recognition, and participatory inclusion, while attending to the subjective experiences and moral claims of workers themselves.

From this integration of structural and interpersonal dimensions, I argue that self-respect is not merely a residual feeling but a vital moral indicator of justice: when individuals are excluded or devalued, their capacity for self-respect is undermined, and that loss signals a deeper injustice (Aguayo-Westwood 2021). In the context of sex work, the denial of legal rights, the cultural stigma of inferiority, and the exclusion from meaningful decision-making all contribute to the erosion of self-respect—a capacity that constitutes a foundational condition for recognition. Such erosion, in my view, both mirrors and amplifies the mechanisms of misrecognition outlined by Honneth and the systemic injustices emphasised by Fraser. As I have argued elsewhere, the capacity to value and respect oneself is a crucial factor in achieving a significant and flourishing life (Aguayo-Westwood 2021), a claim that aligns directly with Honneth's concern for social esteem and with the moral-psychological harms that arise from persistent misrecognition. By attending to self-respect alongside rights, esteem, and participation, I aim to deepen the understanding of sex work as a domain of injustice that threatens not only material welfare but the very moral subjectivity of those involved. This synthesis allows the analysis to retain Fraser's political economy focus while benefiting from Honneth's explanatory depth regarding the personal harms of injustice.

Sex Work and Justice: Redistribution, Recognition, and Participation

Sex work, as a socially and economically marginalised form of labour, raises multifaceted questions about justice. Beyond individual choice or moralistic judgements, it exposes structural, cultural, and political inequities. Nancy Fraser's tripartite framework offers a comprehensive lens to analyse these injustices. Axel Honneth's recognition-based approach provides complementary insights into how status, esteem, and social value shape lived experiences. In this section, I examine these dimensions in detail, highlighting how stigma operates as a critical mechanism linking cultural denigration to material and political marginalisation.

Economic Redistribution and Structural Inequalities

Sex work often occurs within contexts of systemic disadvantage, including poverty, gender discrimination, limited employment opportunities, migration pressures, and social exclusion. While some narratives frame sex work as a free choice, such accounts neglect the constrained conditions many workers face. Fraser's concept of redistribution highlights that justice requires not only transferring resources but also transforming the underlying structures that generate inequality (2003, 80).

Policies oriented towards redistribution should aim to provide real alternatives for individuals entering sex work due to economic necessity, as well as ensure labour protections, social security, and regulation that reduces exploitation (Abel et al. 2010). For instance, decriminalisation modelling, such as New

Zealand's Prostitution Reform Act (2003), demonstrates how structural interventions can improve working conditions and reduce vulnerability (Abel et al. 2010).

Furthermore, redistribution entails addressing intersecting inequalities, including gender, race, and migrant status. As Federici (2004) argues, the historical regulation of women's bodies and reproductive capacities has been deeply intertwined with the development of economic systems, highlighting how contemporary forms of labour precarity and exploitation often emerge within longer histories of gendered economic control. Migrant sex workers, particularly, may face compounded marginalisation due to restrictive immigration policies, language barriers, and limited access to social services. The failure to address these structural inequities can reinforce cycles of exploitation, denying workers, for example, formal recognition as employees, thereby denying them workplace protections, collective bargaining, or health coverage. Fraser's framework emphasises that redistribution is inseparable from recognition and participation: economic justice cannot be achieved if marginalised groups are denied social and political voice.

Additionally, systemic inequalities in sex work are exacerbated by societal stigma, which affects employment alternatives, access to housing, and public benefits. Pheterson (1996) argues that the stigmatisation of prostitution serves a political function, controlling women and defining the boundaries of sexual respectability. Redistribution policies, therefore, must consider both material and symbolic conditions to be effective. Finally, redistribution also involves international dimensions. Global labour migration, economic disparities, and transnational trafficking intersect with local labour markets to create contexts where sex work is one of the few viable economic options. Justice-oriented redistribution must recognise these broader structures and implement measures that reduce vulnerability, expand labour alternatives, and provide social protections.

Recognition and Status

Redistribution alone does not capture the full spectrum of injustices faced by sex workers. Cultural and social recognition is crucial for enabling participatory parity in Fraser's terms. The stigma surrounding sex work is not merely moralistic but constitutes a systematic mechanism of social exclusion (Goffman 1963). Sex workers are often represented as immoral, degraded, or inherently victimised, creating hierarchies of status that impede equal participation in social life.

This stigma has tangible consequences. Access to healthcare, education, justice systems, and public spaces is often limited for sex workers, reinforcing cycles of marginalisation. Organisations like AMMAR (Association of Sex Workers of Argentina) and RedTraSex (Latin American Network of Sex Workers) in Latin America document how policing, social exclusion, and institutional neglect stem directly from cultural devaluation of sex work. Gender and class further shape recognition. Historically, sex work has been associated with lower-class women, reinforcing a patriarchal moral approach that polices female sexuality. Federici (2004) and Sánchez (2022) highlight that moral condemnation masks structural exploitation: women's sexual labour is simultaneously tolerated and stigmatised, serving both to control and devalue their labour.

The internalisation of stigma forces many sex workers to engage in strategies of concealment that go beyond the use of pseudonyms. In many cases, they must hide both their occupation and their true identities from family, friends, and even health professionals, to avoid judgement and social exclusion. As Jobe, Stockdale, and O'Neill observe in their study of off-street sex workers in England, stigma produces "a clear distinction between their private and public lives," with most women choosing to keep their work "hidden from their

wider social networks” (2022, 117). Such separation between the public self and the working self exemplifies how misrecognition not only shapes external perceptions but also fragments personal identity, compelling workers to navigate their lives under the constant pressure of concealment.

The intersectionality of stigma is particularly acute for transgender sex workers. Trans individuals face compounded marginalisation due to gender identity and occupation. As Namaste notes, trans sex workers are often treated as “doubly deviant” leading to structural violence ranging from police harassment to social invisibility, which justifies their exclusion and violence in the social imaginary (2000, 76). Recognition, therefore, requires confronting both status-based and identity-based hierarchies. Legal frameworks interact with recognition. Criminalisation intensifies stigma by framing sex work as illegal, whereas legalisation and decriminalisation can partially mitigate cultural denigration by affirming the legitimacy of the work. Fraser’s notion of participatory parity emphasises that symbolic recognition is integral to justice: without it, sex workers cannot engage as equal members of society. Recognition also intersects with redistributive measures. Low social esteem limits access to employment alternatives, reduces bargaining power, and justifies exclusion from social protections. Effective policies must, therefore, address both cultural and material dimensions, ensuring that self-respect and social value are central to justice initiatives.

Honnethian Recognition: Love, Right, and Social Esteem in the context of Sex Work

As previously established, the exclusion and violence confronting sex workers derive from a profound cultural devaluation of their labour. In this context, Axel Honneth’s framework offers a complementary perspective for analysing the impact of recognition deficits on the lived experiences of sex workers. As I have already argued, Honneth posits three spheres of recognition fundamental to social justice: love, rights and esteem. The relevance of each of these spheres is crucial for understanding the nature of the injustice experienced by sex workers.

Intimate relationships are often affected by stigma. Sex workers may experience estrangement or judgement from family, partners, and communities, undermining self-confidence and personal security. Legal discrimination and lack of labour rights erode self-respect, as workers are denied recognition as autonomous agents with entitlement to protections and justice. Social esteem is compromised when society devalues sex work, framing it as morally deficient or socially harmful, thereby damaging the worker’s sense of social value or contribution. The consequences of failing to recognise sex work extend beyond symbolic harm. Internalised stigma correlates with poor mental health, including depression, anxiety, and heightened vulnerability to abuse (Link & Phelan, 2001).

The political dimension of recognition is equally critical. Honneth’s approach underscores the importance of solidarity and social appreciation, which in the context of sex work can translate into collective organisation, advocacy, and policy engagement. Organisations representing sex workers actively combat stigma and promote rights, demonstrating how solidarity can mitigate the effects of social devaluation.

In the Spanish context, OTRAS (Organización de Trabajadoras Sexuales) has advanced one of the most developed contemporary rights-based interventions through its collective political and legal advocacy. In *En nombre propio: Ejercer el trabajo sexual con derechos: Una propuesta de despenalización e inclusión en el derecho del trabajo y de la seguridad social* (In Their Own Name: Exercising Sex Work with Rights: A Proposal for Decriminalization and Inclusion within Labour Law and Social Security), Josune Delgado and Sindicato OTRAS (2025) argue that the central issue is not the existence of sex work itself, but the precarious,

clandestine, and stigmatized conditions under which it is often carried out. Drawing from the perspectives of sex workers themselves, the work proposes a concrete framework for decriminalization, labour inclusion, social security protections, and the dismantling of exclusionary legal structures, particularly those linked to migration and labour precarity. Rather than framing sex work solely through moral or criminal paradigms, Delgado and Sindicato OTRAS situate it within broader struggles over democratic citizenship, labour justice, and political representation, making their intervention especially relevant to contemporary debates on redistribution, recognition, and participation.

Recognition in Honnethian terms complements Fraser's tripartite justice framework. While Fraser emphasises structural and cultural parity, Honneth details how individual and interpersonal dynamics of esteem, respect, and care are implicated in systemic injustices. Integrating these perspectives provides a richer understanding of how stigma operates at multiple levels. Finally, Honneth's proposal highlights that recognition deficits are relational. Justice is not merely about resources or laws; it is about transforming social perceptions, interactions, and norms so that sex workers are treated as full participants in social life, with the ability to exercise autonomy and secure their well-being.

Decriminalisation modelling that combines labour protections, anti-stigma campaigns, and participatory mechanisms (e.g., New Zealand) exemplify how symbolic, and political reforms can operate together. Conversely, criminalisation or restrictive legalisation often fails across all three dimensions, sustaining economic vulnerability, social devaluation, and political exclusion. Addressing stigma requires both societal and institutional transformation. Public narratives, media representations, education, and legal recognition must converge to dismantle hierarchies of status, while redistribution and participation mechanisms provide concrete improvements in welfare, autonomy, and agency. Only an integrated approach can ensure that sex workers are recognised as full social, economic, and political actors.

Policy Proposals: A Multidimensional Strategy for Justice

Policies aiming for justice in sex work must simultaneously address structural, cultural, and political dimensions of inequality. Based on Nancy Fraser's framework, it is essential to integrate redistributive, recognition-based, and participatory measures to improve the living and working conditions of sex workers. The following subsections detail concrete proposals supported by empirical and theoretical evidence.

Redistributive Measures: Decriminalisation and Labour Protections

The single most significant redistributive measure is the full decriminalisation of sex work. Studies indicate that criminalisation exacerbates the stigmatisation and marginalisation of sex workers, restricting access to healthcare, justice, and social protections (Schwartz et al. 2020). In contrast, decriminalisation models, such as New Zealand's *Prostitution Reform Act* (2003), have demonstrated improvements in working conditions and reductions in violence against sex workers (Abel 2014; Abel, Bee, and Healy 2021). In Fraserian terms, this measure can be understood as a redistributive intervention that reclaims access to legal protection and bodily autonomy for sex workers, linking material justice with the recognition of their labour.

Beyond decriminalisation, policies ensuring access to social benefits, healthcare, and formal labour protections are crucial. Excluding sex workers from social welfare perpetuates poverty and vulnerability. Programmes offering professional training, alternative employment pathways, and microcredit opportunities

can provide viable options for those wishing to leave sex work. Furthermore, taxation and social security contributions should be structured to recognise sex work as legitimate economic activity, thereby formalising access to pensions, sickness benefits, and unemployment insurance, a direct redistribution of resources and protection.

Recognition Measures: Reducing Stigma and Promoting Social Esteem

Social and cultural recognition of sex work is essential to achieve justice. Stigma negatively impacts the psychological and emotional well-being of sex workers and limits access to essential services. Policy in this area must focus on actively countering negative cultural narratives and promoting respect and social esteem.

Public awareness campaigns and education initiatives can play a central role in destigmatising sex work. These initiatives should emphasise sex work as legitimate labour and promote positive representations of sex workers in media and society (Platt et al. 2022; Huang 2014; Faissner et al. 2024). Critically, the education of institutional gatekeepers, such as healthcare professionals, police officers, and legal personnel, is vital to prevent systemic discrimination based on occupational status.

Anti-discrimination legislation that explicitly includes occupation as a protected characteristic is a necessary institutional step to embed recognition within the legal agenda. Moreover, the inclusion of sex workers in decision-making spaces ensures that their perspectives shape the policies that affect them. Active participation helps prevent symbolic recognition from remaining superficial and promotes a more substantive societal acknowledgment of their agency and rights.

Political Participation: Mandated Inclusion in Policymaking

Full participation of sex workers in political and legislative processes is a key component of justice. Their inclusion enables public policies to reflect their lived realities and specific needs, directly addressing Fraser's concern about representational injustice. Across Latin America, organisations such as RedTraSex and Fundación Margen have demonstrated that participation is not merely a normative ideal but a response to entrenched forms of institutional exclusion. Their regional reports document persistent patterns of stigma, discriminatory treatment in healthcare systems, police violence, and exclusion from legal protections affecting sex workers through multiple jurisdictions (RedTraSex and Fundación Margen 2013). At the same time, these organisations have moved beyond diagnosis by advancing concrete participatory and regulatory proposals, such as *Una ley con nuestra voz* (RedTraSex and Fundación Margen 2015), which articulates sex workers' demands for labour recognition, social protection, and direct inclusion in legislative reform processes.

These interventions are particularly significant because they frame sex workers not simply as vulnerable subjects of policy, but as political actors capable of shaping democratic debates over justice, citizenship, and institutional transformation. In many Latin American contexts, however, the possibility of such participation is profoundly shaped by conditions such as poverty, labour informality, weak social protection systems, institutional discrimination, gender inequality, and persistent social stigma. Regional studies and testimonies by sex workers themselves have consistently shown that these factors often place sex workers in situations of vulnerability marked by precarious economic conditions, exposure to violence, and exclusion from healthcare, labour protections, and public legitimacy (Kempadoo et al. 2012; RedTraSex 2016; Maffia and Korol 2020).

As the previously cited authors have also emphasised, participation frequently develops through collective responses to marginalisation, discrimination, and material insecurity under conditions where stable

institutional inclusion remains limited. Under these circumstances, meaningful participation depends on addressing the broader social and economic inequalities that systematically restrict sex workers' capacity to organise, advocate, and be recognised as legitimate political actors. While these regional experiences reveal common patterns of structural exclusion and collective mobilisation, specific national contexts further demonstrate how legal ambiguity and feminist political contestation shape the possibilities and limits of recognition and participation.

In the Argentine case, despite the formal decriminalisation of consensual adult prostitution, feminist debates, anti-trafficking frameworks, municipal restrictions, and selective enforcement practices have frequently produced conditions of legal ambiguity and regulated precarity rather than substantive inclusion. As Diana Maffia and Claudia Korol's work with sex workers' own testimonies demonstrates, struggles over prostitution and sex work are deeply connected to broader disputes over democratic participation, epistemic legitimacy, labour rights, and citizenship (Maffia and Korol 2021). This case therefore illustrates with particular clarity that formal legal tolerance, absent meaningful redistribution and participation, may leave intact entrenched inequality forms of exclusion while limiting sex workers' capacity to act as political subjects.

While these comparative examples differ significantly in their legal, political, and sociohistorical conditions, each demonstrates that the pursuit of justice for sex workers is shaped by structural, institutional, and socio-political conditions that determine the possibilities for redistribution, recognition, and meaningful political participation. Taken together, the New Zealand, Spanish, Latin American, and Argentine cases illustrate that participation cannot be understood solely as an abstract normative principle or formal legal opportunity, but rather as a context-dependent process conditioned by the material, political, and institutional preconditions that enable or constrain sex workers' capacity to organise, gain legitimacy, and influence policymaking.

Institutional mechanisms facilitating sex worker participation in policy design and evaluation are critical. Such measures include creating mandated consultative bodies with veto or strong advisory powers, ensuring spaces for dialogue among the state, sex workers, and civil society organisations, as well as participatory consultation processes during the creation of laws and regulations. The institutional formalisation of political voice is essential to realising genuine participatory parity. The experience of New Zealand stands in stark contrast to that of many other countries. New Zealand's Prostitution Reform Act (2003) emerged through a distinctive political and institutional process shaped by sustained advocacy from the New Zealand Prostitutes' Collective (NZPC), public health actors, and broader rights-based reform movements. Rather than treating sex workers primarily as objects of moral regulation or criminal control, the PRA was developed through a participatory model that prioritised harm reduction, occupational safety, and legal protection. This context is essential to understanding why New Zealand has frequently been regarded as a significant example of decriminalisation grounded in sex workers' political participation and institutional recognition.

Since the passage of the *Prostitution Reform Act* (PRA) in 2003, New Zealand has been internationally recognised for having established a rights-based and harm-reduction approach to sex work. Research demonstrates that decriminalisation has substantially improved the occupational health, safety, and agency of sex workers. In a government-mandated evaluation conducted three years after the PRA's enactment, 90 percent of the 772 participants reported having more rights than under the previous legal framework, and 65 percent stated that they felt more able to refuse clients (Abel et al., 2007, 7). The Prostitution Law Review Committee (PLRC 2008) further reinforced the significance of this model by documenting both substantial

improvements in rights, safety, and institutional trust, as well as ongoing limitations, particularly regarding migrant workers who remained excluded from full legal inclusion.

Subsequent studies confirmed that sex workers were in a better position regarding safety, well-being, and relations with the police (Armstrong 2014; PLRC 2008). The model's success is closely linked to the active participation of the New Zealand Prostitutes' Collective (NZPC), whose leadership ensured that the law was drafted "by sex workers for sex workers," centring their voices in legislative reform rather than silencing them through paternalistic structures.

Beyond its legal achievements, New Zealand's approach has normalised dialogue between sex workers, policymakers, and the public. The NZPC now works collaboratively with police to develop resources on sexual-violence reporting and occupational safety, and its founding member Catherine Healy was made a Dame in 2018 in recognition of her services to the rights of sex workers (Manson 2018). Such institutional recognition contrasts sharply with the situation in countries such as Spain, Argentina, and Chile, where sex workers continue to face social hostility and exclusion from academic and political spaces. In Spain, debates surrounding prostitution in university contexts, particularly those involving feminist academics, abolitionist feminist sectors, and sex worker-led organisations, have frequently reflected broader tensions between abolitionist and rights-based approaches.

In some of these spaces, the participation of sex workers and their representatives has been publicly contested, protested, or challenged, limiting their legitimacy or inclusion within academic and public deliberation, as illustrated by documented controversies surrounding university events at institutions such as Carlos III University and the University of A Coruña (El Independiente 2019; eldiario.es 2019). These tensions illustrate that political and epistemic exclusion may persist not only through formal legal structures, but also through struggles over who is recognised as a legitimate participant in scholarly, institutional, and democratic debates concerning sex work.

These tensions are further shaped by structural and political conditions specific to the Spanish context, including persistent legal ambiguity surrounding sex work, the absence of full labour recognition, and the increasing polarisation of prostitution debates within feminist, academic, and political spheres. Recent research has shown that prostitution in Spain has become a highly contested socio-political issue in which abolitionist and regulatory approaches frequently compete not only over policy outcomes, but also over the legitimacy of sex workers' political voice and public representation (Méndez-Juez et al. 2023). Under these conditions, participation is not determined solely by formal access to public debate, but by deeper struggles over epistemic authority, institutional recognition, and whether sex workers are positioned primarily as rights-bearing political actors or as subjects of moral regulation, protection, or exclusion. These dynamics are particularly relevant because they demonstrate that the possibilities for meaningful participation depend upon broader socio-political preconditions that shape whose voices are recognised within democratic and feminist deliberation.

These divergent experiences illustrate that while New Zealand's decriminalisation has fostered a framework of inclusion and dialogue, in Spain and much of Latin America the politics of sex work often remain shaped by moral and abolitionist narratives that continue to marginalise or silence those most affected

Intersectional Approach: Addressing Diversity and Vulnerability

Policies must adopt an intersectional perspective, recognising that sex workers are not a homogeneous group. Factors such as gender identity (particularly transgender status), sexual orientation, ethnicity, migration status, and disability shape experiences and needs. Interventions should be inclusive and tailored to specific realities. For instance, health programmes must address the specific sexual and reproductive health needs of transgender and migrant sex workers, alongside measures to prevent gender-based violence and discrimination (Decker & Kerrigan, 2020). This tailored approach ensures that the most marginalised within the sex worker population benefit equally from redistributive and recognition-based policies.

Moreover, an intersectional approach must recognise that vulnerability in the sex industry is not inherent to sex work itself but emerges from overlapping systems of oppression, patriarchy, racism, transphobia, xenophobia, and class inequality, that shape access to rights and resources. Research in decriminalised contexts, such as New Zealand, shows that when sex work policies explicitly include transgender and migrant workers, there are measurable improvements in safety, access to justice, and health outcomes (Abel & Fitzgerald 2010; Armstrong & Abel 2020). In contrast, criminalised or abolitionist frameworks often amplify precarity for the most marginalised, particularly for undocumented migrants and trans women of colour. Therefore, intersectionality must not remain a rhetorical gesture but become an operational principle guiding the design, implementation, and evaluation of all sex work-related policies.

Evaluation and Monitoring: Tracking Policies and Outcomes

Policy implementation must be accompanied by rigorous evaluation and monitoring mechanisms to assess effectiveness and identify areas for improvement. Participatory indicators that include sex workers' perspectives are essential for evaluating policy impact (UNAIDS, 2014; Platt, et al. 2018). Transparency and accountability in evaluation ensure that policies effectively address the structural, cultural, and political inequalities sex workers face. Only through continuous monitoring can redistributive, recognition-based, and participatory measures be meaningfully enforced and refined, leading to a truly effective justice programme.

Beyond periodic reviews, evaluation mechanisms should institutionalise participatory research practices that empower sex workers as co-producers of knowledge about the policies that affect them. The experience of the New Zealand Prostitutes' Collective (NZPC) demonstrates that ongoing collaboration between sex worker organisations, public health agencies, and state institutions enables adaptive policy development grounded in lived realities (PLRC 2008). This requires the systematic use of peer-led data collection, that is, research processes led by members of the community being studied. Such practices seek to reduce, though never entirely eliminate, the epistemic and representational asymmetries that arise when the experiences of marginalised communities are interpreted primarily through external academic, legal, or institutional structures.

Grounded in participatory action research (PAR) and broader commitments to epistemic justice, these approaches aim to expand the conditions under which sex workers can more directly shape the production of knowledge concerning their own lives, needs, and political claims. At the same time, longstanding theoretical debates caution against assuming that the mere inclusion of marginalised subjects automatically resolves the deeper structures of epistemic violence through which some voices are rendered legible while others remain silenced. As Spivak (1988, p 278) argues in her critique of overly transparent assumptions about oppressed subjects "speaking for themselves," the central question is not simply whether marginalised groups can speak, but under what historical, political, and epistemic conditions their speech becomes audible,

intelligible, or authorised within dominant structures of representation. These tensions are especially important because representation is never politically or epistemically neutral: voices are mediated through institutional, discursive, and intellectual frameworks that may simultaneously enable visibility while also reshaping, translating, or constraining what can be heard. Accordingly, participatory approaches should not be understood as providing unmediated access to authentic experience, but rather as attempts to renegotiate the unequal conditions under which historically marginalised subjects may more directly intervene in the production of knowledge about their own lives.

Reflexive approaches likewise emphasise that researchers are not neutral external observers, but situated actors whose interpretive assumptions, institutional positions, and forms of engagement shape the production, translation, and legitimisation of knowledge (Bleger 1963). Accordingly, a critical participatory approach must remain attentive not only to inclusion, but also to the enduring tensions surrounding mediation, epistemic authority, and representation.

Similarly, participatory evaluation frameworks proposed by the Global Network of Sex Work Projects (NSWP 2021) emphasise the inclusion of peer-led indicators and intersectional metrics as institutional mechanisms for addressing these representational and epistemic tensions in more reflexive ways. Rather than presuming transparent or unmediated access to subaltern experience, such mechanisms seek to create more equitable structures through which sex workers can exercise sustained influence over how policies are evaluated, interpreted, and revised. Embedding these mechanisms within legal and policy structures therefore promotes not only accountability, but also a more continual redistribution of epistemic authority, while recognising sex workers as situated experts in their own conditions and as central political actors in shaping more responsive and effective justice policies.

Conclusion

The analysis of sex work through Nancy Fraser's three-dimensional framework confirms that the demands of sex workers are fundamentally demands for social justice. Far from being reducible to mere individual choice or contractual autonomy, sex work exists at the intersection of structural economic exploitation, deeply ingrained cultural stigma, and persistent political exclusion. This investigation has shown that the complexity of sex work is best captured by Fraser's perspectivist approach, which treats economic and cultural injustices as distinct yet intertwined, a view enriched by Honneth's insights into the profound moral psychology of disrespect.

Economic Injustice (maldistribution) manifests in precarious conditions and exploitation, demanding the transformation of underlying structures and the guarantee of labour rights and economic alternatives. Cultural Injustice (misrecognition) manifests as stigma and status hierarchy, requiring the dismantling of imaginaries that deny sex workers basic respect and dignity. Political Injustice (lack of participation) manifests as representational exclusion, necessitating the inclusion of sex workers' voices in shaping the laws and policies that govern their lives.

At the same time, abolitionist critiques rightly caution that processes of normalization may risk legitimizing the commodification of bodies, sexuality, and intimacy, potentially reducing recognition to an ideological accommodation of systematic inequality. From this perspective, extending recognition without deeper transformation may reproduce what Honneth describes as reified or distorted forms of recognition. Nevertheless, denying recognition and political representation to sex workers may itself intensify vulnerability,

stigma, and exclusion. A comprehensive justice approach therefore requires remaining attentive to these tensions while seeking forms of redistribution, recognition, and participation that do not obscure broader relations of power.

Ultimately, achieving justice for sex workers requires a holistic and transformative policy strategy that advances simultaneously across all three scopes. Ignoring any single dimension, for instance, achieving formal labour rights without addressing cultural stigma, will inevitably undermine the realisation of full and effective citizenship. The aim is to move beyond polarised debates and establish an order of Parity of Participation where sex workers can interact with others as equals, secured in their material well-being, social esteem, and political voice. Commitment to multidimensional justice offers a critical path forward for a renewed and more inclusive understanding of social justice in contemporary societies, ensuring that all citizens, regardless of their economic activity, are afforded the status and respect necessary to flourish.

References

- Abel GM (2014) A decade of decriminalization: sex work “down under” but not underground. *Criminology & Criminal Justice* 14(5):580–592. <https://doi.org/10.1177/1748895814523024>
- Abel G, Bee L, Healy C (2021) How decriminalisation reduces harm within and beyond sex work: sex work, social policy & decriminalisation. *Sex Res Soc Policy* 18(4):783–798
- Addams J (2002) *A new conscience and an ancient evil*. University of Illinois Press, Urbana/Chicago
- Aguayo-Westwood P (2021) Self-respect and the justification of Rawlsian principles of justice. *Ethics Soc Welf* 15(3):232–245.
- Anderson ES (1999) What is the point of equality? *Ethics* 109(2):287–337
- Armstrong L (2014) Screening clients in a decriminalised street-based sex industry: insights into the experiences of New Zealand sex workers. *Aust N Z J Criminol* 47(2):207–222. <https://doi.org/10.1177/0004865813510921>
- Barry K (1995) *The prostitution of sexuality*. New York University Press, New York
- Bleger J (1963) *Psicología de la conducta*. Eudeba, Buenos Aires
- Decker MR, Kerrigan D (2020) Sex work, HIV and the intersection of violence: a call for integrated structural and behavioral action. *Curr Opin Psychol* 31:15–20
- Delgado J, Sindicato OTRAS (2025) *En nombre propio: ejercer el trabajo sexual con derechos: una propuesta de despenalización e inclusión en el derecho del trabajo y de la seguridad social*. Sueños de Sabotaje, Madrid
- De Miguel A (2015) *Neoliberalismo sexual: el mito de la libre elección*. Cátedra, Madrid

- Doezema J (2000) Loose women or lost women? The re-emergence of the myth of white slavery in contemporary discourses of trafficking in women. *Gend Issues* 18(1):23–50
- Faissner M, Dietrich CF, Seifert U, van Haastrecht E (2024) Healthcare for sex workers—access, barriers, and needs. *Med Health Care Philos* 36:151–168
- Federici S (2004) *Caliban and the witch: women, the body and primitive accumulation*. Autonomedia, New York
- FitzGerald S, O'Neill M, Wylie G (2020) Social justice for sex workers as a “politics of doing”: research, policy and practice. *Ir J Sociol* 28(3):257–279
- Fraser N, Honneth A (2003) *Redistribution or recognition? A political-philosophical exchange*. Verso, London
- Fraser N (2005) Reframing justice in a globalizing world. *New Left Rev* 36:69–88
- Fraser N (2011) *Dilemas de la justicia en el siglo XXI: género y globalización*. UIB, Palma
- Fraser N (2015) *Fortunas del feminismo: del capitalismo gestionado por el Estado a la crisis neoliberal*. IAEN, Quito
- García-Granero M (2018) Injusticias de género en tiempos de neoliberalismo. El planteamiento de Nancy Fraser. *Asparkia* 33:207–223
- Honneth A (1995) *The struggle for recognition: the moral grammar of social conflicts* (trans: Anderson J). Polity Press, Cambridge
- Huang AL (2014) De-stigmatizing sex work: building knowledge for social work. *Soc Work Soc Sci Rev* 18(1):98–114
- Jean R (2015) Prostitution and the concept of agency. In: Marway H, Widdows H (eds) *Women and violence: the agency of victims and perpetrators*. Palgrave Macmillan, Houndmills/Basingstoke, pp 52–67
- Jobe A, Stockdale K, O'Neill M (2022) Stigma and service provision for women selling sex: findings from community-based participatory research. *Ethics Soc Welf* 16(2):112–128
- Lamas M (2016) Feminismo y prostitución: la persistencia de una amarga disputa. *Debate Feminista* 51:18–35
- MacKinnon C (1989) *Toward a feminist theory of the state*. Harvard University Press, Cambridge, MA
- Maffía D, Korol C (eds) (2020) *Prostitución/Trabajo sexual: las protagonistas hablan*. Paidós, Buenos Aires
- Maher L (1997) *Sexed work: gender, race, and resistance in a Brooklyn drug market*. Clarendon Press, Oxford
- Manson B (2018) Dame Catherine Healy “brought in from the cold” after career advocating for sex workers. *Stuff New Zealand*, 4 Jun 2018
- Méndez-Juez M, García-Santamaría S, Pérez-Castaños S (2023) Prostitution under debate in Spain: citizens' perceptions of its prohibition. *Sex Res Soc Policy* 20(4):1419–1429
- Norma C, Tankard Reist M (eds) (2016) *Prostitution narratives: stories of survival in the sex trade*. Spinifex Press, North Melbourne, Victoria

- Nussbaum MC (1998) “Whether from reason or prejudice”: taking money for bodily services. *J Leg Stud* 27(2):693–724
- Pateman C (1988) *The sexual contract*. Polity Press, Cambridge
- Pheterson G (1996) *The prostitution prism*. Amsterdam University Press, Amsterdam
- Platt L et al (2018) Associations between sex work laws and sex workers’ health: a systematic review and metaanalysis of quantitative and qualitative studies. *PLoS Med* 15(12):e1002680
- Primoratz I (1993) What’s wrong with prostitution? *Philosophy* 68(264):159–182
- Rawls J (1971) *A theory of justice*. Belknap Press of Harvard University Press, Cambridge, MA
- Raymond JG (2013) *Not a choice, not a job: exposing the myths about prostitution and the global sex trade*. Potomac Books, Washington, DC
- Sánchez P (2022) *Crítica de la razón puta: cartografías del estigma de la prostitución*. La Oveja Roja, Madrid
- Satz D (1995) Markets in women’s sexual labor. *Ethics* 106(1):63–85
- Spivak GC (1988) Can the subaltern speak? In: Nelson C, Grossberg L (eds) *Marxism and the interpretation of culture*. University of Illinois Press, Urbana, pp 271–313
- Serughetti G (2018) Repensando sobre consentimiento y fuerza, victimización y agencia: una aproximación feminista a las políticas de prostitución. *FEMERIS* 3(2):79–107

Other cited documents

- AMMAR (Association of Women Sex Workers of Argentina) (n.d.) AMMAR. <https://www.escrib.net.org/members/asociacion-mujeres-meretrices-argentina-ammam>. Accessed 30 Jan 2026
- El Independiente (2019) Around one hundred young people attempt to sabotage a talk on prostitution at Carlos III University. *El Independiente*, 11 Nov 2019. <https://www.elindependiente.com/sociedad/2019/11/11/un-centenar-jovenes-tratan-sabotear-una-charla-sobre-prostitucion-carlos-iii/>. Accessed 4 May 2026
- eldiario.es (2019) The University of A Coruña suspends a conference on sex work after criticism. *eldiario.es*, 4 Apr 2019. https://www.eldiario.es/sociedad/universidad-coruna-suspende-jornadas-criticas_1_1356487.html. Accessed 4 May 2026
- New Zealand (2003) Prostitution Reform Act 2003. Public Act No. 28. New Zealand Parliamentary Counsel Office, Wellington. <https://www.legislation.govt.nz/act/public/2003/0028/latest/DLM197815.html>. Accessed 30 Jan 2026
- OTRAS (Organización de TRABajadoras Sexuales) (n.d.) Official website. <https://sindicatootras.com>. Accessed 30 Jan 2026

PLRC (Prostitution Law Review Committee) (2008) Report on the operation of the Prostitution Reform Act 2003. Ministry of Justice, Wellington

RedTraSex (Red de Trabajadoras Sexuales de Latinoamérica y el Caribe), Fundación Margen (2013) Estudio sobre estigma y discriminación en los servicios de salud a las mujeres trabajadoras sexuales en América Latina y el Caribe. <https://redtralsex.org/estudio-sobre-estigma-y-discriminacion-en-los-servicios-de-salud-a-las-mujeres-trabajadoras-sexuales-en-america-latina-y-el-caribe/> Accessed 30 Jan 2026

RedTraSex (Red de Trabajadoras Sexuales de Latinoamérica y el Caribe), Fundación Margen (2015) Una ley con nuestra voz. Contenidos básicos para regular el trabajo sexual. <https://redtralsex.org/una-ley-con-nuestra-voz/>. Accessed 30 Jan 2026

UNAIDS (Joint United Nations Programme on HIV/AIDS) (2014) Guidance note: services for sex workers. UNAIDS, Geneva. https://www.unaids.org/sites/default/files/media_asset/SexWorkerGuidanceNote_en.pdf. Accessed 30 Jan 2026

Acknowledgements

I would like to thank the journal's editor for her comments, careful reading, and suggestions, which improved this article. I also thank Reviewer 2 for their detailed evaluation, which strengthened the manuscript. This research was funded by ANID-Fondecyt Project No. 1260293.

Data availability

This study is based exclusively on theoretical analysis and the review of previously published literature and publicly available reports cited in the reference list. No original datasets were generated or analysed for this article. Therefore, no additional data are available.

Ethical approval

This article does not contain any studies with human participants performed by any of the authors.

Informed consent

This article does not contain any studies with human participants performed by any of the authors.

ARTICLE IN PRESS