

found was the role of the emperor. Subsequently, the people were persuaded to revere the emperor through public education. However, political elites did not seriously respect the emperor; they merely wore a mask of reverence. When Crown Prince Yoshihito, the later Emperor Taishō, was married in 1900, Itō made the following remark:<sup>2</sup> “It is unfortunate to be born as a crown prince. As soon as he is born, he is chained by ceremonial rules; upon growing-up, he has to dance in tune with music his entourage play.”

While saying this, he imitated the working of a marionette. In drafting the *Meiji* Constitution, Itō took care not to impose strict restrictions on the imperial prerogatives so as to leave room for political elites to manoeuvre them.

This endeavour to establish the emperor as an idol for the people carried a side effect. When people worship an idol, they tend to identify themselves with it, projecting their own image onto the idol and worshipping it; in other words, in a way, they are worshipping themselves.<sup>3</sup> When policies of political elites deviate from people’s desires, people may rebel against the government in the name of the emperor or the imperial tradition. The military’s coups d’état in the 1930s and the far-Right’s protest against Emperor Akihito’s wish to abdicate in 2019 (pp. 334–8) may perhaps be explained in this context. Ruoff’s volume speaks to many such vital and intriguing issues and is a valuable resource.

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## Prostitution as the Critical Gendered Paradox across Law, Society, and the State

*The Regulation of Prostitution in China: Law in the Everyday Lives of Sex Workers, Police Officers, and Public Health Officials*. By Margaret Boittin. Cambridge, UK: Cambridge University Press, 2024. 444pp. Hardcover: \$135.00  
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In her book *The Regulation of Prostitution in China* (Boittin, 2024), Boittin examines sex workers’ experiences of law and state regulations and leverages the differential experiences of sex workers in different tiers to expose the intricate dilemmas within the state faced by frontline state officials, including police officers and health workers. Prostitution, thereby, provides a unique lens for understanding the fragmentation regarding the approach an authoritarian state takes to deal with illegal behaviours on a day-to-day basis. This book is written primarily based on 19 months of fieldwork between 2008 and 2009 in multiple sites, including first-tier coastal cities such as Beijing, Guangzhou, and Shenzhen, as well as second- and third-tier cities in middle China, and thereby provides a geographically encompassing view of both the experiences of sex workers and political processes within the state during Hu and

<sup>2</sup> Quoted in *ibid.*, p. 473.

<sup>3</sup> Fackenheim (1994), pp. 188–95.

Wen's era (Boittin, 2024).<sup>1</sup> In this book review, I will first outline the main themes of this book and then highlight its contribution by comparing it to Zheng Tiantian's *Red Lights*, Kimberly Hoang's *Dealing in Desire*, and He Xin's *Divorce in China*.

This book covers sex workers in three different tiers: streetwalkers or “salon-massage” workers, hostesses, and second wives (Boittin, 2024, Chapters 4–7). All three categories involve monetary transactions for sexual services and thus fall within the spectrum of prostitution in academic discourse (Boittin, 2024). Streetwalkers or salon-massage workers typically solicit clients on the streets or in establishments that are superficially disguised as salons or massage bars. Their services are exclusively sexual, and their income is the lowest among the three tiers. This group of sex workers is most frequently targeted by police during crackdowns and is least represented in public health outreach initiatives despite their high vulnerability. In contrast, hostesses generally operate in karaoke bars and clubs, spending the majority of their time entertaining businessmen or government officials who cultivate trust within this environment. Hostesses engage in activities such as eating, drinking, singing, conversing, and/or sleeping with their clients. This tier is characterised by heavier alcohol consumption, longer working hours, and higher compensation relative to the lowest tier. Hostesses may be better shielded in crackdowns by their pimp's or madam's connections to local police officers, and they are better targeted by public health outreach programmes due to easy access. The highest tier is second wives, who gain their income as kept women of wealthy businessmen or government officials, or party members. Second wives provide a homey space in private and/or a trophy to accompany in public for their clients. As rewards, second wives are provided with living spaces, monthly stipends, and perhaps extravagant gifts. They are much less likely to be exposed to crackdowns and health risks due to their kept status.

Reflected in the experiences of sex workers, as discussed in great detail in the book, are the intricate political processes within the state (Boittin, 2024, Chapters 8–11). Prostitution has always been against the law in China; yet, as an integral part of business and development in the local economy, it is the illegal activity that neither officials nor law enforcement are willing to heavy-handedly interfere in without top-down campaign-style crackdown orders. The risk engendered to public health is also second order compared to GDP, arguably one of the most important gauges of performance evaluation for local governments during the Hu-Wen era. Thus, both frontline police and public health staff have to dance around a delicate line, doing their jobs without jeopardising either business operations that boost GDP and tax revenue or the formal anti-prostitution standing of the state, which partially underpins the legitimacy of the CCP's ruling. Sharing this dilemma, police officers and public health staff are still substantially different in the powers bestowed in the government system. Frontline police officers are powerful law enforcement on the ground, officially delegated to arrest and detain any lawbreaker and impose administrative penalties if conditions apply. In contrast, public health staff from local Centres of Disease Control under the Health Ministry have little enforcement apparatus, even though, in principle, they are in charge of risk control with regard to prostitution by educating stakeholders on safe practices and enhancing their awareness of sexually transmitted diseases. As a result of all the factors discussed in the preceding text, the police would put on a performance for crackdown campaigns. They arrest mostly the lowest tier of sex workers and produce humiliating propaganda as proof to the public that the state is anti-prostitution and tries to preserve the interests of the public; meanwhile, they send notice to madams, pimps, or hostesses to shelter in time and avoid being arrested during crackdown periods. In crackdown-free periods, police officers wittingly turn a blind eye, as their own funding is dependent on the tax revenue of local businesses. In contrast, public health staff are relatively feeble in their day-to-day operations. Educational programmes could

<sup>1</sup> Hu Jintao as the General Secretary of the Chinese Communist Party and Wen Jiabao as the Premier.

be simplified to handing over a bag of condoms to madams at karaoke bars; HIV testing could be done when sex workers are arrested and detained in police stations.

Last but not least, international organisations' influence in China regarding sex workers is promising at a glance but usually detached from reality upon further investigation (Boittin, 2024, Chapter 10). The transnational ideals seep through national borders and are usually well received among elite public health officials. Yet, when it comes to the implementation of well-intended programmes, the reality often falls short of the ideals, and statistics collected for programme evaluation turn out to be shoddy—the most vulnerable tier of sex workers was not included, and therefore the statistics were overly optimistic. In addition, international funds largely went to government-backed non-profit organisations (NGOs), such as Women Federation, as opposed to grassroots NGOs that directly work with sex workers.

Compared to Zheng's (2009) and Hoang's (2015) research on sex workers, this book includes a fascinating section on the processes within the state, focusing on street police and public health workers, which adds a concrete and indispensable aspect of how state policies and regulations shape the everyday experiences of sex workers. Without a doubt, structural policies related to the Hu Kou registration system account for a crucial share of the classed and gendered experiences of sex workers—most of whom are of rural backgrounds and raised in households steering resources towards sons more than daughters (see Qian, Cheng and Qian (2020), for example). Yet, structural policies could be limited in explaining the diverging experiences of different tiers of sex workers. Hostesses, the main focus of Zheng's ethnography, still acquire a distinct perspective towards the laws regulating prostitution, the state, and police officers, contingent on their own experiences. Streetwalkers continue to be dismissed in public health outreach efforts, suffering the physical and emotional consequences of less-than-ideal hygienic practices. Beyond the immediate experiences of sex workers, examining marginalised populations with divergent experiences provides a microscopic view of both the authoritarian state and potential social changes.

In comparison to He's *Divorce in China* (He, 2021), this book presents a similarly profound and deeply gendered paradox with regard to the triad of law, society, and the Chinese state. As depicted in *Divorce in China*, domestic violence is against the law, denounced by the state, no longer justified in mainstream society, yet trivialised in court (He, 2021, p.107). In many cases, frontline judges are well aware and convinced of the existence of domestic violence; nonetheless, they ignore or dismiss it for the sake of efficiency in court, a system that is chronically understaffed and heavily reliant on case-solving rates for performance evaluation. Ignoring domestic violence and rejecting a deserving divorce conveniently aligns with the state's dedication to preserving "family" for social stability. Similarly, prostitution is also against the law, denounced by the state, but gets remarkably tolerated by local law enforcement. Thinly disguised hair salons have, at times, operated on the same street as government offices (Boittin, 2024, Chapter 4). Law enforcement regarding prostitution at the frontline demonstrates a tier-specific pattern that happens to protect the state's interests in economic development and political legitimacy. Furthermore, the resemblance between domestic violence and prostitution lies in the gendered vulnerability—victims of domestic violence are more likely to be women, and being denied divorce in cases of violence heightens the risk of prolonged harm; meanwhile, the penalty for prostitution is overwhelmingly borne by sex workers rather than their customers. All in all, both domestic violence and prostitution are rich sites for investigating how an authoritarian state deals with behaviours outlawed in principle yet trivialised or tolerated in reality. The contradictions and fragmentation inherent in these issues would undoubtedly enrich scholarly understanding of law, society, and the state.

As a scholar fascinated by the cultural aspect of law and society literature, I am particularly struck by the finding that sex workers of all tiers tend to negate the fact that they engage in prostitution, streetwalkers being no exception (Boittin, 2024, Chapter 12). The

argument given by some streetwalkers is that they know their customers—they are friends and acquaintances, as opposed to pure strangers negotiating a one-time exchange of money and sex services. On the surface, this negation looks like an obfuscation of the monetary transaction through “established” relationships; however, if one traces down the obfuscation (Rossman, 2014, pp.43–63), there could be a deeply internalised moral incentive—the sex workers know they will be harshly judged by fellow villagers in their hometown, and they cannot afford it; besides, they cannot effortlessly justify prostitution even to themselves. The negation of prostitution by sex workers could be a fruitful project for future research.

In sum, Boittin’s book *The Regulation of Prostitution in China* provides a multifaceted account of the contradictions and fragmentation within the state in dealing with prostitution and a comprehensive delineation of sex workers of different tiers and their disparate experiences as a result of the fragmentation within the state. Prostitution, as demonstrated by this book, provides a unique and fruitful perspective for understanding law, the authoritarian state, and society.

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## Positionality in International Socio-Legal Scholarship

*Out of Place: Fieldwork and Positionality in Law and Society*. By Lynette J. Chua and Mark Fathi Massoud. Cambridge, UK: Cambridge University Press, 2024. 213pp. Hardcover: \$97.00  
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What happens when scholars and researchers disclose, and reflect upon, the ways in which their background—their identifications, experiences, and privileges—influence their work? The question of positionality is especially urgent in law and society, a field which has traditionally prided itself on neutrality and objectivity, but which has, until recently, insufficiently considered the inequalities, exclusions, and erasures they can mask. In this timely and elegant volume, Lynette J. Chua and Mark Fathi Massoud bring together a group of established and emerging scholars to reflect on the multiple dimensions of this question.

Massoud’s essay opens the volume by considering the benefits and potential pitfalls of positionality. It points out that considering positionality is a difficult thing to do, as the tools of our research are often premised on, and indeed necessitate, the hiding of the self, an idea