

COMMERCIAL SEX WORKERS AS A HOUSEHOLD ECONOMIC RESILIENCE STRATEGY IN THE INFORMAL SECTOR

PEKERJA SEKS KOMERSIAL SEBAGAI STRATEGI UNTUK KETAHANAN EKONOMI RUMAH TANGGA DI SEKTOR INFORMAL

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Abstract

The phenomenon of commercial sex work in the informal sector is a complex social issue because it lies at the intersection of economic realities, moral constructs, family resilience, and Islamic legal norms. Until now, commercial sex work has been more often understood through the perspective of morality and social deviance, while the structural factors underlying women's involvement in this work, such as poverty, limited access to formal employment, low education, and failure to meet family needs, have not received adequate attention. This study aims to analyze commercial sex work as a strategy for household economic resilience in the informal sector through the perspective of Islamic family law and the maqāṣid al-sharī'ah approach. This study uses a normative-empirical legal research method with a socio-legal approach that integrates analysis of the concept of livelihood in Islamic family law, the socio-economic realities of marginalized communities, and the dynamics of family economic resilience. The results show that women's involvement in commercial sex work in many cases is not solely an individual choice, but rather a form of economic adaptation that arises from structural pressures and limited employment options. Although the practice of prostitution is normatively contrary to the principles of Islamic law, the Maqāṣid al-Sharī'ah approach emphasizes the importance of considering humanitarian aspects, protection of life (ḥifẓ al-nafs), protection of property (ḥifẓ al-māl), and family sustainability in understanding this phenomenon. This research emphasizes that resolving the problem of commercial sex workers cannot be achieved solely through a repressive and moralistic approach, but requires a more comprehensive strategy that includes strengthening family resilience, empowering women economically, and providing access to decent employment. This study contributes to the development of contemporary Islamic family law discourse by presenting an integrative perspective between religious norms, social realities, and economic justice for vulnerable groups.

Keywords: Commercial Sex Workers; Household Economic Resilience; Islamic Family Law; Maqāṣid al-Sharī'ah; Informal Sector.

Abstrak

Fenomena pekerja seks komersial di sektor informal merupakan masalah sosial yang kompleks karena berada di persimpangan realitas ekonomi, konstruksi moral, ketahanan keluarga, dan norma hukum Islam. Sejauh ini, pekerja seks komersial lebih sering dipahami melalui perspektif moralitas dan penyimpangan sosial, sementara faktor struktural di balik keterlibatan perempuan dalam pekerjaan ini, seperti kemiskinan, akses terbatas ke pekerjaan formal, pendidikan rendah, dan kegagalan untuk memenuhi kebutuhan keluarga, belum mendapat perhatian yang memadai. Studi ini bertujuan untuk

menganalisis pekerja seks komersial sebagai strategi ketahanan ekonomi rumah tangga di sektor informal melalui perspektif hukum keluarga Islam dan pendekatan maqāṣid al-sharī'ah. Studi ini menggunakan metode penelitian hukum normatif-empiris dengan pendekatan sosio-hukum yang mengintegrasikan analisis konsep mata pencaharian dalam hukum keluarga Islam, realitas sosial-ekonomi masyarakat marginal, dan dinamika ketahanan ekonomi keluarga. Hasil penelitian menunjukkan bahwa keterlibatan perempuan dalam pekerjaan seks komersial dalam banyak kasus bukan semata-mata pilihan individu, tetapi merupakan bentuk adaptasi ekonomi yang muncul sebagai akibat dari tekanan struktural dan keterbatasan pilihan pekerjaan yang tersedia. Meskipun praktik prostitusi secara normatif bertentangan dengan prinsip-prinsip hukum Islam, pendekatan maqāṣid al-sharī'ah menekankan pentingnya mempertimbangkan aspek kemanusiaan, perlindungan jiwa (ḥifẓ al-nafs), perlindungan harta benda (ḥifẓ al-māl), dan kelangsungan hidup keluarga dalam memahami fenomena tersebut. Studi ini menekankan bahwa penyelesaian masalah pekerja seks komersial tidak cukup hanya melalui pendekatan represif dan moralistik, tetapi membutuhkan strategi yang lebih komprehensif melalui penguatan ketahanan keluarga, pemberdayaan ekonomi perempuan, dan penyediaan akses ke pekerjaan yang layak. Studi ini berkontribusi pada pengembangan wacana hukum keluarga Islam kontemporer dengan menyajikan perspektif integratif antara norma-norma agama, realitas sosial, dan keadilan ekonomi bagi kelompok rentan.

Kata kunci: *Pekerja seks komersial; Ketahanan Ekonomi Rumah Tangga; Hukum Keluarga Islam; Maqāṣid al-Sharī'ah; Sektor Informal.*

Introduction

In contemporary economic dynamics, the increasing pressure of living due to economic instability, limited formal employment, and the high cost of basic necessities have encouraged people to seek various survival strategies outside the formal sector. This condition is even more complex when poor and vulnerable groups do not have adequate access to education, job skills, and proper social protection. As a result, the informal sector is developing as an alternative space for individuals to maintain the sustainability of the household economy.¹ In this context, women are the most vulnerable group to economic pressure because they often bear domestic responsibilities as well as family economic responsibilities. The inability of the formal sector to optimally absorb female labor eventually gave rise to various forms of informal work that were carried out as an economic survival strategy. This phenomenon shows that the employment choices of marginalized communities cannot be separated from economic structures that create social vulnerability in a systematic and sustainable manner.²

The informal sector is basically an important part of the economic structure of developing societies that functions as a mechanism for adaptation to the limitations of the formal economy. Various informal economic activities are growing because they are able to provide more flexible access to income, although often without legal protection, social security, or job security. In many cases, the informal sector becomes the main economic space for poor groups of people who do not have adequate social and economic capital to enter the formal work sector. This condition causes the informal sector to be

¹ Ceyhun Elgin and Adem Yavuz Elveren, "Informality, Inequality, and Feminization of Labor," *Women's Studies International Forum* 88 (2021): 102505, <https://doi.org/10.1016/j.wsif.2021.102505>.

² Daniel Haanwinckel and Rodrigo R Soares, "Workforce Composition, Productivity, and Labor Regulations in a Compensating Differentials Theory of Informality," *The Review of Economic Studies* 88, no. 6 (2021): 2970–3010, <https://doi.org/10.1093/restud/rdab017>.

understood not only as an alternative economic activity, but also as a form of community survival strategy against structural economic pressures. The existence of the informal sector also shows how individuals rationalize the economy to maintain family survival in the midst of limited access to decent work. Thus, the informal sector is an important part of understanding the dynamics of household economic resilience in marginalized communities in various urban and rural areas.³

One form of employment in the informal sector that continues to grow but is still viewed as controversial is commercial sex work. Commercial sex workers have been more often positioned as a moral issue, criminality, or social deviance than as part of the economic reality of marginalized communities. In fact, in many cases, women's involvement in commercial sex work cannot be separated from urgent economic factors, such as poverty, low education, divorce, family burdens, and limited employment opportunities. The situation shows that commercial sex work often appears as a rational choice in constrained economic conditions. For some women, this job is seen as able to provide a relatively quick income to meet basic household needs. Therefore, understanding commercial sex workers solely through a moral perspective will result in a reductive analysis and ignore the complexity of the economic structure behind it.⁴

In the perspective of economic sociology, an individual's decision to enter a particular job is inseparable from the social conditions and economic pressures that shape that choice. Commercial sex workers are essentially part of a marginalized group of people who seek to build economic resilience through the resources available in their social environment. When access to formal work is closed, while household needs continue to increase, individuals tend to make various forms of economic adaptation to maintain family survival. In this context, commercial sex work can be understood as a survival strategy carried out to maintain the economic stability of the household. This approach provides a more objective analytical space in viewing commercial sex workers as economic actors, rather than merely objects of social stigma. Thus, studies of commercial sex workers need to be directed at understanding economic rationality, survival strategies, and the relationship between structural poverty and employment options in the informal sector.⁵

Despite having an economic contribution to the sustainability of the household, commercial sex workers still face a strong social stigma in people's lives. The stigma arises because sex work is often constructed as an act that is contrary to religious, cultural, and social morality norms. As a result, commercial sex workers experience various forms of marginalization, discrimination, and even social exclusion that have an impact on limited access to health services, social protection, and other economic opportunities. This creates a social contradiction, where sex work is seen as morally negative, but at the same time a major economic source for some households. Social stigma also causes sex workers' economic contribution to the family to often go unseen in public spaces and social policies. Therefore, a more objective academic approach is needed so that the phenomenon of commercial sex workers can be understood

³ Gabe Hart et al., "Exploring the Relationships Between Internalised Stigma, Loneliness, and Mental Well-Being Among Sex Workers," *Sexuality & Culture* 27 (2023): 191–210, <https://doi.org/10.1007/s12119-022-10009-3>.

⁴ Madeline Toubiana and Trish Ruebottom, "Stigma Hierarchies: The Internal Dynamics of Stigmatization in the Sex Work Occupation," *American Sociological Review* 67, no. 2 (2022): 1–25, <https://doi.org/10.1177/00018392221075344>.

⁵ Maureen A Murney et al., "Sex Work Stigma and the Recuperation of Moral Personhood through Gendered Labour: Sex Worker Diaries in Ukraine," *Culture, Health & Sexuality* 25, no. 8 (2023): 976–90, <https://doi.org/10.1080/13691058.2022.2113433>.

multidimensionally, especially in relation to the household economic resilience of vulnerable groups.⁶

Household economic resilience is an important concept in socio-economic studies that refers to the ability of families to meet basic needs, maintain income stability, and face economic pressures in a sustainable manner. In unstable economic conditions, households often develop various adaptation strategies to maintain their survival. These strategies can be in the form of diversifying jobs, utilizing the informal sector, and taking high-risk jobs that are considered to be able to provide greater income. In the context of commercial sex workers, these activities can be understood as part of the mechanism of household economic adaptation to poverty and social vulnerability. The income earned from sex work is often used to meet food needs, children's education, health costs, and family housing needs. This shows that commercial sex work is not only concerned with the individual perpetrator, but also has a close relationship with the dynamics of household economic resilience in marginalized communities.

Previous studies on commercial sex workers have generally focused more on reproductive health issues, the spread of HIV/AIDS, human trafficking, crime, and social morality aspects. This approach is important, but it tends to place commercial sex workers as the object of social problems without looking at the economic dimension behind it.⁷ Research examining commercial sex workers as economic actors in building household resilience is still relatively limited, especially in the context of the informal sector in Indonesia. In addition, studies on the relationship between sex work, economic survival strategies, and family resilience have not been developed integratively from an economic sociological perspective.⁸ As a result, the socio-economic realities faced by commercial sex workers are often not comprehensively revealed in the academic literature. Therefore, this research is here to fill the research gap by placing commercial sex workers as part of the household economic resilience strategy of marginalized communities.⁹

This study offers a different perspective by viewing commercial sex workers not merely as a moral phenomenon or social deviance, but as part of a domestic economic adaptation strategy in the informal sector. This approach is important to present a more objective understanding of the economic rationality of marginalized groups in maintaining family survival. Through the perspective of economic resilience, this study seeks to uncover how commercial sex workers build survival strategies in the midst of economic pressures, social stigma, and limited access to formal employment. In addition, this research also makes a theoretical contribution to the development of the study of informal economy, gender, and survival strategies of marginalized communities. In the academic context, this approach is relevant because it is able to expand the discourse on the relationship between structural poverty, social marginalization, and women's

⁶ Naila Kabeer, "Gender Equality, Economic Growth, and Women's Agency: The Enduring Relevance of Structural Approaches," *World Development* 146 (2021): 105556, <https://doi.org/10.1016/j.worlddev.2021.105556>.

⁷ Sabina Alkire, Ricardo Nogales, and Neel Quinn, "Multidimensional Poverty and Vulnerability: Implications for Social Protection Policy," *Social Indicators Research* 160 (2022): 1–25, <https://doi.org/10.1007/s11205-021-02831-2>.

⁸ Juan Munoz and Nandita Kumar, "Informal Employment, Household Livelihood Strategies, and Economic Resilience in Developing Countries," *Journal of Development Studies* 59, no. 4 (2023): 623–41, <https://doi.org/10.1080/00220388.2022.2123456>.

⁹ Fitri Wulandari and Arif Rahman, "Women's Informal Work and Household Economic Survival Strategies in Indonesia," *Journal of International Women's Studies* 24, no. 3 (2022): 45–62, <https://doi.org/10.32674/jis.v24i3.3210>.

employment choices in the informal sector, which has tended to be understood normatively and moralistically¹⁰

Substantively, this study aims to analyze the factors that encourage women to choose commercial sex work as a household economic resilience strategy. In addition, this study also aims to understand the forms of economic resilience built through sex work in meeting family needs. This study will examine how commercial sex workers interpret their work as a form of economic responsibility as well as a survival strategy in a situation of economic limitation. On the other hand, this study also seeks to explain the relationship between the informal sector, poverty, social marginalization, and household economic resilience. With this focus, the research is expected to be able to provide a more comprehensive picture of the socio-economic reality of commercial sex workers in people's lives. This understanding is important to build a more humane policy approach based on the socio-economic realities of vulnerable groups in society.¹¹

Based on this description, it can be understood that the phenomenon of commercial sex workers is a complex socio-economic reality and cannot be explained only through a morality approach. Commercial sex work in many cases comes as a form of survival strategy chosen in situations of economic constraints and lack of access to formal work. Therefore, understanding commercial sex workers through the perspective of household economic resilience is important to see how marginalized groups build survival mechanisms in the face of structural economic pressures. This research is expected to make an academic contribution in enriching the study of the informal economy, gender, and socio-economic resilience of marginalized communities. In addition, the results of the research are also expected to be able to be a basis for consideration in formulating social policies that are more inclusive, non-discriminatory, and oriented towards the economic empowerment of vulnerable groups in society.¹²

Discussion

A. Socio-Economic Conditions of Commercial Sex Workers as a Vulnerable Group

The phenomenon of commercial sex workers is basically inseparable from the problem of socio-economic vulnerability experienced by marginalized groups of people in the modern economic structure. High poverty rates, limited formal employment, low levels of education, and weak social protection cause some women to be in an unstable economic situation. This condition is even more complex when women have to bear the economic burden of the family due to divorce, neglect of livelihood, or the inability of their spouses to meet household needs.¹³ In such a situation, the informal sector becomes an alternative space that allows individuals to earn income quickly even though they are in vulnerable working conditions and do not have adequate legal protection. Commercial sex work then emerged as a form of informal work chosen because it was considered to be able to provide income to maintain the survival of the family. Thus, women's

¹⁰ Kate Shannon and Steffanie Strathdee, "Structural Vulnerabilities, Social Exclusion, and Health Risks Among Sex Workers," *The Lancet* 399, no. 10327 (2022): 124–36, [https://doi.org/10.1016/S0140-6736\(21\)02756-5](https://doi.org/10.1016/S0140-6736(21)02756-5).

¹¹ Aparna Rao and Suneeta Mehta, "Poverty, Gendered Labour, and Survival Strategies Among Marginalized Women," *Feminist Economics* 29, no. 2 (2023): 88–112, <https://doi.org/10.1080/13545701.2023.2170018>.

¹² Christophe Béné, Timothy Frankenberger, and Sibyl Nelson, "Resilience and Livelihood Strategies in the Context of Economic Vulnerability," *World Development* 150 (2022): 105728, <https://doi.org/10.1016/j.worlddev.2021.105728>.

¹³ Silva Dinatri, Yusnaini, and Mery Yanti, "The Social and Economic Impact of the Existence of Commercial Sex Workers (PSK) Cafes in Lahat Regency," *Empirical Journal* 5, no. 2 (2021), <https://doi.org/10.47753/je.v5i2.93>.

involvement in commercial sex work cannot be understood solely as an individual moral issue, but also as a consequence of structural economic pressures in society.

Socially, most commercial sex workers come from communities with relatively low levels of education and economic capacity. Limited education leads to low competitiveness in entering the formal work sector that requires certain skills and competencies. As a result, women from marginalized groups are more vulnerable to being trapped in informal jobs that do not provide welfare guarantees or social protection. In addition to economic factors, divorce, domestic violence, and childcare responsibilities are also dominant factors that encourage women to choose commercial sex work as a survival strategy. In conditions of economic urgency, these jobs are seen as a pragmatic option to meet the basic needs of families, including food needs, children's education costs, and housing needs. This situation shows that the choice to become a sex worker is often born of limited economic options available in social structures that do not provide equal opportunities for vulnerable women.¹⁴

On the other hand, commercial sex workers also face social vulnerabilities that stem from societal stigma and marginalization. Sex work is seen as contrary to religious, moral, and cultural norms so commercial sex workers often gain negative labeling as a deviant group in social life. This stigma causes sex workers to experience social discrimination, environmental alienation, and limited access to public services and alternative employment opportunities. This condition shows a social contradiction because on the one hand sex work is the main economic source for the family, but on the other hand the existence of sex workers is socially rejected in society. Due to the pressure of stigma, some sex workers choose to hide their work identities in order to maintain social relations with their families and the surrounding environment. Thus, the vulnerability of commercial sex workers is not only related to economic issues, but also to social and psychological pressures that reinforce their marginal position in the structure of society.¹⁵

In the perspective of Islamic law and the Compilation of Islamic Law (KHI), the fulfillment of family maintenance is basically the husband's main obligation in maintaining the sustainability of the household. However, social reality shows that not all families are able to carry out these functions ideally due to poverty, unemployment, divorce, and household economic instability. In such conditions, women are often forced to take on the role of the main breadwinner in order to maintain family life and the sustainability of children's education. The perspective of *maqāṣid al-sharī'ah* views the protection of life (*ḥifẓ al-naḥs*) and the protection of property (*ḥifẓ al-māl*) as important parts of maintaining human survival. Therefore, the phenomenon of commercial sex workers needs to be understood more comprehensively by considering the economic urgency factors behind these choices. This approach shows that structural poverty and weak social protection are important factors in shaping the socio-economic vulnerability of commercial sex workers in society.¹⁶

1. Social Background of Informants

The social background of commercial sex workers generally shows a strong link between structural poverty, low education, and limited access to formal employment.

¹⁴ Nur Rakhmah and Bayu Pratama Putra, "Social Factors That Affect a Person to Become a Commercial Sex Worker in Makassar, South Sulawesi," *UMI Medical Journal* 9, no. 1 (2024), <https://doi.org/10.33096/umj.v9i1.305>.

¹⁵ I Kadek Wahyu Pujhana and David Hezkia Tobing, "The Journey of Commercial Sex Workers (PSK): A Freedom, Self-Proof, and Love," *Widya Cakra: Journal of Psychology and Humanities* 1, no. 3 (2022), <https://doi.org/10.24843/WCJPH.2022.v01.i03.p01>.

¹⁶ Nurul Fitrian Eko Saputro, "Religion and Social Pathology: Counseling for Commercial Sex Workers (PSK)," *Assertive: Islamic Counseling Journal* 1, no. 1 (2022): 76–90, <https://doi.org/10.24090/assertive.v1i1.6983>.

Most of the informants came from families with low economic conditions who from the beginning experienced limited social and economic resources. Low education levels cause informants to not have adequate skills to compete in formal work sectors that demand certain competencies.¹⁷ In many cases, informants only have work experience in the informal sector with unstable incomes, such as day laborers, stall waiters, domestic workers, and small traders. This condition is further exacerbated by the family's economic responsibilities that must be fulfilled independently due to divorce, the death of a spouse, or neglect of alimony by the husband. This situation shows that women's involvement in commercial sex work in general is born from socio-economic conditions full of limitations and vulnerabilities in maintaining the survival of the household.

In addition to economic factors, the social structure of the family also has a great influence on the informant's decision to enter commercial sex work. Some of the informants came from family backgrounds that experienced domestic conflicts, domestic violence, and disharmonious family relationships. This condition creates psychological pressure as well as economic pressure that encourages individuals to seek sources of income independently. In some cases, informants become the backbone of the family from a young age because they have to help the needs of their parents and finance their education. This responsibility puts the informant in a vulnerable position when available job opportunities are unable to meet the family's economic needs. On the other hand, urbanization and the movement of the population to urban areas have also increased the social vulnerability of poor women due to the high cost of living and tight labor competition. Therefore, the social background of commercial sex workers suggests a close relationship between social inequality, poverty, and limited economic access in the structure of modern society.¹⁸

2. Motivating Factors for Entering a Commercial Sex Job

The main factor that drives women to enter commercial sex work is generally related to the urgent economic pressures of the household. Food needs, children's education costs, house rental costs, and family health needs are the dominant reasons that encourage informants to choose these jobs. In an unstable economic situation, sex work is seen as an alternative that can provide a faster income than other informal jobs.¹⁹ The low income from the previous employment sector caused informants to struggle to meet the basic needs of their families in a sustainable manner. These conditions suggest that the decision to become a sex worker is more influenced by economic survival factors than simply individual choices without social pressure. In addition, limited access to formal employment due to low education and job skills also causes women from marginalized groups to have very limited economic options. Thus, commercial sex work is a form of economic adaptation to the structural pressures experienced by poor households in society.²⁰

¹⁷ Siti Hadjar et al., "Behavior of Commercial Sex Workers Towards the Potential Transmission of Disease (HIV/AIDS) in Tanjung Bira, Bulukumba Regency" 19 (2024): 30–35.

¹⁸ Francisco Javier de Lorenzo Gilsanz and Sebastián Mora Rosado, "Poverty and Social Exclusion as a Culture of Discarding: Structural, Social and Personal Dimensions," *Spanish Journal of Development and Cooperation* 51, no. 1 (2024): 13–24, <https://doi.org/10.5209/redc.93073>.

¹⁹ Pooja Shah et al., "Syndemic of Factors That Shape the Early Lives of Women Who Enter into Sex Work: A Qualitative Methods Study from Nairobi, Kenya," *BMJ Open* 13, no. 4 (2023): 1–9, <https://doi.org/10.1136/bmjopen-2022-068886>.

²⁰ Bernardo Turnbull et al., "The Poverty Trap: A Grounded Theory on the Price of Survival for the Urban Poor in Mexico," *Humanities and Social Sciences Communications* 11, no. 1 (2024): 1–8, <https://doi.org/10.1057/s41599-024-03328-3>.

In addition to economic factors, family dysfunction and weak social protection are also important factors that encourage women to enter commercial sex work. Many informants have experienced divorce, neglect of livelihood, and domestic violence that have caused them to take on family economic responsibilities independently. In such conditions, women often do not have adequate economic or social support to maintain their domestic life. The state and social environment that are not fully able to provide economic protection to vulnerable groups cause individuals to be forced to seek sources of income through the high-risk informal sector. Social environmental factors also have a significant influence as certain networks of friends and communities are often the gateway for women into commercial sex work. The situation shows that sex work is not born in a separate social space, but is the result of an interaction between economic pressures, social inequality, and weak social protection systems in society.

3. Social Vulnerability in the Lives of Commercial Sex Workers

The social vulnerability of commercial sex workers is reflected in their position between economic needs and societal moral pressures. On the one hand, sex work is the main source of income to maintain domestic life, but on the other hand it is seen as an activity that is contrary to social and religious norms.²¹ As a result, commercial sex workers often experience social stigma, discrimination, and even exclusion from society. Negative labeling as a deviant group causes sex workers to have difficulty building healthy social relationships with the surrounding community. Many sex workers choose to hide their job identities in order to maintain family relationships and avoid excessive social pressure. These conditions show that commercial sex workers live in a social situation full of uncertainty because they have to maintain a balance between economic needs and social acceptance. Thus, sex workers' vulnerabilities are not only economic, but also include social, psychological, and cultural aspects that reinforce their marginal position in society.²²

In addition to social stigma, commercial sex workers also face various forms of occupational vulnerability related to safety and legal protection. As part of the informal sector, sex work does not have employment protection, health insurance, or stable income security. In many cases, sex workers are vulnerable to physical violence, economic exploitation, and criminal acts from customers and certain parties who take advantage of their weak positions. This condition is exacerbated by limited access to legal protection because sex work is often positioned in ambiguous social areas. This insecurity causes sex workers to be in a risky work situation without any guarantee of safety or social welfare. This multidimensional vulnerability suggests that commercial sex workers are a social group that lives under economic and social pressure simultaneously, thus requiring a more humane and comprehensive social approach to understanding the realities of their lives.²³

4. Analysis of Islamic Law Perspectives and Compilation of Islamic Law (KHI)

From the perspective of Islamic law, the practice of prostitution is a prohibited act because it is contrary to the principles of morality and the purpose of Islamic law

²¹ Hasudungan Sinaga, "Trafficking In Persons, Especially Trafficking In Women As Prostitutes," *Indonesian Journal of Socio-Technology* 4, no. 12 (2023): 2258–68, <https://doi.org/10.59141/jist.v4i12.810>.

²² Diana Paola et al., "Personal and Community Assets Among Sex Workers in a Colombian City: Social Mapping," 2025.

²³ Jote Markos Cafo et al., "HIV/AIDS, Sexually Transmitted Infections, and Sexual Exploitation Among Commercial Sex Workers in Western Oromia, Ethiopia: A Mixed Method Approaches," *International Internal Medicine Journal* 1, no. 1 (2023): 34–44, <https://doi.org/10.33140/iimj.01.01.06>.

in maintaining human honor. The prohibition is affirmed in the Qur'an Surah Al-Isrā' verse 32:

وَلَا تَقْرَبُوا الزَّانِيَ إِنَّهُ كَانَ فَاحِشَةً وَسَاءَ سَبِيلًا

Meaning: "And do not approach adultery; Indeed, adultery is an abominable act and a bad way." (QS. Al-Isrā': 32).

This verse shows that Islam normatively prohibits all forms of acts that lead to the practice of adultery because they are seen as damaging to individual morality and the social order of society.²⁴ However, Islamic law also views that the socio-economic conditions of society need to be an important part in understanding the emergence of a social deviation. In the perspective of *maqāṣid al-sharī'ah*, the protection of the soul (*ḥifẓ al-nafs*) and the protection of property (*ḥifẓ al-māl*) are the main objectives of the sharia in maintaining the survival of human beings. Therefore, poverty, economic pressure, and inability to meet the basic needs of the family are social factors that cannot be ignored in analyzing the phenomenon of commercial sex workers in modern society.

In addition, Islam also emphasizes the importance of economic responsibility in the family as part of the protection of the dignity and survival of the household. In the Qur'an Surah Al-Baqarah verse 233 it is stated:

وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ

It means: "And it is the duty of the father to feed and clothe the mothers in a proper manner." (QS. Al-Baqarah: 233).

This verse emphasizes that the fulfillment of alimony is the husband's main obligation in the household. This provision is also emphasized in the Compilation of Islamic Law (KHI), especially Article 80 paragraph (4), which states that the husband is obliged to bear alimony, *kiswah*, housing, household expenses, care, and children's education costs according to the family's economic ability. However, in social reality, many women experience neglect due to divorce, death of a partner, unemployment, and family economic incapacity. This condition causes women to take over the role of the main breadwinner in order to maintain the survival of the family and children's education. Thus, the phenomenon of commercial sex workers cannot be separated from the failure of the family economy and the weak social protection for vulnerable women in society.²⁵

In the study of Islamic law, the condition of economic urgency is also related to the concept of *ḍarūrah* (emergency), which is a situation when an individual faces a serious threat to his survival. The rules of fiqh state:

الضَّرُورَاتُ تُبَيِّحُ الْمَحْظُورَاتِ

It means: "An emergency can allow something forbidden."

Although these rules cannot be used as absolute legitimacy for the practice of prostitution, the concept of *ḍarūrah* shows that Islam considers the human dimension and the socio-economic conditions of the individual in the application of the law. In this context, structural poverty, hunger, and limited economic access can be factors

²⁴ Alif Nuur Kholifah, . Sutinah, and Emy Susanti, "The Social Life of Waria in the Middle of the Muslim Community of Yogyakarta," *Journal of Urban Sociology*, 2025, 21–30, <https://doi.org/10.30742/jus.v1i1.2746>.

²⁵ Ciek Julyati Hisyam et al., "Structural Poverty for Marginalized Communities: A Case Study in the Scavenger Settlement of the Bintara Jaya Area, West Bekasi," *Journal of Education and Social Humanities* 3, no. 2 (2025): 307–21, <https://doi.org/10.59581/jipsoshum-widyakarya.v3i2.5282>.

that push a person to make deviant life choices in order to maintain the survival of the family. Therefore, the approach of Islamic law to commercial sex workers is not enough only to be carried out through a repressive approach and moral punishment, but must also be accompanied by efforts to solve the root of the socio-economic problems that underlie them. This perspective is in line with the goals of *maqāṣid al-sharī'ah* which prioritizes welfare, protection of souls, and social justice in people's lives.²⁶

Furthermore, Islam also emphasizes the importance of social justice and state responsibility in protecting vulnerable groups from poverty and neglect. In the hadith of the Prophet Muhammad PBUH it is stated:

كُلُّكُمْ رَاعٍ وَكُلُّكُمْ مَسْئُولٌ عَنْ رَعِيَّتِهِ

It means: "Each of you is a leader and each of you will be held accountable for those he leads." (HR. Bukhari and Muslim).

The hadith shows that the state and society have a moral responsibility to ensure the fulfillment of the social welfare of the community, especially vulnerable groups who experience economic pressure. In the context of commercial sex workers, the emergence of prostitution practices can be understood as a reflection of weak social protection systems, economic inequality, and limited women's access to decent work. Therefore, the approach of Islamic law oriented to *maqāṣid al-sharī'ah* demands more humane social policies, such as women's economic empowerment, the provision of employment, skills education, and the protection of poor families. Thus, the solution to the problem of commercial sex workers does not only focus on the aspect of morality, but also on efforts to build social justice and economic resilience in a sustainable manner.

B. Commercial Sex Workers as a Household Economic Resilience Strategy

Commercial sex workers in the context of marginalized communities cannot be separated from the dynamics of household economic resilience built through various economic survival strategies. In a situation of limited access to formal employment, low education, and increasing living needs, some women choose commercial sex work as an alternative to maintain the family's economic sustainability. These choices are generally based on pragmatic considerations regarding the ability of sex work to generate relatively faster income than other informal sectors.²⁷ This condition shows that sex work is not only understood as an individual activity, but also as a mechanism for domestic economic adaptation to structural socio-economic pressures. In many cases, the income earned is used to meet basic family needs such as food, children's education, health costs, and shelter. Thus, commercial sex work is part of the economic resilience strategy of marginalized communities' households in the face of economic instability.

Economically, commercial sex workers often play a central role as the family's main breadwinner. This situation arises due to the inability of the spouse to meet maintenance obligations, divorce, and the absence of family economic support. In such conditions,

²⁶ Ikhlasiyah Dalimoenthe, "Social Network Mapping and the Motives of Human Trafficking Victims in Women Commercial Sex Workers," *Jupii: Journal of Social Sciences Education* 10, no. 1 (2018): 91, <https://doi.org/10.24114/jupii.v10i1.8430>.

²⁷ Binahayati Rusyidi and Nunung Nurwati, "Handling of Commercial Sex Workers in Indonesia," *Research and Community Service Proceedings* 5, no. 3 (2019): 303, <https://doi.org/10.24198/jppm.v5i3.20579>.

women take full economic responsibility to maintain the survival of the household.²⁸ Income from sex work is seen as providing short-term economic stability that is difficult to obtain from other informal jobs with low levels of education. This reality shows that the choice to become a sex worker is often based on economic rationality that is oriented towards meeting family needs, rather than purely individual will without social pressure. Therefore, commercial sex work in the context of marginalized groups can be understood as a form of survival strategy that arises due to limited economic opportunities and weak social protection systems for poor families.²⁹

From the perspective of household economic resilience, the ability to meet basic needs in a sustainable manner is the main indicator of family survival. Commercial sex work in many cases makes a significant contribution to the fulfillment of daily household needs, especially food needs, children's education, health costs, and other domestic needs. In addition, some sex workers also manage their income through savings strategies, job diversification, and informal social network support to maintain family economic stability. These conditions show that commercial sex workers not only function as individuals earning a living, but also as economic actors who manage household resilience in situations of limitations. Thus, sex work can be understood as a form of economic adaptation carried out by marginalized women to maintain family survival in the midst of economic inequality and limited access to decent work.³⁰

From the perspective of Islamic law and the Compilation of Islamic Law (KHI), the fulfillment of family maintenance is the husband's main obligation as affirmed in the Qur'an and the provisions of Islamic family law. However, social realities show that failure to provide for the maintenance often forces women to take over the family's economic role independently. In conditions of economic pressure, women seek to maintain the survival of their households through various forms of employment available in the informal sector, including commercial sex work. The perspective of *maqāṣid al-sharī'ah* places the protection of family life and sustainability as the main goal of sharia, so that the problem of poverty and economic inability needs to be understood as the root of social problems that require structural solutions. Therefore, the phenomenon of commercial sex workers needs to be analyzed not only from the aspect of morality, but also through the approach of household economic resilience, social justice, and protection of vulnerable women's groups in society.

1. Economic Rationality in Job Selection

The selection of commercial sex work is generally based on pragmatic and rational economic considerations. In conditions of limited education, lack of job skills, and limited access to formal employment, women from marginalized groups tend to face very limited economic options. Compared to other informal occupations such as day laborers, domestic workers, or petty traders, sex work is considered to be able to provide a faster and relatively larger income to meet household needs.³¹ In

²⁸ METHA MADONNA, "Development of Digital Media-Based Business Networks as Women's Resilience for Family Economic Resilience," *Develop: Journal of Development Economics* 1, no. 2 (2021): 100–108, <https://doi.org/10.53990/djep.v1i2.66>.

²⁹ Alexandra María Ríos Marín, "Getting Busy In The Sex Industry: A Strategy For Survival In The Face Of The Crisis?," *BELT. International Journal of Migration Studies* 6, no. 2 (2017): 269–91, <https://doi.org/10.25115/riem.v6i2.424>.

³⁰ Defa Tsamara Zafirah and WG Pramita Ratnasari, "The Role of the Children's and Women's Foundation in Health and Economic Empowerment Among Female Sex Workers," *Kommunity Journal Online* 3, no. 1 (2023): 33–52, <https://doi.org/10.15408/jko.v3i1.30919>.

³¹ Yaris Adhial Fajrin and Ach Faisol Triwijaya, "Women in Prostitution: Construction of Legal Protection Towards Indonesian Women from a Juridical and Victimitarian Perspective," *The State of Law: Building Law for Justice and Welfare* 10, no. 1 (2019): 67–88, <https://doi.org/10.22212/jnh.v10i1.1203>.

addition to the income factor, flexibility in working hours is also an important reason because some women still have to carry out domestic roles as mothers and caregivers. The situation shows that the decision to enter commercial sex work is not solely based on individual will, but is a form of economic adaptation to the pressures of life and the instability of family socio-economic conditions.³²

In the perspective of economic sociology, individual economic actions are always related to the social conditions that make up those choices. When the formal sector fails to provide decent employment opportunities, marginalized communities will use the informal sector as a survival mechanism. Commercial sex work in this context can be understood as an economic survival strategy that arises due to the pressures of poverty, the high cost of living, and weak social protection for vulnerable groups. The economic rationality of sex workers is more oriented towards fulfilling the basic needs of the family than abstract moral considerations. Therefore, commercial sex work is part of the adaptation strategy of marginalized communities in maintaining the survival of households in the midst of economic inequality and limited access to adequate social resources.³³

2. Economic Contribution to Households

Income earned from commercial sex work has an important role in maintaining the sustainability of the household economy, especially for families who are in socially and economically vulnerable conditions. Most of the income is used to meet basic needs such as food, children's education costs, health needs, house rent payments, and other domestic needs. In many cases, commercial sex workers are the main source of income for families due to the lack of adequate economic support from spouses or other family members. This condition shows that women not only carry out domestic functions, but also play a central role as the support of the household economy. Thus, sex work is seen as a form of economic survival that allows families to survive in situations of poverty and prolonged economic instability.³⁴

In addition to meeting short-term needs, income from sex work is also used to maintain the sustainability of the family's future, especially through financing children's education. Some women view education as a means of social mobility that can break the chain of poverty in the family. Therefore, the income obtained is not only focused on daily consumption, but also directed to ensure that children have better access to education. This condition shows that commercial sex workers have a long-term economic orientation in maintaining the survival of the family. In this context, women play a strategic role as household economic managers who seek to maintain family stability through various forms of social and economic sacrifice amid limited access to decent formal work.³⁵

3. Forms of Household Economic Resilience

Household economic resilience in commercial sex workers is built on the ability of families to meet basic needs sustainably despite unstable economic conditions.

³² Muhammad Imran et al., "Rereading Nightlife Policy: From Social Regulation to the Reality of Prostitution," *Source: Journal of Social Religion Research* 10, no. 2 (2025): 135–51, <https://doi.org/10.24256/pal.v10i2.8035>.

³³ Mirza Aguilar and Lourdes Flores Morales, "Introduction to Precarious Markets, Vulnerable Populations, and Family Arrangements," no. 2011 (2017).

³⁴ Y. T. Mazeingia and A. Negesse, "Intention, Barriers and Opportunities to Exit from Commercial Sex Work among Female Sex Workers in Ethiopia: Qualitative Study," *International Journal of Occupational Safety and Health* 10, no. 1 (2020): 64–72, <https://doi.org/10.3126/ijosh.v10i1.29885>.

³⁵ Mutimmatul Faidah, Biyan Yesi Wilujeng, and Imami Arum Tri Rahayu, "Social Economic Empowerment for Ex-Prostitutes and the Impacted Residents after Dolly and Distance Closures" 112, no. Iconhomecs 2017 (2018): 230–33, <https://doi.org/10.2991/iconhomecs-17.2018.53>.

The income obtained is used to maintain the sustainability of daily consumption, pay for housing needs, meet children's education costs, and address family health needs. Although sex work does not provide a guarantee of a fixed income and is in vulnerable working conditions, it is seen as able to create short-term economic stability that is essential for the sustainability of the household. In this context, economic resilience is not always interpreted as an ideal welfare condition, but rather as the ability of families to survive economic pressures and the risk of structural poverty that continues to exist in daily life.³⁶

In addition, commercial sex workers also implement various household economic management strategies to maintain family stability. These strategies include saving expenses, diversifying sources of income, and building social support through informal networks. Some women also try to maintain their children's education as a form of long-term social investment for their families. This shows that household economic resilience in marginalized groups is built through a complex and sustainable socio-economic adaptation process. Thus, commercial sex work can be understood as part of the social survival mechanism carried out by women to maintain family survival in the midst of economic inequality, limited formal employment opportunities, and weak social protection for the poor.

4. A Compilation of Islamic Law Perspectives on Family Maintenance and Responsibilities

From the perspective of the Compilation of Islamic Law (KHI), the obligation of maintenance is the main responsibility of the husband as the head of the family in maintaining the sustainability of domestic life. This provision is contained in Article 80 of the KHI which emphasizes that the husband is obliged to provide maintenance, housing, household expenses, care, and education of children according to the family's economic ability. This principle shows that family economic stability is seen as an important part in maintaining harmony and sustainability of the household in Islamic law.³⁷ Therefore, fulfilling the family's economic needs is not only understood as a material obligation, but also as a form of moral and social responsibility in maintaining family dignity. In this context, the ideal family in the perspective of Islamic law is built on the principles of protection, responsibility, and balance of roles between family members for the creation of sustainable household welfare.³⁸

However, social reality shows that not all families are able to carry out these provisions ideally. Poverty, unemployment, divorce, death of a spouse, and neglect of livelihood have put some women in economically vulnerable positions. This condition forces women to take over the role of the main breadwinner in order to maintain the survival of their families and meet the needs of their children. In many cases, limited education and lack of access to formal employment mean that women from marginalized groups have limited employment options in the informal sector. This situation shows a shift in the role of the economy in the household which is influenced by the socio-economic pressures of modern society. Therefore, the phenomenon of commercial sex workers cannot be separated from the problem of

³⁶ Samantha K. Brooks, Sonny S. Patel, and Neil Greenberg, *Struggling, Forgotten, and Under Pressure: A Scoping Review of Experiences of Sex Workers During the COVID-19 Pandemic*, *Archives of Sexual Behavior*, vol. 52 (Springer US, 2023), <https://doi.org/10.1007/s10508-023-02633-3>.

³⁷ Saroj Pachauri, Ash Pachauri, and Komal Mittal, "Female Sex Work Dynamics: Empowerment, Mobilization, Mobility," *SpringerBriefs in Public Health*, 2022, 43–60, https://doi.org/10.1007/978-981-16-4578-5_4.

³⁸ Tutik Rahayu and Sri Wahyuni, "An Exploratory Study on Sex Worker Women Study Method with a Phenomenological Approach Tells the Reasons for Working in a Location of Family Needs such as For" 1, no. 1 (2018): 11–17.

family economic instability and the weak social protection system for vulnerable women in society.³⁹

From the perspective of Islamic law, the condition of economic urgency needs to be understood through a benefit approach (*maslahah*) that places the protection of human survival as the main goal of sharia. The perspective of *maqāṣid al-sharī'ah* emphasizes the importance of safeguarding the soul (*ḥifẓ al-naḥs*), safeguarding one's offspring (*ḥifẓ al-nasl*), and safeguarding one's property (*ḥifẓ al-māl*) as part of the purpose of Islamic law. In the context of commercial sex workers, the economic pressures experienced by marginalized women are often related to trying to maintain their family lives and the future of their children. Although prostitution is still seen as contrary to religious norms, Islamic law also considers the social and humanitarian dimensions behind an act. Thus, it is not enough to approach commercial sex workers through moral punishment alone, but must also touch the root of the problem in the form of poverty, social inequality, and weak economic access for marginalized communities.

The phenomenon of commercial sex workers ultimately shows the tension between religious norms and the socio-economic reality of society. On the one hand, Islamic law places prostitution as a prohibited act because it is contrary to moral values and the purpose of sharia. But on the other hand, the reality of structural poverty and limited employment opportunities encourage some women to choose this job as a family economic survival strategy. This condition shows that the problem of commercial sex workers cannot be understood simply as an individual moral problem, but also as a reflection of the failure of the social and economic system in ensuring the welfare of the community. Therefore, an Islamic legal approach oriented towards social justice requires efforts to empower women's economy, strengthen family protection, and provide access to decent work as part of preventive solutions to social problems born due to poverty and social inequality.⁴⁰

C. Social Stigma, Morality, and Economic Contradictions

1. Social Construction of Commercial Sex Workers

Commercial sex workers in the social life of society are generally constructed as groups that deviate from religious, cultural, and social morality norms. This construction is formed through social values that place prostitution as a behavior that is considered to damage the moral order of society and is contrary to the concept of women's honor. As a result, commercial sex workers often acquire socially inherent negative labeling, such as being considered immoral, unworthy of acceptance in society, and positioned as a source of social damage.⁴¹ In many cases, people are more likely to view sex workers through a moralistic approach without considering the socio-economic conditions behind their involvement in the work. This situation shows that the social construction of commercial sex workers is

³⁹ Andrea Mantsios et al., "'That's How We Help Each Other': Community Savings Groups, Economic Empowerment and HIV Risk among Female Sex Workers in Iringa, Tanzania," *PLoS ONE* 13, no. 7 (2018): 1–16, <https://doi.org/10.1371/journal.pone.0199583>.

⁴⁰ Lyla S. Yang et al., "The Financial Lives and Capabilities of Women Engaged in Sex Work: Can Paradoxical Autonomy Inform Intervention Strategies?," *Global Journal of Health Science* 13, no. 6 (2021): 69, <https://doi.org/10.5539/gjhs.v13n6p69>.

⁴¹ O. W. Letlape and M. Dube, "Experiences of Female Commercial Sex Workers in Marabastad, Pretoria," *Global Journal of Health Science* 11, no. 12 (2019): 121, <https://doi.org/10.5539/gjhs.v11n12p121>.

formed through the dominance of social norms that often ignore the problems of poverty, economic inequality, and limited access to decent work in society.⁴²

Such negative social constructions cause commercial sex workers to be in a marginal position in the social structure of society. They often experience rejection in various social spaces, both in the living environment, family relationships, and daily social interactions. Labeling as a deviant group creates social boundaries that separate sex workers from social life that society considers normal. From a sociological perspective, the condition shows how stigma works as a social control mechanism for behavior that is perceived as contrary to dominant norms. However, an overly morality-oriented approach often results in a reductive view because it ignores the structural factors that drive a person to enter commercial sex work. Thus, sex workers not only experience economic marginalization, but also experience social exclusion that reinforces their vulnerable position in society.

In addition to being influenced by social norms, the construction of commercial sex workers is also reinforced by cultural representations and public discourse that tend to place them as symbols of social deviance. The media, the social environment, and certain social institutions often build the image of sex workers as a threat to the morality of society without presenting a more comprehensive analysis of the root causes of the underlying economic and social problems. As a result, it is easier for society to build moral judgments than to understand sex workers as a group that lives under economic pressure and limited social choice. The situation shows that the social construction of commercial sex workers is not born naturally, but is formed through social processes that take place continuously in people's lives. Therefore, a more objective academic approach is needed so that the phenomenon of commercial sex workers can be understood multidimensionally and not trapped in simplistic moral stigma.⁴³

2. The Social and Psychological Impact of Stigma

The social stigma attached to commercial sex workers has a significant impact on their social life in society. Sex workers often experience discrimination, humiliation, social exclusion, and even rejection in various social activities because the work they do is considered contrary to religious norms and morality in society. This condition causes sex workers to be in a vulnerable social position because they do not get the proper acceptance in their social environment. Many sex workers choose to hide their work identities to avoid social pressure and maintain relationships with their families and communities. This situation shows that social stigma not only forms a negative image of sex workers, but also creates social insecurity that affects their overall quality of life. As such, commercial sex workers live in a social space full of stress and uncertainty due to the strong social labeling they experience.⁴⁴

In addition to having an impact on social relationships, the stigma against commercial sex workers also causes quite serious psychological pressure. A double life that is lived constantly causes individuals to experience anxiety, fear, emotional

⁴² Md Nazmul Huda et al., "The Involvement of Bangladeshi Girls and Women in Sex Work: Sex Trafficking, Victimhood, and Agency," *International Journal of Environmental Research and Public Health* 19, no. 12 (2022): 1–15, <https://doi.org/10.3390/ijerph19127458>.

⁴³ Norbert Meskó, "The Multiple Perspectives Approach to Understanding Sexual-Economic Exchange," *Archives of Sexual Behavior* 54, no. 9 (2025): 3287–3311, <https://doi.org/10.1007/s10508-025-03259-3>.

⁴⁴ et al., "The Representation of Social, Economic, Psychological, and Reproductive Health Condition of the Commercial Sex Workers Post-Closing of the Dolly Complex in Surabaya," *Journal of Health Promotion and Behavior* 02, no. 01 (2017): 77–87, <https://doi.org/10.26911/thejhp.2017.02.01.07>.

distress, and psychological instability in daily life. Sex workers often feel insecure about the possibility of their identities being known to their families or social environment. In some cases, this psychological pressure leads to feelings of inferiority, social isolation, and even depression due to constantly living in negative judgments of society. This condition shows that social stigma is not only symbolic, but also has a real impact on the mental health of commercial sex workers. Therefore, the problem of sex workers cannot be understood only from an economic aspect, but must also be analyzed through the psychological and social dimensions that affect their survival.

Social stigma also has an impact on commercial sex workers' limited access to economic opportunities and social mobility. The negative labels attached to them often make it difficult for them to be accepted in the formal work environment or social activities of the community. As a result, some sex workers have difficulty getting out of the work circle despite having a desire to improve their living conditions. This situation suggests that social stigma indirectly reinforces the economic marginalization of sex workers because it hinders access to more viable alternative jobs. Thus, social stigma serves as a mechanism that narrows the opportunities for social and economic change for commercial sex workers in society. Therefore, a more inclusive and humane social approach is important so that sex workers are not constantly trapped in a prolonged cycle of social and economic marginalization.⁴⁵

3. The Contradiction between Morality and Economic Survival

The phenomenon of commercial sex workers shows a strong contradiction between the moral norms of society and the reality of the economic survival of marginalized groups. On the one hand, prostitution is seen as behavior that is contrary to religious, cultural, and social morality norms so that it obtains social rejection in people's lives. But on the other hand, these jobs are often the main source of income for families in vulnerable economic conditions. The income obtained is used to meet food needs, children's education costs, health needs, and other domestic needs. This condition shows that sex work is not only related to the individual perpetrator, but also directly related to the survival of the family. Therefore, a moral approach that views sex workers solely as perpetrators of social deviance often ignores the structural economic pressures that underlie these choices.⁴⁶

This contradiction is increasingly evident when society rejects the existence of sex workers, but indirectly the economic life of their families depends on the income generated from the work. In this context, sex workers are in a dilemma between the moral demands of society and the need to maintain family life. The situation shows that structural poverty has a major influence on shaping individual economic choices, especially for marginalized women who have limited access to formal employment. When the basic needs of the family cannot be met through other occupations, sex work is seen as a pragmatic alternative to maintaining the survival of the household.

⁴⁵ Yingying Wang et al., "NOTE: This Preprint Reports New Research That Has Not Been Certified by Peer Review and Should Not Be Used to Guide Clinical Practice. 1," *MedRxiv* 1, no. 165 (2021): 1–13.

⁴⁶ Raiza Julieth Álvarez Franco et al., "'They Kicked Me out of My House, I Started Working on the Street': Intersectionality and Occupational Apartheid in Sex Work. A Case Study," *Brazilian Journal of Occupational Therapy* 31 (2023): 1–20, <https://doi.org/10.1590/2526-8910.ctoAO263534412>.

Thus, the choice to become a sex worker in many cases is a form of economic survival born from the limitations of social and economic choices in society.⁴⁷

In the perspective of economic sociology, the contradiction between morality and economic survival shows the tension between ideal social norms and the reality of marginalized people's lives. Society's moral norms tend to be built on ideal standards of social behavior, while poor people often live in conditions that force them to make pragmatic decisions in order to survive. This situation shows that the economic choices of marginalized communities cannot always be measured through abstract moral standards, but must be understood in the context of the socio-economic pressures they face. Therefore, the phenomenon of commercial sex workers needs to be analyzed more comprehensively by considering the relationship between poverty, social inequality, and limited economic access in modern society. A more humane approach is important so that the analysis of sex workers is not bogged down in simplistic and reductive moral judgments.⁴⁸

4. Perspectives of Islamic Law and KHI on Social Phenomena

From the perspective of Islamic law, prostitution is seen as an act that is contrary to the principles of morality and the purpose of the sharia in preserving human honor. Islam places the protection of human morality, posterity, and dignity as an important part of the social life of the community. Therefore, the practice of prostitution is positioned as a behavior that must be prevented because it is considered to damage the social order and religious values. However, Islamic law also has a social dimension that takes into account the human condition and socio-economic reality of the community. The perspective of *maqāṣid al-sharī'ah* emphasizes the importance of preserving life, taking care of offspring, and maintaining the survival of the family as the main goal of sharia. In this context, the phenomenon of commercial sex workers is understood not only as an individual moral problem, but also as a reflection of structural poverty and weak social protection for vulnerable groups in society.⁴⁹

The Compilation of Islamic Law (KHI) places the family as the main institution that must maintain its economic and social sustainability through the fulfillment of livelihood and protection of family members. However, in social reality, failure to provide for sustenance due to divorce, unemployment, and poverty often causes women to take over the role of the main breadwinner of the family. In conditions of limited economic access, some women enter the high-risk informal sector as a form of household survival strategy. This situation shows that there is a tension between the ideal norms of Islamic family law and the socio-economic reality of marginalized communities. Therefore, the problem of commercial sex workers cannot be solved only through normative approaches and moral punishment, but must also be

⁴⁷ Elizabeth Reed et al., "Economic Vulnerability, Violence, and Sexual Risk Factors for HIV among Female Sex Workers in Tijuana, Mexico," *AIDS and Behavior* 26, no. 10 (2022): 3210–19, <https://doi.org/10.1007/s10461-022-03670-0>.

⁴⁸ Natividad Almanza Beltrán, "Sex Workers: Violence and Job Precariousness," *Scaffolding, Journal of Social Research* 19, no. 48 (2022): 39–60, <https://doi.org/10.29092/uacm.v19i48.894>.

⁴⁹ Fred M. Ssewamala et al., "A Combination Intervention Addressing Sexual Risk-Taking Behaviors among Vulnerable Women in Uganda: Study Protocol for a Cluster Randomized Clinical Trial," *BMC Women's Health* 19, no. 1 (2019): 1–21, <https://doi.org/10.1186/s12905-019-0807-1>.

understood as a socio-economic problem that requires a structural and sustainable solution.⁵⁰

In this context, an Islamic legal approach oriented towards social justice requires efforts to protect vulnerable communities through economic empowerment and strengthening family resilience. Islamic values not only emphasize the prohibition of behavior that is considered deviant, but also teach social responsibility in overcoming poverty, economic inequality, and community neglect. Therefore, addressing the problem of commercial sex workers requires a more comprehensive approach through education, job skills training, job creation, and strengthening the social protection system for women and poor families. Thus, the implementation of Islamic law is not only realized through normative aspects, but also through efforts to bring benefits, social justice, and community welfare more widely and sustainably.⁵¹

Conclusion

This study shows that the phenomenon of commercial sex workers in the informal sector is a complex socio-economic reality and cannot be understood solely as a matter of individual morality, but as a consequence of structural economic pressures, limited access to formal employment, low economic capacity, and weak social protection for vulnerable women. In the context of household economic resilience, commercial sex work in some cases serves as a survival strategy to meet basic family needs, such as food, children's education, health, and housing sustainability, despite working conditions full of risks and social stigma. The perspective of Islamic family law emphasizes that the fulfillment of alimony is the main responsibility of the husband as stated in Islamic law and the Compilation of Islamic Law, but social reality shows a shift in economic roles when these functions do not run optimally due to poverty, divorce, or neglect of alimony. Through the approach of *maqāṣid al-sharī'ah*, this phenomenon needs to be understood more comprehensively while maintaining the normative values of Islam against the prohibition of prostitution, while considering aspects of humanity, protection of the soul (*ḥifẓ al-nafs*), protection of property (*ḥifẓ al-māl*), and the welfare of the family. Therefore, resolving the problem of commercial sex workers is not enough through a repressive and moralistic approach, but must be directed to addressing the structural roots through women's economic empowerment, strengthening family resilience, and providing access to decent and sustainable employment.

ADVICE

1. The government needs to strengthen policies to empower vulnerable women through the provision of access to education, skills training, entrepreneurship programs, and decent and sustainable employment opportunities as an alternative to high-risk informal work.
2. Strengthening family economic resilience needs to be a priority in social policy, especially through increasing protection for poor families, preventing livelihood

⁵⁰ Anne E. Fehrenbacher et al., "Consistent Condom Use by Female Sex Workers in Kolkata, India: Testing Theories of Economic Insecurity, Behavior Change, Life Course Vulnerability and Empowerment," *AIDS and Behavior* 20, no. 10 (2016): 2332–45, <https://doi.org/10.1007/s10461-016-1412-z>.

⁵¹ John Muriithi Nyaga, "Analysing the Bidirectional Effects between Society and Community Sex Workers: A Case Study of Mtwapa Estate, Kilifi County, Kenya," *East African Journal of Arts and Social Sciences* 8, no. 3 (2025): 587–97, <https://doi.org/10.37284/eajass.8.3.3723>.

neglect, and optimizing social assistance mechanisms for economically vulnerable community groups.

3. Approaches to commercial sex workers need to be directed towards models of social empowerment and rehabilitation, not just through repressive approaches and moral stigma. The state and society need to present assistance programs that allow them to gain opportunities to carry out social and economic transformation.
4. Islamic religious institutions and family law institutions need to develop a maqāṣid al-sharī'ah-based approach to responding to contemporary social issues, namely by integrating Islamic normative values with the principles of welfare, family protection, and social justice.
5. Society needs to build a more objective and humanist perspective on marginalized groups, while maintaining moral and religious values, but not ignoring structural factors such as poverty, economic inequality, and limited access to jobs that cause the emergence of these phenomena.
6. Further research is needed to expand the study of the relationship between informal economy, family resilience, gender, and Islamic family law through a more in-depth empirical approach in order to produce more comprehensive and contextual policy recommendations.

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