

Abstract:

“Is Cyberprostitution Prostitution? New Paradigm, Old Crime”

In any given industry, machines are rapidly replacing workers. Alternately celebrated as the liberation of the worker from the grind and peril of manual labor and lamented as the condemnation of the worker to lowered wages and/or the effectness of unemployment, so-called “advances” in technology problematically recast the labor-capital relation as a human-machine relation. What does this process look like in the context of a *criminalized* industry like the sex industry? In this paper, I examine the way in which cyberprostitution—ostensibly, an advance in the technology of communication—places the conceptual terrain of prostitution into question. For those of us who thought we knew the ins and outs of prostitution—what it is, who does it, and how they do it—cyberprostitution is rapidly proving to be a proverbial monkey wrench in the works. Examining both the American legal system’s struggle to insert cyberprostitution into a structure of rights and obligations, and the Sex Worker Rights Movement’s struggle to harness cybertechnology to social justice rather than the profit motive, provides an important and likely short-lived window of opportunity for an honest moment of reckoning with a naked emperor previously and pervasively dressed up and trotted out as “Prostitution.” Provocative site of the perpetual conflict Marx posited between the “material productive forces of society” and “the existing [property] relations of production” under capitalism, cyberprostitution requires feminists and queer theorists alike to radically reconsider not only conventional paradigms of prostitution—but also of nation-state, sex, and work.

“Woman” for Sale: Feminism, Queer Theory, and the Question of Sex Work

Annotated Table of Contents

CHAPTER ONE: Lost in Translation: Prostitution and the Feminist Erasure of Class

In this chapter, I trace the contemporary feminist debate on prostitution to the period in which Catherine MacKinnon (1982) and Gayle Rubin (1975) deemed Marxism inadequate to the task of theorizing women’s oppression. In seeking to surmount this perceived inadequacy, both thinkers counterposed alternative theoretical frameworks for analyzing women’s oppression which nonetheless relied upon certain of Marxism’s central tenets. In a reliance that took the form of strikingly similar translations of Marxism foregrounding what came to be known as radical feminism (in the case of MacKinnon) and queer theory (in the case of Rubin), both theorists problematically render class as gender and heterosexuality. Effacing what sex work’s short circuiting of the gap between woman-as-laborer and sex as “the particular product of individual labor” has to tell us about the lived intersectionality of capitalism and patriarchy in individual and collective lives, feminists writing in MacKinnon and Rubin’s wake typically frame their discussions of prostitution/sex work—including those which are ostensibly pro-sex worker—in terms of gender and/or sexuality, rather than class. I argue that this occlusion of class—predicated upon MacKinnon’s and Rubin’s translation of class as identity, rather than as a dynamic, antagonistic relationship between capital and labor-- has facilitated feminism’s and queer theory’s unwitting complicity with capitalism around the question of prostitution, manifested in a lack of attention to women’s oppression not as women and sexual minorities, per se, but as workers, commodities, and capital.

CHAPTER TWO: Queer Theory, Stonewalled: The Silence of Sex Work

In 1990, Eve Sedgwick boldly announced what for many gays and lesbians by then seemed obvious: “The closet is the defining structure for gay oppression in this century.” Periodizing *The Closet*, Sedgwick specifies that “the phrase ‘the closet’ as a publicly intelligible signifier for gay-related epistemological issues is made available, obviously, only by the difference made by the post-Stonewall gay politics oriented around coming out of the closet.” Characterizing these politics in an early prefiguration of the political organizing and theorizing that has of late come to be known as intersectionality, bar-goer Philip Eagles affirmed of Stonewall, “It was the heart and soul of the Village because it had every kind of person there.” But in the decades since Stonewall, “every kind of person” has not received equal play time in Queer Theory-- certainly not the kind of person who happens to be a sex worker. In contrast with their gay and lesbian comrades at the altar, the ghosts of sex workers still sit on their barstools at the Stonewall Inn, “waiting for their turn at justice” (as Erotic Services Providers Union founder Maxine Doogan puts it). Given this profound disconnect between Queer Theory and the Sex Worker Rights Movement--movements that would to many seem highly compatible and/or mutually implicated movements, predicated as they both are on a resistance to sexual stigmatization and marginalization--my intent with this chapter is three-fold: 1) to signal the curious silences that have from the inception of Queer Theory enshrouded the subject of prostitution/sex work, 2) to read into these silences—to consider them, per Sedgwick’s articulation of the silences enshrouding *The Closet*, as

“speech acts” in and of themselves; and 3) to sketch the losses Queer Theory has suffered in the wake of its failure to make common cause with the Sex Worker Rights Movement.

CHAPTER THREE: “On the Other Side of Bars”: Queer Theory, Sex Work, and Foucault

Refusing the obvious conclusion—that Queer Theory’s silence on sex work somehow proves its insignificance to this field of inquiry—I trace in Michel Foucault’s work signs of an alternate, queer genealogy of prostitution/sex work. Precisely *not* the presence of a story about prostitution, *per se*, this chapter is instead a sketch of the tremendous amount of time and energy organized around the project of preserving a status quo according to which we moderns perceive Queer Theory and the Sex Worker Rights Movement as discrete discourses. In the interests of interrogating this divide, I make explicit that which has heretofore remained for readers of Foucault’s work oblique: I cast in relief prostitution as a once generic assemblage of acts which had by the nineteenth-century become “a personage, a past, a case history, and a childhood.” Together with madness and homosexuality, by the nineteenth century prostitution had acquired “an analytical, visible, and permanent reality” and her name was—is-- The Prostitute. More specifically, I carefully examine Foucault’s elucidation of the way in which the binary relation between delinquency (“controlled illegality...an agent for the illegality of the dominant groups”) and conservative familialism has proven indispensable to governmentality’s continual creation and co-optation of “the productive class” under capitalism. Inasmuch as prostitution is for Foucault a repository *sine qua non* of delinquency, one thus comes to understand why not only Queer Theory but also, not coincidentally, Marxism, have time and again failed to make common cause with the Sex Worker Rights Movement.

CHAPTER FOUR: Is Cyberprostitution Prostitution? New Paradigm, Old Crime

In any given industry, machines are rapidly replacing workers. Alternately celebrated as the liberation of the worker from the grind and perils of manual labor and lamented as the condemnation of the worker to lowered wages and/or the effectness of unemployment, so-called “advances” in technology problematically recast the labor-capital relation as a human-machine relation. What does this process look like in the context of a *criminalized* industry like the sex industry? In this chapter, I examine the way in which cyberprostitution—ostensibly, an advance in the technology of communication—places the conceptual terrain of prostitution into question. For those of us who thought we knew the ins and outs of prostitution—what it is, who does it, and how they do it--cyberprostitution is rapidly proving to be a proverbial monkey wrench in the works. Examining both the American legal system’s struggle to insert cyberprostitution into a structure of rights and obligations, and the Sex Worker Rights Movement’s struggle to harness cybertechnology to social justice rather than the profit motive, provides an important and likely short-lived window of opportunity for an honest moment of reckoning with a naked emperor previously and pervasively dressed up and trotted out as “Prostitution.” Provocative site of the perpetual conflict Marx posited between the “material productive forces of society” and “the existing [property] relations of production” under capitalism, cyberprostitution requires feminists and queer theorists alike to radically reconsider not only conventional paradigms of prostitution—but also of nation-state, sex, and work.