

CHAPTER ONE

Dangerous Sex, Invisible Labor

An Introduction

All day long, there was a buzz in the office. A rally had been called. Shanti, a sex worker in the Bow Bazaar area of central Kolkata, had been assaulted by her landlady, Ritu. Shanti had been behind on her rent for the past three weeks, and when she asked Ritu for more time since she didn't have any customers, Ritu had taken her to a nearby alley and beat her black and blue with a thick bamboo stick. Shanti showed us the bruises on her back, hands, and legs. She had been in the Durbar Mahila Samanwaya Committee (DMSC) office all day with her lover and ten-month-old son.¹ A meeting was held in the director's office in the morning. And by 3:00 PM, sex workers and project staff from all twenty-one Kolkata field areas of the DMSC converged on Bow Bazaar. When there is a protest rally at the DMSC, *everyone*, including the accountants, project coordinators, administrative staff, computer room staff, and "visitors" like myself, is required to join it. Projects are important, but at the DMSC there is a belief that its most important goal is to fight for sex workers' empowerment. By the time I reached Bow Bazaar with Mitra Routh, a field supervisor for Sonagachi, another major red-light area in North Kolkata, the narrow Prem Chand Boral Street was filled with sex workers and DMSC staff. At the end of the street, a small makeshift stage had been set up. The Polli Milan Sangh, a local club where the DMSC clinic is held, was teeming with sex workers taking shelter from the sweltering July heat.

Soon the meeting started, and many sex workers went up to the stage to address the gathering. This included leaders like Swapna Gayen, a sex worker and secretary of the DMSC and a longtime resident of Bow Bazaar, through whom the DMSC got to know about Shanti's abuse. Then there were branch committee members for the red-light area and older sex workers who were resident there who spoke out against Ritu's abusive behavior. Being at DMSC events, it is easy to forget how unusual it is for Indian sex workers to grab the mike and come out in front of hundreds of people to say they are sex workers, that they have been abused, and that we should do something about it. It is not surprising that the DMSC often uses these protest rallies as a training ground to improve

the confidence and public-speaking skills of sex workers who can otherwise barely manage to say a few words. Some of the project staff and advisors to the DMSC also spoke, as did the president of the local club. Finally, it was Shanti's turn. She was very emotional and expressed her rage and frustration at Ritu. Then the rally started. There were about three hundred of us. The rally circled around the neighborhood. As we passed by, the people living in houses, and those working in the gold jewelry shops that Bow Bazaar is famous for, just stopped and stared at us. For me, the most unforgettable scene was when I peered into a blacksmith's shop and saw five men's faces in a row as they halted their work to look out at us.

We finally arrived at Ritu's house. A short sex worker right behind me was shouting slogans in Bengali against Ritu in a powerful voice. "DMSC is against *dalals* [touts/agents], *mastans* [hooligans], and abusive *malkins* [landladies].² Watch out, oh perpetrators of violence against Shanti, Durbar is here." After a few minutes in front of Ritu's house, we marched to the area police station, an old red brick colonial building. There, as we sat outside the police station, a few representatives of the sex workers went inside. A case had already been registered with the police the evening before. The police had arrested Ritu, who was released on bail that morning. While waiting there, I heard from Mitra that another sex worker had been beaten by Ritu two nights ago. She hadn't told anyone about it, but when she saw the strength of the rally, she came forth and accompanied Durbar representatives to the police station to register a case against Ritu. Such is the influence of the DMSC, which has been at the forefront of campaigning for workers' rights for Indian sex workers for more than a decade now.

The striking image of mobilized third world sex workers must startle us, bombarded as we routinely are by the media and the international human rights community with horrific stories of trafficking, wherein the embattled figure of the enslaved third world sex worker makes her way into the popular imagination in a highly particularized way.³ Not that these reports of trafficking are untrue. Yet the contrasting images of the protesting sex worker and enslaved sex worker embody profound normative contestations over how we understand the sale of sexual services for money. The proliferating images of third world sex slavery also contain within them a story of the politics of mobilization, of the disparately unequal spaces of international civil society (Batliwala 2002) wherein the struggles of localized and marginalized social movements like that of Kolkata's sex workers are barely audible. This stands in sharp contrast to the influence of feminism, both in international and national contexts, which is increasingly being propelled into the hallways of power, leading some of us to characterize it as "governance feminism"⁴ (Halley et al. 2006, 340; 2008a, 2008b). Many stories of movement politics, both on the part of sex workers and feminists, remain to be told. Yet those stories are not the focus of my book. I am instead interested here in exploring what the contemporary sex work debates render less visible,⁵ namely, the third world sex worker's normative demands that she be treated as a worker. Note what sex workers had to

say (Durbar Mahila Samanwaya Committee 2006) on the occasion of a rally organized under the aegis of the National Network of Sex Workers (NNSW), a network of Indian sex workers' organizations, including the DMSC, in March 2006 when protesting amendments to the federal anti-sex work law (or the Immoral Traffic Prevention Act, 1956, also called the ITPA) then pending before the Indian Parliament. The amendment criminalized customers of sex workers.

We demand that sex work be put in the occupation schedule of the Ministry of Labour. Once we sex workers start enjoying all the rights that the workers of the land enjoy—then the STDs and the raging HIV/AIDS pandemic can be successfully tackled by us, as occupational hazards of the sex sector.

So why put up with this immoral IT(P)A, which is singularly clueless about human trafficking in our country? Let us scrap it. Let us tackle real issues instead. These are the realities of: sexual exploitation of girls and child brides in the vast majority of our homes, where trafficking begins; our stunted, topsy-turvy yet multi-faceted sexual culture; our sex-ratio imbalances; our avoidance of sex education; and the reality of human trafficking in our vast human ocean of wage less slavery.

In this book, I want to ask what it means for the four-thousand-odd sex workers at the march to the Indian Parliament to have sex work listed as an occupation by the Ministry of Labour. What is one to make of sex workers' strategic self-deployment at the front lines of the fight against HIV and their recasting of the "problem" of the trafficking of women, not for sex work but for marriage? What aspects of sex workers' subalternity do these rights claims bear the imprint of? At the most general level, what is at stake here in legitimizing sex work, not just as a form of female sexual labor that is empirically observable but as a legitimate form of work (the "work position")? Should we as a society permit the sale of sex; if so, who should sell how much sex and under what conditions? Who benefits from this labor? What do sex workers get in the process? Is engaging in sex work a zero-sum game for them? Do we as feminists have a vocabulary that is adequate to theorize sex work as work in all its complexities? Are there genealogies of feminist theorizing on sex work that might help build this vocabulary, in particular, to theorize the form of female reproductive labor that it constitutes, its materiality and subjectivity at a microlevel, and the contours of the labor market that it inhabits? Do we have a theory that might delineate its relationship with other labor markets that employ female reproductive labor, such as marriage and the informal economy,⁶ and the macroeconomic backdrop against which sex markets are situated? More important, what are the prospects for laws to ensure the interests of sex workers themselves should we choose to adopt the work position?

Some may already detect an insidious conspiracy of global capitalism in my attempt to reframe sex workers from belonging to the ranks of the lumpen

proletariat to being legitimate sexual laborers. What better indication than that under the monstrously unequal conditions of contemporary global capitalism, sex work becomes the last frontier for the pauperization of women, leading us all to do “sex work” in some form or the other? After all, nothing could have prepared the *New York Times* columnist Nicholas Kristoff for being held up when the Cambodian sex worker he was rescuing from her brothel keeper refused to be “freed” until he also released her pawned cell phone and jewelry (2004b, A27)! Yet, when Kristoff tried to pull off a similar rescue operation in Sonagachi a year later, he had to settle for the less dramatic story of an ex–sex worker in a squalid Kolkata slum who had married an erstwhile customer; “poor but free,” he had effused (2006, 17). Should we then understand sex workers’ claims that they be treated as workers as a rejection precisely of this demand that they stay poor rather than engage in sex work? Essential to evaluating these competing claims is the larger backdrop against which they have arisen. It is to the two international phenomena of the renewed abolitionist movement against sex work and the public health efforts at HIV/AIDS prevention that I now turn.

■ The Global Sex Panic Situated; or, Abolitionism Renewed

Every morning on news channels across the world, the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT) airs a sixty-second public service announcement where against the background of a cheerful song, a white male tourist wanders about a marketplace, oblivious to three instances of human trafficking—two young men in forced labor eating scraps of food fallen on the pavement; a young boy coerced into begging being beaten by his trafficker; and a middle-aged white man negotiating with a brothel keeper for sex with a minor trafficked sex worker. As the john smacks his lips and the door closes on the sex worker, we are exhorted to *Open [y]our eyes to human trafficking*, reminded that *It’s a hidden crime*, and that *It’s happening all around us*. Curiously, it is almost impossible to detect the geographical setting of the announcement, although the traffickers, the customer, and our unsuspecting male tourist are all white men, while the trafficked victims are racially diverse. This erasure of the concrete social setting in which trafficking occurs might well have been intended to underscore the “universal” nature of the problem. Yet the decontextualized portrayal of trafficking and its hyperreality is symptomatic of the global sex panic (Brennan 2008, 49; Weitzer 2006) in which we find ourselves at the contemporary moment. In this context, the temptation to rescue third world sex workers has been especially hard to resist.⁷ Zana Briski, in her 2005 Oscar-winning documentary *Born into Brothels*,⁸ chronicled her attempts to bring hope to the lives of sex workers’ children in Kolkata’s red-light areas through photography. Elsewhere, righteous journalists like Kristoff had embarked on the ultimate liberal fantasy—to purchase the freedom of Cambodian sex workers from Poipet’s brothels (*Girls for Sale* 2004a, A15). Meanwhile,

saviors were also in the making. In November 2008, at a packed auditorium at the London School of Economics, the radical feminist icon Catharine MacKinnon held audience with several hundred students, where, to rapturous applause, she held up recent antitrafficking laws as one of the most promising venues for challenging women's subordinate status internationally. She carried on her message to India where, in January 2009, she called upon the Indian government to pass the proposed amendments to the ITPA, which, following the Swedish model, criminalized customers of sex workers.

The articulation of the "problem" of sex work and trafficking internationally over the past two decades has taken place against the backdrop of a global sex panic fueled largely by an abolitionist movement consisting of U.S. radical feminists and religious conservatives and operationalized worldwide by the Bush administration (Bernstein 2007b, 130). The abolitionist position maps onto the radical feminist analysis of sex work, which views it as an institution of coercion and discrimination and understands sex workers as victims and sex slaves. For abolitionists, the figure of the sex worker, far from being morally dangerous, is displaced by an image of her as being subject to considerable harm and danger herself. They also place a heightened emphasis on the power of criminal law to eliminate the sex industry by having a unidirectional repressive effect on sex markets. The centrality of criminal law to the abolitionist project is exemplified by the international proliferation of the Swedish model of decriminalizing the sex worker but criminalizing the customer. The criminal law approach is similarly reiterated in the 2000 United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons (UN Protocol), supplementing the 2000 United Nations Convention Against Transnational Organized Crime, and the U.S. law, the Victims of Trafficking and Violence Protection Act, 2000 (VTVPA). Under the VTVPA, the U.S. Department of State releases rankings of national governments the world over who received U.S. aid, based on their performance in three areas to combat human trafficking, including the prevention of trafficking, the prosecution of traffickers, and the protection of victims of trafficking. Countries that perform poorly and do not comply with a certain minimum standard for the elimination of trafficking fall within Tier 3 of the annual Trafficking in Persons (TIP) Report and risk the withholding of nonhumanitarian, non-trade-related foreign assistance (Halley et al. 2006, 363). The threat of U.S. sanctions has had considerable ramifications for domestic prostitution law reform. To illustrate, prostitution law reform had been in discussion in India for at least the past twenty years, starting with the discovery of the HIV virus in 1986. Yet the U.S. State Department's demotion of India from Tier 2 to the Tier 2 Watch List in 2004 accelerated the pace of reform in the direction of abolition or partial decriminalization, culminating in the proposed amendment to the ITPA. Anecdotal accounts from Indian activists suggest that the sanction-based regime and related U.S. measures, such as the need to take the prostitution pledge to avail of funding, has had a chilling effect on the discursive spaces inhabited by a range of domestic actors,⁹ including activists, nongovernmental

organizations (NGOs), and community-based organizations (CBOs). As a result, sharp lines were drawn between those who want to abolish sex work and those who are more ambivalent about such an absolutist stance. Meanwhile, at the local level, the resurgence of international abolitionism has led to the microsurveillance of the activities of women and girls, ostensibly to prevent their trafficking into sex work (Kotiswaran 2011).

■ Sex Work in the Context of International Pandemic Control

Lest we overestimate the influence of the abolitionist agenda, anti-HIV/AIDS prevention efforts have been equally influential over the past two decades in shaping our perceptions of sex work. Efforts to prevent India from becoming the next epicenter of the AIDS pandemic have led to the increased circulation of monetary resources and services, and to the establishment of numerous public-private partnerships involving the state, civil society, and foreign donors. These donors include multilateral institutions like the Joint United Nations Programme on HIV/AIDS (UNAIDS), development agencies like the United States Agency for International Development (USAID) and the Department for International Development (DFID), venture philanthropists like Bill Gates, and other celebrities. This has resulted in the remarkable proliferation of NGOs, which have spawned, in a Foucauldian sense, a web of purveyors of sexuality, namely, foundation directors, program officers, NGO staff, and peer educators, many of whom are or have been sex workers. Together, they have created a knowledge base that has resulted in the identification and edification of marginal sexualities like “MSM” (men having sex with men) and “CSW” (commercial sex workers). Sex workers in particular have been both the agents and objects of surveillance under an elaborate watch-care system (Ghosh 2005). Informed by the liberal attitudes of the medical profession, the public health complex is tolerant of varied sexual practices, including sex work. However, its support of sexually marginalized groups relates to a different mode of bureaucratic rationality. Their utilitarian calculus allows room for interventions among “high-risk” groups like sex workers and their consequent mobilization, but only to the extent necessary to prevent the spread of HIV to the general population, really, “innocent” wives and children in heterosexual marital families. The dangerousness of sex work here is encoded differently when compared to the abolitionists. For public health experts, danger resides in the unsafe sexual practices that sex workers engage in. Sex workers are then understood not as victims but as “change agents” who can negotiate safe sexual practices with customers.

The public health complex has no legal agenda as such. Criminal law is perceived to be an “environmental factor” or a “barrier” to effective large-scale interventions, yet public health bodies typically call for a rights-based approach to sex work without unequivocally advocating decriminalization. To illustrate,

the Indian National AIDS Control Organisation's recommendation has been to constitute a task force for the review of existing laws and the speedy redressal of rights violations through linkages with human rights commissions (2006b, 142). Similarly, the Commission on AIDS in Asia observes that since the arrest of sex workers renders HIV prevention ineffective and expensive, legislative and policing barriers preventing sex workers from organizing collectives should be removed (2008, 187). Only world public health organizations such as the United Nations, UNAIDS, and the World Health Organization (WHO) have called for the decriminalization of sex work if no victimization is involved (Rekart 2005, 2129; Raymond 2004, 1181; Ahmad, 2001, 643). Thus, the exigencies of pandemic control are a slippery slope on which to base a substantial campaign to counter violence against sex workers, much less contemplate redistributive law reform in favor of sex workers' interests. Yet it counteracts the abolitionist project and its call for increased state control through criminalization,¹⁰ which altogether refuses to countenance sex work or sex workers. Also, unlike the abolitionist movement, throughout the 1990s the public health complex has funded sex worker participation in international gatherings on pandemic control, which in turn has ensured repeated contact between sex workers' groups in the developing world, thereby facilitating their mobilization (Kempadoo 1998, 22).

The projects of international abolitionism and pandemic control coexist in deep tension with each other with vastly differing normative views of the institution of sex work, the role of sex workers within it, and what constitutes an appropriate regulatory framework. They also have a cascading effect on a range of domestic and international actors, both governmental and nongovernmental, who coalesce around their differing positions. For instance, the two agendas have produced dissonance within the Indian state between the federal Ministry of Women and Child Development, the Ministry of Home Affairs, the National Human Rights Commission, and the National Commission for Women on the one hand, all of whom call for abolition, and the federal Ministry of Health and the National AIDS Control Organisation on the other, which are opposed to abolition. This governmental dissonance (Chatterjee 2006, 805) was largely responsible for the lapsing in February 2009 of the proposed amendments to the ITPA in the Indian Parliament.

■ Toward a Feminist Work Position

The contemporary figure of the Indian sex worker is thus suspended between the two international agendas of abolition and public health control, both motivated by contradictory goals. A similar confrontation was staged during the colonial period but by a different constellation of interest groups. The colonial state appropriated the sexual labor of women in the interests of empire, but when the health of its soldiers was compromised, it unleashed a brutal regime

of legalization backed up by criminal sanctions, the brunt of which was mostly borne by sex workers. Legalization was opposed by abolitionist groups, particularly metropolitan feminists. Eventually, the nationalist elite, also influenced by the international social purity and abolitionist movements, lobbied for the passage of antitrafficking legislation. In the process, the Indian religious orthodoxy, which promoted customary prostitution, lost out, as did sex workers. In the contemporary phase, however, the Indian state has ostensibly adopted feminist abolitionist reasoning. On the one hand, any feminist would find it heartening that a feminist sensibility of outrage at the trafficking and sexual exploitation of sex workers is on the verge of becoming state common sense in place of the more persistent moralist condemnation of sex workers as sexual deviants. Still, the outcome of this feminist sensibility has been to step up criminalization, which adversely affects sex workers' interests. More significant, states are known to use the motif of the victim to delineate between deserving and undeserving victims, thus perverting the radical thrust of feminist insights. Meanwhile, it is the public health institutions that are opposed to abolition, although they are also indifferent to legalization, given the potential for state regulation to undermine safe sex practices. Thus, there is little or no support from the public health complex for more redistributive reform, and efforts at redistribution must necessarily emerge from a feminist work position.

Feminists have long debated the normative status of sex work. Even at the risk of oversimplification, two oppositional touchstone positions dominate the feminist debates concerning sex work. Abolitionists adopting a sexual subordination approach are against the commodification of sex and view sex work as a paradigmatic form of violence against women, embodying gender inequality. For them, sex workers are victims and lack agency in the context of pervasive institutional violence. Sex work advocates, on the other hand, are agnostic to the commodification of sex *per se* and, while cognizant of the circumstances under which women take to it, view sex workers as agents with some ability to negotiate within the sex industry. Thus, their emphasis is on protecting and promoting the rights of sex workers. Despite the polarized appearance of these caricatured feminist positions, most feminists chart the middle ground between the two camps, a theme I will elaborate on in chapter 2.

I view my book itself as clarifying, contributing to, and building upon the work position, which has long been articulated by sex work advocates. In particular, I track the feminist theoretical, empirical, and regulatory aspects of the work position. In what has become fraught feminist terrain, any attempt to articulate a work position is bound to be viewed as a liberal or neoliberal, individualist project that advocates conventional legalization, including the mandatory testing of sex workers and zoning while normalizing a whole host of market practices within the sex industry (Jeffreys 2009; O'Connell Davidson 2002). Vital to this mischaracterization of the work position is an ancillary mischaracterization of the socialist or materialist feminist view of sex work. Since materialist feminism is interested in women's work, and some feminists

view sex work at least as involving sexual labor, materialist feminists are automatically assumed to support the work position (Jeffreys 2009; Baldwin 1992, 102). It is as if the erasure of the materialist feminist viewpoint, which is in fact by and large opposed to the work position, leaves the field open to the only remaining structuralist feminist analysis, namely, radical feminism, which can then authoritatively speak for women's interests in sex work. In part 1 of the book, I correct this misunderstanding by demonstrating, through a genealogy of materialist feminist theorizing on sex work, these feminists' opposition (with a few exceptions) to the work position. If this were the case, however, why consider materialist feminism, especially given its wayward fortunes in the United States, leading Janet Halley to characterize it as an etherized patient on the table (2006, 81)? Other feminists have rightly wondered about the usefulness of the Marxist framework more generally to the understanding of sex work (O'Connell Davidson 2002, 94; Truong 1990, 35). For the reasons outlined below, I suggest that the usefulness of materialist feminism lies not so much in its proposed outcomes on the "prostitution question" (Sunder Rajan 2003) but in its feminist method.

First, as I will demonstrate, in the past decade or so, even radical feminists have become increasingly interested in the materiality of sex markets. While sexual subordination remains the motif of their abolitionism, they increasingly offer a theory of the political economy of sex work in light of which materialist feminist approaches to sex work become relevant. Second, I argue that a materialist feminist method has the potential to add to the vocabulary of the contemporary feminist sex work debates by elaborating on a theory of reproductive labor, the interrelation between markets for female reproductive labor and the micro- and macro-political economic backdrop against which they operate. Payoffs in the process may well include an expanded feminist methodological tool kit and a multiplicity of political projects involving both feminists and sex workers collaborating for redistributive reform instead of being curtailed by the dominant feminist impulse to treat sex work as an exceptionally harmful activity performed in the discrete institutional settings of the sex industry.

Finally, materialist feminism is pertinent in that it resonates in third world contexts like India with strong leftist traditions. This is despite the fraught relationship that feminism has traditionally shared with Marxism worldwide. In fact, feminists claim that socialist feminists dominate women's issues in India in the media, in government policy-making circles, and influential public fora (Kishwar 1990, 38), and that socialist feminism is considered to be the only respectable feminist position, as opposed to bourgeois feminism or radical feminism (*ibid.*, 40). Similarly, from interviews with sex worker activists at the DMSC, which is based in Kolkata, the capital of one of the few Indian states with a left ruling party, it is clear that their mobilizational repertoire is shaped by the culture of workers' protest movements in Kolkata. Even substantively speaking, both the DMSC and the Kerala Sex Workers' Forum articulate their politics against the backdrop of a Left political culture and materialist feminism

in particular (e-mail correspondence from Jayasree, Kerala Sex Workers' Forum 2008). In fact, I first read of Alexandra Kollontai in a DMSC pamphlet. This suggests the resilience of a leftist/Marxist discursive and political culture, despite its mixed outcomes for sex workers' groups in aligning with the Left. After all, the Left has a propensity to treat sex workers, for all practical purposes, as belonging to the lumpen proletariat, if not outright, as immoral women (Devika 2006, 1675, citing Mukundan) or a social scourge (Devika 2007, xii).

■ The Political Economy of Indian Sex Markets

Over the past decade, with the emergence of sex workers' movements in the third world, feminists have sought to highlight sex worker agency (Kapur 2005a; 2005b; Kempadoo 1998, 2005) to counter the radical feminist portrayal of third world sex workers as sex slaves. While this move is undoubtedly crucial, in the absence of an account of the concrete social and material settings in which sex worker agents are embedded, the category of the "agent" runs the risk of becoming an empty signifier. Bearing the burden of resisting the very institutions that constitute the agent (Sunder Rajan 2003, 130) then renders her as decontextualized a category as the victim subject in abolitionist accounts of sex work. Given the call for a more detailed account of the sex worker's agential role (*ibid.*, 140), and the growing tradition of empirically informed feminist scholarship on sex work, part 2 presents the sociology of sex work in two archetypical urban Indian sex markets, focusing on the political economy of these *markets* and on the *law* operative within them. Specifically, I look at brothel-based sex work in Sonagachi, the biggest and oldest red-light area in Kolkata, a major metropolitan Indian city. I also consider dispersed sex work in Tirupati, a city in the southern state of Andhra Pradesh, famous as the world's most popular religious destination, the numbers of its visitors even surpassing those to the Vatican.

I study Sonagachi because despite the iconic status of brothels in the red-light areas of major Indian and indeed South Asian cities in the academic (Saeed 2002; Sleightholme and Sinha 1996; Joardar 1984; Punekar and Rao 1967) and journalistic literature (Shah 2006a), little is known about the economics of sex work and even less about the legal ethnography of these red-light areas. Yet, as scholars point out, the very iconicity of the red-light area serves to render invisible sex work performed outside the red-light area (*ibid.*), and this perhaps explains the lack of studies of sex work in nonbrothel settings.¹¹ This invisibility is alarming in light of estimates by donor agencies and the Indian federal government alike, that only 5 to 9 percent (Sengupta and Sinha 2004; National AIDS Control Organisation 2007, 10) of the sex work in India is performed in a brothel setting in contrast to 90 percent in Thailand (Sengupta and Sinha 2004). Here, the differences in the regional geographies of Indian sex markets become pertinent. Although my choice of field sites was mediated

largely by issues of access and considerations of language, regional differentiation in sex markets was a significant factor as well. To elaborate, red-light areas are common in Northern India but rare in the South where sex work is more dispersed. Hence, my study focuses on Tirupati's sex market with an emphasis on sex work in diverse institutional settings other than the brothel, hypothesizing that sex workers are arguably less exploited there given their embeddedness in mainstream social structures when compared to sex workers in a red-light area set in an impoverished quarter of a metropolitan Indian city with its attendant problems.

My examination of the political economy of sex work in Sonagachi and Tirupati is meant to outline at least some of the features for sex work that Shrage associates with work in general, namely, the class factors that determine a woman's entry into sex work, the strategy for livelihood motivating sex workers, attitudes and aspirations in relation to it, the forms of labor discipline it requires, its determination of sex workers' class identity and social status, and the social structures and codes of conduct that sustain it (1994, 122). I attempt this based on stakeholder analysis.¹² In delineating the various categories of stakeholders and the relational dynamics between them, however, I do not assume that their interests necessarily and always form a nexus against those of sex workers. Instead, I find a Foucauldian understanding of power useful for understanding the relational dynamics between stakeholders in sex markets, although the market was not an institution that Foucault himself studied at length.¹³

In particular, three ideas that Foucault presents in volume 1 of the *History of Sexuality* are worth recollecting. First, that power is not "a general system of domination exerted by one group over another," and there is therefore no unity of domination (Foucault 1978, 92); thus, the explanatory powers of patriarchy and capitalism are inadequate for explaining the existence of sex industries. Second, that "power must be understood in the first instance as the multiplicity of force relations immanent in the sphere in which they operate and which constitute their own organization" (ibid.); that these force relations can form a chain or a system, or act in a mode of disjunction and contradiction and be isolated from one another; and that power's condition of possibility is "the moving substrate of force relations which, by virtue of their inequality, constantly engender states of power, but the latter are always local and unstable" (ibid., 93). In particular, relations of force enter into "redistributions, realignments, homogenizations, serial arrangements, and convergences" (ibid., 94), and "major dominations are the hegemonic effects that are sustained by all these confrontations" (ibid.). Thus, the interests of stakeholders, including landlords, brothel keepers, customers, hooligans, and the police, do not form a unitary system of domination against sex workers. Instead, the alignment of their interests, if and where evident, is contingent. As I will demonstrate in the chapters to come, the power relations among the various stakeholders, including among sex workers inter se in the highly internally differentiated sex markets of Sonagachi and Tirupati, are fluid. In the process, patterns of power relations—even equilibriums—seem

to emerge, but they are open to destabilization. Finally, Foucault explains that “Where there is power, there is resistance” (ibid., 95), but more important, “this resistance is never in a position of exteriority in relation to power” (ibid.). So even in the most exploitative and violent mode of organization of sex work, there is an elaborate interplay of power and resistance between all stakeholders, but by the same token, sex worker agency cannot be valorized because it is always in interaction with power and, as Foucault notes, great radical ruptures are possible, but they are rare (ibid., 96). Following Foucault, then, can only lead to complicating the dominant images of sex workers in both the abolitionist and sex work advocate camps, as sex slaves and agents, respectively.

■ The Law in Sex Markets

For feminists, the law has long been the ground on which discursive disagreements are played out, and laws targeting sex work and trafficking offer no exception. Indeed, the fractious and polarized debates over the status of sex work have found expression in a plethora of legal and regulatory projects at the international, national, and regional levels (Della Giusta and Munro 2008, 1–5; Halley et al. 2006). Since the UN Protocol allows countries to adopt their own prostitution law regimes, domestic legal regimes tend to demonstrate a variety of regulatory initiatives. The countries that are in various stages of considering or adopting the Swedish abolitionist model include India, the United Kingdom, South Korea, Norway, Finland, and Cambodia, whereas sex work has been either decriminalized or legalized in Germany, the Netherlands, New Zealand, and certain Australian provinces. Yet feminists, irrespective of whether they are of an abolitionist persuasion or not, all display an unwavering faith in the power of criminal law. For abolitionists, criminal law is understood as capable of repressing sex markets, assuming that it is, in fact, enforced. Any reform project is then centered on redirecting the energies of criminal law toward the “true” offenders (rather than sex workers, for instance), adjusting criminal penalties to ensure their effectiveness and incentivizing the enforcement machinery to implement the law. On the other hand, those who are less equivocal about the solely violent characterization of sex work favor decriminalization, because in their view, the costs of criminalization are disproportionately borne by sex workers, so that any increased criminalization of sex work will only punish them more. If sex work were instead decriminalized, sex workers would be better off.

I problematize both narratives by demonstrating that not only are stakeholders in sex markets highly internally differentiated, but they are also differentially endowed by a plural rule network. Here I draw on the substantive insights of legal realism, the use of legal rules for private ordering, and the sociolegal scholarship on legal pluralism. The basic legal realist insight into the importance of background rules is vital for any project of redistribution. Specifically,

and summarized by Kennedy, “in the realist analysis, there are two particularly important general categories of rules affecting bargaining strength. The first and more obvious contains the rules governing the conduct of the parties during bargaining. The second is the set of rules that structure the alternatives to remaining in the bargaining situation” (1993, 83, 87). Stated more generally,

[W]e do not assume that the legal system as a whole deliberately decrees one thing or another. . . . Rather, we conceptualize the network [of private rights and public regulations] as providing background rules that constitute the actors, by granting them all kinds of powers under all kinds of limitations, and then regulating interactions between actors by banning and permitting, encouraging and discouraging particular tactics of particular actors in particular circumstances. (Kennedy 2002, 80)

Moreover, as the substantial sociolegal and anthropological literature on the law (Santos 2002) demonstrates, the formal state law is in constant interaction with several other legal orders, including social norms, customs, community-based dispute resolution mechanisms, social practices, and market structures. In the postcolonial setting, the pervasive nature of illegality, especially of living and working arrangements, adds yet another dimension to the study of legal pluralism. The legal realist insights into the workings of formal state law have been extended to a legal pluralist setting by accounting for the role of informal social norms and illegality (Kennedy 2002). Thus, stakeholders variously endowed by the rule network routinely enter into bargains in the shadow of the law (Mnookin and Kornhauser 1978–79), in this case, criminal law, whose outcomes cannot be determined a priori. Viewed from a legal realist standpoint then, criminal law appears hopelessly ensnared in these rule networks. It is based on this scholarship that I assess the life of criminal law in Sonagachi and Tirupati and query its centrality in the discussion surrounding prostitution law reform.

■ A Postcolonial Materialist Feminist Theory of Sex Work Considered

Part 3 of the book is geared toward outlining some features of a postcolonial materialist feminist theory of sex work. In chapter 6, based on the ethnographies of sex work detailed in part 2, I assess the prospects for a feminist theory of redistribution within Sonagachi. Assuming complete enforcement of the formal state law pertaining to sex work, I perform a hypothetical economic analysis of different sets of law reform proposals for the relational dynamics within brothel-based sex work in Sonagachi. I draw on Duncan Kennedy’s extensive contributions to left-leaning law and economics scholarship (1987, 1993, 2002). I acknowledge feminists’ skepticism of neoclassical economics (Fineman and Dougherty 2005; Kabeer 1994, xiv–xv) as a lens through which to study the law, especially as it affects women. Perhaps predictably then, there are few economic

studies of sex markets from a feminist viewpoint (Della Giusta, Di Tommaso and Strøm 2008; Hirshman and Larson 1998). Yet for an industry that is so thoroughly mediated by the market, and where sex workers themselves imbibe its logic and play it out on a day-to-day basis, it appears almost irresponsible for feminists not to at least engage in some fashion with an economic understanding of this market. My hope is that despite the apparently problematic and alienating nature of my methodology, and my characterization of Indian sex workers as rational choice actors some of the time, my experimental approach will produce analytical gains.

There are, generally speaking, four major policy options for regulating sex work (Halley et al. 2006). These are: (1) prohibition or complete criminalization, where all aspects of sex work and actors, including sex workers, are criminalized; (2) complete decriminalization, where any special anti-sex work criminal law is repealed, leaving sex work to be regulated by other laws applicable to all citizens, including the general criminal law; (3) abolition or partial decriminalization, where all aspects of and players in sex work, including customers, are criminalized, although sex workers themselves are not; and (4) legalization, where the form of regulation could vary, but where in addition to the repeal of the anti-sex work criminal law, special rules regulating sex work are put into place. Even as the scope for experimentation on the policy front by states is fast receding with the popularity of the Swedish model criminalizing customers, the existing policy vocabulary itself needs some rethinking, especially since national governments do not typically propose laws that embody “pure” policy positions. Besides, in domestic contexts, significant variations in certain policy types may emerge. In the Indian context, for instance, one such position is legalization for empowerment, which seeks to protect sex workers’ interests in contrast to conventional legalization (Kotiswaran 2011). Even where states adopt a “pure” policy type, their enforcement and adjudication (Halley et al. 2006) might result in a different policy on the ground. The most glaring example of this is where criminal laws against sex work are not enforced, resulting in *de facto* decriminalization. Meanwhile, rather different policy approaches can have very similar outcomes in local sex markets (Hubbard and Whowell 2008; Bernstein 2007a, 164). While keeping in mind the limitations of the policy vocabulary on sex work, in chapter 6, I present an analytical model within which to assess the likely distributional consequences of four legislative proposals for sex work in Sonagachi. These include abolition or partial decriminalization, as visualized by the proposed amendment to the ITPA; complete decriminalization, involving the repeal of the ITPA; and two versions of the legalization for empowerment model proposed in the early 1990s to the then Indian Department of Women and Child Development.

In the final chapter of the book, chapter 7, I delineate other aspects of a post-colonial materialist feminist theory of sex work. Needless to say, both feminist theorizing around sex work and sex workers’ own struggles in support of the work position do not easily lend themselves to an easy categorization

into material and nonmaterial concerns; nor is it particularly insightful for us to attempt such an understanding. If anything, the demands of the NNSW in the Indian context exhibit a complex blend of demands for both recognition and redistribution, to use Fraser's terms. I start by assessing the arguments of Indian sex workers in support of the work position in light of long-standing feminist objections. Having made a case for the work position, I draw on my study of Indian sex markets to formulate a postcolonial critique of the assumptions made by Western feminists, particularly abolitionists, in characterizing the macroeconomic space in which Indian sex markets operate. In particular, I problematize the transition narratives that consign South Asian sex markets to the category of the feudal. I further ask whether the most recent theorization of the hegemony of neoliberal capital over noncorporate capital through the discourse of welfare governmentality is useful to theorize the labor of lumpen proletarian groups like sex workers. I then elaborate on the relationship between sex workers' demands for recognition and redistribution in light of the struggles of the Indian sex workers' movement. Although Indian sex workers' groups articulate transformative visions of both in Fraser's terms, my focus here is on the transformative dimension of redistribution rather than of recognition, relating it in particular to a theory of regulation. I briefly allude to a theory of external redistribution that contemplates in analytical terms the relationship *between* markets in female reproductive labor, such as marriage on the one hand and sex work on the other. An internal theory of redistribution, on the other hand, is more focused on the dynamics *within* sex markets. Here, I draw on the existing scholarship on exploitation to refine it in light of the ethnographic work presented in the book, pointing to the inadequacies of using categories typically geared toward male wage laborers. I query how in light of the work position, the gap between a normative goal and the current market scenario can be eliminated, and conclude by asking whether efforts at self-regulation might be more efficacious compared to reform experiments in formal state law.

■ The "Field": Some Notes on Methodology

A few words about my empirical work are warranted here. Predictably, the most significant challenge was gaining access to communities of sex workers. Even thirty years ago, a sociologist studying sex work in Kolkata's red-light areas had to befriend members of its underworld to access sex workers and brothel keepers (Joardar 1984, 86). However, in the wake of the HIV/AIDS pandemic, several Indian NGOs have begun working with sex worker communities, with the oldest groups now having worked with them for more than a decade. Organizations working with sex workers, however, themselves reflect a considerable diversity of normative positions on sex work. Here, my ideological affinity with both the DMSC and Women's Initiatives (WINS), who I worked with in

Sonagachi and Tirupati, respectively, facilitated my access to sex workers. Both the DMSC and WINS are members of the NNSW, a network mostly of NGOs who adopt a rights-based approach to the regulation of sex work. Since 2002, I have been involved in examining Indian labor laws for the NNSW that could apply to sex work. For this, I organized two legal advocacy workshops on prostitution law reform in which sex workers at both locations actively participated. I also participated in two international conferences of sex workers organized by the NNSW. The first conference, in 2002, called *Shanti Utsab* (Festival of Peace), was organized by the DMSC in Kolkata. The second, in 2003, called the *Festival of Pleasure*, was organized by the Kerala Sex Workers' Forum, an NNSW member in Thiruvananthapuram. On both occasions, I interacted closely with NNSW member organizations, sex workers, social workers, donor agency officers, activist lawyers, journalists, public health specialists, and intellectuals sympathetic to NNSW's struggle.

Despite being members of the NNSW, the DMSC and WINS are organizationally quite different from each other and have varied policy preferences toward sex work. The DMSC has approximately sixty thousand members in West Bengal and has set up several membership-based organizations that are run by sex workers themselves (Durbar Mahila Samanwaya Committee 2004) and that work both for sex workers' social welfare and their rights as workers. WINS, on the other hand, is an NGO that is run by middle-class social work professionals in Tirupati and assisted by peer educators, all of whom were or are sex workers. At the time of my fieldwork, WINS ran a drop-in center for street-based sex workers in Tirupati and provided them a range of welfare benefits and facilities while also conducting advocacy activities for their rights. However, WINS has always been skeptical about workers' rights and believes that complete decriminalization would be sufficient.

Considering the field sites themselves, as of 1994 there were approximately 26,095 sex workers in Kolkata (All India Institute of Hygiene and Public Health 1994, 39) scattered over twenty-one red-light areas. Although sex work was carried out in diverse institutional settings in Kolkata, of which brothel-based sex work was only one setting and arguably an exceptional one,¹⁴ I focused only on brothel-based sex work in Sonagachi, the largest red-light area in Kolkata and the state of West Bengal. This is partly because policy makers tend to prioritize abuse in brothel-based sex work, but also because the brothel is an institution that is a unique product of the sex industry, whose specificity draws from its spatial concentration in a bounded red-light area. I chose Sonagachi on the advice of field coordinators at the DMSC, because in their view, Sonagachi was highly diverse in terms of the size of its brothels, the varying levels of functional independence of sex workers, and their income categories. My empirical work in Sonagachi was based on my interviews of roughly fifty sex workers, brothel keepers, landlords, dalals (touts), DMSC employees, and real estate developers over several weeks during the summers of 2004 and 2006. I supplemented my fieldwork with secondary sources, typically project reports and surveys

produced over the past fifteen years by the DMSC and its HIV prevention project. All names of sex workers have been changed to protect their identity, except in the case of sex workers who are or were in leadership positions at the DMSC, and who have regularly found mention in the media.

Tirupati's sex market is much smaller when compared to Kolkata, with roughly three hundred sex workers in the district that Tirupati is a part of as of 2004 and fourteen hundred as of 2009. Yet my study of sex work there spans diverse institutional settings, including sex work performed in the street, household, and hospitality economies. I worked with WINS over the summer of 2004, and in 2009 I interviewed activists at People's Action for Social Service (PASS), a Bill and Melinda Gates Foundation-funded intervention project among sex workers. I interviewed roughly thirty sex workers and observed group meetings of sex workers and their peer educators at the drop-in center for sex workers run by WINS, fittingly named WINSPACE. In addition, I conducted interviews with local academics, journalists, hoteliers, one "broker," and officials of the Tirupati Tirumala Devasthanams (TTD), the governmental body that operates Tirupati's famous temple. I also accompanied WINS' founder R. Meera on her visits to police officials, the district collector, district courts, criminal defense lawyers, and various sites of sex work both in and around Tirupati and in the neighboring state of Tamil Nadu. I supplemented my fieldwork with local newspaper reports and research reports commissioned by Action Aid India and the Bill and Melinda Gates Foundation.

Anthropologists have critically reflected on what constitutes the "field" and fieldwork, and its importance for the professional identity of anthropologists (Gupta and Ferguson 1997). Yet given the common understanding of ethnography as "the collection of information on the behavior of actors in a particular context over an extended period of time" (Venkatesh 2000, 281), I do not claim the status of ethnography for my empirical work, settling instead for the more legible but not always legitimate (within law schools anyway) category of "sociolegal" scholarship. Ethical discomforts also emerged during my fieldwork. When interviewing sex workers, although I was most interested in the economics of sex work, they invariably felt the need to explain to me how they got into sex work in the first place. Moreover, in Sonagachi, the DMSC's Ethical Review Committee required prior approval for questions relating to the economics of sex work, which I obtained. My disciplinary location and training as a lawyer also made me unusually sensitive to the policy and advocacy aspects of my interactions with the DMSC, WINS, and sex workers. Also having come of age, politically speaking, in the Indian autonomous women's movement of the 1990s, my desire for advocacy was sparked by a commitment to feminist praxis. Consequently, in an attempt to level the hierarchies of privilege, which I brought to the field as a researcher, I made conscious efforts to trade in my professional expertise as a lawyer, at every opportunity possible, to NNSW. In the past four years, however, as the proposed amendment to the ITPA became imminent, spaces for such elaborate conversations with NNSW became

constricted, as sex worker organizations focused all their energies on averting the amendment's passage.

I briefly allude in this context to the physical site of my empirical work. In the case of Sonagachi, the term "field" assumed a particular valence because of the red-light area's sharp geographic demarcation from the rest of the city-space despite the continuities of everyday trade and commerce between the red-light area and the outside world. Having worked in Tirupati prior to Sonagachi, the difference in the behavior of sex workers in Kolkata was also immediately palpable. While sex workers in Tirupati were more willing to let me write notes during the interviews, peer educators in Sonagachi specifically instructed me to leave behind my notebook, and one sex worker first surveyed my bag to make sure I was not carrying a camera before speaking to me. In this sense, sex workers in Sonagachi encoded the special status of the red-light area by fiercely protecting their identity from those who lived and worked outside the red-light area, especially their families. Most of the time, I had to commit interviews to memory and scribble them down at the first possible opportunity. Also, due to the dispersed nature of sex work in Tirupati, I always felt safe working in the field. Although I had briefly visited Sonagachi in 2002, my knowledge of the red-light area was mostly informed by stock portrayals of red-light areas in Hindi cinema. Yet middle-class DMSC organizers or field supervisors insisted that I not visit the by-lanes of Sonagachi unaccompanied or in the evenings. But the protectiveness of DMSC peer educators (who are or were sex workers) toward me arose from a mix of concern for my safety, given my middle-class background, and the worry that the DMSC's reputation would be affected should any untoward incident take place against a "visitor" in a red-light area where the DMSC operates. Yet, and this took me a while to grasp, my own fear of being harmed could not have been more misplaced, given that I was older than thirty and clearly considered too old for this sex market. These assessments of risk, though, have to be considered in light of the conditions that single women in Kolkata face on a day-to-day basis, a point driven home very early on in my fieldwork when a landlord refused to rent me an apartment because I was in the city by myself and he did not want to be responsible for my safety.

Over the course of my work in the field, my privileged gaze as a doctoral student at an elite U.S. law school, and certainly as a middle-class Indian woman, was not uninterrupted. Sex workers routinely refused to engage with me, and yet others spoke only after confirming that I was not a journalist secretly trying to film them. Others were eager for me to record their life stories. Motherhood here was often an invaluable bridge across which we established our common predicaments as women. The materiality of my own body came up in several different contexts in the field. Perhaps because most consultants from funding agencies are either white or are fair-skinned Indians, at the very first sex worker conference that I attended, a sex worker who walked with me to the stadium where it was held asked me where I plied my trade. My dark South Indian

complexion and my Indian attire also meant that some peer educators would not believe that I studied in the United States. Two sex workers once interrogated me on why, despite so many years spent in the United States, I had not gotten fairer. This, too, is the predicament of the “halfie” (Gupta and Ferguson, 1997, 17, quoting Lila Abu Lughod) returning home to do fieldwork. Yet other sex workers mocked me for my indulgent belief that I could ever empathize with them, let alone understand the power of the “whore stigma” when not being a sex worker myself. To illustrate, a peer educator once introduced me to a sex worker who was sitting outside her brothel building. Addressing me as *didi* (elder sister), which is customary in Kolkata, she told me that she felt really nice when people like me came there, and that perhaps I should come live with them—enough to upset my poise as I contemplated her suggestion. Men in the red-light area were also quick to expose the extractive nature of my fieldwork when a pimp, and later a domestic helper at a large brothel, asked me how my interviews of sex workers could possibly help improve the lives of the women in Sonagachi. Not that I had not been aware of the comfort of my position as researcher, writing up my field notes every night in the safety of my temporary “home” while sex workers that I met during the day turned tricks all night. Perhaps seeing the “visitors” that the DMSC periodically brought into the neighborhood, and associating this with the flows of foreign donor money for HIV prevention work more generally, the pimp went even further and asked me point-blank how much I got paid to do my research work. My gaze was thus not just punctured, it was even reversed as activists from NNSW member organizations would often joke that women like me had been “trafficked” into academic positions in the West.

■ Terminology

The terminologies used for sex work and sex workers are as varied as they are contentious. Indian feminists, and indeed the National Commission for Women, have for long maintained that the use of the term “prostituted woman” rather than “sex worker” was more appropriate given their understanding that Indian sex workers were forced into sex work by poverty (Joshi 1997). Variations include victims of “commercial sexual exploitation” (CSE) and survivors of CSE, the former used to connote women in sex work and survivors used to connote those rescued from it (Sen and Nair 2004). Throughout this book, however, I use the term “sex work” instead of “prostitution” and “sex worker” instead of “prostitute” partly to de-exceptionalize our consideration of sex work. To elaborate, feminists have argued that the term sex work is useful to discuss third world prostitution “for it allows a recognition of the simultaneity of structures of domination and female agency,” of third world women’s livelihood strategies, of the connections between women’s lives, and to abandon divisive patriarchal politics of good and bad women (Kempadoo 1999, 226). So

I retain the term “prostitution” only when discussing more historical texts or for extended discussions of radical feminism, so as to not obliterate the context in which it is used. Yet, I do not use the term “sex worker” purely for strategic reasons. Despite the emergence of the term “sex worker” in India, largely in the context of HIV prevention efforts, as I will demonstrate in chapter 4, a closer examination of the colloquial terms for sex work reveal a social understanding of both “sex” and “work” independently in terms of labor. More important, these terms for sex work point not only to how sex workers understand their own identity as workers, but also to how remarkably alike the organization of sex work is to work in other labor markets, especially in the unorganized sector.

■ The Indian Anti–Sex Work Law

Finally, a word about the ITPA, the federal anti–sex work criminal law in force throughout India and passed pursuant to the postindependent state’s ratification of the 1949 UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. Section 2(f) of the ITPA defines prostitution as “the sexual exploitation or abuse of persons for commercial purposes” (Reddy 2004, 35). The act of sexual intercourse for consideration, therefore, is not illegal *per se*; however, every other act required to carry out sex work, as listed below, is a crime. The aim of the legislation, as made abundantly clear from the preamble to the 1956 version of the ITPA, is “to inhibit or abolish commercialised vice[,] namely, the traffic in women and girls for the purpose of prostitution as an organised means of living” (Beotra 1981, 10). Note the conflation here between trafficking and sex work. The ITPA punishes anyone maintaining a brothel (Section 3), living off the earnings of prostitution (Section 4), procuring or detaining a woman for the sake of prostitution (Sections 5 and 6), and seduction of a person in custody (Section 9) (Reddy 2004). The Act also punishes any person who solicits or seduces for the purpose of prostitution (Section 8) or who carries on prostitution in the vicinity of public places (Section 7) (*ibid.*). Moreover, Section 15 allows the police to conduct raids on brothels without a warrant, based on the mere belief that an offense under the ITPA is being committed on the premises (*ibid.*). As such, under Section 20, which is vaguely worded, a magistrate can order the removal of a prostitute from any place within his jurisdiction if he deems it necessary to the general interest of the public (*ibid.*). In addition, the Act provides for the establishment of corrective institutions in which female offenders are detained and reformed. There is no specific section punishing the customer, but customers can be prosecuted under Sections 7 and 8 for prostitution in a public place and soliciting, respectively. As a result, the legal sale of sex under the ITPA would be restricted to scenarios where a sole sex worker sells sex for her own benefit in a discrete manner in a place that is not in or near any public place, but even she can be evicted by a magistrate under Section 20, in the interests of the general public.

Apart from the ITPA, specific provisions of the Indian Penal Code, 1860 (IPC) deal with sex work. These relate to kidnapping (kidnapping or abducting with the intent to secretly or wrongfully confine a person [Section 365] and/or kidnapping or abducting in order to subject a person to grievous hurt, slavery, and so on [Section 367]); slavery (buying or disposing of any person as a slave [Section 370] and/or habitual dealing in slaves [Section 371]); unlawful compulsory labor (Section 374); and prostitution (procuration of a minor girl [Section 366-A], importation of a girl from a foreign country [Section 366-B], selling a minor for the purposes of prostitution [Section 372], and/or buying a minor for purposes of prostitution [Section 373]) (37 All India Reporter Manual, 1).

In conclusion, as I set out to offer a postcolonial materialist feminist theory of sex work that builds on the work position, I am well aware of the critique that may follow, namely, of being collaborationist (MacKinnon 2000, 706) or of proposing a “radical sounding” theory, which is in fact “a disengaged theory that corrodes material resistance to power” (ibid., 710). While unable to offer any certitude as to the life that words might assume in the world “out there,” I can only admit to being motivated by precisely the sentiment that MacKinnon espouses, namely, to be vigilant of the unintended consequences of the positions we take—hence my belief in the possibility of a work position that offers a de-exceptionalist account of sex work while at the same time being attentive to questions of power. In other words, there will be many protest marches against abusive brothel keepers to participate in.