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The Political Theory of Digital Sex Work

An Honors Thesis  
Presented to  
The Faculty of the Department of Politics  
Bates College  
In Partial Fulfillment of the Requirements for the  
Degree of Bachelor of Arts

By  
Christina Wang

Lewiston, Maine  
March 30, 2022

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Finally, I would like to dedicate this thesis to sex workers themselves. I hope that this thesis can deconstruct the countless stereotypes that exist about sex work, and also illuminate sex workers' important efforts in navigating and dismantling various systems of oppression.

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## Abstract

Sex and work are both important concepts in major political theories, such as libertarianism, Marxism, and feminism. Yet few scholars have utilized these theories when analyzing sex work. To fill this gap, this thesis first uses libertarian, Marxist, and feminist theories to analyze in-person, or “classical,” sex work. This reveals how each theory uses the industry to reinforce their core ideologies around freedom, capitalism, and sexism, respectively. I then turn to digital sex work, which is a recent development within the industry. There is limited scholarship on digital sex work, and the literature that does exist usually does not incorporate political theories in its analysis of the industry. Therefore, I extend libertarianism, Marxism, and feminism into digital sex work to see how the online aspect complicates these theories. I argue that libertarians fail to recognize that due to their different identities, sex workers have varying degrees of individual freedom, which affects their experiences within the industry. Secondly, a Marxist analysis of digital sex work reveals that the Internet plays an active role in the continued commodity fetishization of sex workers. Finally, feminist discourse on digital sex work elucidates the theory’s underlying commitment to provide the best set of circumstances for women. Moreover, this feminist analysis of the industry shows how crucial intersectionality is to the movement, as one set of circumstances may be beneficial for one group of women and detrimental to another. I conclude this thesis by suggesting questions that future research on sex work can address.

## Introduction

During the summer of 2020, a controversy erupted on OnlyFans, an Internet subscription website popular with sex workers. Bella Thorne, a famous actress, had joined the platform. Thorne set her subscription fee to twenty dollars a month, and tweeted that she would not be posting any content with her nude in it. In the span of only two weeks, Thorne made two million dollars.<sup>1</sup> The other sex workers who used OnlyFans were furious with Thorne. These sex workers argued that Thorne's experience on OnlyFans was unrepresentative of the vast majority of sex workers' experiences on the site. Rather than being a fast and easy way to earn money, these sex workers argued that in reality, OnlyFans was genuinely hard and demanding work. For instance, sex workers pointed out that they are expected to constantly create their own content while also marketing themselves, and managing their finances and other administrative tasks. Yet despite all of the time that sex workers spent working on the platform, OnlyFans was not guaranteed to be financially lucrative for sex workers. Additionally, sex workers argued that thanks to her wealth and privilege, Thorne did not have to face the societal stigmatization and backlash that most sex workers are forced to endure. Instead, Thorne made far more profit than most other sex workers on the site, without having to face virtually any threats to her safety or employment.<sup>2</sup>

In the following year, another uproar erupted on OnlyFans when they announced a ban on sexually explicit content from its website. (OnlyFans maintained that they were forced to enact this ban due to banks and payment services repeatedly rejecting payments that were being

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<sup>1</sup> Madison Malone Kircher, "Bella Thorne Broke OnlyFans (No, Not Like That)," *Vulture*, August 31, 2020, <https://www.vulture.com/2020/08/bella-thorne-onlyfans-scam-explained.html>.

<sup>2</sup> EJ Dickson, "Sex Workers Worry Bella Thorne's \$2 Million Payday Could Ruin OnlyFans," *Rolling Stone*, August 26, 2020, <https://www.rollingstone.com/culture/culture-news/bella-thorne-onlyfans-sex-workers-1050102/>.

sent to sex workers.) After the ban, OnlyFans received abundant backlash from the numerous sex workers who utilized the platform (as of August 2021, there were over 130 million OnlyFans users who paid to access digital sex workers' content.)<sup>3</sup> These sex workers feared that they would lose the income that OnlyFans provided them, and were especially anxious considering the economic instability that accompanied the COVID-19 pandemic. Sex workers accused OnlyFans of, at last, showing its true lack of care for them.<sup>4</sup> Many sex workers felt that OnlyFans used their labor to profit and grow in popularity, only to abandon them once they became a prominent platform popular with celebrities and other influencers.<sup>5</sup> Eventually, OnlyFans reversed course, claiming that there was no longer any need to ban sexually explicit content because of "banking partners' assurances that OnlyFans can support all genres of creators."<sup>6</sup> Even though OnlyFans did not permanently ban sexually explicit content, many sex workers lost trust in the site. Yet, as one OnlyFans-based sex worker says, "So many of these hard-working people are forced to go straight back to OnlyFans, because they've built their lives around this platform. Sex sells."<sup>7</sup> No matter how skeptical some sex workers became of OnlyFans, they had become so financially dependent on it that they had to return to the platform.

These two controversies surrounding OnlyFans underline the importance of conducting academic research about digital sex work. These controversies are not isolated incidents. Rather, these issues have become even more pressing today in the context of late-stage capitalism and

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<sup>3</sup> Taylor Lorenz and Alyssa Lukpat, "OnlyFans Says It Is Banning Sexually Explicit Content," *The New York Times*, August 19, 2021, <https://www.nytimes.com/2021/08/19/business/onlyfans-porn-ban.html>.

<sup>4</sup> Brian Contreras, "OnlyFans Ditches Sex Work Ban in Abrupt Reversal — But Creators Remain Wary," *Los Angeles Times*, August 25, 2021, <https://www.latimes.com/business/technology/story/2021-08-25/onlyfans-ditches-sex-work-ban-in-abrupt-reversal-but-creators-remain-wary>.

<sup>5</sup> Taylor Lorenz and Alyssa Lukpat, "OnlyFans Says It Is Banning Sexually Explicit Content," *The New York Times*, August 19, 2021, <https://www.nytimes.com/2021/08/19/business/onlyfans-porn-ban.html>.

<sup>6</sup> Mina Harder, "'Just Us Who Got Hurt': OnlyFans Sex Workers Still Haunted By Porn-Ban Debacle," *Fortune*, October 9, 2021, <https://fortune.com/2021/10/09/onlyfans-sex-workers-porn-ban-subscribers/>.

<sup>7</sup> Ibid., *ibid.*

the #MeToo movement. The #MeToo movement, first created by Black activist Tarana Burke in 2006, was meant to support women and girls of color who had been affected by sexual harassment and violence. The movement gained tremendous attention and popularity in 2017 when actress Alyssa Milano tweeted, “‘If you’ve been sexually harassed or assaulted write ‘me too’ as a reply to this tweet . . . we might give people a sense of the magnitude of the problem.’” In a mere 24 hours, there were over a million tweets and retweets that used the #MeToo hashtag, with people sharing their own experiences with sexual harassment. Similarly to Bella Thorne’s involvement in OnlyFans, Milano’s role in #MeToo has silenced the original voices and experiences of people who have been in the movement all along. Instead, those with immense privilege – such as Thorne and Milano – are regarded as the face of OnlyFans sex workers and the #MeToo movement, respectively.

There is an abundance of academic research about in-person – or what I refer to in this thesis as “classical” sex work – but currently, there is significantly less scholarship about sex work that occurs in the online realm. Yet studying digital sex work is crucial in developing a holistic understanding of the industry, as sex work is increasingly shifting into the online space. Digital sex work raises important questions about various pertinent topics that classical sex work also evokes, such as labor, identity, privilege, and capitalism. It is imperative for scholars to understand how, if at all, these issues change when thinking about sex work in the digital realm. For instance, are there disproportionately more privileged people (like Bella Thorne) working on digital sex work platforms rather than doing in-person sex work? If so, why is that the case? How, if at all, is selling sexual services to people via the Internet unique from selling them in person? Do online sex workers have a different experience of working under capitalism compared to in-person sex workers?

It is vital to utilize political philosophy when answering these questions. In particular, the theories of libertarianism, Marxism, and feminism intimately reckon with freedom, labor, capitalism, and identity, which make them especially relevant for an analysis of sex work. Libertarianism and Marxism offer very different implications about working under the system of capitalism. Yet by using both theories, we can begin to understand how sex workers navigate working under capitalism, and what the effects of capitalism are on the industry. We can also use libertarianism and Marxism to analyze to what extent sex work is a “distinct” type of labor compared to legal, non-stigmatized employment. Furthermore, feminist theory is a necessary framework to use when considering the gendered dynamics of sex work: statistically speaking, the vast majority of sex workers are women, while clients tend to be men.<sup>8</sup> Yet this, of course, does not apply to all instances of sex work. It is also crucial to understand how LGBTQ+ people navigate the industry, especially when sex work remains dominated by a narrative of heteronormativity.

Before delving into political theoretical analyses of digital sex work, it is necessary to first understand what exactly in-person, classical sex work is. Broadly speaking, sex work refers to “the exchange of sexual services for money or goods, including housing, food, drugs, or basic necessities.”<sup>9</sup> There are numerous types of sex work. One category of sex work is known as “direct” sex work, in which “it is clear that the primary purpose of the interaction is to exchange sex for a fee.”<sup>10</sup> Direct sex work can occur in various places. For instance, in street sex work, sex workers solicit clients on the streets and in other outdoor public spaces, and offer their sexual

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<sup>8</sup> Mac, Juno, and Molly Smith. *Revolting Prostitutes: The Fight for Sex Workers’ Rights*. London: Verso Books, 2018.

<sup>9</sup> “Sex Work vs. Trafficking: How They are Different and Why It Matters,” Sex Workers & Allies Network, Yale Global Health Justice Partnership, last modified June 2020, [https://law.yale.edu/sites/default/files/area/center/ghjp/documents/issue\\_brief\\_sex\\_work\\_vs\\_trafficking\\_v2.pdf](https://law.yale.edu/sites/default/files/area/center/ghjp/documents/issue_brief_sex_work_vs_trafficking_v2.pdf).

<sup>10</sup> C Harcourt and B Donovan, “The Many Faces of Sex Work,” *Sex Transm Infect* 81 (2005): 201.

services in allies, vehicles, or other temporary locations. Sex workers can also solicit clients in indoor public spaces like clubs and bars. In areas where sex work is legalized or decriminalized, sex workers have the option of operating out of brothels, which are spaces specifically designed for sex work to take place. Brothels offer more safety to sex workers compared to street sex work, and are often licensed by the state to exist. Finally, there are other kinds of direct sex work in which the client contacts the sex worker to receive sexual services, as opposed to sex workers soliciting the client. For instance, in escorting, the client contacts the sex worker (or “call girl” or “call boy”) through phones or hotel staff. The sex worker then provides sexual services at the client’s home or hotel. Escorting is a more clandestine type of sex work compared to other kinds because it occurs in more private spaces, and is thus better able to avoid scrutiny and punishment from law enforcement.<sup>11</sup>

Another type of sex work is indirect sex work, which tend to “involve little or no genital contact and therefore have little sexual health risk.”<sup>12</sup> One example of indirect sex work is bondage and discipline, where clients can pay to enact their sexual fantasies via role-playing with a sex worker, but they tend to not engage in intercourse. Another type is lap dancing, in which sex workers perform erotic dancing on clients at hotels and clubs, but do not usually engage in more sexual intimacy beyond that. In addition, another kind of indirect sex work that is common to Western countries are massage parlors. To the public, these massage parlors appear to simply provide regular massages, but they also can secretly provide various sexual services to clients.<sup>13</sup> Finally, digital sex work can be categorized as a type of indirect sex work (though some sex workers will use the Internet to advertise themselves and find clients, and will opt to

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<sup>11</sup> Ibid., 202.

<sup>12</sup> Ibid., 203.

<sup>13</sup> Ibid., *ibid.*

exchange sexual services in-person.) I will explain more about digital sex work in a later chapter of this thesis.<sup>14</sup>

In this thesis, I will first provide a literature review outlining the academic scholarship about classical and digital sex work. I will organize the literature review into scholarship that uses an empirical approach versus a theoretical one. Then, in the first chapter of this thesis, I will offer an overview of libertarianism, and review what libertarians have written about classical sex work. I argue that libertarians use digital sex work as merely another example of the individual freedom that everyone is entitled to. I follow this same format in the succeeding Marxism and feminism chapters: I provide readers with an overview of essential components from each theory, before explaining what Marxist and feminists have argued about in-person sex work. In the Marxism chapter, I argue that Marxists use sex work to show how capitalism is damaging to all workers, even those who work in legal, non-stigmatized jobs. Finally, I argue that the debate over sex work in feminism stems from the movement's overall attempt to define and create the best possible world for women and queer individuals.

I then shift my attention to digital sex work. I first provide readers with the necessary background about online sex work, and elucidate the parallels and distinctions between digital and online sex work. I also compare digital sex work with pornography, which legally is recognized as distinct from sex work, and question why this may be the case. Then, I explain to readers how contemporary political theorists from the libertarian, Marxist, and feminist traditions

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<sup>14</sup> It is important to note that sex work is not the same as sex trafficking. This is a common misconception regarding the industry, and many anti-sex-work activists have attempted to conflate the two as the same in order to suggest the lack of agency that sex workers have. Additionally, there is legislation that suggests that sex work and sex trafficking are the same. In the United States, sex trafficking legally refers to “the recruiting, harboring, transporting, provisioning, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act.”# This means, then, that seemingly mundane actions that have nothing to do with trafficking, like “driving a sex worker, doing a sex worker’s taxes, seeing a sex worker, [and] working with a sex worker”, can get someone arrested on sex trafficking charges.

have conceptualized digital sex work. Finally, I conclude that digital sex work reveals crucial implicit aspects of the three political theories that scholars ought to reckon with. A libertarian analysis of digital sex work reveals that libertarianism fails to recognize that people are equipped with different amounts of individual freedom. Meanwhile, digital sex work supports Marx's original arguments about commodity fetishization, and suggests that his theories can be extended to the online space. This shows that Marxist thought remains relevant to this day. Lastly, even though there is a wide range of feminist thought about digital sex work, I argue that a commonality between all of those perspectives is the goal of providing the most ideal world for women. However, feminists disagree on what this ideal world ought to look like for women. I argue that this disagreement reveals the urgency and importance of centering intersectionality in feminist advocacy. I conclude the thesis by suggesting potential questions for future research on digital sex work.

## Literature Review

### **Introduction:**

Although there is abundant scholarship about sex work, the vast majority of this literature consists of empirical analyses of in-person, or classical, sex work. There is not very much research about sex work that utilizes a theoretical approach, and there still remains a lack of scholarship about digital sex work. In this literature review, I outline the existing literature on sex work. This includes both empirical and theoretical analyses of classical sex work, as well as empirical approaches to digital sex work. This literature review highlights my thesis's two main contributions to the scholarship on sex work. Firstly, I provide a comparative study of libertarian, Marxist, and feminist theories by putting their analyses of sex work into debates with one another. Secondly, I expand upon the literature about digital sex work by analyzing the phenomena through political theory, rather than an empirical approach.

### **Empirical Analyses of Classical Sex Work:**

Much of the empirical research on classical sex work focuses on the risks that sex workers experience in the industry. In their ethnography of Australian women sex workers, Priscilla Pyett and Deborah Warr speak to sex workers who faced many risks in their work, even though sex work is technically decriminalized in Australia. For instance, even though all the women they interviewed wanted to use condoms during oral and penetrative sex, it was near impossible for them to do this in practice due to extreme resistance and violence they encountered from clients.<sup>15</sup> Additionally, all of the street-based sex workers the scholars

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<sup>15</sup> Priscilla Pyett and Deborah Warr, "Women at Risk in Sex Work: Strategies for Survival," *Journal of Sociology* 35, no. 2 (August 1999): 186.

interviewed shared that they had, at minimum, experienced one “serious assault,” and were constantly worried about encountering violent clients. Many of them feared for their lives, wondering if they would be alive after each new encounter with a client.<sup>16</sup> Yet the majority of the sex workers in this ethnography refused to contact the police even if they were in danger, as they were afraid of being arrested or having to pay exorbitant fines.<sup>17</sup>

Other scholars have also pointed to sex workers’ reluctance to reach out to law enforcement. For example, in their ethnography – which is also of sex workers in Australia – Zahra Stardust, Carla Treloar, Elena Cama, and Jules Kim learn about the dangers that sex workers face from the police. The sex workers they interviewed shared traumatizing experiences with the police, in which the police did nothing in response to sex workers being assaulted or robbed on the job. This led to sex workers severely distrusting the police, to the extent that some of them refused to ever contact the police, even in an emergency.<sup>18</sup> Additionally, the other sex workers they interviewed also had numerous experiences with sexual assault in the industry, and were severely traumatized by their assaults. One sex worker shared that “the problem with [the] domestic violence of sex workers [is]...that when you speak out, no one really believes you and that’s a problem ... they look at you and they think you are still alive, that you haven’t been through any sexual abuse...so they don’t believe what you say.”<sup>19</sup> This anecdote reveals that the severe stigmatization of sex workers has led to people, such as the police, refusing to believe sex workers when they come forward with sexual assault allegations. The scholars argue that this is

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<sup>16</sup> Ibid., *ibid.*

<sup>17</sup> Ibid., *ibid.*

<sup>18</sup> Zahra Stardust, Carla Treloar, Elena Cama, and Jules Kim, “I Wouldn’t Call the Cops if I was Being Bashed to Death’: Sex Work, Whore Stigma and the Criminal Legal System,” *International Journal for Crime, Justice and Social Democracy* 10, no. 3 (2021): 147.

<sup>19</sup> Ibid., 150.

because non-sex-workers do not see consent as applying to sex work, which means that they do not conceive of rape as something that sex workers could face.<sup>20</sup>

Other scholars' empirical analyses of classical sex work acknowledge the dangers that come with it, but also elucidate how the industry is essential for those who are excluded from mainstream jobs. As self-identified sex workers Molly Smith and Juno Mac argue, "through the lens of economic need, people's reasons for engaging in sex work reappear not as aberrant or abject, but as a rational survival strategy in an often shitty world."<sup>21</sup> This is especially true for women with marginalized identities, whose labor is frequently undervalued and underpaid in non-sex-work jobs in a patriarchal, ableist society. Due to this sexism, sex work can be the preferable – or sometimes, only – option for marginalized individuals, compared to other kinds of employment. For instance, in their ethnography of sex workers in Brazil, Ana Paula da Silva and Thaddeus Gregory Blanchette spoke to women who chose to do sex work over legal and non-stigmatized jobs. One woman they spoke to, Luana, got a job in construction after being involved in sex work.<sup>22</sup> Yet, as Luana shares, she eventually returned to sex work:

They used me to seal tiles in the bathrooms of one of those new condominiums here in Downtown...And I stopped whoring. After six weeks, however, I still hadn't received my first paycheck. Worse, we worked without any protection and the chemicals we used caused open wounds on my arms and hands. I had to stay away from work for three days with a medical excuse, but when I got back, they fired me. They never paid me for the six weeks of work I did and they still have my work card. So I came back here [a brothel]. At least here I get paid. (da Silva and Blanchette, 33).

The terrible working conditions that Luana experienced – her delayed paycheck, the various physical dangers she was exposed to, and her eventual termination – demonstrate how women's

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<sup>20</sup> Ibid., *ibid.*

<sup>21</sup> Juno Mac and Molly Smith, *Revolted Prostitutes: The Fight for Sex Workers' Rights* (London: Verso Books, 2018), 65.

<sup>22</sup> Ana Paula da Silva and Thaddeus Gregory Blanchette, "For Love or for Money? (Re)productive Work, Sex Work, and the Transformation of Feminine Labour," *cadernos pagu* 50 (2017): 33.

labor is heavily undervalued and exploited under the intersections of capitalism and patriarchy. Of course, sex work also comes with physical dangers and other potentially problematic working conditions. However, as Luana notes, she ultimately preferred sex work over her construction job because she at least knew she could expect a paycheck at the brothel, while the construction job gave her no guarantee of being paid. Molly Smith and Juno Mac provide another example from a disabled Māori woman involved in sex work, who writes:

“My body isn’t capable of working a 40-hour week, nor allowing me to become qualified at something that pays well. I’m disabled from working, and I’m part of a society that doesn’t take care of people like me, people like my daughter [who is also disabled]... Being a sex worker means I can work when I am able and have days off when I’m not... I can spend lots of time caring for my daughter.”

This woman’s anecdote shows that more “traditional” types of employment can actually be highly exclusionary for marginalized groups. She shares that as someone who is disabled, she is unable to work 40 hours a week, or to become trained in a job that would provide her with a stable income. Therefore, she is shut out from “mainstream” jobs that would require her to be able to do these things. Yet sex work can provide her with an important means of economic survival, and allows her to have a flexible working schedule so that she can care for her daughter.

Even though sex work can provide a means of income for people who are shut out of “mainstream” capitalism, the industry is still an oppressive place for people with marginalized identities. In her ethnography, Angela Jones interviews nonbinary and transmasculine sex workers, who share their experiences navigating an industry dominated by heteronormativity. The sex workers share that their clients want to be able to “easily assign gender to [sex workers’] bodies.”<sup>23</sup> If clients are unable to do this, then they ostracize the sex worker, and see them as less

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<sup>23</sup> Angela Jones, “‘It’s Hard Out Here for a Unicorn’: Transmasculine and Nonbinary Escorts, Embodiment, and Inequalities in Cisgendered Workspaces,” *Gender & Society* 20, no. 10 (2020): 19.

valuable compared to cisgender sex workers.<sup>24</sup> This is obviously incredibly exclusionary to sex workers who do not visibly present as either masculine or feminine. It also outcasts nonbinary and transgender sex workers who may present as a certain gender, but do not actually identify with that gender. Additionally, the sex workers explain that their transition processes dramatically affect their profit due to their clients' transphobia. One trans man shares: "[When] I started to work as a trans guy, my clients dropped massively because there's way less demand... a lot of my clients were men who wanted to see someone with a vagina...but didn't want to pay money to see cis women because their rates were higher...they were still viewing me as a woman . . . and only seeing me because I was cheap." His experience reveals that trans sex workers have a much more challenging time obtaining clients compared to cis sex workers, while simultaneously, cis sex workers are able to charge much higher rates for their sexual services. Additionally, his anecdote shows that clients do not always honor and respect the gender identities of trans sex workers. Instead, for the sake of their own sexual pleasure, clients choose to perceive trans sex workers as the gender they were assigned to at birth.

These empirical analyses are extremely valuable pieces of scholarship. By centering sex workers' voices, this research helps us to begin to understand sex workers' experiences in the industry. Crucially, however, this empirical scholarship does not include a political theoretical framework in its analysis. This is an important gap to fill in the literature because political theory elucidates the various systems and institutions that these sex workers are navigating. For instance, a political theoretical approach to sex work analyzes how capitalism and patriarchy affect sex workers' experiences in the industry. Political theory also helps us understand the implicit issues that sex workers have raised in these ethnographies. How do sex workers

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<sup>24</sup> Ibid., *ibid.*

conceptualize freedom in the industry, and to what extent do they have agency in their work?

How can sex workers resist potentially oppressive institutions, like capitalism, and to what extent is sex work itself a protest against these systems? In the next section of this literature review, I will outline some of the theoretical approaches that scholars have used in their analyses on sex work. In this thesis, I focus on libertarianism, Marxism, and feminism, as I am particularly interested in the relationships between sex work, capitalism, and sexism.

### **Theoretical Analyses of Classical Sex Work:**

#### *Libertarian Analyses of Classical Sex Work:*

Libertarians have not written very much about classical sex work. One libertarian thinker who has written about sex work is Walter Block, who claims that sex workers have the agency to decide to stay in the industry, or quit if they dislike it. He writes, “the prostitute does not look upon the sale of sex as demeaning. After considering the good features (short hours, high remuneration), with the drawbacks (harassment by the police, enforced commissions to her pimp, uninspiring working conditions), the prostitute obviously prefers her work, otherwise she would not continue it.”<sup>25</sup> Block’s argument here reflects the key libertarian concept that people are equipped with the individual freedom to make their own decisions, so long as they do not harm other people.<sup>26</sup> Therefore, since sex workers hypothetically have the agency to decide whether or not to stay in the industry, they would not remain sex workers if they disliked the work.

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<sup>25</sup> Walter Block, *Defending the Undefendable* (New York: Fleet Press, 1976), 4.

<sup>26</sup> Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books Inc., Publishers, 1974), 31.

Block also attempts to defend the role of the pimp in sex work. He argues that the vast majority of pimps are not exploitative. In order to holistically evaluate pimping, he claims that “any extraneous evil acts which may be committed by some pimps must be ignored as having little to do with the profession as such.”<sup>27</sup> Block claims that even if some pimps act in an unethical fashion, that does not necessarily translate into the sex work industry being inherently problematic. Rather, he argues that the vast majority of pimps treat sex workers fairly, and that pimps are necessary actors because they expedite the sex work process. Pimps connect sex workers to clients, which means that neither the sex worker nor the client have to waste their time searching for each other.<sup>28</sup> Ultimately, Block posits that everyone involved in sex work only participates in the industry if they want to, and have something to gain from doing so. This alludes to his earlier argument about sex workers staying in the industry only if they truly wish to do so, as they hypothetically have the freedom to quit whenever they want to.

*Marxist Analyses of Classical Sex Work:*

Karl Marx – one of the founders of Marxism – did not write much explicitly about sex work. Yet what he did write reveals his belief that sex work is a symbol for the exploitative nature of capitalism. In *The Economic and Philosophic Manuscripts of 1844*, Marx wrote that “prostitution is only a specific expression of the general prostitution of the laborer, and since it is a relationship in which falls not the prostitute alone, but also the one who prostitutes – and the latter’s abomination is still greater – the capitalist, etc., also comes under this head.”<sup>29</sup> Marx sees capitalism and sex work as being intimately related to each other. He portrays the general

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<sup>27</sup> Walter Block, *Defending the Undefendable* (New York: Fleet Press, 1976), 10.

<sup>28</sup> *Ibid.*, 11.

<sup>29</sup> Karl Marx, “The Economic and Philosophic Manuscripts of 1844,” in *The Marx-Engels Reader*, ed. Robert C. Tucker (New York: W.W. Norton & Company, 1978), 42.

experience of working under capitalism as analogous to sex work, as he sees both types of labor as fundamentally degrading and abusive towards workers. To Marx, the pimp is essentially the same as the bourgeoisie – both are exploiting and profiting off of their workers.<sup>30</sup>

Contemporary Marxist scholars agree with Marx that sex work can be a problematic form of employment, but argue that is an insufficient reason to criminalize or ban sex work, as all jobs in a capitalist society are flawed in different ways. Molly Smith and Juno Mac, who identify as both sex workers and Marxists, argue that it is unrealistic to expect work to be “something that the worker should find fulfilling, non-exploitative, and enjoyable.”<sup>31</sup> Smith and Mac counter this optimistic portrayal of work, and argue that in reality, working under capitalism “is often pretty awful, especially when it’s low-paid and unprestigious.”<sup>32</sup> Sex work, then, is not necessarily much different than more seemingly banal instances of labor exploitation in legal and non-stigmatized jobs. Smith and Mac provide several examples of this: “Perhaps your boss took a cut of your tips, or forced you to work...during your grandfather’s funeral. Perhaps you’ve started to resent the way your time-sheets always seem to entail...unpaid work at the end of the day, or how long you spend on your commute – time that’s not only uncompensated but actively expensive.”<sup>33</sup> These examples – which likely, many people can relate to – show that all work under capitalism is difficult and problematic, not just sex work. As another Marxist scholar, Peter Frase, argues, “many sex workers, if they had access to another source of income, would...leave the sex industry or demand better conditions for themselves. But the same could be said of supermarket checkers or factory workers. And that...is the only argument against sex

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<sup>30</sup> Marx has written more about sex work beyond *The Economic and Philosophic Manuscripts of 1844*. I will delve into this in the Marxism chapter.

<sup>31</sup> Juno Mac and Molly Smith, *Revolting Prostitutes: The Fight for Sex Workers’ Rights* (London: Verso Books, 2018), 65.

<sup>32</sup> *Ibid.*, 66.

<sup>33</sup> *Ibid.*, 69.

work that...holds up: it's work, and work is often terrible."<sup>34</sup> Mac, Smith, and Frase are all deeply critical of capitalism. Their criticisms implicitly suggest that in a non-capitalist world – and thus, a world in which people are not forced to work demeaning jobs to survive – there would be no need to do sex work.

*Feminist Analyses of Classical Sex Work:*

Finally, there are a wide range of perspectives within feminism about sex work. Some feminists are vehemently opposed to the industry because they see it as brutally demeaning towards women. For instance, prominent anti-sex-work feminist Catherine MacKinnon argues that there is no such thing as consensual sex work. MacKinnon writes that women in sex work are denied all civil rights because they are repeatedly raped and degraded by men, as they cannot choose what sort of sexual services they are providing to men. MacKinnon concludes that it is offensive and problematic to assume that a woman would voluntarily choose to engage in sex work.<sup>35</sup> Another prominent feminist scholar, Andrea Dworkin, agrees with MacKinnon's perspective on sex work. Dworkin writes graphically about the physical and emotional trauma that sex work forces women to endure: "She is...treated as...vaginal slime...Her anus is often torn...Her mouth is a receptacle for semen...When men use women in prostitution, they are expressing a pure hatred for the female body...It is a contempt so deep...that a whole human life is reduced to a few sexual orifices, and he can do anything he wants."<sup>36</sup> According to Dworkin, sex work is so abysmal because it allows men to actualize their contempt and hatred towards

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<sup>34</sup> Peter Frase, "The Problem With (Sex) Work," *Jacobin*, March 28, 2012, <https://www.jacobinmag.com/2012/03/the-problem-with-sex-work/>.

<sup>35</sup> Catharine A. MacKinnon, "Prostitution and Civil Rights," *Michigan Journal of Gender and Law* 1, no. 1 (1993): 13.

<sup>36</sup> Andrea Dworkin, "Prostitution and Male Supremacy," *Michigan Journal of Gender and Law* 1, no. 1 (1993): 6.

women by doing whatever they want to sex workers. Therefore, Dworkin argues that sex work is an institution that violently objectifies women, and strips them of their humanity and autonomy.

Other feminists use the framework of intersectionality to oppose sex work. For example, Vednita Nelson argues that there is a profound relationship between systemic racism and sex work. Nelson writes, “Racism makes Black women and girls especially vulnerable to sexual exploitation and keeps them trapped in the sex industry. It does this by limiting educational and career opportunities for African-Americans in this country. It does this through a welfare system that has divided the poor Black family.”<sup>37</sup> Nelson points out that systemic racism has forced Black women and girls into the sex work industry as a means of financial survival. Additionally, Nelson argues that sex work reinforces racist stereotypes about Black women as being hyper-sexual, and willing to have sex with anyone.<sup>38</sup> When Black women and girls attempt to leave the sex work industry, Nelson points out that the state disproportionately punishes them compared to white women. The racism of the criminal justice system forces Black women into incarceration and to pay higher fines for being involved in sex work.<sup>39</sup> Thus, Nelson concludes that sex work is a racist and punishing institution for Black women and girls, and that it is incredibly challenging for them to leave the industry once they become involved in it.

Another extension of anti-sex-work feminist perspective is carceral feminism, a term coined by sociologist Elizabeth Bernstein. Carceral feminism is also a theoretical expansion of the empirical research about the policing of sex work. Carceral feminism refers to feminists who support the use of policing and criminalization in order to dissuade sex work from happening.<sup>40</sup>

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<sup>37</sup> Vednita Nelson, “Prostitution: Where Racism & Sexism Intersect,” *Michigan Journal of Gender and Law* 1, no. 1 (1993): 83.

<sup>38</sup> *Ibid.*, 83-84.

<sup>39</sup> *Ibid.*, 85.

<sup>40</sup> Juno Mac and Molly Smith, *Revolting Prostitutes: The Fight for Sex Workers' Rights* (London: Verso Books, 2018), 32.

Bernstein argues that carceral feminism is intimately tied to the rise of the neoliberal state. According to Bernstein, anti-sex-work feminists embrace “the family as a privatized sphere of safety for women and children that the criminal justice system should be harnessed to protect.”<sup>41</sup> This perspective “is premised upon liberal understandings of formal equality between women and men, and the safe containment of sexuality within the pair-bonded couple.”<sup>42</sup> Therefore, carceral feminists advocate for police and incarceration as ways of protecting their neoliberal image of the private family and home. Yet many feminists and sex workers are staunchly opposed to carceral feminism. For example, Smith and Mac cite statistics that show that the police, and the criminal justice system writ large, perpetrate abundant sexual violence towards women. As a result, they argue that the police should not be the ones responding to sex work. Other sex workers share a mentality of only calling the police in an absolute emergency. Most of the time, due to the criminalization of sex work, workers view police as a pertinent threat to their safety.<sup>43</sup> Writer and self-identified sex worker Melissa Gira Grant argues that it is nonsensical to portray the police and incarceration as institutions that help sex workers, considering how much they have violence they have inflicted onto sex workers. As Grant writes, “How...is someone who is most used to having the police threaten them, or demand sex with them in exchange for not being arrested, then supposed to trust the police...let alone to connect them to services which are already freely available? Is it that impossible to imagine there is a better party for reaching out to sex workers than the police?”<sup>44</sup> Grant argues that it is inappropriate for the police to

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<sup>41</sup> Elizabeth Bernstein, “Carceral Politics as Gender Justice? The “Traffic in Women” and Neoliberal Circuits of Crime, Sex, and Rights,” *Theory and Society* 41 (February 2012): 247.

<sup>42</sup> *Ibid.*, *ibid.*

<sup>43</sup> Juno Mac and Molly Smith, *Revolting Prostitutes: The Fight for Sex Workers’ Rights* (London: Verso Books, 2018), 33.

<sup>44</sup> Melissa Gira Grant, *Playing the Whore: The Work of Sex Work* (London: Verso Books, 2014), 14.

intervene in sex work, and somehow connect sex workers to social services, considering their violent history towards sex workers.

On the other hand, some feminist scholars argue that sex work is an important venue for women to express societally unaccepted sexual desires and experience pleasure. For instance, Gayle Rubin argues that there historically has been an abundance of stigma and misinformation surrounding sex, especially between marginalized people, such as sadomasochists and members of the LGBTQ+ community.<sup>45</sup> As an example, she points to the post World War II era of the United States, where “erotic communities whose activities did not fit the postwar American dream drew intense persecution” from the American government.<sup>46</sup> Furthermore, Rubin is concerned about legal restrictions on sex and the enforcement of laws regarding sex work, as she views this as the state problematically continuing to police “unconventional” sexual behaviors that they see as wrong or offensive.<sup>47</sup> Rubin argues that this type of regulation portrays the diversity of human sexuality as something transgressive and disgusting, rather than recognizing the nuances behind alternative forms of sexual activity, such as sex work.<sup>48</sup> Margo St. James, an eminent sex-positive sex worker who founded the Call Off Your Old Tired Ethics (COYOTE) organization, argues that sex work is a crucial source of sexual pleasure and liberation for women that they may have a more difficult time accessing elsewhere. She argues, “I’ve always thought that whores were the only emancipated women. We are the only ones who have the absolute right to fuck as many men as men fuck women. In fact we are expected to have many partners a week, the same as any good stud.”<sup>49</sup> St. James claims that sex workers get to achieve

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<sup>45</sup> Gayle S. Rubin, “Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality,” in *Culture, Society and Sexuality*, ed. Richard Parker and Peter Aggleton (London: Routledge, 2006), 143.

<sup>46</sup> *Ibid.*, 145.

<sup>47</sup> *Ibid.*, 146.

<sup>48</sup> *Ibid.*, 166.

<sup>49</sup> Christine Overall, “What’s Wrong with Prostitution? Evaluating Sex Work,” *Signs* 17, no. 4 (1992): 721.

sexual freedom because the nature of their job enables them to have an abundant amount of sex, while other women are judged and ostracized if they are seen as sex with multiple partners.

Other feminist scholars do not exactly fit into the binary of supporting or opposing the existence of classical sex work. Rather, these feminist scholars use a combination of Marxism and feminism to argue that the stigmatization and criminalization of sex work reveal a societal discomfort with the concept of women profiting from selling sexual services. As Molly Smith and Juno Mac note, sex workers are frequently asked if they would still have sex with their clients if they were not being paid, which suggests that sex is something that women are expected to offer for free.<sup>50</sup> Smith and Mac argue that a hyper-fixation of sex workers' sexual pleasure ignores how laborious the industry is, and instead strengthens the image of sex as being something that women enjoy so much that they do it without cost.<sup>51</sup> Anthropologists Ana Paula da Silva and Thaddeus Gregory Blanchette build upon Smith and Mac's observation regarding the expectation that women offer sex for free. They note that "what seems to offend" people about sex work "is that something that should be given out of love (or – more historically – out of obligation) [has] become commoditized, supposedly making the seller a victim of the capitalist exploitation of her body."<sup>52</sup> Yet, as da Silva and Blanchette argue, there are many other types of labor aside from sex that women have historically been expected to do for free (i.e.: child care and domestic tasks.)<sup>53</sup> The scholars point to sex work as an example of how work that women have long supposedly done out of "love" or benevolence is now "increasingly being transformed into productive jobs, done for salary and by contract, generating capital and

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<sup>50</sup> Juno Mac and Molly Smith, *Revolted Prostitutes: The Fight for Sex Workers' Rights* (London: Verso Books, 2018), 66.

<sup>51</sup> *Ibid.*, 52.

<sup>52</sup> Ana Paula da Silva and Thaddeus Gregory Blanchette, "For Love or for Money? (Re)productive Work, Sex Work, and the Transformation of Feminine Labour," *cadernos pagu* 50 (2017): 5.

<sup>53</sup> *Ibid.*, 6.

surplus.”<sup>54</sup> This disrupts the status quo of gendered labor, as the labor that women previously did in the private sphere – such as sex – is now becoming something they are also doing in the public realm in order to make money. Another scholar, Peter Frase, argues that under capitalism, sex work is perceived as a threat because it “conflicts with a bourgeois ideal of private, monogamous sexuality.”<sup>55</sup> He elaborates, “if you want to oppose sex work without opposing work in general, you’re forced to fall back on some normative claim about what counts as normal, natural sexual relationships.”<sup>56</sup> Frase notes that the bourgeoisie conceptualizes sexuality as being “private” and “monogamous,” and fundamentally distinct from work conducted in the public capitalist realm. This suggests, then, that sex work – in which sex workers sell sexual services to multiple clients, and sometimes in public spaces – disrupts the bourgeoisie ideal of “proper” sexual behavior.

These political theoretical analyses of sex work offer important insights into how sex work relates to various systems, like capitalism, sexism, and racism. This adds extremely helpful context to the empirical literature about classical sex work. However, there are still gaps in the literature that remain unfilled. In particular, these political theoretical analyses tend to be non-comparative; that is, scholarship that utilizes one theory does not necessarily engage with another theory. This approach is problematic because it fails to wrestle with what other theorists have written about sex work. It is essential to conduct a comparative theoretical analysis of sex work because doing so allows theorists to understand the parallels and differences between them and other political theories. This, then, enables political theorists to begin reckoning with the key arguments in their own theories, as well as the implicit claims their theories are offering.

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<sup>54</sup> Ibid., 20.

<sup>55</sup> Peter Frase, “The Problem With (Sex) Work,” *Jacobin*, March 28, 2012, <https://www.jacobinmag.com/2012/03/the-problem-with-sex-work/>.

<sup>56</sup> Ibid., *ibid.*

Additionally – by definition – the scholarship on classical sex work does not discuss digital sex work. This is a significant gap in the literature, as digital sex work is becoming increasingly common in contemporary sex work. In this final section, I will outline what scholarship currently does exist about digital sex work.

### **Empirical Analyses of Digital Sex Work:**

Although there is still a lack of research about digital sex work, scholars have conducted excellent empirical analyses of the industry. Sociologist Angela Jones argues that online sex work offers many important benefits to sex workers. For example, due to their usage of the Internet, digital sex workers have a lower risk of facing physical violence from clients and police, and are also able to advertise themselves more easily compared to in-person sex workers.<sup>57</sup> Therefore, online sex workers face a lower risk for things like sexual assault, pregnancy, sexually transmitted diseases, etc., which are potential dangers involved in in-person sex work.<sup>58</sup> Furthermore, digital sex workers are able to have less interaction with law enforcement because online sex work is less physically public compared to classical sex work. Thus, online sex workers are less likely to be arrested or incarcerated by the police compared to in-person sex workers.<sup>59</sup> Jones expands upon the implications of this increased safety in her ethnography of webcam models. Through her research, she discovers that the online nature of digital sex work allows sex workers to discover and prioritize their own sexual pleasure in ways that they could not through classical sex work. Because sex workers perceive online sex work to be safer for them than in-person, they are able to focus on their own enjoyment rather than

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<sup>57</sup> Angela Jones, “Sex Work in a Digital Era,” *Sociology Compass* 9, no. 7 (2015): 562.

<sup>58</sup> Angela Jones, “For Black Models Scroll Down: Webcam Modeling and the Racialization of Erotic Labor,” *Sexuality & Culture* 19 (2015): 785.

<sup>59</sup> *Ibid.*, 786.

worrying about their safety. Therefore, digital sex workers can focus on performing acts that they actually want to do and enjoy sexually, rather than catering their entire show for their clients.<sup>60</sup>

Yet despite these important benefits, scholars have pointed out several downsides to digital sex work. For instance, Jones notes that online sex work still poses many pertinent dangers to sex workers, such as capping and doxing. Capping refers to “the unwanted filming and sharing of [online sex workers’ erotic performances,” which may be sold and circulated without the workers’ knowledge or consent.<sup>61</sup> On the other hand, doxing is when “clients use research and/or hacking to acquire information about [sex workers] and then share that information with other clients and/or use the information to stalk them.”<sup>62</sup> Both capping and doxing pose serious threats to the security of digital sex workers, even though they may not necessarily be seen as physical dangers. Other scholars argue that digital sex work is incredibly demanding work, but that clients fail to recognize this. Helen Rand argues that online sex work obfuscates the immense amount of labor that digital sex workers must put in in order to be successful and stand out from the numerous other digital sex workers on a platform. She claims that clients do not see the labor that occurs behind the scenes of the erotic content that they access. For instance, clients do not witness the processes behind creating said content (i.e.: live streams), nor do they see the labor behind other tasks that online sex workers do, such as creating blogs and Instagram posts for fans and potential clients to see.<sup>63</sup> Rand argues that this normalizes the abundant unpaid labor that online sex workers do, which makes it challenging for digital sex work to be seen as a genuine form of work.<sup>64</sup> Rand notes that digital sex workers are essentially

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<sup>60</sup> Angela Jones, “‘I Get Paid to Have Orgasms’: Adult Webcam Models’ Negotiation of Pleasure and Danger,” *Signs: Journal of Women in Culture and Society* 42, no. 1 (2016): 236.

<sup>61</sup> *Ibid.*, 565.

<sup>62</sup> *Ibid.*, *ibid.*

<sup>63</sup> *Ibid.*, 49.

<sup>64</sup> *Ibid.*, *ibid.*

always on the clock – customers are always able to contact them, and there is an expectation that online sex workers respond as soon as they can, or else they risk losing the clients. Thus, sex workers are constantly checking their messages and attempting to respond to clients.<sup>65</sup>

Furthermore, because there are so many digital sex workers on Internet platforms, online sex workers feel a pressure to constantly be working, as they fear not attracting enough customers to financially support themselves. As one OnlyFans sex worker says, “I always feel like I can be doing better...because the industry I’m in is so fast-paced, if I stopped doing something, someone will take my place.”<sup>66</sup> Thus, digital sex work makes it feel almost impossible for sex workers to have any reprieve from their work life.

Scholars have also done crucial empirical research about the experiences of marginalized online sex workers. In her study of webcam models, Jones argues that Black online sex workers face abundant racism in the industry, and are therefore less financially successful compared to white digital sex workers. Jones notes that the most successful Black webcam models fit conventional white beauty standards, such as having “longer hair styles through the use of chemical straighteners, weaves...wear[ing] colored contact lenses, and hav[ing] thin physique.”<sup>67</sup> This indicates that clients desire and expect Black digital sex workers to adapt to this narrow and racist definition of beauty. On this website that Jones used for her ethnography, the less popular a sex worker is, the more that a user must scroll down in order to find them. The website’s structure means that clients are more likely to request sexual services from people who show up first on the website, rather than continuously scroll through it. Therefore, Black women, who are

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<sup>65</sup> Ibid., 50.

<sup>66</sup> Annie Lord, “Being an OnlyFans Sex Worker Sounds Stressful,” *Vice*, July 11, 2019, <https://www.vice.com/en/article/neagv8/only-fans-sex-worker-interview>.

<sup>67</sup> Angela Jones, “For Black Models Scroll Down: Webcam Modeling and the Racialization of Erotic Labor,” *Sexuality & Culture* 19 (2015): 792.

disproportionately at the bottom of the website because they are seen as falling outside white beauty standards, are less likely to get clients. As a result, Black digital sex workers are less likely to make the same sort of income that white women sex workers do.<sup>68</sup>

These ethnographies of digital sex workers are extremely valuable for understanding online sex workers' experiences in this burgeoning realm of sex work. However, a gap that still exists in this literature is the lack of theoretical analysis about digital sex work. As I said earlier about classical sex work, it is vital to use political theory to study digital sex work. Political theory allows us to understand how institutions (i.e.: patriarchy, capitalism, racism) affect and permeate online sex work. Additionally, this theoretical approach interrogates digital sex workers' relationship to key issues in political theory, such as power and freedom. Political theory offers context for the experiences that sex workers share in these ethnographies. My thesis ultimately fills this gap by utilizing a political theoretical approach to digital sex work, rather than empirical.

### **Conclusion:**

Even though valuable research has been done about both classical and digital sex work, I have shown in this literature review that the majority of the scholarship uses a sociological and ethnographic approach. Therefore, my thesis fills a gap in the literature by not only using a political theoretical approach, but also applying political theory to digital sex work, which remains under-researched in the scholarship. My other contributions to the literature are the numerous conversations that I have put various political theorists in. While these conversations

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<sup>68</sup> Ibid., ibid.

are focused around sex work, they still reveal crucial, implicit questions that political theory is reckoning with.

In order to apply political theory to digital sex work, I must first use the theories to analyze classical sex work. The theories I am using in this thesis are libertarianism, Marxism, and feminism, as I want to analyze sex work through the lenses of capitalism and patriarchy. Sex workers are working under the system of capitalism, and libertarianism and Marxism are both necessary theories in that they provide different analyses for what the repercussions of that may be. Meanwhile, feminism is an essential theory to use because of the gendered dynamics of sex work – statistically speaking, the vast majority of sex workers are women, while the clients are men. Using a feminist theoretical framework helps us understand what the ramifications are of this gendered dynamic.

## Chapter 1: Libertarian Analyses of Classical Sex Work

### Introduction:

As I have shown in my literature review, there are numerous complex debates surrounding sex work. Yet what many of them boil down to are questions about the individual freedom that sex workers have, especially in the context of capitalism. Some scholars are concerned that people who decide to enter the industry are not truly able to freely consent into sex work, as circumstances outside of their control (i.e.: poverty) force them to rely on sex work as a means of income.<sup>69</sup> Other scholars believe that capitalism is actually an essential system that protects people's individual freedom from the government, and that therefore sex workers are completely free to enter and quit the industry as they please.<sup>70</sup>

Therefore, libertarianism provides a useful framework for analyzing sex work, as the theory is centered around preserving and maximizing people's individual freedom, especially by using capitalism. Sex workers in the United States and other Western states work under capitalism, which libertarians regard as the ideal system for protecting and exercising individual freedom. Using libertarianism in an analysis of sex work allows us to interrogate to what extent sex workers are able to exercise their freedom under capitalism. Secondly, a common charge against sex work is that sex workers are coerced into the industry against their will because of factors outside of their control, such as precarious financial situations. This argument suggests that even if someone decides to join the sex work industry, they cannot truly consent into it because an external factor like their financial status has forced them into it. Libertarianism can potentially offer a helpful lens for evaluating this critique against sex work. Libertarianism

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<sup>69</sup> Emma Goldman, *Anarchism and Other Essays* (New York: Mother Earth Publishing Association, 1917), 184.

<sup>70</sup> Walter Block, *Defending the Undefendable* (New York: Fleet Press, 1976), 4.

wrestles with what individual freedoms people have, how these freedoms become transgressed, and the implications of these freedoms becoming violated.

In this chapter, I will first outline three important components of libertarian ideology: individual freedom, the free market, and small governments. I will uncover what prominent libertarian thinkers have written about each of these concepts. Then, I will link libertarian thought to in-person sex work. I will first explain what libertarian scholars have written about sex work, before showing how libertarian thought can be extended into analyses of the industry. I argue that libertarians point to sex work as merely another example of how people choose to exercise their individual freedom.

### **What is Libertarianism?:**

Even though the term “libertarianism” may have only emerged in the late 20th century, the ideals that this political theory espouses have been present for centuries. Libertarianism has its roots in liberalism, which revolves around the importance of preserving individual freedom.<sup>71</sup> Liberal ideology began to emerge around the 16th century, when war became far more expensive and deadlier. This resulted in governments increasingly taxing their citizens to pay for the cost of war, which, in turn, sparked severe distrust in state authority.<sup>72</sup> In the 17th century, the English Civil War and the ensuing Global Revolution led to a small government with little religious toleration. This type of government gave rise to liberal thought about individual liberties and limited government.<sup>73</sup> These liberal ideas also inspired Americans after the Revolutionary War, as shown through the United States Constitution protecting individual freedoms, and limiting the

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<sup>71</sup> Stephen Davies, “General Introduction,” in *The Encyclopedia of Libertarianism*, ed. Ronald Hamowy (Thousand Oaks: SAGE Publications, Inc, 2008), xxv.

<sup>72</sup> *Ibid.*, xxvi.

<sup>73</sup> *Ibid.*, xxvii.

scope of the government.<sup>74</sup> However, the devastation of the two World Wars weakened support for liberalism, as people increasingly embraced collectivism and larger government.<sup>75</sup> In order to resist statism and to continue surviving as a movement, classical liberals had to collaborate with conservatives, even though they had many ideological differences. Therefore, classical liberals chose to rebrand themselves as “libertarians” so that they could distinguish themselves from conservatives.<sup>76</sup>

As this history shows, libertarianism has significant roots in classical liberalism. Yet liberalism and libertarianism remain two distinct political theories. Liberalism “is the ideological commitment to guarantee equal...respect for all individuals,” and “is expressed...in efforts by the state to ensure that no one’s view of the good life is privileged over others.”<sup>77</sup> The state actualizes this commitment by, for example, limiting rights that can harm other people or perpetuate inequality (for instance, the state limits freedom of speech because hate speech harms marginalized populations.)<sup>78</sup> On the other hand, libertarianism believes that “individuals should be free to pursue the path that they choose without interference, particularly by government.”<sup>79</sup> While liberals are comfortable with a more robust government for the sake of protecting individual liberties, libertarians embrace a highly individualistic society with limited government intervention. Meanwhile, in comparison to libertarians, classical liberals are more likely to believe that upholding individual freedoms and rights for all people is more important than having a smaller government. Despite these important differences between liberals and

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<sup>74</sup> Ibid., xxviii.

<sup>75</sup> Ibid., xxv.

<sup>76</sup> Ibid., xxxvi.

<sup>77</sup> Brian Rathbun, “Wedges and Widgets: Liberalism, Libertarianism, and the Trade Attitudes of the American Mass Public and Elites,” *Foreign Policy Analysis* (2014): 2.

<sup>78</sup> Ibid., *ibid.*

<sup>79</sup> Ibid., 3.

libertarians, it is still relevant to refer to liberal thinkers in the context of this thesis. Even though some older political theorists in this chapter may be classified as classical liberals, they are still theorists who contemporary libertarians hearken back to. Additionally, many kinds of liberal justifications are used by modern libertarians, which makes them relevant to study in this thesis.

There are two categories of libertarianism: deontological and consequentialist.

Deontological libertarians believe that people are born with basic rights, such as individual freedom, and there is no end or outcome that justifies violating this freedom.<sup>80</sup> Even if people use their individual freedoms to make decisions that result in counterproductive or problematic outcomes, deontological libertarians believe that the government still has no right to interfere because doing so would be a violation of people's intrinsic rights.<sup>81</sup> Rather, the government only has the right to intervene if people's individual freedoms and physical safety are at risk. On the other hand, consequentialist libertarianism advocates for free-market capitalism by pointing to efficiency and profit that the system can generate. Consequentialist libertarianism may support the free market through a framework of natural rights, but their endorsement of capitalism rests upon the supposedly positive outcomes of the system. There are three key aspects of libertarianism, which blend both deontology and consequentialism, that I will focus on in this chapter: individual freedom, small governments, and free-market capitalism.

#### *Individual Freedom:*

Individual freedom is the foundation of libertarian thought, as libertarianism focuses on protecting and maximizing this autonomy. Many libertarian texts discuss the notion of individual freedom. One example of this is Richard Overton's "An Arrow Against All Tyrants." Overton

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<sup>80</sup> Jonathan Wolff, "Libertarianism, Utility, and Economic Competition," *Virginia Law Review* 92, no. 7 (2006): 1606.

<sup>81</sup> Will Kymlicka, "Libertarianism," in *Contemporary Political Philosophy: An Introduction*, (Oxford: Oxford University Press, 2002), 103.

was a Leveller, who were a group of soldiers and civilians that organized during the 1642 English Civil War around the concept of individual freedom.<sup>82</sup> The Levellers believed that everyone was entitled to religious and political freedom, and ought to have the ability to decide whether or not they wanted to fight in war.<sup>83</sup> Overton argues that there are intrinsic rights that all people are given at birth: “For by natural birth, all men are equally and alike born to like propriety, liberty, and freedom...everyone [has] a natural, innate freedom and propriety...everyone equally and alike to enjoy his birthright and privilege.”<sup>84</sup> Overton’s writing suggests that everyone in society is entitled to these basic rights, and that everyone has an equal ability to enjoy them. But why is this the case?

One way libertarians answer this question is through the concept of self-ownership, or the notion that people can “own themselves” in the same way that people own property. Various libertarian thinkers have written about the implications of people possessing self-ownership. Richard Overton writes that every person “is given an individual property by nature, not to be invaded or usurped by any: for everyone as he is himself, so he hath a self-propriety, else he could not be himself.”<sup>85</sup> Overton suggests that people cannot violate each other’s individual freedoms because everyone has self-ownership. Another example of libertarian writing on self-ownership is John Locke’s *Two Treatises on Government*. Locke was a famous English philosopher, and grew up in the aftermath of the English Civil War. After the English Civil War, there were many political changes in England, such as the abolition of the English monarchy, the

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<sup>82</sup> Carl Watner, “‘Come What, Come Will!’ Richard Overton, Libertarian Leveller,” in *The Journal of Libertarian Studies*, 4, no. 4 (1980): 405.

<sup>83</sup> *Ibid.*, *ibid.*

<sup>84</sup> Richard Overton, “An Arrow Against All Tyrants,” in *The Libertarian Reader: Classic and Contemporary Writings from Lao-Tzu to Milton Friedman*, ed. David Boaz (New York: The Free Press, 1997), 122.

<sup>85</sup> *Ibid.*, 121.

House of Lords, and the Anglican Church.<sup>86</sup> In *Two Treatises on Government*, Locke argues that all people have a God-given, human right to self-ownership. He writes that “every man has a property in his own person...The labour of his body, and the work of his hands...are properly his.”<sup>87</sup> According to Locke, self-ownership means that the fruits of someone’s labor ought to belong to them. For example, in the same way the apples that someone grows on their farm is their property, the work that someone does is also their property. Locke continues:

“Whatsoever...he hath mixed his labour with, and joined to it something that is his own...makes it his property. It...hath by this labour something annexed to it that excludes the common right of other men. For this labour being the unquestionable property of the labourer, no man but he can have a right to [it].”<sup>88</sup> Locke believes that people should be entitled to own anything that they have worked for. If people already own their labor under self-ownership, then by default, the results of their labor must belong to only them, as other people did not contribute their individual labor to achieve whatever the end product is. Locke provides the example of a man enjoying the acorns and apples that he collected himself from trees. Even though these foods and trees are in a public space and are hypothetically available to anyone, only the man who foraged for them is entitled to eating them. This is because the food now becomes his property due to him using his own labor to accumulate it. Even though the man has the freedom to distribute the food out of his own benevolence, no one else besides him is entitled to eat it.<sup>89</sup>

Crucially, even though libertarians believe that individuals have freedom, they also believe that this freedom cannot be used to violate others’ autonomy or livelihood. Robert

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<sup>86</sup> William Uzgalis and Edward N. Zalta, “John Locke,” *The Stanford Encyclopedia of Philosophy*, 2020, <https://plato.stanford.edu/archives/spr2020/entries/locke/>.

<sup>87</sup> John Locke, “Of Property,” in *Two Treatises of Government and a Letter Concerning Toleration*, ed. Ian Shapiro (New Haven: Yale University Press, 2003), 111.

<sup>88</sup> *Ibid.*, 112.

<sup>89</sup> *Ibid.*, *Ibid.*

Nozick was a prominent, 20th-century libertarian thinker who spearheaded this idea by building upon Locke's conception of self-ownership. Nozick's theory of self-ownership is also grounded in the political philosophy of Immanuel Kant, a prominent philosopher from the 18th century European Enlightenment period.<sup>90</sup> Importantly, even though Kant would not identify himself as a libertarian, libertarians such as Nozick are still drawn to the components of Kant's thinking that have parallels to libertarianism. For instance, Nozick utilizes one aspect of Kant's categorical imperative, which is that people are not means to an end; rather, people themselves are the ends.<sup>91</sup> As Kant writes, "rational beings are called persons inasmuch as their nature already marks them out as ends in themselves...as something which is not to be used merely as a means and hence there is...a limit on all arbitrary use of such beings, which are thus the objects of respect."<sup>92</sup> Here, Kant argues that people cannot be used in order to achieve some particular outcome. Rather, people in and of themselves are ends, in that they, by virtue of their humanity, are deserving of respect from others. Additionally, Kant claims that people are "rational" and "autonomous." As a result, "reason...relates every maxim of the will as legislating universal laws to every other will and also to every action toward oneself."<sup>93</sup> Here, Kant suggests that thanks to people's rationality, they treat each other as ends rather than as means to an end. At the same time, he claims that as rational beings, people "obey no law except what he at the same time enacts himself."<sup>94</sup> This points to Kant's belief that people have the freedom to do what they choose, as long as they do not violate other individuals' freedom.

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<sup>90</sup> Richard L. Lanigan, "Kant, Immanuel," *The International Encyclopedia of Communication Theory and Philosophy* (2016): 2.

<sup>91</sup> Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books Inc., Publishers, 1974), 32.

<sup>92</sup> James R. Otteson, "Kantian Individualism and Political Libertarianism," *The Independent Review* 13, no. 3 (2009): 389-390.

<sup>93</sup> *Ibid.*, 390.

<sup>94</sup> *Ibid.* *ibid.*

Therefore, Nozick writes that people “may not be sacrificed or used for the achieving of other ends without their consent.”<sup>95</sup> Nozick’s argument here is deontological: he suggests that there is no outcome -- no matter how much said outcome would benefit others -- that justifies harming people by encroaching upon their freedom. Though it may initially appear counter-intuitive, Nozick’s desire to protect people’s individual freedoms leads him to propose his theory of side constraints. Under this theory, people’s actions are limited in order to protect the basic rights and integrities of other people. Nozick argues that side constraints are necessary because no person ought to be used as a means to achieve benefits for others. Doing this would disrespect people’s self-ownership and therefore, their basic humanity, as every person is theoretically born with an equal amount of individual freedom.<sup>96</sup> For example, even though people technically have the individual freedom and ability to rob and kill, side constraints prevent people from committing these actions because robbery and murder are life-threatening. If someone is dead, then they cannot possess the individual freedoms and liberties that libertarians believe everyone is entitled to.

*Small Government:*

Another key component of libertarian ideology is the belief that a small government is integral to the preservation of individual freedom. The ideal libertarian government is staunchly anti-paternalist, and limited in the scope of its power. Libertarians justify their vision of minimalist government by arguing that people are better able to handle their own affairs than the government is. One thinker who wrote about this is the 19th century philosopher John Stuart Mill. At this point in history, there was a political shift from an aristocracy to more democratic forms of government. Mill was concerned about the potential societal harms that this

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<sup>95</sup> Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books Inc., Publishers, 1974), 31.

<sup>96</sup> *Ibid.*, 33.

transformation would bring.<sup>97</sup> He argues that people are more equipped than the government “to conduct any business, or to determine how or by whom it shall be conducted” since they are personally invested and involved in their own affairs, while the government is not.<sup>98</sup> Mill’s argument here favors an anti-paternalistic government, as he suggests that people do not need unsolicited assistance from the government in order to go about their everyday life.

However, there are two instances where libertarians support government intervention in people’s individual freedoms. While libertarians generally believe that everyone has individual freedom, the American economist Milton Friedman writes that “freedom is a tenable objective only for responsible individuals. We do not believe in freedom for madmen or children...Paternalism is inescapable for those whom we designate as not responsible.”<sup>99</sup> Although it is unclear who exactly Friedman is referring to when he mentions “madmen,” his other example about children suggests that there are certain individuals who do not understand the vastness of individual freedom, and what the implications of this autonomy are. These people may use their freedom recklessly, and end up harming themselves or other people. This leads to the second case where libertarians support government intervention, which is when people’s basic rights – such as to life and freedom – are at risk. As John Stuart Mill writes, “the sole end for which mankind are warranted...in interfering with the liberty of action...is self-protection...the only purpose for which power can be rightfully exercised over any member of a...community, against his will, is to prevent harm to others.”<sup>100</sup> Friedman and Mills’ writing reveals that libertarians support some degree of government intervention so long as it helps preserve people’s

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<sup>97</sup> Christopher Macleod and Edward N. Zalta, "John Stuart Mill", *The Stanford Encyclopedia of Philosophy*, last modified Summer 2020, <https://plato.stanford.edu/archives/sum2020/entries/mill/>.

<sup>98</sup> John Stuart Mill, *On Liberty* (Luton: Andrews UK Ltd., 2016), 131.

<sup>99</sup> Milton Friedman, *Capitalism and Freedom* (Chicago: University of Chicago Press, 1962,) 33.

<sup>100</sup> John Stuart Mill, *On Liberty* (Luton: Andrews UK Ltd., 2016), 26.

safety. Libertarians likely care so much about this because not only do people have a basic right to life, but also because people being alive is the means by which they access the freedom that libertarians prioritize.

Importantly, libertarians believe that the government should not intervene even in situations where people are struggling, and may want assistance from the state. Libertarians argue that people should independently deal with their struggles because they will gain various important benefits from doing so, which they hypothetically will not receive if they learn to become reliant on government assistance. As Mill writes, individualism leads to people gaining a “mental education -- a mode of strengthening their active faculties, exercising their judgment, and giving them a familiar knowledge of the subjects with which they are thus left to deal.”<sup>101</sup> Libertarians believe that if the government intervenes when people need help, then they will not have the opportunity to gain the strength, wisdom, and self-awareness that comes from persevering through difficult moments.

A fundamental reason as to why libertarians dislike government intervention is because they see it as a violation of people’s individual freedoms. In her 1943 essay, “The Humanitarian with the Guillotine,” journalist Isabel Paterson equates the government with a well-meaning humanitarian who seriously harms the people they intend on helping. Paterson uses this analogy to agree with other libertarians that the state should not interfere in its people’s affairs. She argues that the government should not step in to assist even if people are financially struggling, and even if it seems like the most generous or logical action to take. According to Paterson, this is because it is unreasonable to expect people to live and make decisions based upon the interests of others. She writes that “it cannot be supposed that the producer exists only for the sake of the

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<sup>101</sup> Ibid., *ibid.*

non-producer, the well for the sake of the ill, the competent for the sake of the incompetent; nor any person merely for the sake of another.”<sup>102</sup> Paterson’s perspective reflects just how vital anti-paternalism and individual freedom are to libertarians. If people live in a manner where they make decisions based on what best helps others, then they are never truly able to maximize their own freedoms. Rather, they become oppressed by the constant obligation to live their lives for the sake of others. As Paterson continues to write, government assistance “seize[s] the provision made by private persons for their own security, thus depriving everyone of every hope or chance of security.”<sup>103</sup> An example of a “seized provision” is the state taxing their wealthy populations in order to fund welfare programs for low-income communities. Paterson, and other libertarians, would argue that this is a problematic action for the government to take because they believe it encroaches on people’s freedoms. A person devotes their labor – which libertarians claim people own – to earn an income. This income also results from a person’s individual freedom, and ability, to participate in the economy. Under the principle of self-ownership, people’s income ought to belong solely to them, and only they should have the ability to decide what to do with it. Therefore, because people have not freely consented to being taxed by the government, any act of taxation is a violation of people’s individual freedoms.

Paterson also argues that the humanitarian, interventionist government will fail if it tries to assist its people. According to Paterson, it is impossible for the government to account for the wide array of various interests that exist. The government will instead blindly undertake actions that they believe are beneficial for society. Paterson claims that extreme government intervention is only justified in “a world filled with breadlines and hospitals, in which nobody retained the

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<sup>102</sup> Isabel Paterson, “The Humanitarian with the Guillotine” in *The Libertarian Reader: Classic and Contemporary Writings from Lao-Tzu to Milton Friedman*, ed. David Boaz (New York: The Free Press, 1997), 33.

<sup>103</sup> *Ibid.*, 34.

natural power of a human being to help himself or to resist having things done to him.”<sup>104</sup> The dystopian world that Paterson paints of “breadlines and hospitals” is one so dire that people have lost virtually all of their individual freedoms. The fact that people are relying on breadlines and hospitals indicates that they are struggling to survive, and do not have much choice over their circumstances. Therefore, her argument suggests that extreme government intervention would only be acceptable in an extreme world where people have lost their “natural” human right to individual freedom and autonomy.

Finally, libertarians claim that the state ought to be limited in its scope because it is already too authoritative. They believe that the government should not garner more power if it is not necessary for the sake of ensuring the basic rights of their citizens. Mill writes extensively about the negative effects of the government accumulating power: “Every function super-added to those already exercised by the government, causes its influence over hopes and fears to be more widely diffused, and converts...the active and ambitious part of the public into hangers-on of the government.”<sup>105</sup> If the government gains more power, then Mill believes that their control will bleed into people’s private lives of their “hopes and fears.” Additionally, libertarians argue that the state is so dangerous and overly powerful because they are allowed to operate outside of the laws that their citizens are forced to follow. The American economist Murray Rothbard argues that this is unjust, as it allows the government to take problematic actions like commit atrocities during war and force people into conscription, all while claiming that it is necessary for the sake of the state. Moreover, Rothbard argues that while everyone else in society makes their income via involvement in the free market, the government is the only actor who acquires money

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<sup>104</sup> Isabel Paterson, “The Humanitarian with the Guillotine” in *The Libertarian Reader: Classic and Contemporary Writings from Lao-Tzu to Milton Friedman*, ed. David Boaz (New York: The Free Press, 1997), 33.

<sup>105</sup> John Stuart Mill, *On Liberty* (Luton: Andrews UK Ltd., 2016), 132.

“by the direct threat of confiscation or imprisonment if payment is not forthcoming. This coerced levy is ‘taxation.’”<sup>106</sup> Rothbard continues by equating the government to criminals, claiming that “only the government can use its funds to commit violence against its own or any other subjects; only the government can prohibit pornography, compel a religious observance, or put people in jail for selling goods at a higher price than the government deems fit.”<sup>107</sup> Rothbard’s examples here point to the fact that the government is able to interfere in every aspect of people’s lives, and is able to punish them if they do not utilize their freedom in the way the government sees fit. On the other hand, Rothbard claims, “libertarians...coolly and uncompromisingly apply the general moral law to people acting in their roles as members of the State apparatus.”<sup>108</sup> To further amplify this issue, there is also no check against government power, while private criminals are accounted for by state organizations like the police. Even if there are supposed checks and balances within the United States government, it does not solve for the fact that the government will always wield far more power than the people.<sup>109</sup>

Although libertarians are deeply skeptical of government power, the majority of them believe that some iteration of a small government is necessary in order to ensure that people follow essential laws, such as not physically harming other people.<sup>110</sup> In addition, the ideal libertarian government would be one that simply oversees capitalism’s operations, and ensures that rules are being followed, rather than directly intervening in the free market. As Friedman writes, the government is essential both as a forum for determining the ‘rules of the game’ and as an umpire to interpret and enforce the rules decided on.”<sup>111</sup>

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<sup>106</sup> Murray Rothbard, *For a New Liberty: The Libertarian Manifesto* (New York: MacMillan Publishers, 1973), 57.

<sup>107</sup> *Ibid.*, *Ibid.*

<sup>108</sup> *Ibid.*, 56.

<sup>109</sup> *Ibid.*, 57.

<sup>110</sup> Friedrich Hayek, *Law, Legislation and Liberty* (Milton Park: Routledge, 1973), 47.

<sup>111</sup> Milton Friedman, *Capitalism and Freedom* (Chicago: University of Chicago Press, 1962,) 15.

*Free-Market Capitalism:*

Libertarians envision a combination of small government and free-market capitalism as being the means by which people maximize their freedom. Milton Friedman argues that there is an intimate relationship between economic and political freedom, and that individual freedom is impossible to achieve under socialist governments where the state owns everything. Friedman writes that government restrictions of people's financial activity (i.e.: requiring them to put money into retirement accounts, or requiring licenses for them to do work) are fundamental violations of people's individual freedom.<sup>112</sup> Instead, Friedman argues that people access the most freedom via competitive, free-market capitalism without government interference. According to Friedman, this is because capitalism is inherently non-coercive, as the seller and the client only participate in a financial transaction if they are both able to benefit from it. Friedman claims that households can either choose to "produce goods and services that it exchanges for goods and services produced by other households," or they can choose to "produce directly for itself."<sup>113</sup> Therefore, because the household or individual has the option of providing for themselves, they do not need to enter a financial transaction unless they gain something from it. Furthermore, sellers, consumers, and employees all have their freedom protected under capitalism because even if they are being coerced, they still have many alternatives for employment and profit generation.<sup>114</sup> All of these alternatives hypothetically prevent people from being harmed under capitalism.

Moreover, libertarians claim that capitalism is a way to simultaneously check and escape the state's power.<sup>115</sup> Friedman writes, "By removing...economic activity from the control of

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<sup>112</sup> Ibid., 8-9.

<sup>113</sup> Ibid., 13.

<sup>114</sup> Ibid., 14-15.

<sup>115</sup> Ibid., 3.

political authority, the market eliminates this source of coercive power. It enables economic strength to be a check to political power.”<sup>116</sup> As I have shown above, numerous libertarian scholars have written substantially about how the government has too much power, as they have the ability to take actions that non-state actors cannot (i.e.: collect taxes and imprison people.) Therefore, libertarians believe that if the free-market economy is in the hands of the private sector rather than the public, then people will have access to a space that is separate from government oversight.

As I explained earlier, libertarians frown upon people receiving assistance from the government during challenging times. Instead, libertarians believe that capitalism will help people overcome their financial hardship. For example, Isabel Paterson argues that the welfare state does not actually help people who are in poverty because it does not target the causes behind dire financial situations, such as unemployment. Instead, the government merely gives them finite resources like food, clothing, and housing. According to Paterson, once these resources run out, nothing about a person’s situation changes, and they instead develop a problematic dependence on government support.<sup>117</sup> On the other hand, Paterson believes that capitalism and the free market will help struggling people overcome their financial hardship because they will be able to earn a wage again. She writes, “Suppose someone...simply wanting work done for his own reasons, should hire the needy man for a wage...the...employer has brought the man...back into the production line...whereas the philanthropist can only divert energy in such manner that there can be no return into production, and therefore less likelihood of...finding employment.”<sup>118</sup> Paterson claims that welfare is only a band-aid solution to poverty,

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<sup>116</sup> Ibid., 15.

<sup>117</sup> Isabel Paterson, “The Humanitarian with the Guillotine” in *The Libertarian Reader: Classic and Contemporary Writings from Lao-Tzu to Milton Friedman*, ed. David Boaz (New York: The Free Press, 1997), 34.

<sup>118</sup> Ibid., Ibid.

as it will not result in people finding jobs and thus earning income to support themselves with. Interestingly, she does not try to suggest that capitalism is some benevolent force, even if it results in providing struggling people with financial stability. Instead, Paterson suggests that capitalism is inherently structured in such a way where an employer will always need to hire someone, thus benefiting the employee by inserting them back into the free market, and giving them a paycheck.

Lastly, libertarians believe that capitalism is so beneficial because of the competition that it stokes. Everyone is hypothetically able to participate in capitalism as an employer, employee, or client. Therefore, because there are no barriers to entry, there are an abundance of people competing with one another to produce better goods, and attract more clients. Libertarians celebrate this economic competition, as they believe it forces people to continuously innovate their goods, and to improve the efficiency of their production process. Furthermore, economic competition pressures sellers to produce high quality goods while selling them at a low price, as they want to ensure that clients continue buying their goods. This obviously favors the consumer, as they have the freedom to choose between various products to purchase.<sup>119</sup>

### **Libertarian Analyses of In-Person Sex Work:**

There have not been many libertarians who have written explicitly about sex work. However, if we take the existing libertarian political philosophy to its logical conclusion, then it is reasonable to assume that the vast majority of libertarians support the decriminalization of sex work.<sup>120</sup> Perhaps the most obvious reason why libertarians support decriminalization is because

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<sup>119</sup> Jonathan Wolff, "Libertarianism, Utility, and Economic Competition," *Virginia Law Review* 92, no. 7 (2006): 1607-1608.

<sup>120</sup> Although legalization and decriminalization of sex work are often perceived as the same, they are actually two different concepts. Legalization still involves significant government oversight on the industry. Under legalization,

they want to protect people's basic human right to make their own choices. As written on the official Libertarian Party website, "The Libertarian Party supports the decriminalization of prostitution. We assert the right of consenting adults to provide sexual services to clients for compensation, and the right of clients to purchase sexual services from consenting sex workers."<sup>121</sup> The Libertarian Party's stance reflects that people ought to have the freedom to both sell sexual services, and to purchase them from sex workers. Notably, the Party's endorsement of decriminalization does not include any commentary about the morality of sexuality or sex work. The Party's written stance does not pass any judgement on either the sex worker or the client. This reflects a line of thinking à la Mill and Nozick, both of whom argue that people's individual freedoms should only be undercut if they are harming other people, or if they are infringing upon their freedoms. Thus, assuming that sex work is a consensual and safe exchange of sexual services and money between two freely consenting adults, libertarians see no reason to interfere with this transaction.

One libertarian thinker who has written in support of decriminalizing sex work is Walter Block in his book, *Defending the Undefendable*. Block writes that "the prostitute does not look upon the sale of sex as demeaning. After considering the good features (short hours, high remuneration), with the drawbacks (harassment by the police, enforced commissions to her pimp, uninspiring working conditions), the prostitute obviously prefers her work, otherwise she would not continue it."<sup>122</sup> Block's argument reflects the implicit libertarian assumption that people voluntarily opt into sex work, and that they have the freedom to quit this work any time they choose. Additionally, even though he concedes that sex workers may experience degrading

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governments may pass laws about what kinds of sex work are legal and illegal. On the other hand, decriminalization means that sex work, in it of itself, is legal, regardless of the context or circumstance (Mac and Smith 311).

<sup>121</sup> "Platform," Libertarian Party, accessed December 8, 2021, <https://www.lp.org/platform/>.

<sup>122</sup> Walter Block, *Defending the Undefendable* (New York: Fleet Press, 1976), 4.

work conditions and a lack of freedom, he argues that this is non-unique to sex work. People who are in other professions, such as doctors and carpenters, may also be forced to work for problematic clients; yet, these jobs do not face the same extreme societal stigma that sex work does. According to Block, what all of these jobs have in common is that people consider the pros and cons of their work, and can freely decide for themselves if the benefits outweigh the downsides (or vice versa.)<sup>123</sup> Block believes that those who support the criminalization of sex work must explain why the industry is inherently and uniquely more degrading than other socially accepted jobs.

Very few libertarian thinkers have written about the role of the pimp in sex work. In *Defending the Undefendable*, Block attempts to defend the pimp in the same way he defends sex work as an industry – that is, perhaps some pimps are violent and exploitative, but the vast majority are not. Block claims that even if there are ill-intentioned pimps, it is still unjustifiable to denounce sex work writ large because a “[pimp’s exploitative] action is [not] a necessary part of the profession.”<sup>124</sup> Rather, he writes, “if the action which defines the profession of pimping were evil, then it should be condemned also. In order to evaluate pimping, any extraneous evil acts which may be committed by some pimps must be ignored as having little to do with the profession as such.”<sup>125</sup> The crux of Block’s argument is that some pimps may be cruel and unfair to sex workers, but the profession of sex work itself does not require pimps to act like this. Therefore, if the profession itself does not force pimps to be malicious people, then it is unjustifiable to criminalize sex work as a whole.

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<sup>123</sup> Ibid., *ibid.*

<sup>124</sup> Ibid., 9.

<sup>125</sup> Ibid., 10.

When Block does begin to evaluate pimping, he puts it in the framework of another fundamental aspect of libertarian thought, which are the benefits of free-market capitalism. Block equates pimps to brokers, as they bring two parties together in less time than it would take without them being there. Furthermore, Block argues that the pimp makes the transaction of sex work more efficient for both the client and the worker. A pimp who connects a sex worker to a client reduces the amount of time that a client needs to spend searching for whom they can buy sexual services from. Meanwhile, the sex worker benefits from collaborating with a pimp because she does not have to waste her time searching for a client. Block ultimately concludes that if there was no mutual benefit for both the pimp and the sex worker, then they would not engage in any sort of relationship.<sup>126</sup> Block's conception of the pimp-worker dynamic is reminiscent of Friedman's argument about how capitalism is inherently non-coercive, as both people hypothetically only participate in this relationship if they can gain something out of it. Libertarians would likely say that if this was an exploitative relationship, the benefit of capitalism is that the sex worker can simply find clients herself, or choose to work with another pimp.

### **Conclusion:**

Many of the core tenets of libertarianism are pertinent to understanding sex work. There is abundant scholarship debating to what extent sex workers have autonomy, if at all, especially in the context of capitalism. Thus, because of how foundational individual freedom is to libertarianism, it is essential to use this theory to conceptualize the agency (or lack thereof, as some scholars would argue) that sex workers possess.

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<sup>126</sup> Ibid., 11.

The libertarian analyses of in-person sex work show that libertarians use the industry as an example of how people can exercise their individual freedom under free-market capitalism. Libertarians repeatedly emphasize that sex workers have the autonomy to decide if they want to join or quit the industry. Therefore, according to libertarians, anyone who is engaging in sex work has weighed the upsides and downsides to the work, and is choosing to voluntarily do it because the pros outweigh the cons.

Additionally, assuming that the sex work is consensual and no one is being harmed, libertarians see no reason as to why the government should interfere with sex work. This reflects Nozick's philosophy on side constraints – as long as no one's individual freedom is being violated, then libertarians do not find it necessary to intervene. We can conclude from this, then, that libertarians are vehemently opposed to the criminalization of sex work, and would likely view it as an abuse of unnecessarily large government power. Even if some libertarians would cast moral judgement onto sex workers, they still would be unopposed to allowing sex workers to exercise their individual freedom and decisions to pursue this work.

## Chapter 2: Marxist Analyses of Classical Sex Work

### **Introduction:**

While libertarianism portrays capitalism as a catalyst for individual freedom, Marxism has the opposite view: it sees capitalism as a fundamentally oppressive and dehumanizing system that the working-class proletariat are forced to live under, while the wealthy bourgeoisie benefit from this exploitation. Marxism is framed around this critical view of capitalism, and attempts to propose alternatives to the system.

It is essential to use Marxism to examine sex work because the industry challenges what are perhaps more conventional understandings of labor and exploitation. A common – yet controversial – refrain used by sex workers and anti-criminalization activists is “sex work is work.” This statement is typically used in an attempt to de-stigmatize sex work by suggesting that sex work is just like any other sort of occupation that one might have.<sup>127</sup> This statement also implicitly suggests that work in general is something that is socially acceptable, and that people are encouraged to do. (Interestingly, as discussed in the previous chapter, this is a perspective that libertarians also share.) Libertarians view sex work as one of the numerous job options that free-market capitalism offers people to choose from, and therefore see no issue with the industry. (If anything, libertarians would say that capitalism is a uniquely good system because it provides people with the individual freedom to become a sex worker if they desire, without any moral judgement cast upon them.)

Yet the declaration that “sex work is work” has a much different implication when it is applied in a Marxist context. When utilizing a Marxist approach, the statement suggests that sex

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<sup>127</sup> Liza Featherstone, “Socialists Should Support Sex Workers’ Rights,” *Jacobin*, August 5, 2019, <https://jacobinmag.com/2019/08/sex-workers-rights-sesta-fosta-decriminalization-salazar-caban>.

work, just like any other kind of work, is something that people must participate in to survive under capitalism. Therefore, at its core, people engage in sex work because they need to make money to provide for themselves. Yes, it is indeed true that sex work may not be someone's ideal source of income, and as critics of the industry often note, it can certainly be a degrading, exhausting, and exploitative experience. However, Marxists would argue that *all* paid employment under capitalism is like this; yet, people have no other choice but to work in these conditions in order to financially support themselves.<sup>128</sup> Using Marxism to analyze sex work provides important insight into how both individual sex workers and the industry writ large operate within – but also resist – capitalism.

In this chapter, I will first provide a brief history about Karl Marx and Friedrich Engels, who are the founders of Marxist thought. I will then highlight two important aspects of Marx and Engels' original writings: firstly, the class struggle between the bourgeoisie and the proletariat, and then the exploitative nature of wage labor under capitalism. Afterwards, I will explain the various ways in which contemporary Marxist scholars have diverged from and expanded upon Marx and Engels' original writings. I will then review what Marx himself has written about sex work, before transitioning into what contemporary Marxist thinkers have argued regarding the industry. Finally, I argue that the place of sex work in Marxist theory is to show how far-reaching the pernicious effects of capitalism are.

### **What is Marxism?:**

*Background on Karl Marx and Friedrich Engels:*

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<sup>128</sup> Peter Frase, "The Problem With (Sex) Work," *Jacobin*, March 28, 2012, <https://www.jacobinmag.com/2012/03/the-problem-with-sex-work/>.

Marxism was founded by Karl Marx and Friedrich Engels. Marx was born in 1818 in Trier, located in modern-day Germany.<sup>129</sup> In 1835, he enrolled at the University of Bonn to study law,<sup>130</sup> and stayed there for a year before transferring to the University of Berlin.<sup>131</sup> While studying at the University of Berlin, Marx stumbled upon Hegelianism, and quickly became attached to the work of George Wilhelm Friedrich Hegel. This led to Marx joining a club of young Hegelians, which further deepened his interest in philosophy.<sup>132</sup> Marx eventually received a PhD from the University of Jena, and wrote his dissertation on a comparison between Democritean and Epicurean philosophy.<sup>133</sup> However, Marx would not end up being able to pursue a career in academia. The other young Hegelians were critical of the Prussian government, and in 1841, the government shut them down. This meant that Marx had no way of finding a teaching job.<sup>134</sup> Instead, he turned to journalism. He traveled to Cologne, Germany, to write for a paper called *Rheinische Zeitung*, but was forced out of the country due to the controversial nature of his writing. After his time in Cologne, he traveled to Paris, and met and befriended Friedrich Engels.<sup>135</sup>

Friedrich Engels was born in 1820 in the Rhineland region of Germany. Engels' father was a co-owner of a prominent cotton thread spinning business, and expected him to eventually assume the position.<sup>136</sup> However, Engels was disinterested in the job, and instead chose to pursue journalism. He wrote prolifically about how degrading and revolting the conditions were for

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<sup>129</sup> Franz Mehring, *Karl Marx: the Story of His Life* (Milton Park: Taylor & Francis Group, 2003), 1, ProQuest Ebook Central.

<sup>130</sup> Ibid., 5.

<sup>131</sup> Ibid., 9.

<sup>132</sup> Ibid., 12.

<sup>133</sup> Ibid., 27

<sup>134</sup> Louis Menand, "Karl Marx, Yesterday and Today," *New Yorker*, October 3, 2016, <https://www.newyorker.com/magazine/2016/10/10/karl-marx-yesterday-and-today>.

<sup>135</sup> Ibid., Ibid.

<sup>136</sup> Ibid., 165.

factory workers. In 1845, Engels published a book about the experiences of the working class in England.<sup>137</sup> Although Engels fundamentally disagreed with the ethics of his father's work, he agreed to take a job at the company. The profit that Engels made helped keep Marx financially afloat, as Marx's writings frequently forced him into exile, and thus economic insecurity.<sup>138</sup> The two would begin seriously collaborating around 1850 in Brussels, Belgium, after Marx was exiled from France.<sup>139</sup>

### *History of Class Struggle:*

Marx and Engels wrote extensively about the long-standing conflict between the extremely wealthy bourgeoisie and the financially precarious proletariat. According to the two scholars, this struggle has consistently occurred throughout history between people of different social statuses, such as the "freeman and slave, patrician and plebeian, lord and serf, guild-master and journeyman, in a word, oppressor and oppressed."<sup>140</sup> In turn, this antagonism has served as a catalyst for widespread societal change, resulting in "either in a revolutionary reconstitution of society at large, or in the common ruin of the contending classes."<sup>141</sup> Although class struggle is a consistent phenomenon, there has historically been multiple complex tiers of varying social statuses. However, Marx and Engels argue that this is no longer true. Instead, over time, "society is more and more splitting up into...two great classes directly facing each other: Bourgeoisie and Proletariat."<sup>142</sup> People are either part of the bourgeoisie and exploit the proletariat, or they are the proletariat, who work under cruel conditions for the sake of the bourgeoisie's profit.

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<sup>137</sup> Ibid., Ibid.

<sup>138</sup> Louis Menand, "Karl Marx, Yesterday and Today," *The New Yorker*, October 3, 2016, <https://www.newyorker.com/magazine/2016/10/10/karl-marx-yesterday-and-today>.

<sup>139</sup> Camilla Royle, "Introduction: Friedrich Engels and Geography," *Human Geography* 14, no. 2 (2021): 166.

<sup>140</sup> Karl Marx and Friedrich Engels, *The Communist Manifesto* (Electric Book Company, 2000), 8, ProQuest Ebook Central.

<sup>141</sup> Ibid., *ibid.*

<sup>142</sup> Ibid., 9.

While there are multiple ways in which the bourgeoisie maintain their wealth, Marx and Engels especially focus on the bourgeoisie's exploitation of the proletariat. Marx and Engels argue that the proletariat only exists as a result of the bourgeoisie. This is because the proletariat "live only so long as they find work, and who find work only so long as their labour increases capital."<sup>143</sup> The proletariat are, quite literally, forced to depend on the bourgeoisie for their survival – they need the money that the bourgeoisie pays them in order to obtain basic living necessities. In order to be hired by the bourgeoisie in the first place, the proletariat must offer a labor that is profitable and beneficial for the bourgeoisie, which turns the working-class proletariat into a commodity for the bourgeoisie.<sup>144</sup> Therefore, as Marx and Engels write, the proletariat's livelihood revolves entirely around their ability to offer profitable labor for the bourgeoisie.

According to Marx and Engels, there is a persistent friction between the bourgeoisie and the proletariat that will eventually turn into a full-on class war. Initially, the proletariat's resistance of the bourgeoisie begins on a smaller scale, with "individual laborers, then by the work-people of a factory," before expanding into "the operatives of one trade, in one locality, against the individual bourgeois who directly exploits them."<sup>145</sup> Not only do the proletariat rebel against the bourgeoisie themselves and their repressive working conditions, but they also attack the non-human "instruments of production" that reinforce the proletariat's perilous social status.<sup>146</sup> This includes "destroy[ing] imported wares that compete with their labor," such as "smash[ing] to pieces machinery, [and]...setting factories ablaze."<sup>147</sup> At this stage of the class

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<sup>143</sup> Ibid., 17.

<sup>144</sup> Ibid., *ibid.*

<sup>145</sup> Ibid., 19.

<sup>146</sup> Ibid., *ibid.*

<sup>147</sup> Ibid., 20.

struggle, the proletariat still are not one cohesive force, which allows the bourgeoisie to continue maintaining their power. However, as industrialization continues, the proletariat becomes increasingly larger and united.<sup>148</sup> While there initially may be some competition between various members of the proletariat, over time, they will all become so oppressed by the bourgeoisie that they will be forced to ally together in order to fight for their wages. This is the key action that ultimately transforms the proletariat into a collective class and political party.<sup>149</sup>

After a certain point, the class conflict will reach a dramatic climax in which a portion of the bourgeoisie will choose to join the proletariat, as they realize that the proletariat is “the class that holds the future in its hands.”<sup>150</sup> (Marx and Engels do not provide any detail about what must happen in order to reach this tipping point.) On the other hand, the proletariat will have become a destitute “pauper.” This pauperism reveals that the bourgeoisie is unsuited “to be the ruling class in society, and to impose its conditions of existence upon society as an over-riding law.”<sup>151</sup> Yet the bourgeoisie does not relinquish its power out of its own benevolence. Rather, once the proletariat becomes this impoverished, the bourgeoisie are forced to give them basic necessities so that the proletariat can continue serving them by working at their jobs. As Marx and Engels write, the bourgeoisie cannot fathom “assur[ing] an existence to its slave within his slavery...it cannot help letting him sink into such a state, that it has to feed him, instead of being fed by him.”<sup>152</sup> The bourgeoisie’s unwillingness to provide for the proletariat means that the bourgeoisie cannot continue to occupy their historic echelon of power. Marx and Engels ultimately conclude that capitalism is a double-edged sword for the bourgeoisie: it is

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<sup>148</sup> Ibid., *ibid.*

<sup>149</sup> Ibid., 20-22.

<sup>150</sup> Ibid., 23.

<sup>151</sup> Ibid., 25.

<sup>152</sup> Ibid., *ibid.*

simultaneously the reason why they exist, yet it is also the cause for their downfall.<sup>153</sup> Capitalism depends on wage labor, but industries will become more advanced over time due to the bourgeoisie wanting to expand their profit. Thus, the proletariat will not be as isolated as they used to be. Once the proletariat become a united force, Marx firmly believes that they are able to topple the bourgeoisie.<sup>154</sup>

*The Exploitation of Workers in Wage Labor and Capitalism:*

As shown through Marx and Engels' writing on class struggle, another key pillar of original Marxist thought is the degrading nature of wage labor under capitalism. Marx writes extensively about how wage labor turns people into commodities. Due to wage labor, the worker's "worth" is dependent on the quality of their output for the bourgeoisie. According to Marx, competitive, free-market capitalism is a vicious cycle where "the worker becomes all the poorer the more wealth he produces...[and] becomes an ever cheaper commodity the more commodities he creates."<sup>155</sup> Simply working harder at their job, or increasing their product output, does not change the proletariat's dire financial circumstances. Instead, it actually exacerbates the powerlessness of the proletariat: they are increasingly objectified for their profit-making abilities, while the product of their labor continues to fall into the hands of the bourgeoisie. This therefore creates a widespread societal monopoly.<sup>156</sup> Capitalism, then, is a self-perpetuating cycle: the more time and effort that a worker invests into their labor, the more entrenched they become in capitalism, and distanced from their humanity. Yet workers have little choice but to continue laboring for the bourgeoisie in order to survive under capitalism.<sup>157</sup>

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<sup>153</sup> Ibid., *ibid.*

<sup>154</sup> Ibid., *ibid.*

<sup>155</sup> Karl Marx, "The Economic and Philosophic Manuscripts of 1844," in *The Marx-Engels Reader*, ed. Robert C. Tucker (New York: W.W. Norton & Company, 1978), 71.

<sup>156</sup> Ibid., 70.

<sup>157</sup> Ibid., 72.

Marx writes about four types of alienation that a worker experiences under capitalism, all of which demonstrate the callousness of wage labor. Firstly, workers are alienated from the products of their labor.<sup>158</sup> Marx argues that this is because “the product of labour is labour which has been congealed in an object, which has become material: it is the objectification of labour.”<sup>159</sup> A worker’s labor is not necessarily tangible, but the object or product that their labor created is. Workers do not get to own the product that they labored to create, and therefore they cannot decide what is to be done with it. Instead, the bourgeoisie use the products of the proletariat’s labor to earn profit, which remains in the hands of the bourgeoisie. The more time and labor that the proletariat offers the bourgeoisie, the more alienated they become from the products of their work. This type of alienation is tied to another one of Marx’s concepts, which is commodity fetishism. Commodity fetishism obfuscates the labor that is needed to produce a good. According to Marx, workers labor privately and independently to create a product, which means that “the producers do not come into social contact with each other until they exchange their products.”<sup>160</sup> The hidden nature of the labor behind the production of a good means that “it was the analysis of the prices of commodities” – rather than the amount of work actually required to produce something – “that alone led to the determination of the magnitude of value.”<sup>161</sup> Therefore, a commodity’s value is determined by its correspondence to a monetary price, as opposed to the hours of labor needed to create said commodity.<sup>162</sup>

Secondarily, workers are alienated from the act of labor itself. Workers’ labor is for the bourgeoisie’s benefit, not their own. As Marx writes, “The external character of labour for the

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<sup>158</sup> Ibid., 74.

<sup>159</sup> Ibid., 71-72.

<sup>160</sup> Karl Marx, *Capital: Volume I: A Critique of Political Economy*, trans. Samuel Moore and Edward Aveling (Moscow: Progress Publishers, 1867), 48.

<sup>161</sup> Ibid., 50.

<sup>162</sup> Ibid., Ibid

worker appears in the fact that it is not his own, but someone else's, that it does not belong to him, that in it he belongs, not to himself, but to another.”<sup>163</sup> Even though workers are offering their labor, they do not actually have possession over it because they are under the control of the bourgeoisie. Moreover, Marx argues that this type of alienation occurs because the proletariat are not freely choosing to work for the bourgeoisie. Rather, with how wage labor functions under capitalism, the proletariat are forced to sacrifice their labor so that they can survive in capitalism, while the bourgeoisie profits off of them. As Marx writes, “In his work...[the worker] does not affirm himself but denies himself, does not feel content but unhappy, does not develop freely his physical and mental energy but mortifies his body and ruins his mind. The relation of the worker to his...activity [is] an alien activity.”<sup>164</sup> Even if a worker technically has the ability to decide whether or not they want to offer their labor to someone, their act of labor is still not theirs to claim because they are not actually opting into the damaging working conditions of capitalism. Marx argues that labor is alienating because of its exploitative nature, meaning that there is no way that people can properly consent to it. He writes, “The worker...only feels himself outside his work...His labour is...not voluntary, but coerced...labour. It is...merely a means to satisfy needs external to it. Its alien character emerges clearly in the fact that as soon as no...compulsion exists, labour is shunned like the plague.”<sup>165</sup> According to Marx, people would not opt into wage labor if they did not have to participate in it for their own survival under capitalism. Marx elucidates how freedom of choice essentially does not exist under capitalism; the proletariat have to engage in wage labor if they want to be able to access their basic needs. Even if the proletariat

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<sup>163</sup> Karl Marx, “The Economic and Philosophic Manuscripts of 1844,” in *The Marx-Engels Reader*, ed. Robert C. Tucker (New York: W.W. Norton & Company, 1978), 71.

<sup>164</sup> *Ibid.*, 74-75.

<sup>165</sup> *Ibid.*, 74.

could hypothetically choose between various types of wage labor, they still have to participate in the system of capitalism for their survival.

Thirdly, workers are alienated from their species-being. Marx argues that people are species-beings because “[men] treats himself as the actual, living species...he treats himself as a universal and therefore a free being.”<sup>166</sup> Marx notes here that people’s humanity is what grants them their autonomy. (This is, notably, very similar to the libertarian argument about how people have access to individual freedom.) He argues that capitalism alienates people from their humanity: “Conscious life-activity directly distinguishes man from animal life-activity...only because of that is his activity free activity. Estranged labour reverses this...so that it is just because man is a conscious being that he makes his life-activity, his essential being, a mere means to his existence.”<sup>167</sup> Marx claims that estranged wage labor dehumanizes people, as an essential aspect of humanity is having the freedom to dictate how one wishes to spend their limited time and energy. Marx notes that people are not able to freely opt into wage labor. Rather, they must engage in this kind of work if they want to live under capitalism. This, instead of human consciousness or free will, becomes the backbone of human existence. Marx also argues that capitalism threatens men’s intimate connection with nature. He writes that “nature is man's inorganic body,” meaning that nature is still part of humanity even if nature is not technically part of a person’s body.<sup>168</sup> Yet under capitalism, Marx claims that “estranged labour estranges the species from man. It turns for him the life of the species into a means of individual life...it estranges the life of the species and individual life, and...makes individual life in its abstract form the purpose of the species.”<sup>169</sup> Rather than nature being an end in it of itself, nature

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<sup>166</sup> Ibid., 75.

<sup>167</sup> Ibid., 76.

<sup>168</sup> Ibid., 75.

<sup>169</sup> Ibid., Ibid.

is now a means by which people can continue advancing on their capitalist gains. Marx believes that the alienation from species-being is so extreme that workers only feel free when they are engaging in their “animal functions.”<sup>170</sup> These animal functions include “eating, drinking, procreating...in his human functions he no longer feels himself to be anything but an animal.”<sup>171</sup> On the other hand, when people are working under capitalism – which is a human action – they are alienated from their humanity.

Finally, workers are alienated from other people. Marx writes that this results from the other three types of alienation, but especially the alienation from species-being, as workers have lost the ability to connect with each other on a human level.<sup>172</sup> Instead, Marx argues that “within the relationship of estranged labour each man views the other in accordance with the standard and the relationship in which he finds himself as a worker.”<sup>173</sup> Rather than recognizing each other’s species-being, Marx claims that men instead only see each other as a laborer. This, in turn, worsens the competition between workers because they have lost the inability to humanize one another, and recognize each other’s identities outside the context of capitalism.<sup>174</sup>

### **Contemporary Marxist Thought:**

Marxist thought has significantly expanded over time from Marx and Engels’ original writings. One notable difference is that contemporary Marxism is more intersectional, and more critically reckons with the relationships between class and other identities, such as race and gender, in ways that Marx and Engels’ writing was lacking. For instance, Keeanga-Yamahtta

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<sup>170</sup> Karl Marx, *The Economic and Philosophic Manuscripts of 1844* (Moscow: Progress Publishers, 1977), 71.

<sup>171</sup> Ibid., *ibid.*

<sup>172</sup> Ibid., 75.

<sup>173</sup> Ibid., *Ibid.*

<sup>174</sup> Ibid., 33.

Taylor argues that there is an intimate relationship between racism and capitalism. She writes that “capitalism [depends] on racism as...a source of profiteering...[and] as a means to divide...Racism...drive[s] a wedge between workers who otherwise have everything in common and every reason to...organize together, but who are perpetually driven apart to the benefit of the ruling class.”<sup>175</sup> Taylor argues that anti-racism, and multi-racial solidarity, are essential for the working class to truly unite and overthrow capitalism.<sup>176</sup> Moreover, the competitive nature of capitalism reinforces its pernicious relationship to racism. As Taylor outlines, “Capitalism operates under...false scarcity...we are...told there isn't enough to go around, so we must compete with each other for housing, education, jobs...workers fighting over these...to better themselves or their families are often willing to believe the worst about other workers to justify why they should have something and others should not.”<sup>177</sup> Even though embracing racist ideals actually splinters working-class solidarity, white workers still hold onto these beliefs as a justification for competing with other workers of color for limited resources.

In addition, contemporary Marxist scholars have been more deeply considering the relationship between feminism and Marxism, even though Marx and Engels did not write very much about women.<sup>178</sup> For example, Catherine MacKinnon argues that “sexuality is to feminism what work is to marxism [sic]: that which is most one's own, yet most taken.”<sup>179</sup> Just like how Marxism claims that work shapes both people’s identities as well as social structures, MacKinnon posits that sexuality has the same effect for women. Furthermore, similar to how the

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<sup>175</sup> Keeanga-Yamahtta Taylor, “Race, Class and Marxism,” *SocialistWorker.Org*, January 4, 2011, <https://socialistworker.org/2011/01/04/race-class-and-marxism>.

<sup>176</sup> Ibid., *ibid.*

<sup>177</sup> Ibid., *ibid.*

<sup>178</sup> I will be writing more extensively about feminist theory in the following chapter.

<sup>179</sup> Catherine A. MacKinnon, “Feminism, Marxism, Method, and the State: An Agenda for Theory,” *Signs* 7, no. 3 (Spring 1982): 515.

bourgeoisie uses work to oppress the proletariat, men use women's sexualities as a means of asserting power over them.<sup>180</sup> MacKinnon lays out several key questions that Marxist-feminists reckon with: "Is male dominance a creation of capitalism or is capitalism one expression of male dominance?...What does it mean...if one can assert that capitalism would not be materially altered if it were...controlled by women? If...the socialist state and the capitalist state differ...are they equally predicated upon sex inequality?...Is there a relationship between the power of some classes over others and that of all men over all women?"<sup>181</sup> MacKinnon's questions seek to understand what women's rights and experiences look like under capitalism, in comparison to socialism or communism. Her questions also consider the relationship between capitalism and patriarchy, and how both systems intersect to suppress women.

Another important shift is that contemporary Marxists are much more skeptical of work as a whole compared to Marx and Engels. Marx and Engels wrote prolifically about their disdain for wage labor, but they still believed that work – in a non-capitalist context – was essential and beneficial for people to do.<sup>182</sup> However, some contemporary Marxists embrace an anti-work or refusal-to-work ethic. Kathi Weeks describes anti-work politics as the belief that "the problem with work cannot be reduced to the extraction of surplus value or the degradation of skill, but...the ways that work dominates our lives. The struggle against work is a matter of securing...the time and money necessary to have a life outside work."<sup>183</sup> Anti-work politics notes that under capitalism, people are forced to spend far too much of their lives working because they have no other way to support themselves and their loved ones. The movement questions the

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<sup>180</sup> Ibid., 516.

<sup>181</sup> Ibid., 517.

<sup>182</sup> Karl Marx, *The Economic and Philosophic Manuscripts of 1844* (Moscow: Progress Publishers, 1977), 8.

<sup>183</sup> Kathi Weeks, *The Problem with Work: Feminism, Marxism, Antiwork Politics, and Postwork Imaginaries* (Durham: Duke University Press, 2011), 13.

initial Marxist assumption that work is fundamentally beneficial or essential, and imagines a world where people are not forced to work in order to survive. Rather than having a socialist, state-run economy, anti-work thinkers like Weeks envision an alternative where people do not have to spend most of their day at work.<sup>184</sup> Instead, in an anti-work society, people have “the possibility to pursue opportunities for pleasure and creativity that are outside the economic realm of production.”<sup>185</sup> Anti-work philosophy ultimately strives to provide people with the ability to do non-capitalist activities that bring them joy and fulfillment.

### **Marx’s Writing on Sex Work:**

Marx himself did not write very much about sex work. However, what he did write about sex work reveals that he conceptualized sex work as an example of the exploitative nature of capitalism. In *The Eighteenth Brumaire of Louis Bonaparte*, Marx referred to sex workers as members of the lumpenproletariat, who are a class of people that he viewed as even more powerless than the proletariat. He defines the lumpenproletariat as “as slum workers or the mob,” and describes them as being “the class of outcast, degenerated and submerged elements that make up a section of the population of industrial centers.”<sup>186</sup> Aside from sex workers, the lumpenproletariat includes people such as “beggars...gangsters...petty criminals...chronic unemployed or unemployables, persons who have been cast out by industry, and all sorts of declassed, degraded or degenerated elements.”<sup>187</sup> Marx claimed that people become members of the lumpenproletariat if they are unable to find work as a wage laborer for the bourgeoisie, which

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<sup>184</sup> Ibid., 102.

<sup>185</sup> Ibid., 103

<sup>186</sup> Karl Marx, *The Eighteenth Brumaire of Louis Bonaparte*, trans. Saul K. Padover and Friedrich Engels (Moscow: Progress Publishers, 1937), 67.

<sup>187</sup> Ibid., Ibid.

suggests that the proletariat is only limited to those who are directly employed by the capitalists as their workers.<sup>188</sup> Importantly, Marx believed that the lumpenproletariat lacked the same class consciousness that the proletariat possessed. According to Marx, this was because the lumpenproletariat was uninvolved in the means of production. Therefore, their lives were unaffected by wage labor and production, and they had no real incentive or motivation to join the class revolution.<sup>189</sup> Although it may appear that Marx distrusted the lumpenproletariat, a closer reading of his writing reveals a more nuanced perspective. Marx argues that over time in capitalism, the proletariat becomes increasingly marginalized, as “the worker has become a commodity, and it is a bit of luck for him if he can find a buyer.”<sup>190</sup> Due to the commodification of the worker, the proletariat gains a closer proximity to the lumpenproletariat, and the difference between the two blurs. Marx believes that as the labor supply exceeds demand, all workers – not just the lumpenproletariat – will be forced to “struggle not only for his physical means of subsistence; he has to struggle to get work, i.e., the possibility, the means, to perform his activity.”<sup>191</sup> Over time, Marx believed that any security that the proletariat had gained from doing wage labor for the bourgeoisie will evaporate, and that they will become like the lumpenproletariat.

Another book where Marx wrote about sex work was in *The Economic and Philosophic Manuscripts of 1844*. He wrote: “Prostitution is only a specific expression of the general prostitution of the laborer, and since it is a relationship in which falls not the prostitute alone, but also the one who prostitutes – and the latter’s abomination is still greater – the capitalist, etc.,

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<sup>188</sup> Ibid., Ibid.

<sup>189</sup> Peter Hayes, “Utopia and the Lumpenproletariat: Marx’s Reasoning in ‘The Eighteenth Brumaire of Louis Bonaparte,’” *The Review of Politics* 50, no. 3 (1988): 446-447.

<sup>190</sup> Karl Marx, “The Economic and Philosophic Manuscripts of 1844,” in *The Marx-Engels Reader*, ed. Robert C. Tucker (New York: W.W. Norton & Company, 1978), 3.

<sup>191</sup> Ibid., 4.

also comes under this head.”<sup>192</sup> Here, Marx argues that sex work symbolizes capitalism’s exploitation of the proletariat; that is, degrading labor is non-unique to sex work. He also compares clients of sex work to the capitalist bourgeoisie, as he believes both are exploiting the worker at hand.

### **Marxist Scholars’ Writing on Sex Work:**

Since Marx and Engels’ time, more Marxists have used the political theory to analyze sex work. Several Marxists agree with Marx and Engels’ characterization of sex work as a metaphor for the exploitative nature of capitalism. Nadezhda Krupskaya – who was also Vladimir Lenin’s wife – wrote about sex work in the early twentieth century. She claims that women, who are underpaid compared to men because their labor is stigmatized under a patriarchal society, must turn to sex work as a last resort if they cannot receive financial support from their husbands or families.<sup>193</sup> Krupskaya pities sex workers for how limited their options are, writing, “Who then can blame a poverty stricken woman for selling herself, for preferring the only readily available extra earnings to beggarly existence, hunger and sometimes a hungry death?”<sup>194</sup> Krupskaya argues that for some women, sex work is the only way in which they can afford basic necessities. She also criticizes the bourgeoisie, who assert that sex workers freely choose to do this line of work, and that if they truly dislike it, they can just leave.<sup>195</sup> The bourgeoisie response to sex work is notably very similar to the libertarian perspective on the industry. Both believe that people entirely have the autonomy to dictate what job they would like to work, and both assume that

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<sup>192</sup> Ibid., 42.

<sup>193</sup> Nadezhda Konstantinovna Krupskaya, *The Woman Worker*, trans. Mick Costello (Croydon: Manifesto Press Cooperative Limited, 2017,) 10-11.

<sup>194</sup> Ibid., 11.

<sup>195</sup> Ibid., *ibid.*

people have the ability to leave if they are unsatisfied. Yet according to Krupskaya, women who rely on sex work for their survival cannot simply quit the industry if they dislike it, as they do not have other options for generating income. Emma Goldman was another Marxist writing in the early twentieth century about sex work. Goldman agrees with Marx and Krupskaya that sex work is intimately tied to capitalism, writing that it is “exploitation...the merciless Moloch of capitalism that fattens on underpaid labor, thus driving thousands of women and girls into prostitution.”<sup>196</sup> Goldman also argues that women are underpaid for their labor in a sexist, capitalist society, which pushes them into sex work for their own financial survival.

However, Marxist scholars writing in more contemporary times have been skeptical of this analysis of sex work. Many Marxist thinkers are increasingly questioning what makes sex work distinct from any other kind of exploitative labor under capitalism. As Annie McClanahan and Jon-David Settell argue, it is problematic to assume that “there are kinds of waged work whose activities are less exploitative than the work either of waiting tables or of giving blow jobs.”<sup>197</sup> Marxists like McClanahan and Settell argue that sex work is not necessarily uniquely exploitative compared to other legal and non-stigmatized jobs under capitalism (i.e.: driving for Uber, an office job, etc.)<sup>198</sup> As sex workers and self-identified Marxists Molly Smith and Juno Mac also argue, it is unrealistic to expect non-sex-work jobs to be inherently “fulfilling, non-exploitative, and enjoyable.”<sup>199</sup> Rather, there are many other jobs under capitalism that harm its workers. Whether it is a boss taking a share of a workers’ tips, or not paying them for overtime,

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<sup>196</sup> Emma Goldman, *Anarchism and Other Essays* (New York: Mother Earth Publishing Association, 1917), 184.

<sup>197</sup> Ibid., Ibid.

<sup>198</sup> Ibid., 501.

<sup>199</sup> Juno Mac and Molly Smith, *Revolted Prostitutes: The Fight for Sex Workers’ Rights* (London: Verso Books, 2018), 65.

Smith and Mac note that working a job in a capitalist society will always carry some degree of exploitation.<sup>200</sup>

Yet despite the flaws of sex work, several Marxist scholars also view the industry as an important site of resistance against capitalism. In their ethnography of sex workers in Brazil, Ana Paula da Silva and Thaddeus Gregory Blanchette speak to various women about their decisions to enter sex work. The scholars talk to Luana, a woman who got a job in construction after doing sex work for a few years.<sup>201</sup> Luana says of her experience:

They used me to seal tiles in the bathrooms of one of those new condominiums here in Downtown...And I stopped whoring. After six weeks, however, I still hadn't received my first paycheck. Worse, we worked without any protection and the chemicals we used caused open wounds on my arms and hands. I had to stay away from work for three days with a medical excuse, but when I got back, they fired me. They never paid me for the six weeks of work I did and they still have my work card. So I came back here [a brothel in the Center]. At least here I get paid. (da Silva and Blanchette, 33).

Luana may have initially been drawn to the construction job for a variety of reasons. Perhaps she thought it would be safer or more financially stable than sex work, or she simply wanted a job with less social stigma attached to it. However, the construction job clearly ended up being an exploitative experience. Luana's safety was compromised, and she was never adequately compensated for her labor. As a result, she chose to return to sex work. Even if she may not be passionate about sex work, and the industry can be dangerous, Luana at least knew that she could expect a paycheck if she returned to the brothel. At the construction job, Luana recognized that she was giving her labor to the "bourgeoisie" so that they could profit off of her, yet she received nothing in return. However, Luana managed to resist this set-up of wage labor by, counter-

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<sup>200</sup> Ibid., 66.

<sup>201</sup> Ana Paula da Silva and Thaddeus Gregory Blanchette, "For Love or for Money? (Re)productive Work, Sex Work, and the Transformation of Feminine Labour," *cadernos pagu* 50 (2017): 33.

intuitively, returning to sex work, where she knew that she could be compensated for the work that she was doing.

### **Conclusion:**

Marxism is a valuable political theory to utilize in an analysis of sex work, as sex workers are navigating the industry in the context of capitalism. The Marxist conception of capitalism is dramatically different from the libertarian understanding of it. Rather than celebrating capitalism as an echelon of individual freedom, Marxists view capitalism as an inherently oppressive and demeaning system. Therefore, using both theories helps us understand why people enter sex work, the agency they have as sex workers, and what their experiences in the industry are like. Sex work highlights the truth and relevancy of many fundamental components of Marxist thought. Using Marxism to study sex work elucidates that yes, sex work can have challenging and problematic working conditions. However, Marxism helps us understand how that is symbolic of the rampant exploitation that all workers experience under capitalism.

Just like other workers under capitalism who have more socially accepted jobs, sex workers experience the four categories of alienation that Marx writes about. Sex workers are alienated from the products of their labor, as they are, by definition, selling the labor of their sexual services to clients for profit. Furthermore, sex workers are alienated from the act of labor itself, as their motive behind selling sexual services is linked to a need for profit. That is, sex workers are selling their sexual services so that they can live under capitalism, not because they necessarily have a voracious passion for the work. Finally, by virtue of sex workers working under competitive capitalism, Marxists would say that sex workers are also alienated from their

species-being and from other sex workers. Because sex workers are doing their work as a means of economic survival, Marxists would argue that they are alienated from their human essence that is separated from capitalism. Lastly, Marxists would posit that capitalism, which feeds off of workers competing against one another, pushes sex workers to see each other through their identities as sex workers.

### Chapter 3: Feminist & Queer Analyses of Classical Sex Work

#### **Introduction:**

Would sex work still exist in a truly feminist, non-patriarchal world? There are many debates within feminist scholarship about the industry, as sex work both includes and challenges numerous issues that are important within the movement. Some scholars argue that sex work is merely a further extension of the objectification and violence that women already frequently experience in a patriarchal society. Yet other feminists argue that sex work is a crucial space for women's sexual exploration and expression, as sexism and patriarchy dictate what sort of sexual encounters women are expected to have (i.e.: monogamous sexual relations in the private sphere.) If both of these categories of feminist thought recognize the sexism that women experience, how and why do they arrive at different perspectives about sex work?

There are numerous types of feminisms, so it is virtually impossible to provide one simple and universal definition for what the theory is. Despite how wide-ranging feminist theory is, one common thread between the different ideologies is the recognition that women are treated unfairly or unequally compared to men under a patriarchal society. Therefore, feminism attempts to provide women with the rights and privileges that have historically been limited to men. However, various movements within feminism may have different conceptions of what sexism looks like, and may have different goals regarding the advocacy they hope to achieve for women. Similarly, queer theory is a broad topic that is difficult to define in an all-encompassing manner. Queer theory challenges the heteronormativity that pervades cultures and societies, and focuses on amplifying the voices and experiences of the LGBTQIA+ community. Queer theory is an important framework to utilize in conjunction with feminism. For example, some feminists may exclude LGBTQIA+ people (i.e.: transgender women) from the movement because they do not

view trans women as “truly” being women. It is essential to use queer theory to fill in these pertinent and harmful gaps that exist within feminist thought.

More specifically, it is crucial to utilize both feminist and queer theories when analyzing sex work. The vast majority of sex workers are women, which begs the question of why it is so often women who sell sexual services as opposed to men.<sup>202</sup> Feminism also raises the question of why people – statistically speaking, predominantly men – are purchasing these services from sex workers. Furthermore, feminist theory asks us to interrogate what the ramifications of sex work are in the context of patriarchies. It asks us to examine the power and gender dynamics between sex workers and clients. In particular, using an intersectional feminist lens considers how a woman’s race, class, sexuality, ability, and other identities affect her experience in sex work. Importantly, although statistically sex workers are often women and the clients are men, not all sex work happens in these heterosexual contexts. It is important to study how queer-identifying people may have a different experience in sex work compared to cis, straight individuals. Thus, using queer theory helps us understand how the implications of sex work change when LGBTQ+ people buy and sell sex services.

In this chapter, I will first provide an overview of feminist theory. I will outline the history of the movement, and highlight some important ideas and thinkers from each wave of feminism.<sup>203</sup> I interweave queer history and voices throughout my introduction of feminism. Additionally, I will summarize the feminist critique of the liberal conception of the public and private realms, and connect it to women’s labor. Then, I will explain what feminist scholars have

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<sup>202</sup> Gus Lubin, “There Are 42 Million Prostitutes In The World, and Here’s Where They Live,” *Business Insider*, January 17, 2012, <https://www.businessinsider.com/there-are-42-million-prostitutes-in-the-world-and-heres-where-they-live-2012-1>.

<sup>203</sup> Many scholars have critiqued the motif of “waves” to discuss the history of feminism. I will be discussing this criticism later on in this chapter, and explaining why I am still choosing to use this motif in this thesis.

already written about sex work. Finally, I note that the place of sex work in feminist and queer theories remains extremely multi-faceted, and that there is no clear consensus on the industry within the theories. This disagreement reveals that there are still broader debates happening in the feminist movement about what the ideal world for women ought to look like.

### **What is Feminism?:**

Feminism has a long and nuanced history, and there are many potential ways to outline this history for the reader. Like other scholars have also done, I have opted to explain this history through using the motif of the waves of feminism. This is certainly an imperfect decision: feminist history is incredibly diverse and complex, and therefore, many scholars criticize how the motif of waves simplifies centuries of activism. However, as other scholars have noted, a key strength of the wave motif is that “it depicts movement: feminism is a rippling (and sometimes crashing) activist intellectual and social movement that is ever-changing and contains endless possibilities for dealing with contradiction, uncertainty, and the messiness of life.”<sup>204</sup> Thus, I have opted to use the wave motif in order to demonstrate how feminist thought is constantly shifting and evolving throughout history.

#### *First-Wave Feminism*

The first wave of feminism began in the mid-19th century, and continued into the early 20th century.<sup>205</sup> In the United States, the principal objective of first-wave feminism was to provide women with the right to vote. The suffragette movement challenged the notion that women had to be exclusively relegated to the private realm of the domestic family. Obtaining the

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<sup>204</sup> Katherine R. Allen, “Feminist Theory, Method, and Praxis: Toward a Critical Consciousness for Family and Close Relationship Scholars,” *Journal of Social and Political Relationships* (2022): 6.

<sup>205</sup> Jo Reger, “Finding a Place in History: The Discursive Legacy of the Wave Metaphor and Contemporary Feminism,” *Feminist Studies* 43, no. 1 (2017): 194.

right to vote would provide women with the ability to participate in public society.<sup>206</sup> Notably, the suffragettes did not attempt to counter the common assumption that women “belonged” at home as wives and caretakers. Instead, they sought to expand women’s roles in society, arguing that women’s domestic activities ought not prohibit them from participating in making decisions about the public sphere.<sup>207</sup> In fact, the suffragettes frequently claimed that women’s suffrage would help them fortify and protect the private domestic space. The suffragettes argued that women’s supposed gentle and kind nature meant that they would vote for policies that would result in widespread peace and stability.<sup>208</sup>

It is important to note that the suffragette movement was extremely exclusionary, and was centered around white, upper-middle class women.<sup>209</sup> Even though first-wave feminism initially had affiliations with abolitionism, the Civil War had pivoted the white middle class to embrace the political right. By the twentieth century, the suffragettes were using racist and xenophobic rhetoric to advocate for women’s voting privileges.<sup>210</sup> For example, when speaking to the New York State Legislature in 1860, suffragette Elizabeth Cady Stanton said: “The prejudice against Color...is no stronger than that against sex...The few social privileges which the man gives the woman, he makes up to the (free) Negro in civil rights.”<sup>211</sup> Here, Stanton undermines the issue of racism, and claims that it is just as oppressive and problematic as the sexism that white women face. Stanton also pits white women against Black men by claiming

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<sup>206</sup> Ellen DuBois, “The Radicalism of the Woman Suffrage Movement: Notes toward the Reconstruction of Nineteenth-Century Feminism,” *Feminist Studies* 3, no. ½ (1975): 66.

<sup>207</sup> *Ibid.*, *Ibid.*

<sup>208</sup> Carole Pateman, “The Public/Private Dichotomy,” in *The Disorder of Women: Democracy, Feminism, and Political Theory* (Redwood City: Stanford University Press, 1989), 127-128.

<sup>209</sup> Barbara Leslie Epstein, “The Successes and Failures of Feminism,” *Journal of Women’s History* 14, no. 2 (2002): 118.

<sup>210</sup> *Ibid.*, 119.

<sup>211</sup> Aida Hurtado, “Relating to Privilege: Seduction and Rejection in the Subordination of White Women and Women of Color,” *Signs* 14, no. 4 (1989): 840.

that Black men were entitled to more rights compared to white women. This racism significantly worsened after only Black men received the right to vote, as the suffragettes believed that white men had chosen to prioritize Black men's ability to vote over white women. The suffragettes argued that no other people of color should be able to vote before white women were able to.<sup>212</sup> Ultimately, the most prominent legacy of the first-wave feminist movement was its success in gaining women the right to vote via the Passage of the 19th Amendment.

Despite the racism embedded into first-wave feminism, Black women played an important role in this era of the feminist movement. For example, in 1851, Sojourner Truth gave her famous "Ain't I A Woman?" speech at the Women's Rights Convention in Akron, Ohio. Truth's speech challenged the feminist movement's focus on white women, and their ignorance of women of color. In her speech, she said: "That man over there says that women need to be helped into carriages, and lifted over ditches...Nobody ever helps me into carriages, or over mud-puddles...ain't I a woman?...I have seen most all [my children] sold off to slavery, and when I cried out with my mother's grief, none but Jesus heard me! And ain't I a woman?"<sup>213</sup> Here, Truth notes that white people do not recognize Black women's humanity, and do not see them as women in the same way they see white women. Even though the feminist movement appears to advocate for all women, Truth's speech recognizes that the movement neglects the voices and needs of Black women.

### *Second-Wave Feminism*

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<sup>212</sup> Ibid., *ibid.*

<sup>213</sup> "Sojourner Truth: Ain't I A Woman?", Women's Rights National Historical Park, National Park Service, last updated November 17, 2017, <https://www.nps.gov/articles/sojourner-truth.htm>.

Next, second-wave feminism encompasses the time period between the 1960s and the 1980s.<sup>214</sup> Second-wave feminism expanded upon the push for suffrage from the first wave, and sought to provide women with more freedoms and privileges beyond the ability to vote.

One prominent thinker from second-wave feminism was Betty Freidan, who wrote the influential book *The Feminine Mystique*. In *The Feminine Mystique*, Freidan argues that women feel unsatisfied with and isolated by a life relegated to the domestic realm. The “feminine mystique” refers to the notion that women would find “true feminine fulfillment” from being a “suburban housewife” and “mother.”<sup>215</sup> In reality, however, Freidan argues that these women feel “trapped...by the enormous demands of her role as modern housewife,” and have virtually no time to do anything aside from taking care of her home and her children.<sup>216</sup> Freidan encourages women to resist the feminine mystique by not attempting to romanticize the tasks of a mother and housewife, and to instead recognize that they are capable of far more than just these roles.<sup>217</sup> Additionally, Freidan suggests that women further reject the feminine mystique by pursuing an intellectually stimulating “professional commitment”, which will prevent them from devoting all of their time to domestic work.<sup>218</sup>

Another eminent thinker from second-wave feminism is Simone de Beauvoir, whose book *The Second Sex* was integral in further shaping feminist thought. Beauvoir makes similar arguments to Freidan about the oppressive nature of life as a housewife. Beauvoir claims that women, “since the beginning of history, [have] been consigned to domestic labor and prohibited

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<sup>214</sup> Jo Reger, “Finding a Place in History: The Discursive Legacy of the Wave Metaphor and Contemporary Feminism,” *Feminist Studies* 43, no. 1 (2017): 194.

<sup>215</sup> Betty Friedan, *The Feminine Mystique* (New York: W.W. Norton and Company, 1963), 46.

<sup>216</sup> *Ibid.*, *ibid.*

<sup>217</sup> *Ibid.*, 363.

<sup>218</sup> *Ibid.*, 371.

from taking part in shaping the world.”<sup>219</sup> By being relegated to the domestic sphere, Beauvoir argues that women have been unable to make any decisions regarding the public realm.

Furthermore, Beauvoir writes that marriage is a repressive institution that “enslaves” women.<sup>220</sup>

When women get married, Beauvoir argues that men “reduce [them] to a servant’s condition” as a housewife, which destroys any genuine romantic or sexual relationship between men and women.<sup>221</sup> Over time, women become spiteful of their domestic life, as they are forced to be “enslaved to cleaning tasks” and “held back in all her enthusiasm.”<sup>222</sup>

Importantly, in the 1970s, second-wave feminism gave rise to a multi-racial feminism. This type of feminism operated from the understanding that white women and women of color had drastically different lived experiences, and that the feminist movement up until that point had largely excluded non-white women from its advocacy.<sup>223</sup> There are several prominent feminist thinkers of color from the second-wave. For instance, in *Black Feminist Thought*, Patricia Hill Collins argues that Black women living in a racist society have historically been positioned as “outsiders-within,” as their marginalized identities prevent them from being accepted by white individuals. This provides Black women with a unique perspective on a variety of different issues, which allows them to recognize the contradictions and gaps within mainstream, whitewashed feminism.<sup>224</sup> Furthermore, Collins writes that Black women can use their outsiders-within status to form coalitions, and collaborate with other marginalized

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<sup>219</sup> Simone de Beauvoir, *The Second Sex*, trans. H.M. Parshley (London: Jonathan Cape, 1956), 168.

<sup>220</sup> *Ibid.*, 241.

<sup>221</sup> *Ibid.*, *ibid.*

<sup>222</sup> *Ibid.*, 357.

<sup>223</sup> Becky Thompson, “Multiracial Feminism: Recasting the Chronology of Second-Wave Feminism,” *Feminist Studies* 28, no. 2 (2002): 337.

<sup>224</sup> Patricia Hill Collins, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment* (New York: Routledge, 2000), 11.

groups.<sup>225</sup> Another influential piece of work from second-wave feminism is the Combahee River Collective statement. The Combahee River Collective consisted of Black lesbian feminists who felt excluded by mainstream feminism, and therefore formed their own coalition. They point out that it is impossible to separate class, race, and gender identities, as people experience all of these simultaneously in their day-to-day lives.<sup>226</sup>

Additionally, this era of the feminist movement resulted in the passage of numerous important laws. For example, Title IX of the Education Amendments Act barred institutions that discriminated against women from receiving federal money, which was a continuation of the Equal Pay Act. Women were included in the 1964 Civil Rights Act, which prevented employment discrimination based on race or gender identity.<sup>227</sup> Furthermore, feminist lawyers successfully argued that feminist courts ought to utilize the equal protection clause of the Fourteenth Amendment to eliminate laws that favored husbands over wives in court.<sup>228</sup>

### *The Sex Wars*

One especially pertinent moment in the history of second-wave feminism is the feminist Sex Wars. The Sex Wars refer to the ideological debates between radical and sex-positive feminists, who disagreed on various issues surrounding women's sexuality, especially pornography and sex work.<sup>229</sup> The tension within the feminist movement reached a climax in 1982, when sex-positive feminists hosted a "Conference on Sexuality" at Barnard College.<sup>230</sup>

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<sup>225</sup> Ibid., 38.

<sup>226</sup> The Combahee River Collective Statement. United States, 2015. Web Archive. <https://www.loc.gov/item/lcwaN0028151/>.

<sup>227</sup> J. Zeitz, "Rejecting the Center: Radical Grassroots Politics in the 1970s — Second-Wave Feminism as a Case Study," *Journal of Contemporary History* 43, no. 4 (October 2008): 678.

<sup>228</sup> Ibid., *ibid.*

<sup>229</sup> I will unpack what each "side" in the sex wars argued about prostitution in a later section of this chapter.

<sup>230</sup> Amia Srinivasan, "Who Lost the Sex Wars?" *The New Yorker*, September 6, 2021, <https://www.newyorker.com/magazine/2021/09/13/who-lost-the-sex-wars>.

Sex-positive feminists organized the conference as a response to radical feminists who were staunchly opposed to pornography and sadomasochism, as they believed that both reinforced the objectification of and violence towards women.<sup>231</sup> On the contrary, sex-positive feminists wanted the right to have sex that they found pleasurable – which could include sadomasochism – and opposed the notion that all feminists had to have one specific kind of sex.<sup>232</sup> Additionally, sex-positive feminists believed that watching porn could be liberating and pleasurable for women, and that it would challenge any suppression of women’s true sexual desires.<sup>233</sup> In response to the Barnard conference, radical feminists handed out material accusing the sex-positive feminist organizers of endorsing “sadomasochism, violence against women, and pedophilia.”<sup>234</sup> The conference worsened the existing ideological tensions between radical and sex-positive feminists.

Although these debates occurred decades ago, the questions that they raise about sexuality, agency, and sexism are still pertinent to this day, especially in the context of sex work. The Sex Wars ask us to consider how sex work reinforces the patriarchy, but also to what extent women are able to exercise freedom in the industry.

### *Third-Wave Feminism*

Third-wave feminism refers to the period of time between the mid-1990s to the late 21st-century, before the #MeToo Movement.<sup>235</sup> Originally coined by Rebecca Walker, third-wave

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<sup>231</sup> Lorna Norman Bracewell, “Beyond Barnard: Liberalism, Antipornography Feminism, and the Sex Wars,” *Signs: Journal of Women in Culture and Society* 42, no. 1 (2016): 25.

<sup>232</sup> R. Claire Snyder-Hall, “Third-Wave Feminism and the Defense of ‘Choice’,” *Perspectives on Politics* 8, no. 1 (March 2010): 257.

<sup>233</sup> Juno Mac and Molly Smith, *Revolting Prostitutes: The Fight for Sex Workers’ Rights* (London: Verso Books, 2018), 27.

<sup>234</sup> Amia Srinivasan, “Who Lost the Sex Wars?” *The New Yorker*, September 6, 2021, <https://www.newyorker.com/magazine/2021/09/13/who-lost-the-sex-wars>.

<sup>235</sup> Jo Reger, “Finding a Place in History: The Discursive Legacy of the Wave Metaphor and Contemporary Feminism,” *Feminist Studies* 43, no. 1 (2017): 194.

feminism tends to refer to feminists who grew up in the 1970s, and therefore experienced their political awakening during second-wave feminism.<sup>236</sup> Third-wave feminism is also heavily influenced by the multi-racial feminism from second-wave feminism, and attempts to include women with marginalized identities who have historically been excluded from the feminist movement.<sup>237</sup> Third-wave feminists have also attempted to widen their advocacy by focusing on issues that have not conventionally been thought of as “women’s issues.” This generation of feminists view women’s rights as just one component of the broader fight for social and environmental justice writ large, though scholars have argued that second-wave feminism also had a similar approach.<sup>238</sup>

There are two important events that are thought to have sparked the beginning of the third-wave. The first catalyst was the rise of riot grrrl bands during the early 1990s. “Grrrl” is a term coined by Bikini Kill singer Kathleen Hanna. Hanna sought to reclaim the word “girl,” which had become associated with delicacy and immaturity. To Hanna, “grrrl” alluded to the younger women, before they were aware of structures like the patriarchy and gender roles.<sup>239</sup> Riot grrrl bands were popular in the 1990s, and grew to become a “feminist (sub)cultural movement that combines feminist consciousness and punk aesthetics, politics, and style.”<sup>240</sup> This culture aimed to dispel the notion that women were too self-centered to be politically engaged, and instead, encouraged women to be loud, outgoing, and rebellious.<sup>241</sup>

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<sup>236</sup> Catherine Harnois, “Re-presenting Feminisms: Past, Present, and Future,” *NWSA Journal* 20, no. 1 (2008): 121.

<sup>237</sup> *Ibid.*, 121-122.

<sup>238</sup> R. Claire Snyder-Hall, “Third-Wave Feminism and the Defense of ‘Choice,’” *Perspectives on Politics* 8, no. 1 (March 2010): 181.

<sup>239</sup> Ednie Kaeh Garrison, “U.S. Feminism-Grrrl Style! Youth (Sub)Cultures and the Technologies of the Third Wave,” *Feminist Studies* 26, no. 1 (2000): 141.

<sup>240</sup> *Ibid.*, *ibid.*

<sup>241</sup> *Ibid.*, *ibid.*

Another crucial catalyst for third-wave feminism was Anita Hill's testimony of Clarence Thomas sexually assaulting her. Thomas was nominated to the Supreme Court in the 1990s. In the middle of his Senate hearings, the media leaks Hill's private allegations of sexual harassment. This led to Hill publicly coming forward with her accusations. Hill testified that Thomas harassed her while she was working for him at the Department of Education. She claimed that Thomas constantly made sexual advances at her, even after she repeatedly turned him down. Thomas denied Hill's allegations, and ultimately, the Senate voted 52-48 to confirm him to the Supreme Court.<sup>242</sup>

One significant concept that emerged from third-wave feminism is the concept of intersectionality, a term created by lawyer Kimberle Crenshaw. Intersectionality points to the intimate connections between people's various identities, such as race, class, gender, sexuality, and ability. As Crenshaw notes, people's lived experiences are influenced by the collective intersections of these identities, as opposed to just one identity.<sup>243</sup> Notably, this term has roots and similarities to ideas raised during second-wave feminism, such as Patricia Hill Collins' concept of the outsider-within.

#### *Fourth-Wave Feminism: The #MeToo Movement*

There is no universally agreed upon conception of when the fourth-wave of feminism began. However, many scholars point to the #MeToo movement as a turning point that makes fourth-wave feminism distinct from the third-wave. Activist Tarana Burke founded the #MeToo movement in 2006, which she had initially conceived as specifically for working-class Black

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<sup>242</sup> Amy E. Black and Jamie L. Allen, "Tracing the Legacy of Anita Hill: The Thomas~Hill Hearings and Media Coverage of Sexual Harassment," *Gender Issues* (2001): 36-37.

<sup>243</sup> Kimberle Crenshaw, "Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color," *Stanford Law Review* 43, no. 6 (July 1991): 1244.

women.<sup>244</sup> Burke had envisioned the movement to be a space of healing and solidarity for women of color who had survived sexual violence.<sup>245</sup> In 2017, the #MeToo hashtag went viral when actress Alyssa Milano tweeted, “If all the women and men who have been sexually harassed, assaulted or abused wrote ‘me too’ as a status, we might give people a sense of the magnitude of the problem. #metoo.”<sup>246</sup> Milano’s tweet went viral, and within days, there were millions of posts from people sharing their personal experiences with sexual assault and harassment, all with the hashtag “#MeToo.”<sup>247</sup> The media then credited Milano with spearheading the #MeToo movement, as opposed to recognizing Burke as the original founder.<sup>248</sup> Scholars have used Milano’s role to argue that the contemporary #MeToo movement has excluded working-class women of color – especially Black women – from its advocacy, and has instead focused on wealthy white women.<sup>249</sup>

### *Feminist Critiques of the Private and Public Distinction*

Another pertinent aspect of feminist thought is its criticism of the liberal conception of the private and public divide. Liberalism conceives of the private realm as the household and as individuals’ personal lives, while the public sphere includes anything that is done in the public eye, such as work and government.<sup>250</sup> Feminists disapprove of this concept because they believe it undermines the free, unpaid labor that women do in the domestic realm, while glorifying the work that men perform in the public sphere.<sup>251</sup> The popular, contemporary feminist refrain “the

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<sup>244</sup> Heather Berg, “Left of #MeToo,” *Feminist Studies* 46, no. 2 (2020): 261.

<sup>245</sup> Allison Page and Jacquelyn Arcy, “#MeToo and the Politics of Collective Healing: Emotional Connection as Contestation,” *Communication, Culture & Critique* 13 (2020): 333.

<sup>246</sup> *Ibid.*, 334.

<sup>247</sup> *Ibid.*, *ibid.*

<sup>248</sup> *Ibid.*, *ibid.*

<sup>249</sup> Heather Berg, “Left of #MeToo,” *Feminist Studies* 46, no. 2 (2020): 261.

<sup>250</sup> Hurtado, Aída. “Relating to Privilege: Seduction and Rejection in the Subordination of White Women and Women of Color.” *Signs* 14, no. 4 (1989): 849.

<sup>251</sup> *Ibid.*, *ibid.*

personal is political” aims to undermine the rigidity of the public and private divide. The phrase suggests that women’s lives in the private realm are deserving of public attention.<sup>252</sup> Carole Pateman is a feminist scholar who has written extensively on the implications of this phrase. Pateman argues that the phrase “emphasizes how personal circumstances are structured by public factors... ‘personal’ problems can thus be solved only through political means and political action.”<sup>253</sup> This demonstrates that the two spheres are not alienated, isolated entities; rather, they are intimately connected to one another. Pateman gives the example of what women’s labor looks like in both the public and the private spheres. Women are expected to be responsible for housekeeping and childcare tasks in the domestic realm, and when they are employed in the public realm, they are underpaid and disproportionately working lower-level jobs.<sup>254</sup> Therefore, this shows that the undervaluation of women’s labor is a serious issue in public and private spaces.

Other feminists have argued that the movement’s critique of the private-public distinction is not intersectional enough. Aída Hurtado argues that this distinction has solely been limited to white women, as white women gain political understanding through studying their personal lived experiences through the lens of the private-public framework.<sup>255</sup> According to Hurtado, women of color’s economic realities do not fit into the public-private distinction. Rather, the public realm has stripped women of color of the opportunity to have a private space because of systemic racism. She writes about the “welfare programs and policies... [that have] discourag[ed] family life, sterilization programs [that] have restricted reproduction rights... and the criminal justice

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<sup>252</sup> Ibid., *ibid.*

<sup>253</sup> Carole Pateman, “The Public/Private Dichotomy,” in *The Disorder of Women: Democracy, Feminism, and Political Theory* (Redwood City: Stanford University Press, 1989), 131.

<sup>254</sup> Ibid., 132.

<sup>255</sup> Hurtado, Aída. “Relating to Privilege: Seduction and Rejection in the Subordination of White Women and Women of Color.” *Signs* 14, no. 4 (1989): 849.

system arrest[ing] and incarcerat[ing] disproportionate numbers of people of color.”<sup>256</sup> Hurtado argues that the government decisions made in the public sphere are so profoundly personal and political that it prevents women of color from being able to access any private realm that is not affected by government interference.<sup>257</sup>

### **Feminist Perspectives on Sex Work:**

Feminist thinkers from various eras of the movement have written abundantly about sex work. Within feminism, there are a wide range of beliefs surrounding the industry, and there is no singular feminist consensus surrounding sex work.

Some feminists believe that sex work is inherently degrading and violence towards women, and they therefore advocate for abolishing the industry. These feminists use sex work as a symbol for how harmful the patriarchy is. For example, second-wave feminist Simone de Beauvoir writes that “the prostitute is a scapegoat; man unloads his turpitude onto her, and he repudiates her...the prostitute does not have the rights of a person; she is the sum of all types of feminine slavery at once.”<sup>258</sup> Beauvoir’s writing portrays sex work as an industry where women have entirely lost their freedom, and they are forced to simply be sex objects for men’s desires.

Catherine MacKinnon and Andrea Dworkin, two prominent radical feminists from the 1980s Sex Wars, are also staunchly opposed to the existence of sex work. MacKinnon writes extensively about how brutal and repressive sex work is for women. She writes that sex workers are beaten if they attempt to quit the industry, and that they have no means of resisting when

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<sup>256</sup> Ibid., *ibid.*

<sup>257</sup> Ibid., *ibid.*

<sup>258</sup> Simone de Beauvoir, *The Second Sex*, trans. H.M. Parshley (London: Jonathan Cape, 1956), 680-681.

their clients assault them.<sup>259</sup> MacKinnon also vehemently disagrees with the notion that women freely opt into sex work. If this were true, MacKinnon argues, then more men or financially stable women would choose to do it.<sup>260</sup> Similarly to MacKinnon, Dworkin provides visceral detail about how physically and emotionally traumatizing sex work is for women. She writes that male clients merely view sex workers as “a generic embodiment of woman,” and that men’s treatment of female sex workers are an “express[ion] [of] a pure hatred for the female body.”<sup>261</sup> Dworkin writes so graphically about sex work in order to argue that there is nothing sexually pleasurable or liberating about this kind of labor.

Finally, another popular feminist perspective on sex work is what scholar Elizabeth Bernstein labels as “carceral feminism.” Carceral feminism aims to abolish sex work via criminalization of the industry, and the incarceration of those who are involved in it.<sup>262</sup> Carceral feminists believe that jail is a much better alternative for sex workers compared to sex work. By being incarcerated, carceral feminists believe that sex workers will leave the industry for good.<sup>263</sup> Bernstein points to the neoliberal state as the catalyst behind carceral feminism. She argues that the neoliberal state embraces incarceration because economic privatization leads to a reduction in public funding of social services. According to Bernstein, carceral feminism positions the “masculinist institutions” of the police state as heroes who save women from sex work, as opposed to recognizing the systemic reasons as to why someone may be involved in sex work in the first place.<sup>264</sup> Writers, sex workers, and self-identified feminists Molly Smith and Juno Mac

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<sup>259</sup> Catherine MacKinnon, “Trafficking, Prostitution, and Inequality,” *Harvard Civil Rights-Civil Liberties Law Review* 46 (2011): 282.

<sup>260</sup> *Ibid.*, 292.

<sup>261</sup> Andrea Dworkin, “Prostitution and Male Supremacy,” *Michigan Journal of Gender and Law* 1, no. 1 (1993): 6.

<sup>262</sup> Juno Mac and Molly Smith, *Revolting Prostitutes: The Fight for Sex Workers’ Rights* (London: Verso Books, 2018), 97.

<sup>263</sup> *Ibid.*, 37.

<sup>264</sup> Elizabeth Bernstein, “Carceral Politics as Gender Justice? The “Traffic in Women” and Neoliberal Circuits of Crime, Sex, and Rights,” *Theory and Society* 41 (February 2012): 244-245.

heavily criticize carceral feminism. They point out that statistically speaking, police officers frequently commit sexual assault and rape, which shows that they should not be the ones wielding power over sex workers.<sup>265</sup> Smith, Mac, and Bernstein all note that carceral feminism is especially pernicious for women with marginalized identities. Smith and Mac point out that one iteration of carceral feminism is increased border policing, which means that migrant sex workers are constantly at risk of being arrested and deported.<sup>266</sup> Bernstein argues that carceral feminism disproportionately targets sex workers who are low-income women of color, which, in turn, triggers the over-policing of the neighborhoods that these women live and work in.<sup>267</sup>

On the other hand, sex-positive feminists do not believe that sex work should be abolished, and instead advocate for its decriminalization. In her prominent essay, “Thinking Sex,” Gayle Rubin observes that there is an abundance of stigma and misinformation surrounding sex.<sup>268</sup> She especially is concerned about legal restrictions on sex and the enforcement of laws regarding sex work, as she views this as the state problematically attempting to police people’s sexual behaviors.<sup>269</sup> Rubin argues that this type of regulation portrays human sexuality as something transgressive and disgusting, rather than recognizing the nuances behind alternative forms of sexual activity, such as sex work.<sup>270</sup> Margo St. James, an eminent sex-positive sex worker who founded the Call Off Your Old Tired Ethics (COYOTE) organization, claims that sex work can even be a form of liberation for women. She argues, “I’ve always thought that whores were the only emancipated women. We are the only ones who have

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<sup>265</sup> Juno Mac and Molly Smith, *Revolted Prostitutes: The Fight for Sex Workers’ Rights* (London: Verso Books, 2018), 36.

<sup>266</sup> *Ibid.*, 128.

<sup>267</sup> Elizabeth Bernstein, “Carceral Politics as Gender Justice? The “Traffic in Women” and Neoliberal Circuits of Crime, Sex, and Rights,” *Theory and Society* 41 (February 2012): 253.

<sup>268</sup> Gayle S. Rubin, “Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality,” in *Culture, Society and Sexuality*, ed. Richard Parker and Peter Aggleton (London: Routledge, 2006), 143.

<sup>269</sup> *Ibid.*, 146.

<sup>270</sup> *Ibid.*, 166.

the absolute right to fuck as many men as men fuck women. In fact we are expected to have many partners a week, the same as any good stud.”<sup>271</sup> St. James claims that sex workers get to achieve sexual freedom because the nature of their job enables them to have an abundant amount of sex, while other women are judged and ostracized if they are seen as having too much sex.

Many feminist sex workers have written about their own experiences in the industry. Since everybody’s experience with sex work is so different, it is impossible to conceptualize a universal understanding of what the industry is like, without minimizing real people’s lived experiences. However, one common theme in people’s experiences is that sex work allows them to charge male clients for services that, as women, they were previously expected to do for free. In an interview with other sex workers of color, Gloria Lockett – a Black woman – shared her experiences in the industry. She says, “Most of our customers have always been white. Even though they like the Black women, they still didn’t want us to be Black...It didn’t matter. When I went home I took my wig off and I was me. As long as they were paying me, they could call me whatever they wanted to. To me, it was totally work, completely separate from my life.”<sup>272</sup> Lockett’s story reveals that Black women have historically been forced to hear racist and degrading language about themselves without being paid or compensated. Sex work, of course, does not minimize how awful and damaging this racist rhetoric is. Yet Lockett points out that with sex work, she is at least able to be paid for something that she would previously had to endure for free. Another sex worker, Chanelle Gallant, shares a similar sentiment.<sup>273</sup> She writes:

Sex work takes what women and feminine people of all genders are expected to do for free and monetizes it: be sexualized by cisgender men, validate their masculinity, give

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<sup>271</sup> Christine Overall, “What’s Wrong with Prostitution? Evaluating Sex Work,” *Signs* 17, no. 4 (1992): 721.

<sup>272</sup> Blake Aarens, Hima B., Gina Gold, Jade Irie, Madeleine Lawson, and Gloria Lockett, “Women of Color Discuss Sex Work,” interview by Jill Nagle, in *Whores and Other Feminists*, ed. Jill Nagle (New York: Routledge, 1997), 201.

<sup>273</sup> Chanelle Gallant, “Fuck You, Pay Me,” in *Pleasure Activism: The Politics of Feeling Good*, edited by adrienne maree brown (Chico: AK Press, 2019), 74.

them attention, smile, flirt, make them feel important and wanted even if they're tedious, create intimacy and hold vulnerability, pour time and money into white middle-class beauty standards, and have sex that's mostly focused on men's pleasure. Sex workers do all of those things—just not for free. (Gallant 74)

Here, Gallant points out the parallels between what sex workers charge their clients for, and what women and female-presenting people have to deal with in their day-to-day lives. By charging men for these tasks that have traditionally been done for free, Gallant demonstrates how aspects of daily existence for women under a patriarchy are a form of labor.

### **The Experiences of LGBTQ+ Individuals in Sex Work:**

There is a limited amount of scholarly literature on the experiences of LGBTQ+-identifying sex workers. Yet this research is extremely valuable, as it highlights what queer sex workers experience in an industry that remains very heteronormative. In her article about nonbinary and transmasculine sex workers, Angela Jones argues that the sex work industry is designed around heterosexuality. She writes: “Sex entrepreneurs design escort advertising sites for women, and to a lesser extent for cis men servicing cis men. Those sites making space for trans people do so for transfeminine people only because they cater to cis men’s fetishization and simultaneous fear and desire for trans women’s bodies... There are no spaces for transmasculine and nonbinary people in these heterosexual workspaces.”<sup>274</sup> Jones argues that sex work erases transmasculine and nonbinary identity, as the industry has largely come to assume that sex work entails of women selling sexual favors to men. Jones also discovers that transmasculine and nonbinary sex workers are forced to charge clients lower rates compared to cis women sex

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<sup>274</sup> Angela Jones, “‘It’s Hard Out Here for a Unicorn’: Transmasculine and Nonbinary Escorts, Embodiment, and Inequalities in Cisgendered Workspaces,” *Gender & Society* 20, no. 10 (2020): 3.

workers because they are not sought out in the same way.<sup>275</sup> Furthermore, transmasculine and nonbinary sex workers who publicly present as cisgender have an easier time getting clients compared to sex workers who do not.<sup>276</sup>

Yet scholars have also written about how sex work can be a liberating experience for queer people.

Some scholars note the pertinent overlaps and fractures between sex worker and queer communities. Scholars Lindsay Blewett and Tuulia Law, who have both been involved in sex work and are members of the LGBTQ+ community, argue that there is a complex relationship between both communities.<sup>277</sup> They point to Stonewall as a key example of solidarity between sex worker and queer communities, where trans sex workers played an important role in fighting back against the police. Yet the scholars argue that the contemporary, mainstream LGBTQ+ movement obfuscates sex workers' involvement in queer advocacy.<sup>278</sup> Another example the scholars use is from Vancouver's West End neighborhood, in which white, middle-class gay men ostracized and degraded street sex workers, and wanted them gone from their neighborhood so they could protect the neighborhood's property value.<sup>279</sup> Alternatively, Blewett and Law respond to members of their queer communities who criticize them from profiting off of their "bodily labor."<sup>280</sup> Blewett and Law recognize that "queer people whose employability has been limited by their non-conforming gender presentation (and the importance of its consistency to their sense of self) may feel discomfited by our capitalizing on...apparently conformist gendered and sexual

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<sup>275</sup> Ibid., 20.

<sup>276</sup> Ibid., *ibid.*

<sup>277</sup> Lindsay Blewett and Tuulia Law, "Sex Work and Allyship: Reflections on Femme-, Bi- and Whorephobia in Queer Communities," *Feral Feminisms: Queer Feminine Affinities* 7 (2018): 58.

<sup>278</sup> Ibid., 59.

<sup>279</sup> Ibid., *ibid.*

<sup>280</sup> Ibid., 62.

performances.”<sup>281</sup> Yet, the two scholars argue that in an oppressive, capitalist world, many marginalized communities, such as queer people, are ostracized from participating in more socially accepted jobs. Sex work, then, offers marginalized people a way to make money and survive without capitalism, even if they are working in an illegal and stigmatized job.<sup>282</sup>

Other scholars have analyzed why queer people are overrepresented in sex work. As Molly Smith and Juno Mac point out, this is because of interpersonal and systemic homophobia, which “increases [LGBTQIA+ people’s] precarity and vulnerability...leaving prostitution as one of the remaining viable routes out of destitution. Trans women in particular often find that formal employment is out of reach. Increased school drop-out rates, lack of family support, and lack of access to adequate healthcare leave them exposed to poverty, illness, and homelessness.”<sup>283</sup> Smith and Mac outline how experiencing discrimination, and the damaging consequences of that, may force LGBTQIA+ people into sex work because they have no other way of financially supporting themselves. LGBTQIA+ sex workers are also acutely aware of the heteronormative expectations placed on them. In her ethnography, scholar Zahra Stardust interviewed various queer Australian sex workers. Many of them shared that they knew they were supposed to perform a specific type of femininity, which connects to Judith Butler’s argument about gender being a series of performances. For example, one sex worker said, ““To me, it's all an act ... It's kind of like putting on a mask ... At home, I'm just daggy, I sit in my trackies, no make-up.””<sup>284</sup> This sex worker’s anecdote reflects that they have to “act” out a stereotypical version of

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<sup>281</sup> Ibid., *ibid.*

<sup>282</sup> Ibid., *ibid.*

<sup>283</sup> Juno Mac and Molly Smith, *Revolted Prostitutes: The Fight for Sex Workers’ Rights* (London: Verso Books, 2018), 36.

<sup>284</sup> Zahra Stardust, “Critical Femininities, Fluid Sexualities and Queer Temporalities: Erotic Performers on Objectification, Femmephobia and Oppression,” in *Queer Sex Work*, ed. Mary Laing, Katy Pilcher and Nicola Smith (New York: Routledge, 2015), 71.

femininity when they are doing their job in order to please their clients. Additionally, this quote reveals how acutely aware queer sex workers are of the heteronormative nature of the sex industry, and how they have to cater their outward appearances towards this heteronormativity. Stardust's ethnography about the presentation of queer sex workers overlaps with Blewett and Law's experiences, in which "sex workers are read by (some) members of queer communities as too gender-conforming and too straight, and perhaps not even as femmes but merely as conventionally feminine; our queerness as bisexuals, femmes, and, we contend, as sex workers is erased."<sup>285</sup> Blewett and Law argue that some queer sex workers experience this because they must navigate a heterosexual sex work culture in which they are expected to look a certain way to succeed in the industry.

On the other hand, scholar Ummni Khan draws parallels between sex workers and LGBTQIA+ people who do not fit into narrow, socially accepted conceptions of queerness. In her writing, Khan points to Canadian legislation that would decriminalize the "gross indecency" of anal sex between two men, so long as this sexual interaction happened in a private space.<sup>286</sup> Although many LGBTQIA+ activists celebrated this, Khan argues that this legislation only allowed for queer desire and intimacy if it happened in a private space, outside of the public eye, which does not actually indicate government support it.<sup>287</sup> Khan links this to the state criminalizing any public communication about sex work, as they saw this communication as an annoyance to the public. According to Khan, this results in police increasingly harassing sex workers, or giving them harsher punishments, because they are seen as being a nuisance for the

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<sup>285</sup> Lindsay Blewett and Tuulia Law, "Sex Work and Allyship: Reflections on Femme-, Bi- and Whorephobia in Queer Communities," *Feral Feminisms: Queer Feminine Affinities* 7 (2018): 61.

<sup>286</sup> Ummni Khan, "Homosexuality and Prostitution: A Tale of Two Deviances," *University of Toronto Law Journal* 70, no. 3 (2020): 289.

<sup>287</sup> *Ibid.*, *ibid.*

public. Khan also hypothesizes that the state is so opposed to public communication because they are concerned that it challenges conventionally monogamous and heterosexual conceptions of sexuality.<sup>288</sup>

### **Conclusion:**

Feminist thinkers have not come to a consensus about sex work. However, analyzing the feminist debate about sex work reveals the theory's overall commitment: understanding and actualizing what the best world ought to look like for women and queer people. For instance, feminists may agree that in an ideal world, women should have agency over their circumstances. Yet feminists disagree about what this agency looks like, and in what situations women can exercise their autonomy. Radical feminists, such as Catherine MacKinnon and Andrea Dworkin, argue that sex work is inherently violent and degrading for women, and that no aspect of it will ever be remotely pleasurable for women. They posit that it is deeply problematic for society to put women in the situation of having to choose to do sex work in the first place. As a result, these feminists strongly support abolishing the industry, and are even sympathetic to utilizing the police and incarceration as ways to get women to quit sex work. Radical feminists like MacKinnon and Dworkin appear to define female agency as the ability to have full consent over one's circumstances. They believe if women are truly free, they would never be forced into sex work in the first place (note that radical feminists do not believe that women can freely decide to join sex work.) Furthermore, if women had their full autonomy in sex work, they would be able to dictate what sort of sex they wanted to have, as well as when and where to have this sex. Instead, according to MacKinnon and Dworkin, sex workers have no say over their work, which

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<sup>288</sup> Ibid., 291-292.

leads to radical feminists equating sex work with rape. In the eyes of radical feminists, the best world for women is one where women are not objectified as sex objects for men.

On the other hand, sex-positive feminists see the best world for women as one where women have the freedom to actualize their desires, no matter how stigmatized they may be in a patriarchal society. They claim that women are entitled to engaging in non-traditional types of sex, like the sort of intimacy that sex workers experience in their work, and that this sort of sex can be pleasurable and liberating for women. Contrary to radical feminists, sex-positive feminists view female autonomy as the ability to have sex that is unrestricted by patriarchal expectations for what women's desire ought to look like. There is also an implicit assumption within the sex-positive framework that transgressive sex is inherently desirable to women, and that that translates over to women's experiences with sex work.

There are also other important feminist perspectives of sex work that do not fall cleanly into either side of the Sex Wars. These voices add another layer of nuance to how the feminist movement conceives of female autonomy. Many self-identified feminist sex workers recognize that there are aspects of their job that are unenjoyable, sexist, and racist. For example, female sex workers of color are objectified by men, they are expected to please them, and they are told racist statements by their male clients. Yet these sex workers still acknowledge that they have the autonomy and ability to choose to do this line of work. Importantly, these sex workers emphasized that they were being paid; that is, their sex work is merely a job for them, as opposed to their entire identities. Thus, these anecdotes from feminist sex workers reveal another interpretation of women's freedom, which may be to be able to choose what job they want to work without facing ostracization and judgement from the remainder of the feminist movement.

## Chapter 4: Political Theoretical Analyses of Digital Sex Work

### **Introduction:**

Although there is abundant academic literature about in-person, or classical, sex work, there are very few scholars who have written about the industry's shift to the digital space. Most of the research that does exist on digital sex work uses an ethnographic or qualitative approach, rather than political theory, to examine this phenomenon. This literature is certainly important, as it allows readers to hear from digital sex workers themselves, and provides valuable insights about their experiences. However, it is important to also utilize political theories – especially libertarianism, Marxism, and feminism – when analyzing online sex work because these theories interrogate how various institutions and identities affect sex workers' experiences in the industry. For example, as I have already elucidated in this thesis, sex workers are navigating their work under the system of capitalism. With this in mind, libertarianism and Marxism are valuable theories to use here, as each theory offers different arguments about the implications of working in a capitalist society. Additionally, feminist theory elucidates how sex workers' identities impact their experiences in the industry. Feminist theory demonstrates to readers that sex work is not a monolith, and that every sex worker has a different experience in the industry. By using political theory to analyze digital sex work, scholars can understand how online sex workers navigate the industry in the context of capitalism and sexism.

In this chapter, I will first explain what digital sex work is, and illustrate its parallels and differences with in-person, classical sex work, as well as pornography. Afterwards, I will review the first half of this thesis, where I have explained what libertarian, Marxist, and feminist thinkers have written about classical sex work. Then, I will extend those theories to digital sex

work. Finally, I explain how each political thought utilizes digital sex work in order to support their overarching theoretical goals and arguments.

### **What is Digital Sex Work?**

Digital sex work encompasses a wide range of sexual services. One example of digital sex work are sex workers who use the Internet to find clients, but still conduct their work in person. For instance, some sex workers may opt to sell clients sexual favors in person, but will find these clients by advertising and marketing themselves on a variety of Internet platforms, such as escorting sites, webcam sites, and social media platforms.<sup>289</sup> Clients, too, use the Internet to interact with sex workers. The reviews that clients leave of sex workers online are extremely influential. Positive reviews of sex workers can potentially increase the number of clients they get, while negative ones can be detrimental for online sex workers' profits.<sup>290</sup>

On the other hand, digital sex work also allows sex workers to sell sexual favors without ever having to come into physical contact with their clients. This is a notable departure from "classical" sex work, which, by definition, requires sex workers to do their work in person.<sup>291</sup> This, then, is the most obvious and literal distinction between classical and digital sex work. Perhaps the most popular and researched example of "indirect" sex work is "camming." In camming, the sex worker uses their webcam to record livestreams of themselves performing various sexual acts for their clients. These livestreams are hosted on various webcam sites. If clients want to watch the webcam model's livestreams, the clients must purchase "tokens" before

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<sup>289</sup> Stewart Cunningham, Teela Sanders, Jane Scoular, Rosie Campbell, Jane Pitcher, Kathleen Hill, Matt Valentine-Chase, Camille Melissa, Yigit Aydin, and Rebecca Hamer, "Behind the Screen: Commercial Sex, Digital Spaces and Working Online," *Technology in Society* 53 (2018): 50.

<sup>290</sup> Ibid., 52.

<sup>291</sup> Ibid., *ibid.*

it begins. (Models are able to see who has tokens, and if a client does not have any tokens, the model has the ability to kick them out of the livestream room.)<sup>292</sup> The webcam models will set prices for the various sexual acts that they decide they are willing to perform for the clients. Once clients have collectively paid the price of an act (i.e.: 500 tokens for stripping), the model will begin.<sup>293</sup> In addition, clients also have the option to pay the sex worker to go into a private, virtual room, and receive their own show. However, other customers can also view this show by paying to “spy” on it. If a client does not want anyone else to spy on the show, they can choose to pay extra to ensure that the show is truly private.<sup>294</sup> After a show ends, the camming website takes a share of the monetary value of the tokens, with the remaining money being deposited directly into the model’s bank account.<sup>295</sup> Notably, not all webcam models choose to perform sexual acts for their clients in order to earn money. While some models offer certain sexual acts for higher token prices, some models claim that they can profit off of merely talking to their audience, or doing other non-sexual tasks like reading or dancing.<sup>296</sup> (It remains unclear if digital sex workers must have some sort of clout or rapport with their clients in order to be able to make money without selling sexual acts.)

A less-researched example of indirect digital sex work is instant messaging, which is essentially a text exchange between a sex worker and their client. In some instances, the sex worker and their client are able to chat with each other on a website – which specifically hosts these instant messages – without ever having to exchange more personal contact information

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<sup>292</sup> Angela Jones, “For Black Models Scroll Down: Webcam Modeling and the Racialization of Erotic Labor,” *Sexuality & Culture* 2015, no. 19 (2015): 780.

<sup>293</sup> *Ibid.*, 783.

<sup>294</sup> *Ibid.*, *ibid.*

<sup>295</sup> Madeline V. Henry and Panteá Farvid, “‘Always Hot, Always Live’: Computer-Mediated Sex Work in the Era of ‘Camming,’” *Women’s Studies Journal* 31, no. 2 (December 2017): 119.

<sup>296</sup> *Ibid.*, 120.

(i.e.: their phone numbers.) Sex workers profit off of instant messaging through the number of messages that they receive from clients. There are character limits to each message, which means that clients must purchase more messages in order to continue communicating with the sex worker.<sup>297</sup>

Digital sex work offers various challenges and benefits to sex workers. Firstly, a paramount barrier that potential online sex workers face is that they must have access to the Internet and a device (i.e.: a computer or phone) in order to do this specific kind of work. The costs of these privileges inherently make digital sex work more inaccessible compared to in-person sex work. While some websites are free to join and do not have any sort of education or employment prerequisites, this does not necessarily translate into online sex work being accessible, as access to technology remains an expensive privilege that many prospective sex workers potentially cannot afford.<sup>298</sup> Although more research needs to be done to confirm the demographics of in-person and digital sex workers, we can assume from the inaccessibility of digital sex work that online sex workers are likely to be more financially privileged than in-person sex workers. If someone is considering sex work because they are in a financially precarious situation and need an immediate source of income, they will likely pursue in-person sex work, as they may not be able to afford the costs of digital sex work.

However, one crucial benefit of digital sex work is the safety that it offers to sex workers. “Indirect” online sex work, like camming or instant messaging, means that sex workers do not face the risks of in-person sex work, such as sexually transmitted diseases, assault, or pregnancy.

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<sup>297</sup> Stewart Cunningham, Teela Sanders, Jane Scoular, Rosie Campbell, Jane Pitcher, Kathleen Hill, Matt Valentine-Chase, Camille Melissa, Yigit Aydin, and Rebecca Hamer, “Behind the Screen: Commercial Sex, Digital Spaces and Working Online,” *Technology in Society* 53 (2018): 49.

<sup>298</sup> Angela Jones, “For Black Models Scroll Down: Webcam Modeling and the Racialization of Erotic Labor,” *Sexuality & Culture* 19 (2015): 785.

Online sex work also allows sex workers to screen clients (i.e.: search them up on the Internet) before selling sexual services to them. This grants them a degree of autonomy over who their clients are. Digital sex workers also have the option of permanently banning dangerous or bigoted clients from viewing online shows, thus further protecting the safety of sex workers.<sup>299</sup> Some webcam sites allow sex workers to block off their content to specific areas, which means that online sex workers can do their jobs without friends, family, and other people in their lives knowing about it. This protects the privacy of digital sex workers, and helps alleviate any stigmatization that could result from their personal circles knowing about it.<sup>300</sup> Additionally, because online sex work is less physically visible than classical sex work, it reduces sex workers' interactions with the police, thus helping them avoid violence and criminalization from law enforcement, who have an extensive history of harassing sex workers.<sup>301</sup> Furthermore, if sex workers are able to vet their clients before working with them, then the sex workers are less likely to be harassed or harmed by their clients. This, in turn, further protects the safety of sex workers, and also reduces their need to contact the police for help in an emergency. Finally, the Internet allows for sex workers to easily mobilize and organize online. The Internet enables sex workers to share which clients to avoid, or to offer advice on how to navigate the industry.<sup>302</sup>

Although these are all noteworthy benefits to consider, there are still significant drawbacks to online sex work. For example, even though positive reviews from clients help sex workers attract more customers, negative reviews are incredibly detrimental for them. Since these negative reviews are public and highly visible, other potential clients are able to see them.

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<sup>299</sup> Ibid., 785-786.

<sup>300</sup> Ibid., 786.

<sup>301</sup> Ibid., *ibid.*

<sup>302</sup> Angela Jones, "Sex Work in a Digital Era," *Sociology Compass* 9, no. 7 (2015): 563.

Negative reviews mean that digital sex workers risk receiving less customers, thus reducing their potential profit.<sup>303</sup> Because online sex workers are so anxious about the repercussions of negative reviews, they may be forced to provide clients with services that they do not feel comfortable offering, but feel obligated to sell anyway in order to receive a positive review.<sup>304</sup> Moreover, even though digital sex work lessens the potential physical dangers that comes with classical sex work, online sex workers must still deal with dangerous threats, such as stalking or doxing from potential clients.<sup>305</sup> Digital sex workers also face the risk of their photos and other sexual content being stolen by viewers and reposted on other websites without their consent, which is both a serious violation of their privacy, and also prevents them from profiting off of their work. Stolen content can also potentially be distributed to people in a sex worker's personal life, which could be detrimental if they are unaware that a sex worker is involved in the industry.<sup>306</sup>

As I have just explained, there are some evident similarities and differences between classical and digital sex work. Yet a deeper comparison between the two mediums of sex work raises the question of to what extent there is a “pimp”, or other third-party actor, involved in each kind of work. In classical sex work, the role of the pimp is to find clients for the sex worker, with the pimp taking a cut of the money that the sex worker makes. Meanwhile, many writers argue that the Internet eliminates the need for a pimp, as the online interface supposedly makes it easier for clients to find online sex workers. However, there is a key similarity between websites like OnlyFans and pimps: both help connect online sex workers to customers, and also take a share of

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<sup>303</sup> Stewart Cunningham, Teela Sanders, Jane Scoular, Rosie Campbell, Jane Pitcher, Kathleen Hill, Matt Valentine-Chase, Camille Melissa, Yigit Aydin, and Rebecca Hamer, “Behind the Screen: Commercial Sex, Digital Spaces and Working Online,” *Technology in Society* 53 (2018): 53.

<sup>304</sup> Ibid., *ibid.*

<sup>305</sup> Madeline V. Henry and Panteá Farvid, “‘Always Hot, Always Live’: Computer-Mediated Sex Work in the Era of ‘Camming,’” *Women’s Studies Journal* 31, no. 2 (December 2017): 120.

<sup>306</sup> Catherine Barwulor, Allison McDonald, Eszter Hargittai, and Elissa M. Redmiles, “‘Disadvantaged in the American-Dominated Internet’: Sex, Work, and Technology,” *Conference on Human Factors in Computing Systems* 21 (2021): 10.

the sex worker's profit. Even if digital sex workers have the autonomy to decide their own schedules and what content they would like to post, they are not entirely independent creators, as they are reliant on these website platforms hosting them in the first place and connecting them to clients. Thus, while there are many departures from classical to digital sex work, one consistent parallel is the presence of an external actor to facilitate the exchange of money and sex involved in the industry.

*Pornography versus Digital Sex Work:*

Readers may be wondering how pornography relates to digital sex work, and if pornography is an example of online sex work. It is difficult to clearly distinguish between digital sex work and pornography, and there is no universally agreed upon explanation of how the two differ; yet, there are some distinct similarities and differences between the two. Perhaps the most obvious similarity is that both sex workers and pornography actors perform sexual acts for an audience's pleasure, and profit off of doing so. Furthermore, sex work and pornography are both incredibly stigmatized industries, and sex workers and pornography actors risk facing intense ostracization from people around them, like their family, friends, and employers. Both groups of people, by the digital nature of their work, also face Internet-based risks like stalking and doxing.

In the context of the United States, one key difference between pornography and digital sex work is that pornography is legal, while sex work remains criminalized. In the California case *People v. Freeman*, the court decided that under the First Amendment, pornographic films counted as exercises of free speech. That is, according to the Court, porn actors and producers have the creative freedom and license to have sex on camera because they are profiting from the

creation of the film, rather than the specific act of having sex.<sup>307</sup> As a result of the differences in legalization status, there are unique hurdles that sex workers must navigate. For example, as I will explain later in this chapter, government legislation like FOSTA-SESTA means that online sex workers have an immensely challenging time finding clients, and financially supporting themselves.

However, there are other similarities and differences between pornography and online sex work that complicate the distinction between the two. For instance, from the state's perspective, what counts as creative expression, and what counts as sex work? It is unclear why a pornographic film, in which people are paid to have sex for an audience, is more of a "creative expression" than a webcam model roleplaying for her viewers. The digital nature of online sex work muddles what sexual acts are simply an exercise of free speech, versus an illegal exchange of sexual services for money.

Yet one key similarity between pornography and digital sex work is that clients and viewers are not entirely able to conceptualize the extensive labor that is involved in both. In Heather Berg's ethnography *Porn Work*, Berg interviews numerous porn actors who explain that viewers fail to understand how laborious their jobs are. One porn actor, Nina Ha@tley, says, "You [the viewers] do not see the waiting, the retakes, the ankle sprains, the process of building chemistry with a scene partner or the racialized and gendered dynamics that can make that process so fraught. Every porn scene is a record of people at work, and yet the work of porn is invisible."<sup>308</sup> Here, Ha@tley explicates that creating and filming porn is, indeed, extremely strenuous, and like any other job under capitalism, can be boring and time-consuming. Yet when

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<sup>307</sup> Anders Kaye, "Why Pornography Is Not Prostitution: Folk Theories of Sexuality in the Law of Vice," *Saint Louis University Law Journal* 60, no. 2 (2016): 253.

<sup>308</sup> Heather Berg, *Porn Work: Sex, Labor, and Late Capitalism* (Chapel Hill: UNC Press, 2021), 29.

watching porn, viewers simply see the sexual activity happening on their screens, rather than recognize the massive time and energy involved in creating a porn video. Another actor that Berg interviews, Connor Habib, criticizes viewers who tell him that they enjoy watching his videos. In response, “he thinks, ‘What do you mean you love my work? You masturbated watching me...why don’t you say that? Because you don’t love that I spent nine hours and balanced myself on a motorcycle with five people shining lights down on me...You don’t even think of that part.’”<sup>309</sup> Similar to Ha@tley, Habib expresses a frustration with viewers who experience sexual pleasure from watching his porn, but do not recognize how much unglamorous work goes into its production (i.e.: balancing himself on a motorcycle for hours on end.) Habib’s words show that viewers fail to recognize the incredibly demanding amount of labor involved in creating porn. Instead, just like with sex work, porn is another example of commodity fetishism: viewers merely see the “commodity” – in this case, actors having sex – as opposed to recognizing the labor involved in creating the commodity.

Just like pornography, digital sex work involves an abundance of labor that clients do not fully witness or understand. Six OnlyFans-based online sex workers shared their schedules in an article for *Buzzfeed News*:

[The digital sex workers] said they are often on their phones messaging with followers from the minute they wake up, checking in regularly throughout the day. Some performers try to post new content daily, which means getting ready with hair and makeup, setting up lighting, and shooting a video and often photos to go with it, all of which can take a few hours, or longer if they’re filming with another person or in a special location. Then they’re editing and online doing promotion on social media, chatting with other performers about strategy or looking for people to film with, and studying the different metrics on their posts in order to optimize their work — i.e., the best time to post or length of video or type of content. Performers may also spend time posting on other platforms, camming, sexting, or Skyping with fans.<sup>310</sup>

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<sup>309</sup> Ibid., 29-30.

<sup>310</sup> Otilia Steadman, “I Needed To Film Today And I Physically Can’t”: Online Sex Workers Are Burning Out,” *Buzzfeed News*, September 14, 2021, <https://www.buzzfeednews.com/article/otillisteadman/only-fans-sex-workers-burnout>.

This anecdote reveals just how time and labor-intensive online sex work is; yet, what the clients of these digital sex workers likely see are the end products, or commodities, that are the result of this labor. That is, clients see the pictures, videos, and live streams that the sex workers put on, but they do not witness the hours of work that was put into creating all of that content.

Furthermore, digital sex workers' schedules reveal just how widespread commodity fetishism has become thanks to the Internet. Not only are their sexual services commodified, but also, thanks to the expectation to constantly post on social media and act like "influencers," all aspects of a digital sex worker – such as their personality and their interests – have become commodified for their clients.

### **Libertarian Approaches to Digital Sex Work**

As I explained in a previous chapter, libertarians believe that people ought to have the autonomy to choose to sell their sexual services, as well as purchase them from sex workers.<sup>311</sup> The libertarian support for classical sex work is tied to the theory's emphasis on the importance of individual freedom, and limiting the government's interference in people's lives. Libertarians believe that people's individual freedom should only be undercut if it is infringing upon other people's freedoms.<sup>312</sup> Therefore, insofar as libertarians understand sex workers are voluntarily consenting into the industry, libertarians see no reason to abolish or criminalize the industry.

Very few libertarians have written explicitly about sex work, and even fewer have done research on digital sex work. Despite this, and despite the differences between classical and digital sex work, we would still expect the libertarian support of in-person sex work to extend

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<sup>311</sup> "Platform," Libertarian Party, accessed December 8, 2021, <https://www.lp.org/platform/>.

<sup>312</sup> Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books Inc., Publishers, 1974), 32.

into the online realm. Additionally, we would expect libertarians to justify their support for digital sex work via the concepts of individual freedom and limited government interference. For example, Paul Bleakley argues that digital sex work – specifically, camming – increases women’s freedom in the industry. (Although Bleakley does not explicitly identify as a libertarian, and he may not agree with all of libertarian thought, his writing is consistent with what libertarians tend to argue about freedom and entrepreneurship.) According to Bleakley, webcam models have abundant freedom because they have the autonomy to decide what sexual acts they will and will not perform for their audience.<sup>313</sup> Bleakley also argues that camming encourages sex workers to operate as independent entrepreneurs, as webcam models do not have a production company or some other third-party (i.e.: a pimp) to support their work. Furthermore, because there are so many webcam models in the digital sex work industry, this competition supposedly pushes sex workers to be extra creative and innovative in their work in order to succeed in the industry.<sup>314</sup> Bleakley points to webcam models selling their underwear, sex toys, or cell phone numbers as examples of them embodying this entrepreneurial spirit. By being sex work entrepreneurs, Bleakley argues that webcam models raise the expectations placed on digital sex workers to offer quality services to their clients.<sup>315</sup> Thus, as a result of the autonomous and entrepreneurial nature of camming, Bleakley concludes that digital sex work challenges the radical feminist notion from the Sex Wars that sex work is fundamentally degrading and exploitative for women.<sup>316</sup>

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<sup>313</sup> Paul Bleakley, “‘500 Tokens to Go Private’: Camgirls, Cybersex and Feminist Entrepreneurship,” *Sexuality & Culture* 18 (2014): 902.

<sup>314</sup> *Ibid.*, 903.

<sup>315</sup> *Ibid.*, *ibid.*

<sup>316</sup> *Ibid.*, 893.

Although not many libertarians have written about digital sex work, we can extend the theory to analyze what they might argue about it. Due to the criminalization of sex work, there is extreme government oversight of both classical and digital sex work. As a result, I posit that libertarians would be extremely opposed to FOSTA-SESTA. FOSTA (Allow States and Victims to Fight Online Sex Trafficking Act) and SESTA (Stop Enabling Sex Trafficking Act) are a package of United States bills that were passed in April of 2018. FOSTA-SESTA was designed in response to Section 230 of the Communications Decency Act of 1996, which allowed Internet service providers that hosted online advertisements for sexual activity to avoid liability against claims of sex trafficking activity. Congress used FOSTA-SESTA to attempt to stop sex trafficking from occurring via the Internet by punishing websites like Craigslist for sex work and trafficking that happened on their platform.<sup>317</sup> This means that websites are now potentially liable for sex trafficking if third parties advertise sexual services on their site.<sup>318</sup>

Attempting to limit sex trafficking is, of course, an important and admirable goal to strive for. Yet as I noted in an earlier footnote, sex trafficking and sex work are not the same, and the bill fails to distinguish between these consensual sex workers and victims of sex trafficking. As a result, FOSTA-SESTA has been detrimental for people who voluntarily choose to do sex work. One significant consequence of FOSTA-SESTA is that websites, who fear being punished under the bill, are now extremely vigilant about the content and advertisements on their platforms. Therefore, sex workers (who consent into this line of work) have a much more difficult time working and finding clients on the Internet, as the websites that once hosted their services are now worried about being found liable for sex trafficking under FOSTA-SESTA. Instead, sex

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<sup>317</sup> Heidi Tripp, "All Sex Workers Deserve Protection: How FOSTA/SESTA Overlooks Consensual Sex Workers in an Attempt to Protect Sex Trafficking Victims," *Penn State Law Review* 124, no. 1 (2019): 221-222.

<sup>318</sup> *Ibid.*, 222.

workers who turned to the Internet because they felt it was a safer alternative are now forced to work in-person, and to once again rely on third-parties like brothels or pimps in order to find clients.<sup>319</sup> Additionally, FOSTA-SESTA has led to the deletion of online resources and support for sex workers – such as clients to avoid – which drastically increases sex workers’ risk for physical harm. FOSTA-SESTA has also made it significantly more challenging for online sex workers to get paid for their work, as payment apps like PayPal have locked sex workers’ accounts, and blocked them from receiving payments.<sup>320</sup> Even if sex workers can find ways to advertise themselves online and reach clients amidst FOSTA-SESTA, they may still be unable to be paid for their services.

What does the libertarian response to FOSTA-SESTA reveal about the theory? Just like how libertarians would protest state interference of classical sex work, libertarians would argue that FOSTA-SESTA violates sex workers’ basic individual freedoms because the bill prevents them from working a job that they freely consented to. To libertarians, FOSTA-SESTA represents an irrational governmental interference in people’s private affairs. Under libertarian theory, government interference is only justified when people’s fundamental rights, such as their rights to freedom and to life, are being violated.<sup>321</sup> If we were to assume that FOSTA-SESTA’s goal is to eliminate sex trafficking, libertarians would actually likely support the bills, as people obviously do not consent to being trafficked. Libertarians would also recognize that trafficking victims lose virtually all of their freedom – a right the libertarians appear to prioritize the most – and have no guarantee of their safety, which would then likely lead libertarians to support government interference like FOSTA-SESTA to stop trafficking. However, the libertarian

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<sup>319</sup> Ibid., 223.

<sup>320</sup> Ibid., 238.

<sup>321</sup> John Stuart Mill, *On Liberty* (Luton: Andrews UK Ltd., 2016), 26.

support for FOSTA-SESTA ends at the point at which the bills prevent sex workers, who are choosing this line of work under free-market capitalism, from being able to do their job. As Paul Bleakley's argument about entrepreneurial webcam models shows, libertarians celebrate economic spaces as a way for people to experience more freedom and empowerment, as it is theoretically supposed to be an entity separate from government oversight. The existence of FOSTA-SESTA means that online sex workers have lost a space where they can experience financial freedom without any government oversight. Ultimately, the place of digital sex work in libertarianism is to demonstrate how it can be a site of economic freedom and entrepreneurship, which are two important tenets in the theory. Additionally, libertarians' opposition to FOSTA-SESTA reveals their resistance to government intervention, unless it is absolutely necessary to protect people's freedom.

### **Marxist Approaches to Digital Sex Work:**

Contemporary Marxist perspectives on classical sex work have significantly expanded upon what Karl Marx and Friedrich Engels originally wrote about sex workers. Marx associated sex workers with the "lumpenproletariat," who he believed were even more powerless than the proletariat. Marx defined the lumpenproletariat as people who do not work as wage laborers for the bourgeoisie in the same way that the regular proletariat does. According to him, the lumpenproletariat consisted of people like " "beggars...gangsters...petty criminals...chronic unemployed or unemployables, persons who have been cast out by industry, and all sorts of declassed, degraded or degenerated elements."<sup>322</sup> Marx was deeply skeptical of the lumpenproletariat because he believed that their social status, and distance from wage labor,

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<sup>322</sup> Karl Marx, *The Eighteenth Brumaire of Louis Bonaparte*, trans. Saul K. Padover and Friedrich Engels (Moscow: Progress Publishers, 1937), 67.

meant that they had no incentive to revolt against the bourgeoisie.<sup>323</sup> Marx also frequently used sex work as a symbol for capitalist exploitation, writing that “prostitution is only a specific expression of the general prostitution of the laborer.”<sup>324</sup> This suggests that sex work is not necessarily more problematic than other legal, less stigmatized jobs. Rather, Marx argues that sex work is just like any other type of work in a capitalist society, in that it is exploitative and manipulative towards workers.

Even though Marxists today have significantly expanded upon Marx’s original writings, they ultimately agree with his argument that sex work is work. This now popular statement within sex work activism makes an important claim, which is that sex work is essentially no different from the other forms of employment that someone would undertake in order to survive in a capitalist world. That is, sex work, just like a nine-to-five office job or waitressing in a restaurant, can be boring, exploitative, and degrading simply by virtue of it being another form of employment under capitalism.<sup>325</sup> This Marxist argument suggests that all work under capitalism is demeaning, and that sex work is not unique in that aspect. Yet how, if at all, does sex work’s distinct shift to the online realm challenge the Marxist perspective that sex work is like any other sort of unfulfilling, problematic job under capitalism?

Marxist scholars have extended their analyses of classical sex work to online sex work, while also explicating what makes digital sex work distinct from classical sex work. In her article, Helen Rand responds to the libertarian argument that digital sex work is entrepreneurial, which supposedly allows sex workers to “invest and self-manage their time and income,” and

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<sup>323</sup> Karl Marx, *The Eighteenth Brumaire of Louis Bonaparte*, trans. Saul K. Padover and Friedrich Engels (Moscow: Progress Publishers, 1937), 67.

<sup>324</sup> Karl Marx, “The Economic and Philosophic Manuscripts of 1844,” in *The Marx-Engels Reader*, ed. Robert C. Tucker (New York: W.W. Norton & Company, 1978), 42.

<sup>325</sup> Juno Mac and Molly Smith, *Revolted Prostitutes: The Fight for Sex Workers’ Rights* (London: Verso Books, 2018), 72-73.

maximize their “flexibility and choice.”<sup>326</sup> Rand argues that the online nature of digital sex work conceals all of the work that sex workers put in to create content for their clients. Online sex workers are usually not paid for this invisible labor (i.e.: the time and energy it takes to take and post pictures on Instagram.) While clients may also be ignorant of the labor involved in classical sex work, another crucial different between online and classical sex work is that digital sex workers are expected to do extra tasks that classical sex workers are not. These tasks include producing and uploading content, such as blog posts and Instagram photos, so that online sex workers can attract potential clients. Even if this content may lead to more clients in the long run, digital sex workers are not compensated for the actual labor of creating them in the first place. Rand concludes that this makes it difficult for clients to properly recognize what the labor behind online sex work looks like.<sup>327</sup>

Rand also argues that the nature of digital sex work makes it challenging for sex workers to separate their work from their personal lives at home, thus blurring the boundary what constitutes work. This is another key difference between classical and digital sex work. Classical sex workers are able to meet their clients in, for example, brothels, hotels, or the client’s home. This creates a physical separation between the sex workers’ personal and work lives. However, with digital sex work, sex workers are normally doing their work from home, which eliminates the boundary that existed with in-person sex work between work and personal life.<sup>328</sup> Additionally, with digital sex work, clients are always able to contact sex workers. This means, then, that online sex workers are always on the clock and expected to respond to potential clients, even if hypothetically sex workers have the autonomy to choose their working hours. If online

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<sup>326</sup> Helen M. Rand, “Challenging the Invisibility of Sex Work in Digital Labour Politics,” *Feminist Review* 123 (2019): 41.

<sup>327</sup> *Ibid.*, 49.

<sup>328</sup> *Ibid.*, 50.

sex workers do not respond to these messages in a timely fashion, then they may lose clients and risk receiving negative reviews.<sup>329</sup> Clients also may not understand sex workers' interactions with them as a type of labor. They may assume that something like replying to an Instagram comment only takes a few seconds, and is therefore not demanding for the sex worker. However, it is indeed tiring for the sex worker to continuously have to monitor their phones for communication from their clients, and to adopt their "sex worker identity" when responding to them.

Other Marxist scholars have pointed out the connection between online sex work and the gig economy. The gig economy employs people on a temporary or freelance basis, as opposed to hiring them for a long-term period of time.<sup>330</sup> Although the gig economy allows people to decide what kind of work they want to do, and when to do it – what libertarians would call individual freedom – the gig economy is very economically precarious for workers. Not only are jobs challenging to find, but the pay can be non-negotiable, and workers are not provided with traditional workplace benefits, such as health insurance or vacation days.<sup>331</sup> Marxist scholars note that the gig economy, in conjunction with the rise of the Internet, has made work more flexible, and increased opportunities for freelance work. However, they also argue that it has made it easier for people to bring their work into their homes.<sup>332</sup> The Internet has made the digital economy "a gift economy and an advanced capitalist economy," where workers are exploited via the expectation that they have to constantly work, all while offering their labor for free or at low cost.<sup>333</sup> Additionally, digital gig work requires immense emotional labor from the

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<sup>329</sup> Ibid., *ibid.*

<sup>330</sup> Yvette Butler, "Aligned: Sex Workers' Lessons for the Gig Economy," *Michigan Journal of Race & Law* (Forthcoming): 4.

<sup>331</sup> Ibid., 16.

<sup>332</sup> Tiziana Terranova, "Free Labor: Producing Culture for the Digital Economy," *Social Text* 18, no. 2 (2000): 34.

<sup>333</sup> Ibid., 51.

worker, as online gig work relies on feedback and ratings in order to get hired. In comparison to in-person work, these reviews are visible and highly public on the Internet. In order to receive positive ratings, then, gig workers are expected to consistently be friendly and accessible to their clients.<sup>334</sup> Finally, some scholars have pointed out the racialized aspect of gig work, arguing that racism forces marginalized people into the informal – and at times, illegal – gig economy. For example, if someone is low-income or has a criminal record, they may turn to opportunities in the gig economy, such as sex work, because the formal economy has excluded them from employment.<sup>335</sup>

Thus, the positioning of digital sex work as gig work in Marxism is to further demonstrate the exploitative nature of capitalism, and to challenge the libertarian conception of capitalism as a catalyst for individual freedom. Many digital sex workers have written about how costly and time-consuming their work is. Due to how competitive the industry is, digital sex workers have to stand out by spending hundreds of dollars on high-quality equipment, such as a high-definition webcam, professional lights, high-speed Internet, and expensive lingerie and sex toys.<sup>336</sup> As I said in an earlier chapter, even though there is not a definitive answer about the demographics of sex workers, we can assume based off of the costs of digital sex work that it is likely financially stable or privileged people who are work online. One digital sex worker, Tommy Rose, who works on the popular website OnlyFans, shared in an interview with *Vice* that she can barely afford to take any time off of digital sex work. In her interview, she says that she usually makes approximately £1,500 per month from OnlyFans, but that the website takes a cut

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<sup>334</sup> Alessandro Gandini, “Labour Process Theory and the Gig Economy,” *Human Relations* 72, no. 6 (2018): 1047.

<sup>335</sup> *Ibid.*, 9.

<sup>336</sup> Sofia Barrett-Ibarria, “Here’s How Much It Really Costs To Be An Online Sex Worker,” *Huffington Post*, April 13, 2020, [https://www.huffpost.com/entry/online-sex-work-cam-only-fans-covid-19\\_n\\_5e8de205c5b6359f96d0c2d4](https://www.huffpost.com/entry/online-sex-work-cam-only-fans-covid-19_n_5e8de205c5b6359f96d0c2d4).

of her profit, and a substantial amount of her income goes into purchasing the quality equipment she needs to succeed. Even then, however, she is criticized by customers for her prices being too high, which points to how difficult it is for digital sex workers to navigate the capitalist system they must work under.

Due to her digital sex work, Rose's home – which she refers to as “where other people veg out after a long day filling in Excel spreadsheets” – is now her workplace. She also adds that “I always feel like I can be doing better...because the industry I'm in is so fast-paced, if I stopped doing something, someone will take my place.”<sup>337</sup> Rose's experiences demonstrate that digital sex work, and capitalism writ large, is fundamentally exploitative towards its workers – even if it comes with some unique benefits compared to in-person sex work. The fact that Rose cannot financially afford to take a day off from her sex work supports the Marxist narrative that people have to work grueling and unfair hours in order to survive under capitalism. Rose's experience of being unable to separate her personal and work lives is notably very similar to other non-sex-worker employees working from home during the COVID-19 pandemic, who felt as though they were unable to stop working even after their work days were technically over. This validates Marx's argument about the blurring of the lumpenproletariat with the proletariat. So long as capitalism continues to exist and exploit workers, the proletariat's working conditions will continue to deteriorate, to the point that they themselves become the lumpenproletariat.

### **Feminist Approaches to Digital Sex Work:**

To some, perhaps the most intuitive framework to use to study digital sex work are feminist and queer theories. This is a logical and important theoretical approach for scholars to

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<sup>337</sup> Annie Lord, “Being an OnlyFans Sex Worker Sounds Stressful,” *Vice*, July 11, 2019, <https://www.vice.com/en/article/neagv8/only-fans-sex-worker-interview>.

take; statistically, the vast majority of sex workers are women, while the clients are disproportionately men.<sup>338</sup> This raises many crucial questions for scholars to reckon with. Why is it so often women who are selling sexual favors, and men who are purchasing it from them? How do gender dynamics manifest in sex work? Does this industry reinforce sexism, or is it potentially a way to resist the patriarchy? Importantly, an intersectional feminist approach also asks scholars to consider how women's identities impact their experiences in the industry. For instance, a white, cisgender woman will not navigate and experience sex work in the same way that a trans woman of color would. Using intersectional feminism, and recognizing that every person's experience of sex work is different, is an essential to ensure that an analysis of digital sex work is as inclusive as possible.

As I explained in the previous chapter, sex work remains a contentious issue in the feminist movement, and there is no established scholarly consensus regarding the ethics of the industry. Some feminists, such as the radical feminists from the twentieth century Sex Wars, are vehemently opposed to sex work because they believe the industry is inevitably coercive and degrading for women. These feminists maintain that it is impossible for women to truly consent into sex work. They argue that women have no agency over their working conditions, nor do they have the freedom to quit sex work if they want to leave the industry. They also point to women being assaulted and harmed in sex work as examples for how destructive the industry is.<sup>339</sup> Meanwhile, other feminists, such as the sex-positive feminists from the Sex Wars, support the existence of sex work. These feminists argue that women should have the freedom to engage

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<sup>338</sup> Gus Lubin, "There Are 42 Million Prostitutes In The World, and Here's Where They Live," *Business Insider*, January 17, 2012, <https://www.businessinsider.com/there-are-42-million-prostitutes-in-the-world-and-heres-where-they-live-2012-1>.

<sup>339</sup> Catherine MacKinnon, "Trafficking, Prostitution, and Inequality," *Harvard Civil Rights-Civil Liberties Law Review* 46 (2011): 282.

in whatever kind of sex they desire, no matter how unconventional it is, which includes sex work. Sex-positive feminists believe that sex work can be pleasurable and liberating for women who have sexual desires that fall outside of societal norms.<sup>340</sup>

Outside of the binary of the Sex Wars debate, many sex workers themselves – several of whom identify as feminists – have shared their opinions and experiences surrounding the industry. Their writing is a salient aspect of the feminist literature on sex work, as their own experiences in the industry obviously impact their perspectives on it. Furthermore, their writing also shows how feminism’s perspectives on sex work may be shifting in a way that embraces and amplifies the experiences of sex workers themselves. These sex workers embody what Madeline Henry and Panteá Farvid label “critical feminism”, which is “a dialectical approach [that] consider[s] the individual subjectivities of sex workers, as well as the social, cultural and economic structures that shape the industry, and their experience within it.”<sup>341</sup> These critical feminist writings from sex workers reveal a great deal about the inner workings of the industry, and significantly expand upon topics that academics have raised. For example, some feminist sex workers argue that their work allows them to charge male clients for actions that women have historically been expected to provide for free. They argue that in interactions between men and women, women are expected to allow men to sexualize and objectify them. Yet, women are also expected to flirt with men, and to prioritize male sexual pleasure over their own. Even if all of this still happens in sex work, sex workers argue that they are at least able to profit off of this labor, as opposed to providing it for free in the status quo.<sup>342</sup>

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<sup>340</sup> Christine Overall, “What’s Wrong with Prostitution? Evaluating Sex Work,” *Signs* 17, no. 4 (1992): 721.

<sup>341</sup> Madeline V. Henry and Panteá Farvid, “‘Always Hot, Always Live’: Computer-Mediated Sex Work in the Era of ‘Camming,’” *Women’s Studies Journal* 31, no. 2 (December 2017): 115.

<sup>342</sup> Chanelle Gallant, “Fuck You, Pay Me,” in *Pleasure Activism: The Politics of Feeling Good*, edited by adrienne maree brown (Chico: AK Press, 2019), 74.

Radical and sex-positive feminist perspectives on sex work have been extended into the digital realm. For example, radical feminist Catherine MacKinnon equates OnlyFans, a subscription service site popular with sex workers, as being a pimp. She argues that there is no way of knowing if the sex workers on OnlyFans have actually consented to being there in the first place, and that the site does nothing to address people who have been coerced and harmed on the platform. Furthermore, MacKinnon notes that in the same way that a pimp takes part of a sex worker's profit, OnlyFans takes twenty percent of a sex worker's pay.<sup>343</sup> Therefore, MacKinnon concludes that there is essentially no difference between classical and digital sex work; to her, both are incredibly exploitative industries for women.

On the other hand, some feminist scholars argue that digital sex work, such as camming, has the potential to be empowering and pleasurable for sex workers, even if it is also exploitative and sexist. Angela Jones argues that webcam models can experience more pleasure in digital sex work, compared to in-person sex work, because they see digital sex work as less dangerous than in-person sex work. In turn, this allows online sex workers to focus their attention largely on the embodied, sexual nature of the work.<sup>344</sup> Furthermore, Jones argues that women have more sexual agency in digital sex work compared to in-person sex work, which allows them to focus on maximizing their own pleasure rather than just the client's. She provides quotes from several webcam models who speak to the pleasure they experience in online sex work. For example, one model says, "Honestly sometimes when I'm on cam I need to literally just focus on myself to allow myself to cum. I don't fake it, ever."<sup>345</sup> Another model expresses a similar sentiment,

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<sup>343</sup> Catherine MacKinnon, "'OnlyFans Is Not a Safe Platform for 'Sex Work.' It's a Pimp.," *New York Times*, September 6, 2021, <https://www.nytimes.com/2021/09/06/opinion/onlyfans-sex-work-safety.html>.

<sup>344</sup> *Ibid.*, 248.

<sup>345</sup> Angela Jones, "'I Get Paid to Have Orgasms': Adult Webcam Models' Negotiation of Pleasure and Danger," *Signs: Journal of Women in Culture and Society* 42, no. 1 (2016): 236.

claiming that she ““would never do a show that [she] would not enjoy.””<sup>346</sup> By focusing so much on their sexual pleasure, Jones argues that these women are actually also able to please male clients, who are aroused by seeing the sex workers enjoying themselves in real time.<sup>347</sup> Digital sex work can also be pleasurable for women who do not fit the narrow definition of conventional societal attractiveness. In an article for *The Conversation*, an online sex worker said, ““I have a physical disability...I started posting nudes on a social site and fell in love. I can remember being younger, watching porn, and thinking no one would want to see me doing that...I started camming. People did want to see me, and I really did love it.””<sup>348</sup> Although sexual pleasure and self-validation is certainly possible to achieve with classical sex work, the physical safety that digital sex work offers means that online sex workers can prioritize their own sexual pleasure in their services.

An intersectional feminist approach to digital sex work reveals that the intersection of various identities dramatically affects sex workers’ experiences in their jobs. For example, in her work, Angela Jones studies the experiences of Black women cam models on an anonymous webcam site. Jones discovers in her research that the most financially successful Black women models are the ones who appear to fit “a traditional white aesthetic”, such as having “longer hair styles through the use of chemical straighteners, weaves...wear[ing] colored contact lenses, and hav[ing] thin physiques...The only Black model in the top earning camscore range was very thin, had incredibly long hair, and green eyes.”<sup>349</sup> This means that Black women are likely to

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<sup>346</sup> Ibid., *ibid.*

<sup>347</sup> Ibid., 239.

<sup>348</sup> Angela Jones, “Sex Work, Part of the Online Gig Economy, is a Lifeline for Marginalized Workers,” *The Conversation*, May 17, 2021, <https://theconversation.com/sex-work-part-of-the-online-gig-economy-is-a-lifeline-for-marginalized-workers-160238>.

<sup>349</sup> Angela Jones, “For Black Models Scroll Down: Webcam Modeling and the Racialization of Erotic Labor,” *Sexuality & Culture* 19 (2015): 792.

make far less profit than white models do on the webcam site, which lowers their “camscore” ranking. In turn, this results in prospective clients having to scroll far down the webcam site in order to find any Black women, which quite literally renders these women invisible in digital sex work.<sup>350</sup> This creates a systemic, self-perpetuating cycle in which Black women are making much less money than white cam models, and the ranking structure of the website means that there is little they can do to change it. Jones ultimately concludes that the stark pay gap between Black and white women sex workers on cam sites reinforces “real life” racial and class inequalities, and that racism prevents digital sex work from being universally profitable for all women.<sup>351</sup>

Moreover, intersectional feminism elucidates the challenges that migrant sex workers face when it comes to accessing online sex work. Some websites have a very strict verification process for prospective sex workers, which alienates migrant sex workers. For example, one website in the United Kingdom has a verification process that includes asking applicants for a copy of their ID, a picture of them, and proof of their residency in the country. This verification process is virtually impossible to complete for people who do not have a passport.<sup>352</sup> In addition, the verification process essentially eliminates any anonymity that sex workers could have on their website. This is especially dangerous for migrant workers who constantly face the risk of being deported.<sup>353</sup>

The wide array of perspectives within the feminist movement makes it challenging to pinpoint a singular role or position of digital sex work within the theory. However, even though

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<sup>350</sup> Ibid., *ibid.*

<sup>351</sup> Ibid., 794.

<sup>352</sup> Stewart Cunningham, Teela Sanders, Jane Scoular, Rosie Campbell, Jane Pitcher, Kathleen Hill, Matt Valentine-Chase, Camille Melissa, Yigit Aydin, and Rebecca Hamer, “Behind the Screen: Commercial Sex, Digital Spaces and Working Online,” *Technology in Society* 53 (2018): 50.

<sup>353</sup> Ibid., 51.

there are a wide range of feminist opinions about digital sex work, they all reflect a larger theoretical grappling with women's lived experiences in the industry, and an overarching commitment to attempt to conceptualize and create the "best" world for women. For example, Catharine MacKinnon may argue that OnlyFans is exploitative, while Angela Jones argues that camming is a site of pleasure. Yet both scholars are attempting to understand how sexism permeates spaces like digital sex work, and explore how women can navigate the effects of patriarchy in the industry. This reflects feminism's larger commitment to dismantling the patriarchy, but also demonstrates that different feminists may have varying definitions of what is considered exploitative and liberating for women.

### **Conclusion:**

In this chapter, I have explained how libertarian, Marxist, and feminist scholars have extended their theories into the realm of online sex work. Libertarians use digital sex work as an exemplar of economic freedom, and celebrate its purported ability to turn online sex workers into entrepreneurs. Additionally, libertarians can use their commitment to personal freedom to argue against FOSTA-SESTA, as they likely see this legislation as an unjust violation of people's individual autonomy. On the other hand, Marxists argue that digital sex work is merely another reflection of how demeaning working under capitalism is. Several online sex workers share that they have to spend hundreds of dollars on equipment in order to compete against the oversaturated digital sex work industry. The online nature of digital sex work also means that sex workers are unable to separate their personal lives from their work lives, and are constantly expected to be working. Finally, there are diverging feminist perspectives on digital sex work. Some scholars claim that it is just as exploitative as in-person sex work, while others argue that it

can be pleasurable and fulfilling for women. Although there is no feminist consensus on digital sex work, the feminist literature reveals an underlying theoretical commitment to understanding the sexism that women face, and a desire to dismantle it.

## **Chapter 5: The Implications of Digital Sex Work for Political Theory**

### **Introduction:**

In the first half of this thesis, I introduced the political theories of libertarianism, Marxism, and feminism, and examined the role that in-person sex work plays in each of their theoretical arguments. After writing about classical sex work, I have also extended these theories to the phenomenon of digital sex work, which has been understudied in the academic literature on the industry. Thus far, this thesis elucidates the ways in which scholars from each political theory use in-person and online sex work to support their theory.

Additionally, by using a theoretical rather than empirical framework, this thesis fills in a gap in the scholarship about sex work. This, then, raises the question of why it is necessary to use political theory when analyzing sex work. By using these theories to examine in-person and digital sex work, we are able to evaluate the implications of each of their arguments. These implications reveal some crucial, unanswered questions from each political theory that scholars must still reckon with. Firstly, I argue that a libertarian analysis of sex work reveals that libertarianism lacks a clear and expansive definition of what constitutes individual freedom. Then, I argue that Marxists use digital sex work to point to capitalism's pernicious effects, which elucidates the continued relevancy of the theory. Finally, I argue that a feminist perspective on sex work emphasizes that the movement needs to continue striving towards centering intersectionality in its advocacy.

### **Libertarianism:**

Libertarians point to sex work as an example of the economic autonomy that everyone is entitled to as part of their basic individual freedoms. According to libertarians, if no one is being

harmful in sex work, then there is no justification for the government to intervene in the industry, and people should continue to be involved in sex work if that is what they want to do.

Libertarians see sex work as simply another aspect of free-market capitalism, which is a space that they want as free from government intervention as possible so that people can maximize their individual freedoms.

These perspectives extend quite seamlessly into the realm of digital sex work.

Libertarians point to the SOSTA-FESTA bills as the government unfairly encroaching upon sex worker's economic freedoms. Additionally, libertarians celebrate the competition that exists between digital sex workers to win over clients, as they argue that it encourages sex workers to embrace an entrepreneurial outlook in their work. By embodying an entrepreneurial spirit in digital sex work, libertarians believe that online sex workers reject the stereotypical portrayal of sex work as an exploitative industry for women. Rather, this entrepreneurship supposedly enables sex workers to increase their individual freedom, as they can decide their own work schedule, choose how to market themselves, and dictate which sexual services they are willing to offer to clients.<sup>354</sup>

Individual freedom appears to be the cornerstone of libertarianism. The theory proclaims that everyone is entitled to individual autonomy as a basic human right, and uses this as a primary justification for their beliefs. For instance, libertarians are vehemently opposed to large government because they see it as a threat to this freedom, and they embrace free-market capitalism as a haven that is free from unnecessary government interference. Yet libertarians do not provide a clear conception of what exactly constitutes their definition of individual freedom. Some libertarians, such as Robert Nozick, argue that people can only use their individual

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<sup>354</sup> Paul Bleakley, "'500 Tokens to Go Private': Camgirls, Cybersex and Feminist Entrepreneurship," *Sexuality & Culture* 18 (2014): 902.

freedom if it does not infringe upon others' freedoms, and cause them harm.<sup>355</sup> Furthermore, based on the libertarian support for free-market capitalism, we could perhaps assume that another aspect of individual freedom is the ability for somebody to work whatever job they wish to do. However, it remains difficult to glean what other privileges are actually part of the libertarian notion of individual freedom. How do people know what actions they are "allowed" to take if the definitions of violations of freedom remain unclear? What does freedom actually mean in practice when these constraints exist?

Studying sex work reveals that the libertarian understanding of individual freedom is currently too vague, and potentially too limited. Libertarians appear to assume that everyone is born and equipped with the same amount of freedom. As a result, everyone theoretically has the capacity to fully consent to things like the jobs they work, or to simply quit if they are in a situation that they dislike. However, this assumption ignores the reality that not everyone has an equal amount of autonomy to do whatever they wish. For instance, a low-income person cannot merely quit a job that they dislike, even though they technically have the freedom to do so. This is because they need the paychecks from said job to pay for their basic needs, and they do not have the privilege of waiting to find another job that they enjoy before they pay their bills. On the other hand, if a financially stable individual who can comfortably provide for themselves is in a job that they dislike, they not only have the freedom to quit, but they also actually have the ability to act upon their desire to quit.

How does sex work illuminate this gap in libertarian thought? Firstly, libertarians assume that people simply do sex work because they want to. This seems like a fair claim at face value, and sex workers undoubtedly have the capacity to decide for themselves how they want to earn

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<sup>355</sup> Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books Inc., Publishers, 1974), 32.

their money. I also recognize that people join sex work for a wide variety of reasons, and I am not interested in generalizing what draws people to the industry. My argument, then, is that different people who join the sex work industry operate with unequal amounts of freedom, and that libertarianism – as it currently is – fails to recognize that. For instance, Bella Thorne, the actress who joined OnlyFans as “research” for her upcoming movie, likely has much more freedom over her sex work experience compared to, for example, a low-income woman who is doing street-based sex work because she cannot afford the costs of digital sex work.<sup>356</sup> Thorne has the freedom to charge subscribers a lofty \$20 a month for her content, and due to her celebrity status, she can probably expect several people to be willing to pay that price.<sup>357</sup> Thorne also can quit OnlyFans whenever she pleases, as she is not dependent on the site for her financial stability. On the other hand, a more financially vulnerable sex worker does not have the ability to simply quit the industry, even if she despises the work, and wants to quit. Even if no one is physically forcing her to stay in sex work – which is how libertarians seem to define as a lack of freedom -- she may not be able to actually exit the industry if she does not have an alternative source of income.

Additionally, libertarians fail to recognize that not all sex workers have the freedom to decide what sort of sex work they do. Digital sex work is much more inaccessible compared to classical, street-based sex work. Not everyone has access to a computer, stable Internet, or their own space where they can conduct digital sex work. Moreover, the most successful digital sex workers are those who are able to work around the clock. These are the online sex workers who have the ability to constantly market themselves on social media, sell their belongings to make

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<sup>356</sup> Madison Malone Kircher, “Bella Thorne Broke OnlyFans (No, Not Like That),” *Vulture*, August 31, 2020, <https://www.vulture.com/2020/08/bella-thorne-onlyfans-scam-explained.html>.

<sup>357</sup> *Ibid.*, *ibid.*

extra money, or are able to quickly respond to prospective clients. This exacerbates the inaccessibility of digital sex work. If a sex worker is working another job or is responsible as a caretaker, they do not have the time to regularly respond to clients or to continuously update their Instagram page. Even if anyone has the freedom to become an online sex worker if they want to be, becoming financially successful from it requires someone to already have ample time and money before joining the industry.

There are significant ramifications of these differences in freedom within sex work. For sex workers who cannot afford to do digital sex work, but still want to work in the industry, they have little choice but to turn to in-person sex work. Compared to in-person sex work, online sex work usually poses less physical danger to sex workers. In-person sex workers face the risk of contracting sexually transmitted diseases from their clients, but this risk is essentially nonexistent if an online sex worker only interacts with their clients via the Internet. Digital sex work also alleviates the risk of clients being physically violent with sex workers, or ignoring their sexual boundaries, as online sex workers have the opportunity to vet potential clients before selling services to them.

All of this relates back to the gaps in the libertarian definition of freedom. If libertarians acknowledge the potential physical dangers of in-person sex work, why do they not see these risks as a violation of people's individual freedoms? Why do libertarians recognize that people have economic freedom, but fail to grapple with the multiple factors that affect if a person will continue or quit a job? These are essential questions for libertarians to answer, as the crux of their political theory revolves around preserving and maximizing personal freedom. It becomes very difficult for libertarians to achieve this goal if they are unclear about what this freedom actually looks like.

### **Marxism:**

While libertarians portray sex work as a shining example of economic freedom, Marxists use the sex work industry as a symbol for the fundamentally exploitative nature of capitalism. Marx's original writings about sex work portray sex workers as the financially and socially marginalized lumpenproletariat, who are excluded from wage labor. Yet, crucially, Marx also argues that capitalism forces everyone in the proletariat to inch closer to the lumpenproletariat. Contemporary Marxists agree with Marx's portrayal of capitalism as a degrading system for working-class employees. They use sex work to argue that selling sexual favors is not actually that different from more socially accepted jobs, such as working in a grocery store, driving for Uber, or working a 9-5 office job. Marxists posit that all of these jobs can be tedious, abusive, dangerous, and fail to pay their workers enough, and that these detrimental workplace experiences are not unique to just sex work. These Marxists would argue that all work under capitalism – including sex work – is unenjoyable, yet necessary to partake in to survive.<sup>358</sup>

Other Marxists argue that sex work can be a preferable option for people compared to these “conventional” jobs, and can be a site of resistance against capitalism and racism. For example, one Black sex worker, femi babylon, notes that she is “unemployable” and “bad at capitalism”, but that she views sex work as “a project of liberation despite the fact that I’m still poor... It’s the only way I have been able to chase a semblance of freedom in a country where I’m affected by cyclical poverty and systemic racism.”<sup>359</sup> (Even though babylon does not explicitly identify as a Marxist, her writing aligns with Marxist perspectives about the harms of

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<sup>358</sup> Juno Mac and Molly Smith, *Revolting Prostitutes: The Fight for Sex Workers' Rights* (London: Verso Books, 2018), 72-73.

<sup>359</sup> femi babylon and Heather Berg, “Erotic Labor within and without Work: An Interview with femi babylon,” *South Atlantic Quarterly* 120, no. 3 (July 2021): 633.

capitalism.) babylon sees sex work as “work that [she] did because real work didn’t seem to have space for [her], or it wanted [her] to come to work on call or endure racist customers for very little pay and flexibility.”<sup>360</sup> Sex work, then, provides people with a way to survive under capitalism without having to endure some of the challenges of socially accepted jobs. Even though sex work is far from perfect, it allows people to reject rigid and underpaying “traditional” jobs, and grants them some degree of autonomy to define what they want their work to look like.

These Marxist arguments can be extended quite seamlessly into digital sex work. However, one unique distinction between classical and online sex work is that digital sex work complicates the commodity fetishism that comes along with working in the industry. Digital sex work is an example of commodity fetishism, as both the medium of the Internet and the physical distance between the client and the sex worker hide how laborious online sex work actually is. Clients may see, for instance, a sex worker’s webcam show or Instagram posts, but they may not recognize how digital sex workers constantly feel the expectation to post on social media and interact with clients in order to make money and survive in the industry. Digital sex work is unique compared to in-person sex work in that it forces sex workers to be “influencers” in order to stand out against the influx of sex workers on various platforms. This is not the case for classical sex workers, who are not expected to maintain as thorough of an Internet presence as digital sex workers are. Not only does “influencing” entail of having an active social media presence, but it also requires sex workers to embody an “attractive” personality (i.e.: being funny or charismatic), and provide clients with the illusion that they are getting to know the sex worker on a personal level. This is additional – and unpaid – labor required of digital sex workers that clients do not expect in-person sex workers to do. This work is also not something that clients

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<sup>360</sup> Ibid., 634.

may consider “labor”, as they may see an Instagram comment or quick TikTok video, and assume that these actions took the sex worker very little time to do. The client would not consider what the process of creating this content looked like for the sex worker – for instance, brainstorming the idea, acting with a charismatic persona, filming the video, editing it, etc.<sup>361</sup>

It is important to note that in-person sex workers must also provide their emotional labor to clients, and that this is not a phenomenon that is exclusive to digital sex work. Sex workers (normally) only get paid for their sexual services, as opposed to the emotional labor they offer clients, such as having conversations with a client who may want a supportive person to speak to. In-person sex work is certainly a form of commodity fetishism as well. Using Marxism to analyze the different mediums of sex work reveals how the Internet plays an active role in commodity fetishism by concealing the labor involved in sex work. While Marx and Marxists have written extensively about the commodity fetishism of physical goods, my argument here is that digital sex work demonstrates that commodity fetishism extends to the online space. This warrants more scholarly research to fully understand the relationship between the Internet and commodity fetishism. This proves that Marx and Marxism remain highly relevant and crucial political theories for contemporary scholars to use. Even though Marx was writing before the Internet was invented, his theory about commodity fetishism suggests that capitalism continues to obfuscate people’s labor, and isolates them from the commodities and products that they create.

## **Feminism**

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<sup>361</sup> Rebecca Jennings, “The Sexfluencers,” *Vox*, October 28, 2021, <https://www.vox.com/the-goods/22749123/onlyfans-influencers-sex-work-instagram-pornography>.

Finally, there remains quite a lot of disagreement in feminist circles about the sex work industry. Some feminists, following the radical feminist traditions from the academic Sex Wars debates, are staunchly opposed to sex work. These feminists argue that sex workers have limited autonomy in the industry, and that they are forced to endure whatever their clients want to do to them. Anti-sex-work feminists argue that sex work is inherently and inevitably violent for women – even for women who do not consciously see their experiences in the industry as violent – and leaves women with long-lasting physical and emotional trauma.<sup>362</sup> On the other hand, sex-radical feminists laud sex work as a space where women can actualize unconventionally feminine fantasies and desires that they may have. These feminists praise sex work for being a site of sexual pleasure and liberation for women. These perspectives remain highly relevant today, as they have been extended into the realm of digital sex work as well.<sup>363</sup>

Yet there is abundant feminist scholarship on both classical and digital sex work that does not fall neatly into the binary of the Sex Wars. These feminists – many of whom have been involved in sex work themselves – would argue, for a multitude of reasons, that sex work is not as simple as either being solely exploitative or pleasurable for all women. For instance, sex work allows women to finally charge their clients, who are predominantly male, for services that women have long been expected to provide for free. These services not only include explicitly sexual favors, but also include emotional labor, such as flirting with men, or the expectation to be a kind, listening ear for them. Charging men for these services establishes the fact that these services are indeed labor that require abundant time and energy from women.<sup>364</sup> Other scholars

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<sup>362</sup> Catherine MacKinnon, “Trafficking, Prostitution, and Inequality,” *Harvard Civil Rights-Civil Liberties Law Review* 46 (2011): 282.

<sup>363</sup> Christine Overall, “What’s Wrong with Prostitution? Evaluating Sex Work,” *Signs* 17, no. 4 (1992): 721.

<sup>364</sup> Chanelle Gallant, “Fuck You, Pay Me,” in *Pleasure Activism: The Politics of Feeling Good*, edited by adrienne maree brown (Chico: AK Press, 2019), 74.

argue that digital sex work can be more pleasurable than in-person sex work, even if the labor is sexist and problematic. By either lessening or eliminating the physical risks of in-person sex work, online sex workers can focus their attention on the sexual aspects of their work rather than worrying about their safety. This allows them to genuinely prioritize their own sexual pleasure, which expands their freedom, and makes sex work substantially more enjoyable.<sup>365</sup>

Importantly, intersectional feminists recognize that sex workers with different identities will have varying experiences in the industry. For instance, a middle-class woman may have the time and financial capacity to do digital sex work, which is more demanding of one's time and money, while a low-income woman may only have the option of doing in-person sex work, which may not pay as well as digital sex work does. Moreover, with the racism permeating sex work, clients may view white women as more conventionally attractive and desirable compared to women of color, and will thus choose to pay white women for sexual services instead. This exacerbates the pre-existing economic inequalities that exist between white women and women of color. It also suggests that sex work is not a universally lucrative industry: white women may have an easier time being financially successful in sex work compared to women of color.<sup>366</sup>

Although there still remains substantial disagreement within feminism about the ethics of sex work, one commonality between the various strands of feminist thought is a desire to provide women with the best possible set of circumstances for them in a deeply oppressive world. What these circumstances look like in the context of sex work, then, differ from feminist to feminist. Some feminists may argue that it looks like criminalizing and abolishing sex work because of the harms they believe the industry poses to women. Other feminists may instead envision the

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<sup>365</sup> Angela Jones, "‘I Get Paid to Have Orgasms’: Adult Webcam Models’ Negotiation of Pleasure and Danger," *Signs: Journal of Women in Culture and Society* 42, no. 1 (2016): 236.

<sup>366</sup> Angela Jones, "For Black Models Scroll Down: Webcam Modeling and the Racialization of Erotic Labor," *Sexuality & Culture* 19 (2015): 792.

decriminalization of sex work, so that the industry can provide a means of employment for women who are barred from, or simply uninterested in, stereotypically “conventional” jobs.

What does this illuminate about feminism? It shows the necessity of centering intersectionality within the movement, as an ideal set of circumstances for one demographic of women may actually seriously harm another demographic. For instance, online sex work does have many important and unique benefits, such as reducing sex workers’ risk of physical danger, and decreasing the likelihood of them encountering law enforcement. On the surface, it makes sense for feminists to see these effects, and celebrate online sex work as a preferable alternative for women compared to in-person sex work. Yet, as I have noted before, online sex work privileges those who have the financial ability to pay all of the costs associated with digital platforms. This exacerbates the vulnerability of in-person sex workers, as clients may now be more inclined to pay for online sex work for several reasons. Out of pure convenience, it is easier to find and receive sexual services from one’s home rather than searching for sex workers in-person. Furthermore, if clients want to keep their purchasing of sexual services private, online sex work may be more appealing to them because it is less likely for law enforcement to become involved in the digital realm. When clients flock to online sex work, there are less clients available for in-person sex workers to choose from. This has detrimental consequences for in-person sex workers. Not only do they make less money, but they also may be forced to expand their sexual boundaries beyond what they are comfortable with in order to attract more clients. Additionally, due to in-person sex workers having few alternatives for their clients, they may have little choice but to accept clients who are violent and abusive to them.

Ultimately, the effects of digital sex work on in-person sex work reveal how feminism still needs to continue prioritizing intersectionality in its advocacy. Feminism ought to be a

movement that fights for the needs of women with all identities. For the movement to achieve this, it is essential for feminist scholars and policymakers to consider how various institutions affect women with diverse identities, rather than assume that every woman shares the same lived experiences.

### **Questions for Future Research:**

Although important scholarship about digital sex work already exists, there still remains aspects of the industry that are understudied, and require more attention in future research. For example, based on the costs and inaccessibility of digital sex work, we may be able to hypothesize that digital sex work largely consists of wealthy women who can afford the expenses required of being successful on these platforms. Yet we are unable to exactly confirm this without ethnographic research about the demographics of sex workers on digital sex work platforms versus in-person sex work. Therefore, one potential avenue for future scholarship is more research about the identities of classical and digital sex workers. By first uncovering the demographics of in-person and digital sex workers, scholars can then wrestle with why the demographic makeup is what it is. Scholars can also analyze how the different mediums of sex work (in-person, digital, or pornography) reinforce inequality in the industry. Ultimately, this research could potentially provide scholars with an understanding of how people with various marginalized identities navigate sex work, and what barriers exist that exclude prospective sex workers from the industry.

Another important question for scholars to reckon with are the parallels and differences between digital sex work and pornography. As I have written earlier in this thesis, sex work's shift to the digital space has significantly blurred the line between online sex work and

pornography. Currently, there is no universal definition of what distinguishes one from the other. For instance, some pornography actors may consider themselves digital sex workers, but the reverse of that may not necessarily be true, even though both entail of people profiting from sexual acts performed for an audience. Yet as both pornography and digital sex work become more widespread, there increasingly is a need for scholars to establish definitions for each term. Future research could address why pornography is considered legal, whereas some iterations of online sex work is not. In addition, even though there is some ethnographic research on this already, it would be useful to have more scholarship comparing the experiences of pornography actors and digital sex workers. This research could interrogate how each category both navigates and disrupts the various systems of oppression that they encounter at the workplace.

Furthermore, it is essential to conduct more research about marginalized people who do digital sex work. Angela Jones has written a fantastic ethnography about Black webcam models, and more scholarship like that is necessary in order to have a holistic understanding of the digital sex work industry. This future research would be extremely valuable in highlighting how marginalized sex workers navigate the world of online sex work. The realm of digital sex work is filled with racism, homophobia, transphobia, classism, and other biases, and is predicated upon sex workers being able to spend a lot of money in order to be successful on various platforms. Classical sex work also includes these oppressive structures, and so it would also be fascinating to compare the experiences of marginalized in-person and digital sex workers. This scholarship could potentially be a catalyst for organizing and activism between the two types of sex workers, and provide them with advice about how to navigate sex work.

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