

Fear, Sexuality and the Future

Thinking Sex (Panic), Monstrosity and Prostitution

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In order to fight this monster, we must know more about it. Lack of information, statistical and otherwise, have left us looking at footprints of a creature whose shape, size and ferocity we can only guess. It lurks in the shadows. The profiles of its cronies and their networks are sketchy. Its victims are too afraid to run away and speak up, their number unknown. The monster takes different shapes, depending on the culture, time and the context, in collusion with other unlawful undertakings: illegal migration, forced labour, paedophilia, child exploitation, civil conflicts and coerced prostitution. This monster is hard to detect because it defies categorization. Although the UN Protocol's definition of "trafficking in persons" is detailed, in popular parlance, the emphasis is placed on the acts of buying and selling victims, rather than their exploitation. And then there are misconceptions: our girls are beautiful... it's only prostitution, high ranking officials have told me. Ladies and gentlemen, let's call it what it is: modern slavery.

Opening Statement by UN Office on Drugs and Crime (UNODC) Executive Director Antonio Maria at the 2008 Vienna Forum to Fight Human Trafficking¹

This UNODC statement on human trafficking and monstrosity evokes what has become the dominant international discourse on prostitution. Maria's statement covers the gamut of issues that have been critiqued by activists and scholars critical of the criminalisation of sexual commerce – migration, prostitution and "modern slavery". The wide range of perspectives, research and writing on sexual commerce notwithstanding, many governments have adopted laws and policies that conflate prostitution and human trafficking, and emphasise the criminalisation of migrants, a move that has been the subject of a fierce and well-documented set of debates. While the matter is far from settled, the criminalisation of sexual commerce seems to be gaining traction, aided by a public discourse in which prostitution and harm are becoming interchangeable and a visible, state-centred response is the foregone recourse. The influence of the abolitionist ideal that all prostitution be eradicated is clear, in funding streams for abolitionist anti-trafficking groups, in the heightened interest in training police to do anti-prostitution work and in recent, failed efforts to amend India's law on prostitution such that prostitution would have been further criminalised. This essay explores the ways in which fear contributes toward producing the criminalisation of prostitution as common sense, by rendering sex workers themselves monstrously un-human. I suggest that fear sustains the notion of the sex worker monster, a "beast who is

all body and no soul".² Read through Foucauldian abnormality and Mbembe's necropower, monstrosity is a critical trope for sex work, a lens through which we may explore the ways in which fear produces marginality and, among other things, juridical exceptionalism for urban, brothel-based sex work. Normativising fears of sex work ultimately require monstrosity as a structuring parameter for the contemporary representation and regulation of prostitution in India. While the Indian context is not unique in its response to prostitution in recent years, the intersections of international neoliberal development agendas and national debates on prostitution and sexual autonomy have found unique purchase in both India and, more generally, South Asia. Here, I understand monstrosity as key to producing an ambiguous set of marginalities within normative power.

Fear and the History of Risk

Fear has had a long career in organising the biopolitical regulation of sex workers in Indian urban centres, although India has tended, until relatively recently, to focus on containment³ rather than elimination. The 'civilising' project of the colonial government treated prostitution as inevitable, something to be managed through a moral geography manifested in urban space. The new, neoliberal civilising project, like the old, includes the protection of women's honour as a core value, but it aims to build women's 'equality' and 'dignity' in the Global South by eliminating trafficking and prostitution, while ignoring male and trans-sex workers in the process. The thread linking the old and new is the risk of sexually transmitted disease; in the colonial and contemporary contexts, sex workers themselves embody 'risk', and are both feared and desired within the discourse of risk.

Since the beginning of the HIV/AIDS epidemic in the 1980s, epidemiological 'risk', in India, has been categorically ascribed to sex workers, who were written into the discourse on AIDS as vectors of HIV transmission and as inherently risky subjects. The conflation of sex work and human trafficking has added the ostensible 'risk' ascribed to migration to the 'risk' of prostitution as well. The notion of migrants inhabiting the category of epidemiological or criminal 'risk' is nothing new. The relationship between risk and migrancy has been elaborated, for example, within critiques of neoliberalism, and in scholarship that addresses increased international border surveillance and state-sponsored regulation of poor migrants from countries in the Global South, even as barriers to the migration of capital continue to be systematically decreased.⁴ The familiar terrain of epidemiological risk is framed by the broader rubric of fear and the social and political marginality it produces.

This marginality has had far-reaching effects, including the lack of recourse to legal protections for sex workers, who are figured as subjects transgressing the law rather than ever being seen as legitimated objects of legal transgression. The fear that has kept this marginality in place becomes the basis for rationalising exceptional state-sponsored regulation of red light areas and sex worker subjects, as well as providing a staging ground for producing sex work as spectacle through new technologies of surveillance deployed by public health interventions and the media. Fear ultimately becomes the first note in a clarion call against sexual commerce in all its forms, where sex work signifies dangerously

marked bodies, spaces, and the immanent possibility of realising a whorish, dystopic future. Figuring prostitution as degenerative is key to stipulating this possibility, a possibility that is enabled between prostitution and fear, and articulated as the conflation of sex work and trafficking. Fear mobilises this vision, conceptually binding prostitution and violence. The consequences of allowing prostitution to continue to exist in the world unabated are primarily articulated through the language of the risk of disease and the degradation of 'humanity'; fears that are initially attached to paid sex, then to sex workers themselves, with the gaping possibility that eventually, *inevitably*, all sex will be thus degraded. In this dystopic vision, the commoditisation of sex devolves to normative, non-sex worker subjects as well, even as love and sex become permanently estranged, and women, whose iconicity as sellers of sex is paramount, are divested of 'honour', where honour is read through the category of humanity. Without honour, monsters remain.

Sex Panics and 'Modern-day Slavery'

The fears that produce the contemporary moral panic over prostitution are institutionalised within the dominant anti-trafficking framework, and are often articulated through the familiar abolitionist argument that prostitution constitutes 'modern-day slavery'. Critics of abolitionism have pointed out that prostitution and chattel slavery are necessarily distinct, and that evoking 'slavery' in the contemporary context of sexual commerce recapitulates Victorian-era fears of 'White slavery'.⁵ But what does invoking slavery mean in this context? If we take the rhetorical evocation of slavery to its logical conclusion via the necropolitical, it means that sex work is figured as death in the dominant anti-trafficking framework.

As an instrument of labor, the slave has a price. As a property, he or she has a value. His or her labor is needed and used. The slave is therefore kept alive but in a *state of injury*, in a phantomlike world of horrors and intense cruelty and profanity. The violent tenor of the slave's life is manifested through the overseer's disposition to behave in a cruel and intemperate manner and *in the spectacle of pain inflicted on the slave's body... Slave life, in many ways, is a form of death-in-life*.⁶ (Mbembe, 2003, emphasis added)

If sex workers are cast as 'modern slaves', as "instrument[s] of labor", then sex workers are also kept alive but in "a state of injury". The abolitionist contention is that prostitution is the ultimate injury to body and idealised humanity. Pushing the use of 'slavery' toward the limits of its implications for sex work, then, sex workers as slaves are interpolated as dead-in-life. They exist in half-life, written into the anti-trafficking framework as the living dead, as it were, (infectious) zombie-like monsters needing to be rescued back into non-sex worker 'alive-in-life' humanity.

Reading monstrosity through Foucault's theory of the 'abnormals', I am suggesting that fear envisions monstrously embodied prostitution, and that this buttresses both a regulatory regime that has deepened the criminality of sex workers over the past decade, and a

discursive regime that spectacularises prostitution. The spectacle of prostitution has placed an added focus on the regulation of urban sexual commerce through brothel raids and extrajudicial detention and violence by a host of state and non-state actors. Raids have always been a staple of regulating urban prostitution, though they now have the weight of being an important rescue strategy for victims of trafficking in anti-trafficking efforts as well. Raids, brothel demolitions and brothel lock-outs have been stepped up as efforts are made by abolitionist groups to shift the primary object of the fear of prostitution from female sex workers, who are now constructed as victims to be rescued, to madams, pimps and ‘traffickers’, whose monstrosity is ostensibly superlative because it adheres to sex (as opposed to managers in other industries, whose abusiveness is not a given and whose exploitative practices, if they occur, are understood within discourses of class and addressed through organising strategies associated with workplace exploitation). ‘Traffickers’, pimps, and madams are the new objects of terror from whom sex workers must be rescued, by any means necessary. However, the shift from fearing sex workers to fearing their ostensible exploiters is fragmentary, as any adult involved in sexual commerce is bundled into an economy of fear and state-sponsored regulation, and targeted by the same range of extrajudicial regulatory measures.

Following on this reading of the enslaved un-humanity of sex worker subjects, a Foucauldian reading of monstrosity becomes not only possible, but necessary. Foucauldian monstrosity belongs to

the juridico-biological domain. The figures of the half-human, half-animal being... of double individualities... What makes a human monster a monster is not just its exceptionality relative to the species form; it is the disturbance it brings to juridical regularities (whether it is a question of marriage laws, canons of baptism, or rules of inheritance). The human monster combines the impossible and the forbidden...⁷

In their 2002 article, “Monster, Terrorist, Fag”,⁸ Jasbir Puar and Amit Rai review Michel Foucault’s explication of human monstrosity and abnormality. In producing their analysis of the ways in which the discourse on the American war against ‘terrorism’ is also a discourse on the sexuality and masculinity of a mythologised enemy, Puar and Rai argue that “...the absolute power that produces and quarantines the monster finds its dispersal in techniques of normalization and discipline. What Foucault does, we believe, is enable an analysis of monstrosity within a broader history of sexuality”. An analysis of monstrosity within the broader history of sexuality, in this context, raises the question of monstrosity’s effectuation of “disturbance” to “juridical regularities”, such as they are, for sex work.

Elsewhere,⁹ I have argued that the spectacle of disreputable prostitution in Mumbai, embodied in the most visible of all red light districts in the city, Kamathipura, is defined and produced against the trope of non-sex worker subjectivity located in the ‘respectable’ districts of the city, which are necessarily situated outside this disreputable zone. Within the zone of disrepute, a juridico-legal state of exception operates, one in which the ends of

reducing the criminal and health menace of prostitution justify the means of brothel raids and heightened surveillance. The ultimate effect of this state of exception is articulated in Mbembe's formulation of slavery and the necropolitical – the right to kill the monster, in this case, by any means necessary, in the service of protecting the non-sex worker public against it. The necropolitical management of brothel-based sex workers is undertaken in at least two ways. First, the quarantine (in remand homes) and criminalisation of sex workers done under the rubric of preventing their transmitting HIV, a rubric that is deployed in a discursive context that primarily defines sex workers as un-human vectors of disease. Second, the dispersal of sex workers, an effect of brothel raids and heightened surveillance in the era of HIV, thus interrupting their primary source of income and making survival, and life, much more tenuous – and ultimately untenable. Writing on juridical exceptionalism as “the normative basis of the right to kill”, Mbembe observes:

In such instances [of exceptionalism], power (and not necessarily state power) continuously refers and appeals to exception, emergency, and a fictionalized notion of the enemy. It also labors to produce that same exception, emergency, and fictionalized enemy. In other words, the question is: What is the relationship between politics and death in those systems that can function only in a state of emergency?¹⁰

Where exceptionalism is the primary mode of regulating prostitution, the relationship between politics and death is fear – specifically, the fear of monstrous sex worker-others. This fear ultimately structures a racialised other, one that is essentially different from the normative body politic and at the same time desired by it.

A Note on Prostitution, Fear and Racialisation

Thus far, I have suggested that fear produces sex worker monstrosity in the abolitionist discourse on sexual commerce, and that the excision of the monstrous is framed as a service to a greater common good: that of maintaining normative sexuality, defined against the sexual excess of prostitution. While this monstrosity is managed through necropower – the right to kill – the marginal social location that this monstrosity inhabits is not diametrically opposed to a normative centre. Rather, following on Clare Hemmings' essay on affect, this marginality may be understood as ambivalent, and not simply oppositional.

To be ‘other’ is not only to be the object of another's gaze within the dominant; it also precipitates community that is historically resonant, that draws on and creates alternative signification of the same actions and events. Thus, social difference is not only opposite, but knowing and inflecting, and the social world is always cross-cut with fissures that have a social and political history that signifies otherwise.¹¹

Hemmings qualifies this ambiguity in a number of ways, as for example by her discussion of subjects who are “over-associated with affect”, including sex worker subjects.¹² This

over-association has a number of effects, including the “affective racialization” of over-associated subjects.

...[F]ollowing Frantz Fanon's (1952) insistence that social relations at both the macro and the micro level are based on unreasonable ties, critical race theorists argue that affect plays a role in both cementing sexed and raced relations of domination, and in providing the local investments necessary to counter those relations...¹³

I raise the question of racialisation here both as a provocation and as a means of bringing Mbembe and Hemmings together in this essay, within the postcolonial regulatory context of Mumbai's brothel-based sex industries. Racialisation has been central to critical work on prostitution, having been understood as a mode of articulating civilisational power against colonised subjects read through tropes of sexual excess. I evoke racialisation here in order to evoke the construction of biologically coded, immutable moral characteristics, rather than to advocate for a ‘theory of races’ in red light areas, although racialisation is an open question within the context of the large numbers of dalit women, men and *hijras* who live and work in India's sex sectors. Reading Mbembe and Hemmings through the lens of an ever-shifting yet seemingly intractable racialised matrix, the juridical exceptionalism that operates within the red light area could scarcely be mobilised without the unifying ideology of racialisation, if not ‘race’ per se, in which sex workers are inherently inferiorised, backward and in need of social rehabilitation.

Conclusion

In this essay, I have offered a schematic argument that calls for further attention to fear in critical studies of prostitution in India. I have argued that examining fear in the light of recent work on the politics of affect and postcolonialism can offer insight on the durability of the dominant anti-trafficking framework, despite a large body of work that has shown the framework's assumptions to be critically flawed. An analysis of the construction of monstrosity, as produced by the fear of excessive, unregulated sexuality, shows that monstrosity is central to rationalising criminalisation as the regulatory mode of choice in controlling, and potentially eradicating, sex work in India. I ultimately suggest that non-normative, other, amoral sexuality in the dominant anti-trafficking discourse is produced through fear in relation to both space and time – in space, through the construction of a dangerous urban zone, and in time, through visions of ignoble, decadent pre-colonial pasts and an abject, hyper-sexed, dystopic future. Flipping the frame, the fear of the sex worker-other may be read against exceedingly unexceptional fears among sex workers, and the other objects of exceptional regulation, of the arbitrary and violent tactics used against them by state and non-state actors, coupled with fears of failing to economically survive. These fears are evidenced in numerous accounts of sex workers who have faced extrajudicial detention, displacement from their homes and repeated arrests.

While a proper exploration of racialisation and caste in context of brothel-based sex work is beyond the scope of this essay, my discussion of affect, biopower and necropower raises

the question of the intersections between racialisation, desire and monstrous embodiment in prostitution. This monstrosity must be read multiply. While I have focused on monstrosity as an abject category, used as a rationale by normative discourses for deploying biopower, racialised monstrosity also evokes surrealist readings of monstrosity, such as those mobilised, for example, by Negritude and other anti-colonial movements of the 20th century. Anti-colonial readings of surrealism allowed for figuring monstrosity as marvellous, fantastical and possible in the racialised postcolony.¹⁴ While this evocation runs the risk of being taken up within the contemporary liberal individualist rhetoric of sex workers exercising 'choice' (an argument designed to counter abolitionist assertions that sex work is always already forced), I end with the notion of the fantastical as a gesture toward the possibility of alternate visions of the future, and of the present.

Notes

1. UN Office on Drugs and Crime. "Tracking a Monster". Available at: <http://www.unodc.org/unodc/en/frontpage/tracking-a-monster.html> (accessed 16 November 2009).
2. Judith Halberstam. *Skin Shows: Gothic Horror and the Technology of Monsters* (Duke University Press, 1995, Durham), p. 1.
3. This has been demonstrated by numerous feminist scholars writing on urban, brothel-based sex work, including, for example, Ratna Kapur, Prabha Kotiswaran, and Ashwini Tambe.
4. Saskia Sassen. *Mobility of Labor and Capital: A Study in International Investment and Labor Flow* (Cambridge University Press, 1988, Cambridge/New York).
5. Ashwini Tambe, *Codes of Misconduct: The Regulation of Prostitution in Colonial Bombay* (University of Minnesota Press, 2009, Minnesota); Philippa Levine, *Prostitution, Race and Politics: Policing Venereal Disease in the British Empire* (Routledge, 2003, New York).
6. Achille Mbembe. "Necropolitics". In *Public Culture* 1 (2003), p. 21.
7. Michel Foucault. "The Abnormals". In ed. Paul Rabinow, *Ethics: Subjectivity and Truth*, (trans.) Robert Hurley (New Press, 1997, New York), pp. 51-52, quoted in Puar and Rai, pp.118-119.
8. Jasbir K. Puar and Amit S. Rai. "Monster, Terrorist, Fag: The War on Terrorism and the Production of Docile Patriots". In *Social Text* 72 (2002).
9. Svati P. Shah. "Producing the Spectacle of Kamathipura: The Politics of Red Light Visibility in Mumbai". In *Cultural Dynamics* 18 (2006).
10. Mbembe, *op.cit.*, p. 16.
11. Clare Hemmings, "Invoking Affect: Cultural Theory and the Ontological Turn", in *Cultural Studies* 5 (2005), p. 558; Homi K. Bhabha, *The Location of Culture* (Routledge, 1994, London); Frantz Fanon, *Black Skins, White Masks* (Pluto Press, 1952, London); Deniz Kandiyoti, "Identity and Its Discontents: Women and the Nation", in (eds.) P. Williams and L. Chrisman, *Colonial Discourse and Postcolonial Theory: A Reader* (Columbia University Press, 1994, New York), pp. 376-391; Edward Said, *Orientalism* (Random House, 1979, New York); Gayatri Spivak, *A Critique of Postcolonial Reason: Toward a History of the Vanishing Present* (Harvard University Press, 1999, Cambridge, MA).
12. Hemmings, *ibid.*, p. 561.
13. Hemmings, *ibid.*, p. 550.
14. Jeremy Biles, *Ecce Monstrum: Georges Bataille and the Sacrifice of Form* (Fordham University Press, 2007, New York); Aimé Césaire, *Discourse on Colonialism* (Monthly Review Press, 2000, New York).