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ARTICLE

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ABSTRACT: During the late nineties, leading voices of the sex worker rights movement began to publicly question queer theory's virtual silence on the subject of prostitution and sex work. However, this attempt by sex workers to "come out of the closet" into the larger queer theoretical community has thus far failed to bring much attention to sex work as an explicitly queer issue. Refusing the obvious conclusion—that queer theory's silence on sex work somehow proves its insignificance to this field of inquiry—I trace in Foucault's oeuvre signs of an alternate (albeit differently) queer genealogy of prostitution and sex work. Both challenging and responding to long-standing debates about prostitution within feminist theory, I offer a new queer genealogy of sex work that aims to move beyond the rigid oppositions that continue to divide theorists of sexuality and gender. Focusing specifically on *History of Madness* (1961), *Discipline and Punish* (1975), and *History of Sexuality Volume I* (1976), I make the case for an alternate genealogy of sex work that takes seriously both the historical construction of prostitution and the lived experience of contemporary sex workers.

Keywords: Foucault, sex work, prostitution, queer theory

During the late nineties, leading voices of the sex worker rights movement began to publicly question academic queer theory's virtual silence on the subject of prostitution and sex work.[1] However, this attempt by sex workers to "come out of the closet" into the larger queer theoretical

[1] See Eva Pendleton, "Love for Sale: Queering Heterosexuality," in *Whores and Other Feminists*, ed. Jill Nagle (New York: Routledge, 1997), 73-82; and Corina McKay, "Is Sex Work Queer?" *Social Alternatives* 18, no. 3 (Jul. 1999): 48-54. The subject of sex work is entirely absent in the vast majority of books widely viewed as foundational and/or introductory texts to the field of queer theory, such as Judith Butler's 1990 *Gender Trouble: Feminism and the Subversion of Identity*, Eve Kosofsky Sedgwick's 1990 *Epistemology of the Closet*, Annamarie Jagose's 1997 *Queer Theory: An Introduction*, and Nikki Sullivan's 2003 *A Critical Introduction to Queer Theory*. Michael Warner's 1999 *The Trouble with Normal: Sex, Politics, and the Ethics of Queer Life* stands as a notable exception to this trend.

community has thus far largely failed to bring more attention to sex work as a queer issue.[2] Refusing the obvious conclusion—that queer theory's silence on sex work somehow proves its insignificance to this field of inquiry—I trace in Foucault's *oeuvre* signs of an alternate (albeit differently) queer genealogy of prostitution and sex work.[3] Both challenging and responding to long-standing debates about prostitution within feminist theory, I offer a new queer genealogy of sex work that aims to move beyond the rigid oppositions that continue to divide theorists of sexuality and gender. Focussing specifically on *History of Madness* (1961), *Discipline and Punish* (1975), and *History of Sexuality Volume I* (1976), I make the case for an alternate genealogy of sex work that takes seriously both the historical construction of prostitution and the lived experience of sex workers.

Not the true story about prostitution, per se—buried beneath the heavy sediment of onerous centuries of repression, long awaiting the illuminating flashlight of the queer archaeologist—this essay is instead a sketch of the tremendous amount of time and energy organized around the project of preserving a status quo according to which we moderns perceive queerness and sex work as discrete discourses. For the mere fact that we think that there is this thing out there that is "queer" and this other thing out there that is "sex work"—and that in the case of either thing, we know that a distinction between the two can be made—signals the operation of an apparatus that permits some of us to affirm, "I'm a sex worker but I'm not queer," and others of us to affirm, "I'm queer, but I am not a sex worker." In short, it is my contention in this essay that such affirmations of the discrete intelligibility of queerness and sex work suggest the persistence of an intransigent apparatus that has for some time now secured queer theory's silence on the subject of sex work. I further contend that we may trace the genealogy of this apparatus back to the Age of Reason, when "queers" and "sex workers" suddenly found that they were not "all in the same boat"— or, to put it in Foucauldian terms, the same Ship of Fools.

In making this argument, I build on the work of scholars who have already ably demonstrated the importance of Foucault for feminist theory,[4] the importance of *History of Madness in toto* for queer theory,[5] and the importance of Foucault's work to thinking about sex crimes.[6] In

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[2] The 2015 anthology *Queer Sex Work* is as an exception to this failure; however, the collection nonetheless upholds the disaggregation of queer and sex work— a core notion this essay seeks to destabilize. As the editors indicate in their introduction, "the sale of sex by women to men" is not itself inherently queer; rather, for the authors of *Queer Sex Work*, queer sex work is something *other* than "the sale of sex by women to men," and is largely defined by "non-normative identities, performances, and embodiments" (Laing, Mary Whowell. 2015. *Queer Sex Work.* London: Routledge, Taylor & Francis Group, 1). In contrast, this essay proposes that the sale of sex, *in se*, is (or at least was) queer—irrespective of who does it or how.

[3] Carol Leigh (aka Scarlot Harlot) coined the term "sex work" in 1978, hence the semantic tension in a project such as this one whose temporality both precedes and exceeds this date—in more ways than one (infra note 77).

[4] E.g., Judith Butler's 1990 *Gender Trouble: Feminism and the Subversion of Identity* and Jana Sawicki's 1991 *Disciplining Foucault*, in particular.

[5] Principally, Lynne Huffer's groundbreaking 2010 *Mad for Foucault: Rethinking the Foundations of Queer Theory*.

contrast to these predecessors, I seek to explicitly trace the significance of prostitution not only for Foucault, from its appearance in *History of Madness* (1961), on through *Discipline and Punish* (1975) and *History of Sexuality Volume I* (1976), but also for a queer theory that has long regarded Foucault as a seminal thinker in the field, even as it has overlooked the depth and breadth of his thinking about prostitution. For the space of this essay, in order to problematize the aforementioned apparatus whereby "sex work" has become intelligible against a backdrop of a complex ensemble of multiple other discursive and non-discursive elements, among them "queerness," I heuristically reinsert "sex work" into the ensemble of "very different things in the world gathered together, characterized, and treated as" what Foucault, in *History of Madness*, termed Unreason.

For, as we shall see in Foucault's work— beginning with *History of Madness* (1961) and continuing through *Discipline and Punish* (1975) and *History of Sexuality Volume I* (1976)— Unreason ultimately gives rise not only to the figures of The Madman and The Homosexual, but also to the figure of The Prostitute. In the interests of inciting queer theory to recognize its shared genealogy with sex work, I seek to demonstrate that the apparatus by which "power individualizes and homogenizes…types of prostitutes"[7] today is none other than a reactivation and redeployment of that apparatus whereby "types" were once upon a time individualized and homogenized within a much broader ensemble of "very different things in the world gathered together, characterized, analyzed, and treated as" Unreason. Here I want to make explicit that which has heretofore remained for readers of Foucault's *oeuvre* oblique: I want to cast in relief a generic assemblage of acts that had by the late nineteenth-century become "a personage, a past, a case history, and a childhood . . . [such that] it was consubstantial with him [her], less as a habitual sin than as a singular nature . . . a species."[8] Supplanting an Unreason that took the form of "the natural dimension in which reason exercises itself…[this new version of] unreason takes on the appearance of a human fact."[9] And together with madness and homosexuality constituting a formerly confused (from a modern perspective, that is) catchall for a variety of acts, by the nineteenth century "prostitution" had acquired "an analytical, visible, and permanent reality" and her name was—is— The Prostitute.

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[6] Principally, Chloë Taylor's 2009 "Foucault, Feminism, and Sex Crimes" and her 2013 "Infamous Men, Dangerous Individuals, and Violence Against Women: Feminist Re-readings of Foucault." https://doi.org/10.1111/j.1527-2001.2009.01055.x.

[7] John Geoffrey Scott, *How Modern Governments Made Prostitution a Social Problem* (Lewiston, NY: The Edwin Mellen Press, 2005), 32-33.

[8] Michel Foucault, *The History of Sexuality, Vol. I.* (New York: Pantheon Books, 1978), 43.

[9] Michel Foucault, *Déraison et folie: Histoire de la folie à l'âge classique* (Paris: Plon, 1961), 117-18. Cited in Didier Eribon, *Insult and the Making of the Gay Self*, trans. Michael Lucey (Durham, NC: Duke University Press, 2004), 272. https://doi.org/10.1215/9780822385493.

Seeing the New with Old Eyes

"Transport of Prostitutes to the Salpêtrière", c.1760-70 (oil on canvas).
© Jeaurat, Etienne (1699-1789); Bridgeman Images, Musée de la Ville de Paris, Musée Carnavalet, Paris, France.

But first things first. As initiation into the practice that such a project as this essay requires, I open with an invitation to look at an old painting with new eyes. I offer Etienne Jeaurat's 1755 oil on canvas titled *Transport of Prostitutes to the Salpêtrière* as a symbolic touchstone whereon one might assay the terrain of social perceptions of prostitution accompanying the ascent of the Age of Reason. I seek to establish from the outset that the project upon which I embark with this painting is not a traditional quest for The Truth[10] characteristic of dominant historical paradigms ready at hand to those engaged in the pursuit of unseating Foucault's *oeuvre*; rather, I seek to mount "[a]n insurrection of subjugated knowledges…historical contents that have been buried and disguised."[11] In other words, mine is the project of constructing an alternate, queer genealogy of sex work. As such, both "The Truth" and "reality" cannot be considered to be beyond the purview of scrutiny, and the participant in the project of constructing an alternate genealogy must be willing to suspend not that which ze suspends at the movie theater—disbelief—but, rather, belief.

With the above in mind, I enjoin the reader to submit to careful scrutiny the following—to hold these in the front of hir mind—as we proceed:

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[10] After all, as Foucault observes, "[A] proposition must fulfill some onerous and complex conditions before it can be admitted within a discipline; before it can be pronounced true or false it must be 'within the true.'" Michel Foucault, "The Discourse on Language." Appendix, *The Archaeology of Knowledge*, (New York: Pantheon Books, 1972), 224.

[11] Michel Foucault, "Two Lectures," in *Power/Knowledge: Selected Interviews & Other Writings 1972-1977*, ed. Colin Gordon (New York: Pantheon Books, 1980), 81.

1) the date of Jeaurat's painting—1755— in relation to the constellation of elements examined within *History of Madness* that together compose the apparatus within which madness becomes intelligible

2) the title of Jeaurat's painting—*la Conduite des filles de joie à la Salpêtrière—Transport of Prostitutes to the Salpêtrière* —although the same title has also been translated literally, *Daughters of Joy on the Way to the Salpêtrière*[12]

3) the public spectacle of this Transport, this "driving" of prostitutes through the streets of Paris—and, in particular the effect these "daughters of joy" seem to be having upon the crowd

4) the question—suspended within the artist's frame—of origin and destination. From where have the women been taken and where are they going? More specifically, what awaits them at the Salpêtrière? What is the Salpêtrière? Is the Salpêtrière of 1755 the Salpêtrière of 2017?

5) the cart, and its simultaneous resemblance to and distinction from the Ship of Fools upon which Foucault's comparison/contrast of the leper model characteristic of the Middle Ages vs. the plague model characteristic of the eighteenth century leans so heavily.

Let the insurrection begin.

Venereal Disease: Leprosy's Heir Presumptive

The Prostitute is for Foucault one of a panoply of characters who populate the story he tells about modern formations of power and resistance beginning with *History of Madness* and continuing through *Discipline and Punish: The Birth of the Prison* and *The History of Sexuality, Volume I: An Introduction*. She is a figure central to Foucault's articulation of the early eighteenth century evanescence of the exclusionary leper model, the model of "the individual driven out in order to purify the community," and the roughly contemporaneous reactivation of the inclusionary plague model, the model of the internal, "spatial partitioning and control (*quadrillage*) of plague-infested towns."[13] In *History of Madness*, The Prostitute surfaces at the end of the eighteenth century as a "new recruit" for the houses of confinement progressively emptied of lepers by the end of the Middle Ages. During this period, together with such various others as The Madman and The Homosexual, the as-of-yet inchoate prototype of The Prostitute increasingly finds herself at the intersection of institutional initiatives designed to identify and address her as a problem in need

[12] Jim Cheval, e-mail message to the author, October 23, 2007.

[13] As characteristic of his genealogical approach more broadly, Foucault here reminds readers that these models are neither discrete nor continuous; the leper model, he notes, "was a model put to work in our society even later than the Middle Ages," and the plague model was "not established but reactivated." Michel Foucault, *Abnormal* (New York: Picador, 2004), 44. See infra note 54.

of solving. And as Foucault painstakingly elaborates in his exposition of the *History of Madness*—the provocative juxtaposition of the medieval Ship of Fools as foil for the classical period's Great Confinement— there is an important but oft-overlooked prehistory to this intensified interpellation of The Prostitute that establishes as baseline to the project of *History of Madness* in its entirety both the historical fungibility and mutually imbricated genealogies of madness, homosexuality, and prostitution.

Readers of *History of Madness* have made little of this prehistory that enables Foucault to make the iconic statement that is the Ship of Fools; indeed, reading such accounts of the opening pages of *History of Madness* as those of Thomas Flynn and Gary Gutting, one misses entirely the fact that the Ship of Fools serves for Foucault first and foremost as placeholder for the sequence of events whereby madness is declared the rightful heir to leprosy's vacant throne, unseating the heir presumptive: venereal disease.[14] For according to Foucault, it was not long after *les veneriennes* were locked up with the lepers—at which unexpected cohabitation the few lepers remaining at the end of the sixteenth century raised a largely ignored ruckus—that, in effect, "a new leprosy was born."[15] In contrast to leprosy's rightful heir, however, venereal disease almost immediately entered the provenance of doctors and was assimilated to a medical model, despite its prominent position "in a whole network of moral judgments."[16] Proverbially-speaking, despite the fact that venereal disease was "all dressed up" in these moral judgments, it had "nowhere to go" absent the juridical axis through which the specter of venereal disease would intensify upon its reactivation and redeployment, two centuries later.

And so it was that, this time round, venereal disease narrowly missed the legacy of fear bequeathed by leprosy, which legacy— again, according to Foucault—enters "a long latency period of almost two centuries" in the wake of its wayward disinheritance.[17] Madness would not be ready for the throne until much later, after having long managed to elude the grasp of that medical interpellation to which venereal disease succumbed so quickly. However, the stigma with which we moderns associate *les veneriennes*, ex post facto the medico-juridical intersection of VD's intensified interpellation —leprosy's legacy of fear— does not seem to have accompanied its medicalization. "Curiously," Foucault observes, "it was only under the influence of the world of confinement in the seventeenth century that venereal disease became detached to some extent from this medical context, and like madness entered a space of social and moral exclusion."[18] Another way of formulating this "curious" turn of events is like so: It is only when the medical trajectory of venereal disease intersects with the juridical trajectory of the world of confinement in the sev-

[14] Lynne Huffer's more recent reading of *History of Madness* does take up the legacy of leprosy, if not that of venereal disease. (2010. *Mad for Foucault: Rethinking the Foundations of Queer Theory.* New York: Columbia University Press.)

[15] Foucault, *HM*, 7.

[16] Ibid.

[17] Ibid., 8.

[18] Ibid.

enteenth century that venereal disease claims that social and moral baggage—checked at the end of the Middle Ages— through which it will have been assimilated by the nineteenth century to a medicolegal-cum-pathologicopenal model powerful enough in its gathering momentum to inscribe itself indelibly upon the body of none other than The Prostitute.

The leprosarium serves as an especially effective rhetorical device with which to open *History of Madness* precisely for the way in which we moderns automatically default to an identification of the leprosarium with the hospital of today. Such automatism makes explicit that epistemological amnesia effected with the consolidation of Reason's hegemony, whereby the eventual medicalization of such phenomena as leprosy whitewashes an originary social and moral exclusion. It is for this reason that such seemingly anecdotal details as the outcry of the lepers upon finding themselves housed in the same edifice as *les veneriennes* strike askance readers unwittingly in the grip of this aporia, prompting either reluctant or enthusiastic reconsideration, and in either case denaturalization of this default association. At first blush, we envision the leprosarium as a modern-day hospital, where in all likelihood lepers and *les veneriennes* inhabit separate wards. In point of fact, the medieval leprosarium was not a hospital in the contemporary sense of the word. Rather, it was a holding tank—more prison (again, as we know it today) than hospital. Ergo, upon their assimilation to a medical model, *les veneriennes* were shuttled out of the leprosarium and into specialized disease treatment facilities intended less to confine (in contrast to the leprosarium) than to cure. Needless to say, this rapid sequence of events stands in stark contrast to the fate of "madness"—which, as the pages of *History of Madness* attest, "medicine would take far longer to appropriate"; this was a feat accomplished only, as we shall see, vis-à-vis medicine's intersection with the juridico-political procedures attendant upon The Great Confinement.[19]

Sleeping Giants

But during the long latency period that was the Renaissance, while *les veneriennes* remained firmly and for the most part exclusively in the hands of doctors, madness roamed about—if not freely then at least not confined—as the prodigal son whose way of being in the world is for Foucault captured by the Ship of Fools. The Ship of Fools—an alternate purchase on the "reality" epitomized by the 1560 ordinance "granting twenty-four hours only to prostitutes and their accomplices to evacuate Paris," without regard to the distinction between what a 1713 police regulation would later deem "women who led dissolute lives without being precisely prostitutes" and "prostitutes proper"[20]—represents a "Not-in-My-Backyard" but otherwise indeterminate locus. Herein, an indivisible, collectively othered hodgepodge dwells for an indefinite stretch of time, presumably terminated on finding harbor someplace wherein their geographically-contingent otherness does not prompt exile. The Ship of Fools symbolizes the days when the mad, the prosti-

[19] Foucault, *HM*, 7-8.

[20] William W. Sanger, *The History of Prostitution: Its Extents, Causes, and Effects Throughout the World* (New York: Harper and Brothers, 1858), 120.

tutes, the dissolute, and those whom (as Harold Braswell has suggested) we might today simply call "quirky"—indistinguishable the one from the other— "sneaked through alleyways and hid in familiar places," or, as it were, "wound its [their] way down the wide, slow-moving rivers of the Rhineland and round the canals of Flanders."[21] Where participants in the generic assemblage of acts that we moderns have retrospectively constituted as "madness" and "prostitution" were not wanted, they needed only continue on down the river, down the road, looking for someplace that did want them—or at least did not mind them.

Despite and perhaps because of the fork in the road—or, as Foucault might put it, the "epistemic break"— whereby venereal disease was rapidly assimilated to a medical model, "prostitution" was throughout the Renaissance increasingly perceived as a moral, rather than a medical, threat to an ascendant reign of Reason, whose provenance had by the end of the Middle Ages shifted from the Church (and to a lesser degree the State) to a very particular "sovereign, juridico-legal deployment of alliance" manifested in and through the paradigmatic bourgeois family.[22] A transmogrification of the medieval religious classificatory regime of the sacred and the profane, Reason and Unreason solidified over time as the principal division between those permitted to remain outside the hospital—but again, decidedly not the hospital as we know it today— and those committed to take up residence within it. Roughly speaking, this axis looked like:

Reason (formerly Sacred)	**Unreason (formerly Profane)**
love	lust
healthy	sick
sane	insane
piety	sin
normal	abnormal
liberty	scandal
order	disorder
legal	illegal
moral	immoral
family	inmates
honor	dishonor
good	evil
sense	nonsense

[21] Foucault, *HM*, 103, 8.

[22] As Chloë Taylor articulates through Foucault's work, this migration of Reason from the Church to the bourgeois family primes the bourgeois family for the impending biopolitical deployment of sexuality. "Foucault and Familial Power." *Hypatia* 27 (1): 206, 207. https://doi.org/10.1111/j.1527-2001.2011.01171.x.

whereby Reason consolidated its authority through an extraction from and alignment of all terms on the right against all those on the left (this, in contrast with "the still undivided experience of the division itself"[23] constitutive of the Renaissance, the Middle Ages, and even Platonic culture). And the various characters "cast into the same abstract dishonour," "assimilated to forms of insanity," and assigned a "common denominator of unreason" included not only prostitutes but also debaucherers, vagabonds, paupers, beggars, libertines, *les veneriennes*, homosexuals, prodigals, profaners, magicians, heretics and blasphemers (these last, holdouts from the preceding era wherein sacred/profane reigned in place of Reason/Unreason).[24]

Now, not only did such characters unfortunately not conform to the order or interests of the bourgeois family but also, in furtherance of an incipient paradigmatic shift from pre-modern sovereignty as a mode of power to the subjective, modern mode of power Foucault dubbed "governmentality," they had to be properly trained. Subject to sequestration, meticulous surveillance, and disciplinary grooming, these characters had to learn to voluntarily submit to the authority of Reason. No longer would the "out-of-sight, out-of-mind" expulsion model epitomized by the Ship of Fools and the 1560 ordinance "granting twenty-four hours only to prostitutes and their accomplices to evacuate Paris" suffice. Needless to say, the rather ambitious reach of the division between Reason and Unreason instrumental to the consolidation of the hegemony of the governmentality model resulted in no small number of *internal* exclusions from sane society—over the span of but a few months of 1656, one in every one hundred people in Paris was confined.[25]

Increasingly understood both as and apart from madness as a vehicle of Unreason,[26] prostitution's threat manifested not only as a moral but also as a financial and/or emotional drain on the bourgeois family. Foucault cites the case of one "woman called Loriot…imprisoned because 'the unfortunate Chartier has almost abandoned his wife, his family, and his duties to give himself up to this unsavoury character, who had already cost him the greater part of his worldly goods.'"[27] In accordance with Reason's logic, the Prostitute must be quarantined lest she tempt those who would otherwise yield to Reason in order to cross over into Unreason. (And of course, once quarantined, the prostitute was fair game for the aforementioned meticulous surveillance and disciplinary grooming.) Where for Platonic culture, "love and madness [had] shared out between them the different regions of the gnoses," and love had occupied a position of knowledge vis-à-vis a "blind madness of the body," and/or a "great intoxication of soul," after the Classical Age, the "good" kind of love (for which one would not be committed) took up exclusive resi-

[23] Foucault, *HM*, *xxvii*.
[24] Foucault, *HM*, 81.
[25] Foucault, *M&C*, 66.
[26] Madness and Unreason are not the same, but "in the anxiety of the second half of the eighteenth century," fear conflates them. Foucault, *HM*, 362.
[27] Foucault, *HM*, 606.

dence within "the notarized pact of marriage" as foundation of the bourgeois family. As Foucault puts it bluntly, "Love was made banal by legal contracts."[28]

Prostitution serves as but one of various aforementioned pesky obstacles to this "triumph of bourgeois morality" achieved in and through the consolidation of a particular definition of family.[29] But let there be no mistake: this "affective intensification of the family space" functions at the level of ideology to facilitate an ever-expanding penetration of governmentality in the guise of sexuality through and across the line/s theretofore dividing public from private and sovereign from subject (in the pre-modern sense of "king's subject").[30] As such, "The family becomes a crucial social and spatial formation that effectively conceals the significance of sexuality by claiming to be its source."[31] Governmentality-cum-sexuality thus begins working in this period to classify and organize individuals and collectivities both inside *and outside* the bourgeois family—and perhaps most intensively at the level of psychic interiority.

The Ghost of VD Past Rears its Ugly Head

Aiding and abetting this slow congelation whereby Reason consolidates its authority vis-à-vis this "triumph of bourgeois morality" stealthily ensconced in the fact and figure of the family was the by then long dormant legacy of fear bequeathed (but, if you will recall, rapidly jettisoned) by leprosy to venereal disease at the end of the medieval period. Resuscitated and redeployed with the dawn of the Age of Enlightenment in the service of the inclusive plague model of The Great Confinement, this sleeping giant—as Foucault foreshadowed— "like madness entered a space of social and moral exclusion" that stood in marked contrast to its prior *spatial* exclusion.[32] Subject not only in a figurative sense to social and moral exclusion, "under the influence of the world of confinement," venereal disease's revivified legacy of fear contaminates all that it touches, both literally and figuratively.

In one of his infamous 1,050 articles compiled under the title *Tableau de Paris* and published between 1781 and 1788, Louis-Sébastien Mercier offers a narrative of what was by the mid-18th century an increasingly common sequence of events—the same sequence of events one sees unfolding in Jeaurat's 1755 *Transport of Prostitutes to the Salpêtrière*. Herein, one perceives that the ghost of venereal disease past has returned to haunt not only a broad spectrum of persons subject to confinement and perhaps most damningly the incipient figure of The Prostitute, but also those who turn them in, those who herd them along, and those who watch from the sidelines:

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[28] Foucault, *HM*, 89-90.

[29] Foucault, *HM*, 90.

[30] Michel Foucault, *Power/Knowledge: Selected Interviews & Other Writings 1972-1977*, ed. Colin Gordon (New York: Random House, 1981), 109.

[31] Philip Howell, "Foucault, Sexuality, Geography," in *Space, Knowledge, and Power: Foucault and Geography*, eds. Jeremy W. Crampton and Stuart Elden (Burlington, VT: Ashgate Publishing Company, 2007), 296.

[32] Foucault, *HM, 8*.

> Every week nightly raids are made with a facility which, overdone, would not fail to displease the political speculators, despite the contempt inspired by the species so treated.... They are taken to the prison on the rue St. Martin, and the last Friday of the month they pass to the police; that is, they hear on their knees the sentence which condemns them to be locked up in the salpétrière. They have no representation, no lawyers, no defenders; they are judged quite arbitrarily. The next day they are put in a long wagon, which is not covered. They are all standing and crowded together. One cries, another moans; this one hides her face; the boldest bear the look of the populace who harangues them; they respond indecently and brave the jeers which arise as they pass... Arrived at the hospital, they are examined, those who are infected are separated, to be sent to Bicêtre, there to find the cure or death...[33]

Mercier's account chronicles the exercise of the force of Reason, Reason flexing its moral muscles in the arms of an incipient carceral system. Not yet fully interpellated by the intersection of power constituted by the medical trajectory of venereal disease and the juridical trajectory of the world of confinement, these women as of yet "have no representation, no lawyers, no defenders."

Prostitution as Plague

In cooperation with the police, venereal disease rears its ugly head as first the mark of medical distinction, and only secondarily as the mark of moral distinction; she who is infected will be shuffled along to "the cure or death" at the Bicêtre venereal ward, while she who is infected not with venereal disease but with moral impropriety will remain within the grips of an expanding carceral system at the Salpêtrière. One here sees venereal disease teetering on a tightrope suspended between a leprosy model and a plague model of social control whereby

> individuals were sorted into those who were ill and those who were not. [In the interest not of] …driving out individuals but rather of establishing and fixing them, of giving them their own place, of assigning places and of defining presences and subdivided presences. Not rejection but inclusion.[34]

In such moments one sees prostitution begin to backslide together with venereal disease into the well-worn groove of leprosy's legacy of fear and in so doing channel, roundhouse switching yard style, the many and varied medical justifications for confinement into the moral, proto-juridical ones ready-at-hand for assimilation by proximate police and prison personnel. A cursory overview of the following sequence of juridical acts further reflects this re-integration of the reasons whereby Reason extracts from Unreason any number of its suddenly individual elements— in this case The Prostitute:

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[33]Louis-Sébastien Mercier, *Le tableau de Paris*, (Paris: Gallimard-Jeunesse, 1998), Ch. 238.

[34] Foucault, *Abnormal*, 46.

> 1) a royal ordinance of April 20, 1684, simultaneously designating the Salpêtrière as holding tank for prostitutes and otherwise "debauched" women and endowing "Moral Police," husbands, or families with the unassailable right to send them either there, or to the "depot" at Geôle Saint-Martin[35]
> 2) the 1691 opening of a Bicêtre ward specifically for *les veneriennes* (the Salpêtrière being flooded, overcrowded)
> 3) an honoring in September of 1719 of the request of the Compagnie des Indes to marry 180 female ex-convicts plucked from the Saint Martin prison to 180 male ex-convicts for embarkation to their newly-constructed city of New Orleans, Louisiana.[36]

And as Foucault makes clear over the course of his mammoth tome, the effects of this gathering of a wide variety of different people in the fell swoop of Reason's scythe who, in one way or another, troubled Reason's reign, are with us today:

> By inventing the space of confinement in the imaginary geometry of its morality, the classical age found a homeland and a place of redemption for sins of the flesh and faults committed against reason. Madness found itself side by side with sin, and it is perhaps from there that stems the immemorial linking of unreason and guilt that the alienated today still feel to be their fate, and which doctors discover as the truth of nature.[37]

As one sees in such accounts of the winnowing process as that of Mercier and Jeaurat, the distinctions between and among those who populate Unreason's column were once upon a time not so self-evident as we might today think. Indeed, the Salpêtrière to which the 1684 ordinance and Jeaurat's painting refer is not the Salpêtrière in which Freud studied under Charcot and to which Diana, Princess of Wales, was taken to die. However, notwithstanding the fact that the first medical doctor did not arrive to the Salpêtrière until the early 1780s—more than 130 years after its opening— much as in the case of the rhetorical efficacy of Foucault's leprosarium, in our collective historical amnesia we might at first blush understand that which transpires in both the juridical acts detailed above and *Transport of Prostitutes to the Salpêtrière* to be the rounding up of streetwalkers for confinement in the women's hospital established in Paris in 1656.[38] Yet when one consults—as did Foucault— the 17th century definition of "hospital" in a French dictionary, one learns that the Salpêtrière was not in fact at this time a medical establishment at all; rather, "hospital" was synonymous during this era with "workhouse." Which is not to say that the prostitutes Mercier describes and Jeaurat depicts are not bound for "curing." It is to say, however, that

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[35] Foucault, *HM*, 89.

[36] Richard Erickson, "Arts and Métiers Open Again." *Paris Kiosque*. 7.7. July 2000. http://www.paris.org/Kiosque/jul00/514metier.html. The reader may here recall that the heroine of Antoine François Prévost's 1731 *Manon Lescaut* similarly finishes in New Orleans, having been deported/exported as a "prostitute."

[37] Foucault, *HM*, 86.

[38] Eribon, *Insult*, 269.

the cure to which they are imminently subject will not likely take the form of pharmaceutical drugs and/or psychotherapy, but rather work—or at least, a certain kind of work. Established to remedy those widespread social ills—among them prostitution, which needless to say did not in those days "count" as work— generated by "idleness," hospitals during the Classical Age existed to remedy these ills with manual labor. At least for a while.

The Working Cure (That Did Not Work)

Foucault's passages on work in *History of Madness* are among the most germane to the construction of an alternate, queer genealogy of prostitution/sex work. For hanging in the balance of the categorical confusion (from a modern perspective) of the hospital's status as workhouse-cum-medical facility and the accompanying confusion (again, from a modern perspective) of the convict and the patient, the way in which "work" gets articulated—both who does and does not count as a worker, and what does and does not count as "work"— and deployed as, alternately, a solution for unemployment and poverty and a reform for social ills born of idleness, becomes critical to the widening gap between Reason and its threats. (Not coincidentally, understanding the role of work and the ways in which work *works* as helpmate to the ascent of Reason also paves inroads to deeper understanding of the epistemology of the political stakes and rhetorical efficacy of Carol Leigh's 1978 rearticulation of prostitution as "sex work.")

Initially posited by champions of Reason as a solution to problems posed by a burgeoning industrial reserve army of the unemployed (Marx's term) effected by the Industrial Revolution and the demographic displacements attendant upon enclosure of the commons, the failure of work to solve these problems instead exacerbated them, inasmuch as The Great Confinement effected ever greater displacement and the management and maintenance of workhouses proved very costly. But while confinement and the forced imposition of labor upon formerly "idle" populations did not solve the problems these institutional practices were originally intended to address, they did in the production of delinquency solve other problems posed by an unruly, disenfranchised population—namely, the threat this growing population posed to the entrenchment of a then-incipient capitalism. For as Gerald Turkel observes:

> As resistance is criminalized and rendered into delinquencies, the capacities for collective working-class actions are weakened. Criminalization and the production of delinquencies are historically-situated tactics of power.[39]

Preconditions of yet another roundhouse-style channel switching—an intersection of technologies of power— the working cure (that did not work[40]) and the existing edifices of workhouse-

[39] 1990. "Michel Foucault: Law, Power, and Knowledge." *Journal of Law and Society* 17 (2): 187. https://doi.org/10.2307/1410084.

[40] This is not to say that in time the working cure did not begin to work in its own special way. As Angela Davis has demonstrated, the prison industrial complex, whose genealogy we may trace back to the workhouse-

hospitals in need of filling found themselves rather suddenly and desperately in need of justification. Capitalism needed an ideology to "resolve" (cosmetically and provisionally) one of its first major contradictions. Thus it was into the gaping maw of the evacuated pragmatic pretext of the working cure that morality—in the form of that sexuality for which the "affective intensification" attendant upon the bourgeois family was a "storefront"—gladly rushed, serving as a new and "improved" pretext for shoring up a precarious status quo whereby prostitutes (and others) could continue to be rounded up and cordoned off from society at large. In what Foucault terms "a strategic completion of the apparatus," the persistence of the workhouse in the form of what we today take to be the prison resulted in

> an entirely unforeseen effect which had nothing to do with any kind of strategic ruse on the part of some meta- or trans-historic subject conceiving and willing it. This effect was the constitution of a delinquent milieu [...]. The prison operated as a process of filtering, concentrating, professionalising and circumscribing a criminal milieu. From about the 1830s onward, one finds an immediate re-utilisation of this unintended, negative effect within a new strategy which came in some sense to occupy this empty space, or transform the negative into a positive. The delinquent milieu came to be re-utilised for diverse political and economic ends, *such as the extraction of profit from pleasure through the organisation of prostitution* (emphasis mine).[41]

As Foucault later details in *History of Sexuality, Vol. I*, sexuality begins to be articulated during this period through a bourgeois preoccupation with its own body and sex as "a type of 'racism'…of expansion, whereby what was formed was a political ordering of life, not through an enslavement of others, but through an affirmation of self."[42] Inasmuch as the divide between "good" and "bad" sexuality begins to serve not only as a vehicle for the empowerment of one kind of person—a most reasonable, bourgeois person—but also as a pretext for the disempowerment of another kind of person—a socially "ill" person—it aids and abets that consolidation of class hegemony requisite to capitalism, vis-à-vis the thorough interpenetration of government and economy requisite to governmentality.[43] As one vehicle of biopower, sexuality operated in tandem with those myriad other positive technologies of power requisite to the transition from a system of "illegalities of rights" characteristic of sovereignty—whereby peasants were at least formally ac-

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hospital, today employs many, many workers all over the world and serves as an important source of surplus value for capital (*The Prison Industrial Complex*. AK Press, 2000). Indeed, as Gary Sauer-Thompson notes, even the working cure as it was originally intended has made a come back in the form of "welfare-to-work" programs targeting the unemployed, persons with disabilities, and single mothers. Sauer-Thompson, "Foucault & Governmentality." Posted October 27, 2004. http://www.sauer-thompson.com/archives/philosophy/002445.html.

[41] Michel Foucault, "The Confession of the Flesh," in *Power/Knowledge: Selected Interviews and Other Writings*, ed. Colin Gordon (New York: Pantheon Books, 1980), 195-6.

[42] Foucault, *HS*, 123-5.

[43] Michel Foucault, "Governmentality," in *The Foucault Effect: Studies in Governmentality*, ed. Graham Burchell, Colin Gordon, & Peter Miller (Hemel Hempstead: Harvester Wheatsheaf, 1991), 87-104.

corded what we might today call "basic human rights"—to a system of "illegalities of property." Characteristic of governmentality under capitalism, this latter system accorded a rapidly consolidating bourgeoisie the equivalent of the right of eminent domain over property requisite to capital accumulation.[44]

Which is of course not to say—as Foucault drives home again and again in *History of Sexuality Volume I*—that capitalism simply sexually repressed workers; rather, from the standpoint of what we might today call capitalist political economy, the workhouse persisted in its incarnation as prison because it "has succeeded extremely well in producing delinquency, a specific type, a politically or economically less dangerous –and, on occasion, usable –form of illegality."[45] In a proto-neoliberal discursive hand-off, the workhouse as cure for the systemic problems of unemployment and poverty cedes ground to the prison as site of individual "reform," wherein, through sequestration, meticulous surveillance, and disciplinary grooming, pesky obstacles to governmentality's successful supplantation of sovereignty learn the art of voluntary *assujetissement*.[46] Whether they languish for life within prison walls, manage to convince authorities of their rehabilitation, or, more likely than either of these two, cycle in and out of prison for the rest of their lives—what we today call "recidivism"— delinquents are enrolled in a

> political investment of the body…bound up, in accordance with complex reciprocal relations, with its economic use; it is largely as a force of production that the body is invested with relations of power and domination; but, on the other hand, its constitution as labour power is possible only if it is caught up in a system of subjection (in which *need* is also a political instrument meticulously prepared, calculated and used); the body becomes a useful force only if it is both a productive body and a subjected body [emphasis mine, more on this point to follow].[47]

Thus, as Thomas Lemke points out, through such passages of *Discipline and Punish* as these, Foucault

> repeatedly pointed out that the power of the [capitalist] economy was vested on a prior "economics of power," [wherein] labor power must first be constituted before it can be exploited…life time must be synthesized into labor time, individuals must be subjugated to the pro-

[44] Herein of course lie the roots of corporate law, a field unto itself wherein the corporation has supplanted the king as sovereign power (at least ostensibly) accountable to the worker. For more on this, see Foucault, *D & P* (78-98) and Turkel, "Law, Power, and Knowledge," 183.

[45] Foucault, *DP*, 277.

[46] As Laura María Agustín notes, "The object was not to requalify inmates as subjects with rights but to turn them into docile domestic servants or wives." *Sex at the Margins: Migration, Labour Markets, and the Rescue Industry* (London: Zed Books, 2007): 125.

[47] Foucault, *D&P*, 25-26.

> duction circle, habits must be formed, and time and space must be organized according to a scheme.[48]

From Worker to Work to Be Done

Through Foucault's articulation of delinquency, we come to understand the slow, circuitous, and "capillary"[49] routes by which the technologies of power specific to the political economy we today call capitalism congeal over time into domination, in tandem with the bourgeois family's role as Trojan horse for sexuality. And lest we forget that the non-delinquent "is not isolated from [the] literal or metaphorical contagion" of delinquency, Foucault reminds us in *History of Madness* that the individual who finds hirself subject to confinement in the face of work's failure to solve the problems of widespread unemployment and poverty is increasingly articulated as s/he who "crosses the frontiers of bourgeois order of his [sic] own accord and *alienates himself* [sic] outside the sacred limits of its ethic" (emphasis mine).[50] Critically, it is now s/he who cannot successfully police hirself— s/he who does not submit of hir own "free will" to an economics of power whereby hir life time is labor time, and hir habits, time, and space are subjugated to capitalism's production cycle— who must submit to the "real," external police and prison personnel. And herein lie the roots of the contemporary neoliberal rhetoric whereby alienation as the very form and function of a capitalist political economy gets displaced onto individuals of "poor character" who really *should* learn to pull themselves up by their own bootstraps, a la Horatio Alger. Sadly, those who persist in alienating themselves simply *must* be locked up and/or rehabilitated.

Attesting to the power of sociopolitical inertia, over time this internal quarantine process—an infiltration of a sexuality that is "originally, historically bourgeois"[51] into an evacuated justification for work as cure for the social ills allegedly created by idleness—will ultimately congeal into "the health-workshop or medical-factory type of institution."[52] S/he who enters the so-called hospital under the pretext of rehabilitation as worker—under the pretext that work will cure hir—will instead quickly discover hirself to be the product of others' labor. The semantics of "cure" thereby subtly shift from the verb form of "work" to the substantive of "work"— resonating with such broader shifts effected by capitalism as the shift from the overproduction of consumer durables to the service industries. Like madness and homosexuality, prostitution "emerged out of the more general category of idleness."[53] And like madness and homosexuality, prostitution hangs in the balance of a medicolegal complex epitomized in a Salpêtrière that increasingly leans on an imaginary moral geometry in lieu of empirical necessity for its continual reinscription of the divi-

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[48] Lemke. 2002. "Foucault, Governmentality, and Critique." *Rethinking Marxism* 14 (3): 10-11.

[49] Foucault, *D&P*, 198.

[50] Turkel, "Law, Power, and Knowledge," 173; Foucault, *M&C*, 57-8.

[51] Foucault, *HS*, 127.

[52] George Rosen, "The Hospital: Historical Sociology of a Community Institution," in *The Hospital in Modern Society* ed. Eliot Friedson (New York: Free Press, 1963), 1-36.

[53] Turkel, "Law, Power, and Knowledge," 173.

sion between Reason and Unreason. In the interface of the negative role of Unreason's progressive splintering and exclusion and the positive role of organization effected through the deployment of sexuality, madness acquires the social, moral baggage of guilt, and prostitution is infected with the taint of illness. Hence the categorical confusion (from a modern perspective) of the hospital and the prison and their respective doctors and wardens, whereby, at the end of the 18th century, Samuel Tuke would seek to establish in his mentally ill patients an awareness of guilt, and morally-sanctioned marriage was for our soon-to-be honeymooners in New Orleans, Louisiana, taken as a juridical "cure"—a shot in the arm of Reason, if you will— for convicted prostitutes.[54]

Imprisoned in a Real World

And as we now know, it is but a hop, skip, and a jump, from the hospital to the prison to the asylum.[55] As Bicêtre follows this trajectory—VD ward-cum-prison-cum-asylum—prostitution absorbs by osmosis the contagion of leprosy's legacy of fear through the very walls of its confinement. As prostitution acquires the taint of contagion, the rapprochement of sovereign and biopolitical power incarnate in the bourgeois family[56] makes its weight more broadly felt in the extension of medical and legal paternalization.[57] And it is the capillary diffusion of this paternalization intent upon extracting madness from Unreason vis-à-vis ubiquitous techniques of surveillance and discipline— a displacement of sovereign authority onto the private citizen-cum-policeman—that Foucault takes up in his 1975 *Discipline and Punish: The Birth of the Prison*. Where *History of Madness* begins with the shift away from that corporal punishment attendant upon sodomy (specifically, the 1726 live execution by burning of Etienne Benjamin Deschauffours), *Discipline and Punish* begins with the shift away from that corporal punishment attendant upon regicide (specifically, the 1757 torture and execution of Damiens). Increasingly, corporal punishment and its fragile, potentially reversible and spectacular wielding of sovereign force morphs into the "carceral texture of society."[58] Where for *History of Madness* the edifice of the asylum is critical to the proliferation and implantation of the newly ascendant classificatory regime of Reason/Unreason and its wholesale dissemination through the population at large, for *Discipline and Punish* it is the prison. Where in *History of Madness* Foucault chronicles the way in which champions of Reason harness various social and literary channels to their purposes, in *Discipline and Punish* he similarly targets the newspaper and the detective novel as vehicles of a "patient attempt to impose a highly specif-

[54] Foucault, *MC*, 247. The reader would not be remiss in noting the resonance of this categorical confusion with more recent state and federal marriage subsidization initiatives.

[55] Albeit a discontinuous hop, skip, and jump characterized by the many and varied epistemic breaks that divide these configurations even as they also represent a return with a difference.

[56] For more on this, see Taylor, "Foucault and Familial Power," 201-218.

[57] Gerald Turkel elaborates, "Legally sanctioned reforms modelled on patriarchal familialism sought to inculcate reason and moral uniformity into the insane by combining the values of family and work" ("Law, Power, and Knowledge," 174).

[58] Foucault, *DP*, 304.

ic grid on the common perception of delinquents: to present them as close by, everywhere and everywhere to be feared."[59] In contrast to the more formal institutional (principally, Church and State) channels through which punishment had formerly been meted out to those on the wrong side of Reason, the scandal, guilt, condemnation, and pathologization culminating in confinement characteristic of the punishment of social pariahs after the Classical Age tended to circulate informally through the broader channels of print media.[60]

The delinquent was a new addition to the growing list of those deemed unfit for the rights, responsibilities, and privileges of Reason.[61] Requisite to the reign of Reason, and indeed its very inverse reflection, prostitution is for Foucault the repository of delinquency *par excellence*:

> Delinquency, controlled illegality, is an agent for the illegality of the dominant groups. The setting up of prostitution networks in the nineteenth century is characteristic in this respect: police checks and checks on the prostitutes' health, their regular stay in prison, the large-scale organization of the *maison closes*, or brothels, the strict hierarchy that was maintained in the prostitution milieu, its control by delinquent-informers, all this made it possible to canalize and to recover by a whole series of intermediaries the enormous profits from a sexual pleasure that an ever-more insistent everyday moralization condemned to semi-clandestinity and naturally made expensive; setting a price for pleasure, in creating a profit from repressed sexuality and in collecting this profit, the delinquent milieu was in complicity with a self-interested Puritanism: an illicit agent operating over illegal practices.[62]

Here one sees Foucault revisiting the notion of Unreason as "reason dazzled," wherein "delirium's own internal coherence reveals reason's discursive truth effect."[63] Herein, the modus operandi of the sex industry exposes the mechanisms by which its inverse—the discursive truth effect of that bourgeois sexuality whose forcible inheritance Foucault details in *History of Sexuality Volume I*—consolidates its authority.

Through Foucault's central argument— that the delinquent has supplanted the offender as a type, as "a personage, a past, a case history, and a childhood"— one comes to understand that

> Behind the offender . . . stands the delinquent whose slow formation is shown in a biographical investigation. The introduction of the "biographical" is important in the history of penality. Because it establishes the 'criminal' as existing before the crime and even outside it.[64]

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[59] Ibid., 286.

[60] Foucault contrasts this with the "amorous ambiguities of homosexuality" popular in the lyric tradition of the Renaissance (*HM*, 88).

[61] Foucault, *DP*, 304.

[62] Ibid., 279-280.

[63] Foucault, *M&C*, 108.

[64] Foucault, *D&P*, 252.

Driving a wedge between offender and delinquent, *Discipline and Punish* powerfully interrogates the widely-accepted temporal and spatial bounds of crime and provides a framework for considering both the criminalization and the stigmatization of the prostitute as not only absolutely predicated upon the spectacle (become specter) of her delinquency—but also as subject to reappropriation and reinterpretation; if one can grasp the processes by which the prostitute came to be understood not as one of many nodes in the complex, continually-shifting discursive formation attendant upon the reign of Reason, but as a dyed-in-the-wool delinquent, then it stands to reason that one can also discern the processes by which this understanding might come unhinged. And in *The History of Sexuality, Volume I*—the final installment of the trilogy of The Madman, The Homosexual, and The Prostitute—one understands the prostitute-delinquent as a conflation whose disaggregation threatens to shake loose those other conflations consolidated with the ascent of the classificatory regime of Reason as well.

Not least of the yokes subject to coming undone with the undoing of the prostitute-delinquent yoke is the discursive yoke with which "We Others, Victorians" have bound our experience of sexual repression to capitalism. This repressive hypothesis would have us believe that in the moment of an alleged coincidence of the joint advent of sexual repression and capitalism:

> If it was truly necessary to make room for illegitimate sexualities, it was reasoned, let them take their infernal mischief elsewhere: to a place where they could be reintegrated, if not in the circuits of production, at least in those of profit. The brothel and the mental hospital would be those places of tolerance: the prostitute, the client, and the pimp…seem to have surreptitiously transferred the pleasures that are unspoken into the order of things that are counted. (4)

In other words, prostitution like madness (allegedly) moves from the qualitative realm of Unreason into the quantitative realm of the rational, or Reason—from the freewheeling "outside" of "untrammeled sex" into the edifices within whose confines they could be subjected to surveillance and discipline, a la the internal quarantine plague model with its "polymorphous techniques of power."[65] But the story we tell about the sexual repression attendant upon the advent of capitalism—that "Everywhere else [other than the brothel and the mental hospital, that is] modern Puritanism imposed its triple edict of taboo, nonexistence, and silence"—is precisely the story Foucault *un*tells in *History of Sexuality Volume I*. In its untelling, Foucault reveals this story to instead have been the story of sexuality's—governmentality's—expansion. Much as he reveals the historical contingency of the ascent of previously taken-for-granted stories of madness and homosexuality as objects of repression, in *History of Sexuality, Volume I*, Foucault lays bare the underbelly of the story of prostitution as site of sexual repression.

[65] Foucault, *HS*, 11.

Yes, I Am (*Déraison, c'est moi*)

Foucault concludes *History of Madness*, *Discipline and Punish*, and *History of Sexuality Volume I* with remarkably similar invocations of the intensively interpellated individual who willingly submits to, and serves as repository for, the various discursive apparatuses whereby Reason maintains its stronghold—its stranglehold— "on the other side of bars"[66] from Unreason.

In so doing, Foucault tracks the migration in the wake of "the liberation of the mad in chains at Bicêtre" in 1794 of the policing of this Reason/Unreason axis from an externally-imposed, top-down model of sovereignty manifested in the actual police, through a privatized version of enforcement manifested in and through the bourgeois family, onto an ultimately internalized and therefore much less obvious classificatory regime within the private citizen hirself.[67] As the "mad" were liberated— unleashed upon— the general public, the responsibility for distinguishing between madness and sanity, Unreason and Reason, fell to the private citizen. For if not to hir, whom else? Like it or not:

> Private individuals now had to deal directly, with no intermediaries and no controls, with all the human material that was previously confined to the houses of confinement: vagabondage, prostitution, the debauchery and immorality, and of course all the confused forms that went from violence to frenzy, from weak-mindedness to dementia.[68]

More to the point, private individuals had to deal directly, with no (visible, external) intermediaries and no (visible, external) controls, with themselves—with their own interpenetration by the divided experience of the division itself.[69] One sees this torturous wrestling match of self against self in, on the one hand, Rameau's nephew in Diderot's 1762 work, who "sighed deeply and put his hands to his brow, then regained his composure and said, 'I should tell you that I am an ignoramus, a madman, an impertinent person, and an idler," and, on the other, in its inverse outcome, in Descartes' First Meditation:

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[66] Foucault, *M&C,* 70.

[67] Foucault, *HM*, *xxxiii*.

[68] Foucault, *HM*, 445. The reader would not here be remiss in noting a resonance with the widespread gutting of state-sponsored mental health services during the Reagan era, which resulted not only in a tremendous upsurge in homeless and prison populations, but also in the corresponding rise of a highly profitable "Self Help Industrial Complex" (term coined by NPR correspondent Eric Weiner).

[69] And herein, as Thomas Lemke masterfully details, lie the ideological roots of contemporary neoliberal discourse that advocates, generally-speaking, for the privatization of *everything*: "As the choice of options for action is, or so the neo-liberal notion of rationality would have it, the expression of free will on the basis of a self-determined decision, the consequences of the action are borne by the subject alone, who is also solely responsible for them. This strategy can be deployed in all sorts of areas and leads to areas of social responsibility becoming a matter of personal provisions" ("FGC," 10-12).

> How could it be denied that these hands or this whole body are mine? Unless perhaps I were to liken myself to madmen…[but] such people are insane, and I would be thought equally mad if I took anything from them as a model for myself.[70]

Coming full circle, we see this utterly individuated absorption of the divided experience of the division itself in the 1813 dialectical moment shared between a patient and an unarmed superintendent described by English psychiatrist Samuel Tuke, wherein the unarmed superintendent is "the incarnation of reason, bearing the full force of authority invested in him *by the fact of his not being mad*" (emphasis mine).[71] In this same moment, the madman recognizes (RE-cognizes) himself as mad—and the successful internalization of what had been theretofore external (classification by the State, the Church, the Police, etc.) has been achieved. Subsequently heralded as a turn in the tide of the terrible mistreatment of the mad inaugurated with what Foucault terms The Great Confinement, from which Tuke and his colleague Philippe Pinel[72] allegedly "liberate" the mad in light of their joint apprehension of madness as mental *illness*, this moment marks for Foucault not only the consolidation of a certain brand of authority, but also the birth of an accompanying narrative of repression and liberation that the entirety of *History of Madness* roundly debunks.

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In closing, I would like to pose a series of questions raised upon having allowed *History of Madness* to serve as an heuristic grid for investigation into the whys and wherefores of how it is that prostitution has at best come to occupy the margins of an already marginalized discourse about sexuality (queer theory) and at worst vanished from the horizon of this discourse entirely. First, I want to juxtapose the alleged story of the liberation of the mad in chains by Tuke and Pinel with the 1785 closing of Saint Martin's prison (whose edifice had, prior, housed many a "daughter of joy"), the 1791 legalization of prostitution, and the 1799 city ordinance permitting expansive police surveillance of prostitution.[73] I want to ask: in what light must we consider the seeming permissiveness of the legalization of prostitution—the supplantation of the prison by the Red Light District— having once understood the difference between the leper model and the plague model articulated in the moment of the "liberation" of the mad in chains that was, in truth, the winnowing of the medically mad from the morally criminal? Is this not a case where, as Foucault observes

[70] Foucault, *HM*, 344-45.
[71] Foucault, *HM*, 488.
[72] Widely considered the father of modern psychiatry.
[73] Abraham Flexner, *Prostitution in Europe* (New York: The Century Co., 1914), 138.

of the liberation of the mad in chains by Tuke and Pinel, the liberated prostitutes were in point of fact "more genuinely confined than he [she] would be in a dungeon or in chains"?[74]

Second, I want to consider the frenzy—the allegedly orgasm-inducing spectacle—of the procession of prostitutes through the streets of Paris. I suggest that this is an historical moment on par both with the 1757 public execution—the "spectacle of the scaffold"—of Damiens the regicide with which Foucault so famously opens *Discipline and Punish*, and with the "organized pageant" that was madness up until the mid-nineteenth century.[75] I want to ask: what forces were so powerful as to eventually compel public officials to hold these parades only after dark?[76] If, in the virtual disappearance of public execution and its focus on the body as major target of penal repression, we have lost the potential for that "confused horror [that] spread from the scaffold…always ready to invert the shame inflicted upon the victim into pity or glory…[and which thus] often turned the legal violence of the executioner into shame,"[77] what have we lost with the disappearance of the public procession of prostitutes? Where are the moments—if there are these moments at all anymore— in which the tables between Reason and its inverse can turn in a heartbeat? In other words, "Where can we find—if it is that we can find— the equivalent of the lightning flash/cries of madness that render Reason silent, for prostitution/sex work?"[78]

Of Genealogy and Governmentality

In their 1983 essay "Legal Discourse and State Power: Foucault and the Juridical Relation," Jerry Palmer and Frank Pearce explore Foucault's work—principally, *Discipline and Punish*, but also his essays on power from 1979-80—in order to discover points of convergence and divergence between and among Marxist critiques of the State and Foucauldian critiques of State power. Refusing the popular "party line" toed by leading members of both theoretical "camps" that would have us believe in the fundamental incommensurability of Marx and Foucault, Palmer and Pearce instead seek to establish that "a rapprochement is indeed possible."[79] Such an approach to the

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[74] HM, 496. Lynne Huffer reads Foucault's rendering of the liberation of the mad in chains by Tuke and Pinel as "a paradoxical situation where imprisonment itself is internalized… [and] the patient is imprisoned by none other than herself" (*Mad for Foucault*, 159).

[75] Foucault, *HM*, 145.

[76] Erickson, "Arts and Métiers."

[77] Foucault, *D&P*, 9.

[78] The easy answer is, of course: nowhere, because the modern, mad sex worker (recalling that "Madness is reason, with the addition of a thin layer of negativity") is not the pre-modern, unreasonable prostitute whose "inaccessible primitive [wild] purity…can never be reconstituted" (*HM*, 184; Preface *xxxiii*). What we can glimpse, however, is the "lightning flash decision" whereby the one became the other (*HM* Preface, *xxxiii*). Thus, as Jana Sawicki suggests, "our freedom consists in our ability to transform our relationship to tradition and not in being able to control the direction that the future will take" (1991. *Disciplining Foucault: Feminism, Power, and the Body.* New York: Routledge, 99).

[79] "Legal Discourse and State Power: Foucault and the Juridical Relation," *International Journal of the Sociology of Law*. 11 (1983): 364.

relationship between Marx and Foucault is rare and perhaps impossible to find in the realm of critical analysis of the sex industry but, as I will attempt to demonstrate, sorely needed. For if we are to understand why and how queer theory has so severely marginalized sex work, then a Marxist class analysis with which we can grasp the way in which capitalism constitutionally requires the perpetual production of unmet needs across the board, but especially intensively in those whose abjection from the social body renders them more vulnerable to exploitation by capital, is indispensable.

Indeed, as Rosemary Hennessy has demonstrated, Marxism helps us to understand "queer" as a "second skin" that, like such other second skins as race, ethnicity, femininity, age, ability, citizenship/legal status, et al., has long functioned and in most parts of the world continues to function as leverage for capital to extract ever greater amounts of surplus value from labor through ever-lower wages and heightened competition for jobs in the face of an always looming industrial reserve army of the unemployed.[80] Marxist feminism can also help us to understand how and why it is that certain queer second skins of the global North have very recently come to function as politically expedient leverage for capital to extract surplus value by different means, through both the creation of niche markets and the concession of rights and privileges in exchange for complacency. Thus, the sobering admonitions of Marxist feminists (e.g., Ebert, Kelsh, and Cotter) that we must understand that there is no such thing as freedom for the sex worker, any more than there is any such thing as freedom for the worker under capitalism— eliding Eliyanna Kaiser's important observation that "the only thing worse than being a worker under capitalism is being a worker denied entrance to capitalism"— exhort queer theory to reckon with the reality that, under capitalism, exploitation of the many is invariably the price to be paid for the seeming "liberation" of the few. Thus, in a point of convergence with Foucault's anti-liberation bent and with important insights of Critical Race Theory, such Marxist feminist analyses renarrate what looks like hard-won liberation—e.g., gay marriage—as yet another of capitalism's ruses.

But Marxism cannot explain how and why it has itself failed to make common cause with the sex worker rights movement—why, for example, time and again unions have turned sex workers away in the final moments of their certification bids.[81] Indeed, if we are to get at what Palmer and Pearce characterize as "the Marxist disdain for the lumpen-proletariat [for providing] illegal services for the ruling class and the state," then we need Foucault. Indeed, inasmuch as Foucault helps us to understand Marxism's failure to make common cause with the sex worker rights movement, he helps us to better understand queer theory's failure to do so; as Annette Sawatzki writes:

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[80] Rosemary Hennessy, "The Value of a Second Skin," in *Intersections between Feminist and Queer Theory: Sexualities, Cultures and Identities*, eds. Diane Richardson, Janice McLaughlin and Mark E. Casey, (Basingstoke, UK: Palgrave, 2006), 116-135. https://doi.org/10.1057/9780230625266_7.

[81] Gall, Gregor. *Sex Worker Union Organising : An International Study*. Basingstoke England, Palgrave Macmillan, 2006.

> Foucault shows how the division of the "plebs" into a "productive" and a "dangerous" class is produced and how it serves to moralize the "productive" class and integrate it into capitalist governmentality…[which] shows that Marx himself (and most of his followers) walked into the trap of bourgeois morality/governmentality that the separation (and fetishization) of "productive" and "dangerous" classes is. By blaming the marginalized, "unproductive" plebs for corrupting his dear disciplined revolutionary subject, Marx encouraged the working class to accept the moral/governmental framework of capitalism instead of maintaining plebeian revolutionary stubbornness.[82]

Foucault also shows us how and why what has come to be known as "queer liberalism," or "homonormativity,"[83] has managed to effect such a distanciation from and silencing of sex work within queer theory. His elucidation of the way in which the binary relation between delinquency ("controlled illegality…an agent for the illegality of the dominant groups") and bourgeois morality has proven indispensable to governmentality's continual creation and co-optation of "the productive class" under capitalism helps us to understand the way in which prostitution functions under capitalism. At once repository of delinquency and lightning rod for bourgeois morality, sex work *works* as an ideological instrument of capital to divide and conquer theorists and activists of various stripes who purport to believe in truly human sexual functioning, even as we support measures of achieving it that can only satisfy (and produce) the sexual desires of some of us at the expense of the exploitation of many of us. Failure to understand the way in which the criminalization of prostitution serves to naturalize a status quo that by definition produces sex as both "outlawed need"[84] and unremunerated labor[85] by positing the existence of an ideal, "deserving," legal

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[82] Sawatzki, "Foucault and Capital." 28 Jul. 2003. http://foucault.info/Foucault-L/archive/msg08822.shtml.

[83] Many would consider the aforementioned Marxist feminist critique (Hennessy) to be a critique of queer liberalism/homonormativity. David Eng describes queer liberalism as "a contemporary confluence of the political and economic spheres that form the basis for the liberal inclusion of particular gay and lesbian U.S. citizen-subjects petitioning for rights and recognition before the law" (2010. *The Feeling of Kinship: Queer Liberalism and the Racialization of Intimacy*, Durham NC: Duke University Press, 3) https://doi.org/10.1215/9780822392828. Queer liberalism is often used interchangeably with homonormativity, which Lisa Duggan characterizes as "a politics that does not contest dominant heteronormative assumptions and institutions — such as marriage, and its call for monogamy and reproduction — but upholds and sustains them while promising the possibility of a demobilized gay constituency and a privatized, depoliticized gay culture anchored in domesticity and consumption ("The New Homonormativity: The Sexual Politics of Neoliberalism." *Materializing Democracy: Toward a Revitalized Cultural Politics*. Eds. Russ Castronovo & Dana Nelson. Durham: Duke University Press, 2002, 179).

[84] Kelsh, Deborah P. 2000. *Outlawed Needs: Class and Cultural Theory.* PhD dissertation, The University of Albany, SUNY.

[85] The widely accepted ideological given that "sex" is what we do with our "free" time. This, in contrast to the perspective on sex put forward by members of the Italian Marxist feminist collective, Lotta Femminista, and the British Marxist feminist collective, Wages for Housework, that un- and under-paid sex constitutes part of that calculable "historical and moral element" that keeps labor coming back to the job, day after day. Marx offered as

subject for whom prostitution "is no excuse" because s/he is an "upstanding citizen" of "sound character,"[86] is to fail to understand what we *all* have lost and what we have to gain by understanding the call to solidarity from the sex worker rights movement to queer theory and to Marxist-affiliated labor movements as a call to self-recognition. It is also to miss those lessons to be learned from the ways in which allo- and auto-identified prostitutes/sex workers have themselves wielded the classifications assigned them. Indeed, one might argue that the sex worker rights movement, in its comparative distrust of juridical power, has done a much better job than the gay rights movement in understanding itself to be nothing more (and nothing less) than "the correlate of exact procedures of power."[87] Missing this lesson, we run the risk of continuing to "reproduce current constructs of gender [and sexuality] while neglecting to theorize the social and embodied effects of the carceral system"—as Chloë Taylor admonishes feminists critical of Foucault's thinking on sex crimes, more broadly.[88] In so doing, queer theory also risks missing the irony of the deployment of biopolitical sexuality, which as Foucault admonished in closing *History of Sexuality, Volume I*, would have us "believe that our 'liberation' is in the balance."[89]

Scientia Sexualis, c'est moi

For Foucault, the genealogy of knowledge of any given subject consists of two bodies of knowledge—"first, the dissenting opinions and theories that did not become the established and widely recognized and, second, the local beliefs and understandings" constituting the domain of this subject.[90] Tracing what I take to be an alternate, queer genealogy of prostitution/sex work through Foucault's *oeuvre* reveals that prostitution emerges as a meaningful practice only in relief, visible against a tangled web of other meaningful discursive nodes, not least of which are madness, homosexuality, delinquency, the sovereign-cum-biopolitical bourgeois family, and capitalism. "[A]n insurrection of subjugated knowledges. . . the historical contents that have been buried and disguised," this alternate, queer genealogy of prostitution/sex work serves not only to interrogate and unsettle "prostitution" as we think we know it—contemporary rational discourse on prostitution— but also, I would argue, "queer" as we think we know it.[91] Indeed, through the lens

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additional examples of this "historical and moral element" requisite to the maintenance of the working class beer for the British and wine for the French. Marx. 1906. *Capital. A Critique of Political Economy* (vol. 1). The Modern Library, New York: 171.

[86] For more on this relation apropos of poverty, not sex work, see Palmer and Pearce, 373.

[87] *HS*, 47. One sees this distrust of juridical power in the movement's widespread support not for legalization but rather decriminalization, among other areas. In contrast, the gay rights movement has largely endorsed and invited state regulation in the form of marriage and military inclusion (among others).

[88] "Foucault, Feminism, and Sex Crimes," 2.

[89] *HS*, 159.

[90] H. Dreyfus and P. Rabinow, Michel *Foucault, Beyond Structuralism and Hermeneutics*, (Chicago: U of Chicago Press, 1983), 119.

[91] Michel Foucault, "Power/Knowledge," in *Power/Knowledge: Selected Interviews & Other Writings 1972-1977*, ed. Colin Gordon, (New York: Random House, 1981), 81.

of this genealogy, the two are until very recently coterminous. Arguably, this unsettling interrogation opens a new space in the present for thinking about prostitution/sex work, such that "as soon as one can no longer think things as one formerly thought them, transformation becomes both very urgent, very difficult and quite possible."[92]

If, as Colin Gordon cites from the anonymous motto[93] of the series *Des travaux*, "work" = "access to another figure of truth," then it is my hope that attention to this alternate, queer genealogy of sex work will expose "the political stakes in designating as origin and cause those identity categories [here, specifically, those of prostitution] that are in fact the effects of institutions, practices, discourses with multiple and diffuse points of origin."[94] In the wake of this exposure, we will need to reckon with queer theory itself as participant observer in *scientia sexualis*. For having once understood that like madness, prostitution "is never found raw…[but rather, it] exists only within a society and never outside forms of sensibility that isolate it and forms of repulsion that exclude or apprehend it,"[95] we might also discover ourselves—in our queer theoretical silences and noisy feminist debates over prostitution—to have become somehow enmeshed "in an oddly similar fashion" in a centuries old "game of exclusion" with yet another leper-come-lately.[96]

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[92] Michel Foucault, "Practicing Criticism," in *Politics, Philosophy, Culture: Interviews and Other Writings 1977-1984*, ed. Lawrence D. Kritzman (New York: Routledge, 1990), 155.

[93] Gordon attributes the motto to Foucault. Colin Gordon, *Review, Michel Foucault, History of Madness*. 23 Feb. 2007 http://ndpr.nd.edu/review.cfm?id=8904.

[94] Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (New York: Routledge, 1990), ix.

[95] In translation from Michel Foucault, *Dits et écrits: 1954–1988*, Vol. I. ed. Defert and Ewald (Paris: Gallimard, 1994), 169. Earle, William James. "Pleasure and Provocation: Reaction-Shots to Michel Foucault's History of Madness. *The Philosophical Forum*. Volume 38, Number 3. Fall 2007: 317. https://doi.org/10.1111/j.1467-9191.2007.00269.x.

[96] Foucault, *HM*, 6.