



A University of Sussex PhD thesis

Available online via Sussex Research Online:

<http://sro.sussex.ac.uk/>

This thesis is protected by copyright which belongs to the author.

This thesis cannot be reproduced or quoted extensively from without first obtaining permission in writing from the Author

The content must not be changed in any way or sold commercially in any format or medium without the formal permission of the Author

When referring to this work, full bibliographic details including the author, title, awarding institution and date of the thesis must be given

Please visit Sussex Research Online for more information and further details

The Use of Law in Feminist Activism:

a governmentality analysis of the legal answers
to problems of transactional sex

The Use of Law in Feminist Activism: a governmentality
analysis of legal answers to problems of transactional sex

Thomas Ebbs

University of Sussex: Law, Politics and Sociology

A thesis submitted for the degree of PhD in Legal Studies: 30 September 2022

Abstract

In several forms of contemporary feminist discourse, the law is presented as both a vital and useful response to problems associated with transactional sex. Several critics have argued that this emphasis on the law as a useful response is theoretically naive and disconnected from the lived realities of sex workers. Such research has contended that, as a result of its over-reliance on the law, feminist activism has had deleterious effects and been co-opted by projects of (neo)liberal governmentality. This thesis aims to develop and complicate these insights. It investigates how feminist relationships with the use of law regulates the possibilities of its activism. The thesis specifically asks: How is the law rationalised to be useful by feminist activists? Do these rationalisations of law's utility affect the subjectivities, practices, and political objectives of feminist activism itself? Deploying a methodology based on Michel Foucault's governmentality and Sara Ahmed's recent work on 'use' the thesis analyses a diverse range of feminist activist writing over the past 50 years. Case studies considered by this research include: the feminist publication and collective *Spare Rib*; online expression from (neo)abolitionist feminist communities; and, the contrasting engagements with the use of human rights law by *Sisters Uncut* and *Reclaim These Streets*. This analysis finds that the use of law plays a key role in facilitating contemporary associations that are important to feminist practices. Specifically, it demonstrates how these relationships have encouraged the emergence of feminist expertise and practices of servile virtuosity, whereby activists display willingness to be governed and assessed as compatible with parochial standards of gender and sexual performance. As a result, relationships with the use of law are found to have extensively regulated and sustained limited forms of activism, that have historically closed off meaningful critique, disobedience, and the possibility of other socialities. However, the thesis also contends that alternative futures are actively pursued and made possible through recognising the importance of law's use in efforts to be governed differently.

Word Count: 70,138

Acknowledgments

Bal Sokhi-Bulley and Charlotte Skeet – on so many levels, you made this thesis possible. I will forever be amazed by the enormous amount of patience and support. Thanks for taking me in and sticking with me whilst things got figured out. It'd take another thesis to list all that you have given me in terms of friendship, inspiration, and intellectual guidance. Thanks, for reviewing so many (more) fragmented, passive, and unclear versions of this work. It must have felt Sisyphean at times, but you've both taught me so much and it has been a real honour to have had the opportunity to work with you. I will miss our supervision sessions greatly.

Jen Gutteridge and Walter. Thank you for listening to my ideas, feeding into them, and stemming my anxieties. I am so grateful for all the care and work that you both provide. It is interwoven throughout the good pages of this project and my life well beyond it. Thanks for letting me sneak into the various dungeons' that have been my office spaces over the past few years... and for reminding me that there is an 'outside' that exists beyond those dimly lit walls and LED screens. Jen, thank you for all of those you've brought into my life who've welcomed me warmly, not in the least Tammy-Takako Gutteridge, Alice Gutteridge, Tony Cullum, Alex Butterworth, Martha Summers and Johnny Lui.

Thanks to everyone who helped me at the University of Sussex. I am indebted to my PhD siblings, Anna Moss Gumucio Ramberg and Christina Miliou Theocharakis, and my co-conspirator Swastee Ranjan. It's hard to think of a conversation I've had with any of you that didn't leave me feeling inspired and grateful to be in your presence. Thanks for your friendship and kind ears. Thanks to Tarik Kochi, Tanya Palmer, Matthew Evans, Marie Hutton, Elizabeth Craig, Nuno Ferreira, Steph Berry, Gill Love, Paul McGuinness, Samuel

Solomon, Arabella Stanger, and Lara Coleman who, in their own ways, all helped show me how to navigate academic spaces. My love and solidarity to my UCU comrades, especially everyone ‘Gritty’. Thanks for always showing up on the picket and beyond. Thank you also to all those who collaborated in reading groups and braved Zoom calls, especially during the various lock-downs. Special thanks here to Cara Hilger, Tom Kemp, Victoria Holt, Rachel Stuart, and Fiona Meth for all your camaraderie and joyful insights.

My friends at LFJL, particularly Elham Saudi, Chloe Dennis, Aml El-Houderi, and Ali Nour. I loved working with you all in the pursuit of justice. Thank you for your support and belief which enabled me to take on this new chapter. Elham, your intelligence, dedication and love remain guiding lights in my life. Thanks to those working at SeNSS for supporting this research and creating such an incredible interdisciplinary environment. The studentship made my thesis experience very different, and I feel extremely privileged for that chance. Thanks for everyone who did admin work over there and the doctoral school – you kept me alive over the past few years and through much of a pandemic. Abigail Shirley and Felicity Szesnat, in particular, you were both incredibly supportive and understanding. I would also like to thank those who do not know me that well, but who never let that stop them from being welcoming and generous with their time and thoughts, especially Katie Stone, Sophie Lewis, Alison Phipps, Saskia Papadakis, and everyone at the *Sex Worker Research Hub* and *the Centre for the Study of Sexual Dissidence*.

Thanks too, to all those whose work I draw on and make use of in this thesis. You made my ambitions substantially less painful. I wish to offer special thanks goes to those at the British Library who worked on the *Spare Rib* digitisation project. Special thanks also to John Colbourne for consistently being my Valkyrie over the last few years, and for your help with *Tor Storm* and the many other Python elements that Chapter Five of this project relied on. In

this vein, a sincere thank you to *Scamatron 3000*, now part of a growing list of contributors who kept me fed me throughout this project.

My kin, friends, and comrades – you are all rad. Special thanks and love to: Amelia Motchman, Katie Motchman, Stuart Motchman, Nikki Hardy, Nigel Hardy, Stephen Ebbs, Melissa Ebbs, Veronica Ebbs, Stella Muriel ‘Gigi’ Pilling, Evan Viney, Laura Forker, Rhys Viney, Oscar Turpin, Charlotte Garside, Edouard Ariel, Juliet Ariel, Jessica Plank, Carol Ariel, John Ariel, Alex Baldwin-Ariel, Faye Baldwin-Ariel, Juniper Baldwin-Ariel, Merje Laiapea, Samir Al Jamil, Sam Thompson, Marina Zielke, Gurinder Mangat, Kaya Wilkins, Tola Moeun, Joel Preston, Sophy Keo, Rupert Abbott, Laura McLean, Jennie Graham, Nikki Hoar, Katie Santana, Osiris Santana, Amy Smith, Nikki Christofi, Martyn Thomas, William Morley, Nikhil Jones, and Mette Holm. Everything, always, in the loving memory of those who I think about all the time - Brian Ebbs, Cian Jones, Jackson Smith, Harley, Ijah, Claude.

Thank you for reading this. x

Contents

Abstract.....	iii
Acknowledgments.....	iv
Contents.....	vii
Introduction	1
Chapter One: Legal Answers to Problems of Transactional Sex	16
1.1 Introduction.....	16
1.2 (Neo)Abolitionism and the Law.....	17
1.3 Critiques of (Neo)Abolitionism.....	26
1.4 Conclusion	40
Chapter Two: The Methodology of Governmentality	42
2.1 Introduction.....	42
2.2 The Analytics of Strategic Power Relations.....	44
2.3 Governmentality	53
2.4 Methods.....	63
2.5 Conclusion	74
Chapter Three: The Repulsive Conventional and The Ascetic-Usage of Collective Experiences	75
3.1 Introduction.....	75
3.2 Problematisations of the Conventional.....	77
3.3 Experiences of the Collective	84
3.4 Asceticism and the Emergence of Feminist Expertise	88
3.5 Conclusion	93
Chapter Four: Categories of Writing About Prostitution and The Emergence of Feminist Expertise in <i>Spare Rib</i>	95
4.1 Introduction.....	95
4.2 Categories of <i>Spare Rib</i> 's Writing about 'Prostitution'	96
4.3 The Use of Law and the Emergence of Feminist Expertise.....	123
4.4 Conclusion	134
Chapter Five: The Use of Law in Online Feminist Activism.....	136
5.1 Introduction.....	136
5.2 Feminist Activism Online.....	138

5.3	The Use of Law in Transactional Sex Tweets	146
5.4	Precariousness	160
5.5	Conclusion	169
	Chapter Six: Anxiety and the Future	170
6.1	Introduction.....	170
6.2	The Murder of Sarah Everard, Vigils, Legal Futures	171
6.3	Counter-Conducts of The Government of Gender.....	188
6.4	Conclusion	206
	Conclusion.....	208
	Bibliography	212
	Appendices	232
	Appendix A – Code Book Categories and Descriptions	232
	Appendix B – Dataframe Processing.....	234

Introduction

This thesis investigates how feminist relationships with *the use of law* have regulated the possibilities of its activism. To do so, this research draws on a methodology influenced by Michel Foucault's governmentality and Sara Ahmed's work on 'use', and analyses a diverse range of expressions about the law and transactional sex that have taken place in the context of feminist activism over the past 50 years.¹ In this diverse range of media, spaces, and times it is guided by the following research questions: how is the law rationalised to be useful by feminist activists? And, how do these rationalisations of law's utility regulate the subjectivities, practices, and political objectives of feminist activism? This introduction provides a brief account of my personal motivations for this study. This is provided to justify this research and contextualise it with respect to my lived experience of the relationality of the use of law and feminism. I further offer an account of my positionality, a brief justification of the methodology of this work, and a clarificatory note on what I mean by the term *transactional sex*, in the spirit of helping readers navigate through this work.

My interest in these questions is motivated by personal interactions with the use of law. I came to human rights law wanting to use it so that I could make a positive difference with my life. I worked at several legal non-governmental organisations and initially celebrated my 'alternative' legal-career choice. Using the law let me travel. It made me friends, impressed some strangers, and kept some others away. Using the law let me feel clever and kind sometimes. It let me help some people, whose thanks I will not dismiss. However, using this law never let me experience life as the type of person I once thought it promised.

¹ M Foucault, *Security, Territory, Population* (Arnold I Davidson ed, Graham Burchell tr, Palgrave Macmillan 2007); Sara Ahmed, *What's the Use?: On the Uses of Use* (Duke University Press 2019).

Inside the world of human rights non-governmental organisations (NGOs) you witness too much. The relentless sexual harassment and bullying, particularly of women and people of colour. Those creepy funders who stop thinking your work is brilliant now you're in a long-term relationship. Senior-staff at that world famous organisation, you've been giving £10 a month to, who turn out to be throwing things at interns to get their attention and refuse to learn their names to demonstrate their significance. The ongoing glorification of those who go 'to the field' with all its machismo bullshit and implicit coloniality. The extractive interviews they do once there, carried out under false premises and empty promises, because the story matters more than being responsible to someone else. The people who die or are thrown into depression because of that misplaced trust. A family's pictures stolen and refused to be returned, in case they might be evidence, then given to an artist to curate as an exhibition. Projects that seek to introduce criminal repercussions in the name of human rights, as if that was the answer to everything and anything. All those times that junior staff efforts to unionise were threatened by the same organisations whose press releases wax lyrical about workers' rights. Grassroots projects killed mid-implementation because someone in the United Nations thought they would do a better job. A whole world run by individuals designated 'the best' but who cannot answer the question of 'why do you believe in human rights?' with any integrity because they never cared about such unhelpful questions.

The individuals and organisations I worked with and for, over prolonged periods at least, were kind and well intentioned. Witnessing the state of things, we often tried to do things differently. When seeking funding, we sometimes imagined ourselves as extracting subsistence from sources of violence. But our projects and programmes always seemed to creep back to the same extractive institutions, the same actors who never seemed to do anything helpful for anyone else, the same activities implemented at the end of a project to tie things up, the same imaginings of impact laced into funding proposals that never quite

materialised. Our work, words, strategies, thoughts, all seemed to be necessitated through our relationships with human rights law and its supposed usefulness for what we wanted to do. To live this kind of life, intimately, explicitly, mundanely, profoundly, frustratingly with human rights law, ultimately results in one being haunted by the question... *what's the use?*

As Sara Ahmed notes, the question ‘what’s the use?’ has an undertone of exasperation that stems from a previously held assumption that the thing and persons involved ‘had a point’.² This thesis thus starts from a similar position of exasperation. It seeks to investigate how ‘the law’ has been related to as useful in the assumptions of those who, like myself, wanted to make a positive difference. I therefore turn to theory in the same spirit as bell hooks ‘desperate, wanting to comprehend— to grasp what was happening around and within me’ and in the hope that critique will offer an opportunity to find ‘a location of healing’.³ As I expound in Chapter Two methodology, reading theory has allowed me to dig deeper into the intrusive question of ‘what’s the use?’. Authors like Ahmed have helped me to formulate guiding questions to this research: what are the instrumental, affective, distributional dimensions of this ‘use’ ascribed to the law?⁴ And, in turn, how do these relationships organise and configure activist lives, identities, and practices?

My decision to specifically examine feminist activists’ relationships with the use of law perhaps appears out of left field. Since its introduction to my life, feminist theory has profoundly impressed upon my being. It has been a location of healing and it continues to shape the way I comprehend the world, relate with myself and others. In questioning the use of law, to find ways of living differently and locating new tools to form relationships, there was an immediate reflexive urge to consider feminist engagements. This is indeed a sentiment

² Ahmed (n 1) 1.

³ bell hooks, *Teaching to Transgress: Education as the Practice of Freedom* (Routledge 1994) 95.

⁴ Ahmed (n 1) 12.

shared by Ahmed, who argues that questioning ‘what’s the use’ can often form part of a feminist inquiry, as it ‘implies that some things we do, things we are used to, things we are asked to get used to, are in the way of a feminist project of living differently.’⁵

However, like many, my relationship to feminist theory and activism is complicated. On a personal level, feminism is implicated in my own troubled professional engagements with the law. It was my interest in feminist theory and practice that directed much of my professional interest in human rights. It led my decision to specialise in implicitly and explicitly gendered issues, such as sexual harassment, the working conditions of the international garment industry, sex work, and domestic labour. Feminism thus situates both my legal knowledge and any sentiment I had of holding legal-expertise, whilst also providing the backdrop for the more deplorable uses of human rights law I have witnessed and been involved in. It was always in the room offering its sweet-justifications to those carrying out extractive interviews, implicitly making decisions about others’ lives, their locations, their capacity to speak in the legal stories we told about them.

It is also agonising to watch feminism continue to be complicit and participate in structural violence. In the United Kingdom representations of feminism in the media often house and shelter the violence of transphobic, homophobic, classist, colonial and racist perspectives.⁶ White feminism has long been complicit in projects of eugenics,⁷ and yet, despite repeated critiques, the same racialised-discursive tropes continue, enjoying new life in human-rights family planning interventions in the global south.⁸ Even when contemporary forms of

⁵ *ibid* 3.

⁶ Sophie Lewis, ‘SERF “n” TERF: Notes on Some Bad Materialisms’ (*Salvage*, 2 June 2017) <<https://salvage.zone/in-print/serf-n-terf-notes-on-some-bad-materialisms/>> accessed 30 September 2022.

⁷ Angela Davis, *Women, Race & Class* (Random House 1981) 202-221.

⁸ Maud Anne Bracke, ‘Women’s Rights, Family Planning, and Population Control: The Emergence of Reproductive Rights in the United Nations (1960s–70s)’ (2022) 44 *The International History Review* 751.

feminism appear anodyne and edental, as Amelia Horgan notes, these forms often reinforce and ontologise an essential womanhood as outside of history, unwilling to conceptualise structural change.⁹ Further, as Janet Halley et al. have argued, feminists often refuse to recognise that they occupy roles in institutional power relationships.¹⁰ There is an obfuscation and evasion taking place, through an insistence on operating from a position of structural disempowerment whilst also occupying significant posts of societal influence.

These projects intersect, as well as engage in their own distinct kinds of violent discrimination, in many contemporary feminist responses to sex work.¹¹ I first became aware of this whilst working with sex worker rights campaigns in Cambodia. In this capacity I made friends and learnt about experiences that some sex workers had with NGOs partially empowered by feminist discourses. Several NGO programmes, funded primarily by those in the global north, aimed to exit-sex workers, through rehabilitation programmes, which often relocated people far away from their homes, forcing those involved to learn how to sew or even pray before they could leave.¹² These interventions were all carried out seemingly half-aware but unaffected by the complexities of sex worker lives, not least that many others were dependent on their income and that they all had their own aspirations and plans for their own futures. The limited imagination, that presumed a better job would be working in a garment factory to produce clothing for international brands (and for feminists in the global north to wear), was always pursued, despite the offensive background that many sex workers leave the

⁹ Amelia Horgan, 'Feminism: What's in a Name?' (*Versobooks.com*, 13 March 2020)

<<https://www.versobooks.com/blogs/4594-feminism-what-s-in-a-name>> accessed 30 September 2022.

¹⁰ Janet Halley and others, 'From the International to the Local in Feminist Legal Responses to Rape, Prostitution/Sex Work, and Sex Trafficking: Four Studies in Contemporary Governance Feminism' (2006) 29 *Harv JL & Gender* 335. See also, Alison Phipps, 'Whose Personal is More Political? Experience in Contemporary Feminist Politics' (2016) 17 *Feminist Theory* 303.

¹¹ See Molly Smith and Juno Mac, *Revolting Prostitutes: The Fight for Sex Workers' Rights* (Verso Books 2018) for an excellent introduction to these intersections.

¹² For further context on some of these issues in Cambodia, see: Heidi Hoefinger, 'Neoliberal Sexual Humanitarianism and Story-Telling: The Case of Somaly Mam' [2016] *ATR* 7, 56.

factory floor because the working conditions are inhospitable and unsustainable.¹³ When the feminist author Julie Bindel travelled to Cambodia and met with a sex workers union, she argued that their political demands for rights had ‘colonised’ the experiences of the women they represented.¹⁴ Yet, when she proposes how a ‘survivor based movement’ would make these women safer (they need to raise money so sex workers could ‘apply for jobs’), this prescription was not based on the experiences of sex workers themselves or an engagement with postcolonial perspectives, but a reductive fantasy of how someone else can and should live.¹⁵

It is in this context, that relationships with the law have been increasingly naturalised as not only compatible but useful for contemporary feminism. As I discuss in detail in Chapter One, a popular form of contemporary feminist activism, (neo)abolitionism, is committed to comprehending the law as useful in ways that patently ignore sex worker campaigns, endanger lives, and facilitate sexual violence. Whilst there is widespread agreement that this particular naturalisation of the usefulness of law hides political violence, how these relations emerged seems obfuscated in many mainstream feminist histories. This is particularly notable in the case of contemporary ‘radical feminists’ who quote books and authors from the past to support of their arguments for increasing criminalisation, even though these same texts and activists in the past explicitly advocated for decriminalisation.¹⁶ In feminist scholarship that does recollect this difference, there is often a tendency to attribute it to a linear narrative of individual progressive political innovations. This is particularly notable in accounts like Susan Brownmiller, who attributes such legal-tactics to individuals like Catherine MacKinnon.¹⁷

¹³ Larissa Sandy, ‘Just Choices: Representations of Choice and Coercion in Sex Work in Cambodia’ (2007) 18 *The Australian Journal of Anthropology* 194.

¹⁴ Julie Bindel, *The Pimping of Prostitution: Abolishing the Sex Work Myth* (Palgrave Macmillan 2017) 45.

¹⁵ *ibid* 46.

¹⁶ See the ongoing citation of academic and (neo)abolitionist activist Kathleen Barry’s early work, which expressly argues for the need for decriminalisation. See Kathleen Barry, *Female Sexual Slavery* (NYU Press 1984).

¹⁷ Susan Brownmiller, *In Our Time: Memoir of a Revolution* (Delta Group 2000) 316-317.

Other critical authors, like Silvia Federici or Laura Maria Agustin notice these developments but then attribute them to wider sweeping historical accounts of emerging (neo)liberalism.¹⁸ Whilst helpful in their broad orientations, these assessments risk washing away the nuance and complicated relationships with the use of law which take place in the everyday experiences of thinking and doing activism.

In this way, it is my hope to use feminist activist relations with the use of law to provide a focal lens to my critical enquiry. Through this examination of feminist engagements, I hoped to discover dimensions of legal relationality that often go underrecognized, as well as activists' legal histories that are misremembered to legitimise extant projects. I am particularly interested in providing an analysis, that goes beyond the specular law as conceptualised as only a formal-instrumental relationship between the state and citizen – and instead investigating how the use of law features in more subtle, every day, comprehensions, and patterns. In doing so, I hoped to provide not only just a neglected alternative genealogy of the law in feminist activism but arrive at a better understanding of how we might relate to the use of law differently in the future.

Reflections on Positionality, Methodology, and Transactional Sex

This critique of how the law is related to as useful by feminist activism is written from a positionality of a neurodivergent cis white man, a middle-class lawyer, and someone with no experience of being a sex worker or client.¹⁹ I hold deep-seated reservations and anxiety in relationship to aspects of this positionality, particularly given the ongoing extractive

¹⁸ See Part II of Silvia Federici's *Revolution at Point Zero* for a collection of essays that detail her assessment of the globalisation of feminism (Silvia Federici, *Revolution at Point Zero* (PM Press 2012)); Laura María Agustín, *Sex at the Margins: Migration, Labour Markets and the Rescue Industry* (Zed Books 2007).

¹⁹ Albeit one who perceives, and questions related identities and associated performativity as unfinished configurations.

knowledge relationships much of academia holds with sex work and sex workers.²⁰ I appreciate that my decision to engage with a critique of feminism can be read as in bad taste in a world so deeply misogynistic. I remain, at best, ambivalent as to whether these feelings should be resolved and whether this research was *the right thing to do* or whether I was *the right person* to think, research, write it. I, nevertheless, am committed to the belief that a certain body or identity is not essentially tied to the subject of feminism.²¹ As outlined in this introduction, I locate myself as affected by and implicated in this engagement with feminist theory and subject matter, not least for the impact it has on those close and not so close to me. This attempt to be cognisant of interconnectivity is not an effort to suggest that my insights or conclusions should be privileged over others. I recognise that other standpoints and other researchers are likely better placed to make remarks on much of this subject matter. My hope is for this research to simply and selfishly, provide a study driven by my own desire to better understand how feminist activists have engaged with the law as useful. I intend for this to assist with my own relationships with the use of law and demonstrate ways towards that ‘location of healing’ and a chance to better understand how to, in the words of Donna Haraway, ‘live and die well with each other in a thick present’.²²

In terms of methodology, the specific form of critique I deploy in this research is referred to as *governmentality*. As I detail in subsequent chapters and summarise here, governmentality is a way of analysing how a particular modality of strategic power relations, those concerned with the ‘conduct of conduct’, are rationalised.²³ This approach substantially draws on Michel Foucault’s work, including his interviews and *the History of Sexuality* series, but particularly his lectures at the College de France in Paris. As François Ewald and Alessandro Fontana note

²⁰ Victoria Holt, ‘VAW Seminar Series: “The Contentious Relationship between Sex Workers and Researchers”’ (December 2020) <<https://www.youtube.com/watch?v=nZ8wTm55paU>> accessed 30 September 2022.

²¹ Marquis Bey, *Black Trans Feminism* (Duke University Press 2022) 11.

²² Donna Haraway, *Staying with the Trouble: Making Kin in the Chthulucene* (Duke University Press 2016) 1.

²³ Foucault, *Security, Territory, Population* (n 1) 193.

these lectures were intended be a gesture of ‘handing out invitations to potential researchers’.²⁴ The specific invitation of governmentality was first made during the course *Security, Territory and Population* delivered in 1977-1978, a title which Foucault would later reflect on and suggest might be more exactly called ‘a history of “governmentality”’.²⁵ As Bal Sokhi-Bulley argues, governmentality can be considered a *methodology*,²⁶ drawing on Foucault’s insistence that he did not desire to propose strict ‘principles, rules or theorems’ and instead wished to offer ‘indications of choice or statements of intent’.²⁷ Sokhi-Bulley contends that governmentality offers a way of ‘thinking about’ ones research questions and hypothesis, structuring the way to which they are responded.²⁸

Governmentality has often been deployed as a way to analyse macro-relations, notably the emerging roles of the state and its variable constitutive relationship with its citizenry in (neo)liberalism. However, I made the decision to accept the invitation of governmentality as the methodology for this thesis because it offers an experimental, creative, yet rigorous, way of conceptualising specific dimensions of power relations with the usefulness of objects. As Nikolas Rose notes, governing, the type of power relationship at the focus this methodology, is a ‘a genuinely heterogenous dimension of thought and action’.²⁹ In this thesis, I explain how this heterogeneity of activities implicates regulatory relationships with the use of law. I contend many aspects of this relationality have affects that take place in configuring our everyday practices and activities. As a result, governmentality offers a fruitful way to recognise the law as regulating - beyond just our imaginations of its instrumental deployment by state forces in spectacular spaces, or its imposition of normative values. Rather, its

²⁴ Michel Foucault, *Society Must Be Defended: Lectures at the Collège de France, 1975-76* (Alessandro Fontana and Mauro Bertani eds, David Macey tr, Penguin 2004) xi.

²⁵ Foucault, *Security, Territory, Population* (n 1) 108.

²⁶ Bal Sokhi-Bulley, ‘Alternative Methodologies: Learning Critique as a Skill’ (2013) 3 *Law and Method* 6

²⁷ Michel Foucault, ‘Lecture One - 11 January 1978’ in Arnold I Davidson (ed), Graham Burchell (tr), *Security, Territory, Population* (2009 ed. edition, Palgrave Macmillan 2007)1, 3.

²⁸ Sokhi-Bulley (n 26)

²⁹ Nikolas Rose, *Powers of Freedom: Reframing Political Thought* (Cambridge University Press 1999) 4.

usefulness is connected to the conduct of the self.

This helps conceptualise, more fully, the practices of feminism, for whom the state and its institutions have sometimes only been configured in its politics as of partial importance. As I subsequently note, Foucault's notion of *counter-conduct* as a distinct dimension of resistance, can help reveal how the use of law plays an important role in the practices of feminist activism, because it does not start from a theoretical belief that feminists, or women more generally, are powerless but rather always involved in a wider game of being governed differently.³⁰

Governmentality also offers a methodological depiction of 'rationality' as the structured ways of comprehending, that direct governing activities to achieve certain ends.³¹ This positions rationality as self-reinforcing and subject to invagination; the effects of its regulatory efforts can come to encourage more regulation in the future. But this understanding of rationality is also dynamic, through the very play of governmental relations the unexpected can come to change the regulatory project itself. This feels wholly coherent with Ahmed's documentation of the way that objects are understood as 'useful' can transform – not only inhabiting a world in which they were designed to accomplish certain tasks and organising our behaviours, but becoming things that might catch our or others imaginations, and thus be put to other uses.³² Thus, governmentality offers a way to recognise that the way the law is thought about as useful is itself a relationship that structures other relationships. One which is both rigid and

³⁰ For an introduction to counter-conduct as a mode of resistance, see: Louiza Odysseos and others, 'Interrogating Michel Foucault's Counter-Conduct: Theorising the Subjects and Practices of Resistance in Global Politics' (2016) 30 *Global Society* 151; For a brief note on how Foucault contextualises feminist resistance 'opposition to the power of men over women' in relationship to his understanding of power, see also: Michel Foucault, 'The Subject and Power' in James D Faubion (ed), Robert Hurley (tr), *Power: The Essential Works of Michel Foucault 1954-1984: Essential Works of Michel Foucault 1954-1984 v 3* (Third edition, Penguin 2002) 329.

³¹ Michel Foucault, *The Birth of Biopolitics - Lectures at the Collège de France, 1978-1979* (Burchell Graham tr, Palgrave Macmillan 2008) 13.

³² Ahmed (n 1) 6.

inflexible, encouraging certain behaviours over others, but also capable of being plastic and malleable, at times deployed in new ways and thus making possible very different possibilities.

I use the term *transactional sex* in this thesis. This consciously awkward phrasing is an effort to acknowledge that characterising activities as either transactional or indeed sexual, is a dynamic and volatile process.³³ Such a protean quality is a core theme explored in this thesis, as I contend feminist activism's concerns about which activities or dimensions of transaction, commerciality, and sex matter expand, contract, and distort over time. As such new identities, epithets, experiences emerge and become important to feminist activism, whilst others are forgotten or fade into irrelevance. At the same time, other activities exist, underrecognized or perhaps yet to be apparent or performed, that may in the future find salience under this broad and limited categorisation. The phrase transactional sex, with all its ungainliness, helps emphasise and foreground my recognition of this political and discursive liminality. To be clear, the use of transactional sex is in no way a denial of the existence or importance of *sex work*. Despite its own ambiguity, the term *sex work* offers vital recognition for lived experiences and identities, in the face of ongoing and historical political efforts to erase their existences.³⁴ Sex work and sex workers clearly matter, and any contemporary feminist project meaningfully concerned with liberation must act upon the recognition of this point. My use of the term transactional sex in this context is a pedantic clarification about how to engage with the feminist discourses that do not engage in such a recognition, whilst still insisting on describing an intersecting domain of activity.

This lack of recognition may be due to inability stemming from temporal or geographical

³³ Heidi Hoefinger, *Sex, Love and Money in Cambodia: Professional Girlfriends and Transactional Relationships* (Routledge 2013)

³⁴ Egle Cesnulyte, "I Do Not Work: I Do Commercial Sex Work". Ambiguities in the Discourse and Practice of Selling Sex in Mombasa, Kenya' (2015) 46 Development and Change; Shannon Bell, *Reading, Writing, and Rewriting the Prostitute Body* (Indiana University Press 1994).

situation, for example, a case study from this thesis the *Spare Rib Collective*, initially lacked access to the term ‘sex work’ due to its activities predating the term’s mainstream proliferation. For other contemporary organisations, such as (neo)abolitionists, this lack of recognition stems from a more violent and active refusal. I am thus not referring to transactional sex to fence sit, to say all opinions are equivalent or have a point, or, in an effort to suggest that this thesis is deploying a kind of disciplinary know-how that is capable of sidestepping or ignoring the messiness of sex worker politics.³⁵ But rather, point to this mercurial quality of feminist realities, in which overlapping aspects of existence are problematised differently, are thought of as requiring a ‘feminist response’ in dynamic and changing ways.

Chapter Outlines

In Chapter One, I proceed by introducing (neo)abolitionism as an example of contemporary feminist activism and scholarship, which prioritises the law as a response to its problematisation of transactional sex. This chapter outlines how (neo)abolitionists present the law as useful and how these approaches have been critiqued, primarily by other forms of feminist scholarship. This account identifies that many have landed critiques based on the law as an inadequate feminist-tool or as a means of securing conduct. However, the varied ways in which the law is understood to be *useful* by feminist activism and the types of relationships it has held in regulating feminist activist conduct are underexplored. This thus evidences a gap in academic work and the need for additional research from a governmentality perspective.

³⁵ This point of expertise is particularly evident in medical discourses, where the term transactional sex finds a heterogeneous use. A discussion of expertise features in Chapter Four of this thesis. See Nikolas Rose, *Inventing Our Selves: Psychology, Power, and Personhood* (Revised ed. edition, Cambridge University Press 1998).

Chapter Two provides details of my proposed methodological framework for this investigation into how the use of law regulates the activities of feminist activism. This chapter gives a detailed account of governmentality as a methodological means of reflecting on how a domain of strategic power relations, namely those concerned with the ‘conduct of conduct’, are rationalised.³⁶ I draw on in-depth reading of Michel Foucault’s lectures and interviews, as well as wider scholarship from ‘governmentality studies’ to highlight the benefits of this approach. I further contend that Sara Ahmed’s study of the word *use* compliments efforts to think about the various dimension of usefulness in governmental relationships with the law. This chapter further reflects on why my decision to investigate feminist activist writing as a source of data is compatible with this governmentality analysis, as well as justifying my selection of varied case studies.

Chapter Three introduces and examines the first case study, *Spare Rib Magazine*, a feminist publication nationally distributed in the United Kingdom from the early 1970s to the 1990s. It presents writing from *Spare Rib* about the staff’s decision to organise as a feminist-collective. I argue that the decision to organise as a collective was motivated by a ‘counter-conduct’ namely, a refusal to be governed by the rationality that encouraged conventional modes of organising. The establishment of this new organisational architecture was guided by a repulsion from utilising conventional tools, such as the law as a form of political expression, in order to discover distinctly feminist experiences and truths. I follow how the decision to organise as a collective produced distinct and unexpected experiences of feminist activism, some of which were inscribed meaning as part of an *ascetic-challenge*, becoming connected to the notion of self-mastery and greater individualised responsibility.

³⁶ Foucault, ‘The Subject and Power’ (n 30) 341. The terms *conduct*, *rationalised*, *government*, *governmentality* have technical definitions considered in greater detail in Chapter Two.

Chapter Four analyses *Spare Rib's* writing on the topic of prostitution and how law features in these articles. In doing so, the chapter identifies and describes several thematic categories of writing about prostitution. The chapter contends that the law was initially absent in these discussions, but increasingly became problematised as a feminist concern. In doing so, it notes how feminist-conduct and sex workers are affected by these different problematisations of the law. It argues that the problem of law becomes appropriated from sex-workers to abet growing attitudes of feminist-expertise (assumed by *Spare Rib's* editorial) – which gain greater narrative authority of using the law as a diagnosis and response to govern the conduct of other women. Thus, connecting to the emergence of individualised responsibility through the emergence of practices of asceticism, documented in Chapter Three.

Chapter Five discusses contemporary feminist activist relationships with the use of law. Using examples of feminist writing about sex work sourced through an analysis of feminist Twitter communities, I chart how online communities regularly use the criminal law in their expressions that call for women to be made secure. Drawing on Isabel Lorey's work on governmental precarisation, I argue that these online communities utilise the law in displays of 'servile virtuosity' - public demonstrations of one's willingness to be governed and assessed compatible with normalised standards of gendered and sexual performance. As such, I argue that a growing sense of precarisation has thus come to inhabit this contemporary form of governmental rationality, which inscribes distinct relationships with law's usefulness.

Chapter Six then moves to consider recent feminist activist engagements with human rights law in responses to the murder of Sarah Everard. I contend that the responses to the murder and subsequent efforts to organise a vigil are informed by the feminist problematisations of transactional sex and the law explored throughout this thesis. I contrast the responses of Reclaim these Streets and Sisters Uncut, noting how their differential engagements with the

use of law lead to different anticipations about violence, the state, and ultimately possible futures.

Chapter One:

Legal Answers to Problems of Transactional Sex

1.1 Introduction

In this chapter, I introduce forms of contemporary feminist activism and scholarship and look at how they engage with the law as a response to *problems of transactional sex*.¹ This provides the initial context for the thesis' inquiry into how the law is understood to be *useful* by feminist activism and how relations to *the use of law* regulates the activities of feminist activism. The chapter begins by reviewing how the law is presented in the literature of (neo)abolitionists, a form of contemporary feminist activism that has a limited account of legal power but has achieved notable policy influence.² The chapter then moves to consider how these (neo)abolitionist accounts of the law have been critiqued by other forms of feminist scholarship. This section identifies several authors who explicitly contend that they have carried out research influenced by governmentality, the research methodology also used in this thesis.³ These governmentality critiques recognise that (neo)abolitionist legal interventions play an important role in producing and managing state-citizen relationships. However, I identify that these governmentality critiques do not explore feminist activist relationships to the usefulness of law and as a result overlook an important dimension of regulatory activity. I argue this research is necessary, as it provides insights into how contemporary feminist activism understands its own subject identities, the tactics and strategies it deploys, and the kinds of

¹ See *Introduction* for a more in-depth discussion of this term.

² (Neo)abolitionism, campaigns that demand to introduce laws are prevalent in many jurisdictions and active at intergovernmental level. Further, (neo)abolitionist claim success for legislation been adopted Sweden, Norway, Iceland, Canada, France, Ireland, and Israel because of their activism. In the United Kingdom, Northern Ireland has adopted (neo)abolitionist legislation and several members of parliament frequently advocate for the adoption of similar laws throughout its jurisdictions. See for example, All-Party Parliamentary Group (APPG) on Commercial Sexual Exploitation, 'Publications' (no date) <<https://www.appg-cse.uk/publications/>> accessed 30 September 2022.

³ This is further elaborated in Chapter Two.

objectives it perceives to be appropriate and possible to achieve.

1.2 (Neo)Abolitionism and the Law

The following section introduces literature produced by a category of contemporary feminist activism known as (neo)abolitionism.⁴ As discussed below, (neo)abolitionism consistently argues that a particular legal intervention, known as *the Nordic Model*, is necessary as part of a feminist response to transactional sex.⁵ It is an argument that has successfully influenced public policy and mainstream understandings about sex work and pornography.⁶ This section reflects on how (neo)abolitionists understand the Nordic Model to work and how they position it as a feminist response. The consideration of (neo)abolitionism and its critiques in 1.3 below, help introduce this thesis' investigation into the use of law in feminist activism. This section's discussion further situates the consideration of how feminist activists from the 1970s to the early 1990s held vastly different legal understandings, as considered in Chapters Three and Four. Chapters Five and Six returns to argue that the types of legal arguments advanced by (neo)abolitionists regulate the types of speech and protests participated in by contemporary feminist activists.

1.2.1 The Nordic Model

Julie Bindel summarises, '[neo]abolitionists] have a goal: to bring about an end to the global sex trade, and to inhabit a world where no woman, man or child is prostituted—a world where sex is not bought, sold or brokered.'⁷⁸ What distinguishes this form of feminist activism from

⁴ The prefix *neo* in (neo)abolitionism reflects the movements self-ascribed connection to feminist abolitionist movements in the late nineteenth century which also worked on campaigns related to prostitution. Despite this affiliation there are notable differences between these movements, as Jo Doezema documents, the former movements used the term 'abolition' to refer to the need to abolish the Contagious Diseases Acts 1864, 1866, 1869, whilst the that contemporary (neo)abolitionism confuses the term to be directed towards the abolition of prostitution itself. Jo Doezema, 'Abolitionism' in Melissa Hope Ditmore (ed), *Encyclopedia of Prostitution and Sex Work: A-N Vol 1* (Greenwood Publishing Group 2006).

⁵ The meaning of *the Nordic Model* is discussed in greater detail in 1.2.1 below.

⁶ See n 2.

⁷ Julie Bindel, *The Pimping of Prostitution: Abolishing the Sex Work Myth* (Palgrave Macmillan 2017) 45.

⁸ *ibid* 33.

other projects with similar objectives is the belief that a particular type of *legal regime* is necessary.⁹ As Gunilla Ekberg reflects, they understand that '[the] law is a fundamental step in abolishing prostitution and trafficking in women and girls.'¹⁰ The particular legal regime that (neo)abolitionists advocate for is referred to by various terms including, *the Nordic Model*, *the Swedish Model*, *demand reduction*, *sex buyer laws*, or more recently *the equality model*.¹¹ *Nordic Model Now!* (NMN) a feminist organisation which is a vocal proponent of (neo)abolitionism in the United Kingdom, outlines the legal 'approach' on their website.¹² First, it criminalises the conduct of clients seeking to secure the services of sex-workers, who NMN states desire 'the purchase of human beings'.¹³ Second, it secures the decriminalisation of sex-workers, who NMN refers to as 'the prostituted', as is common in (neo)abolitionist literature, in an effort to ascribe and portray their passivity and lack of agency.¹⁴ Third, the law should provide 'support' towards a presumed desire and lack of capacity to 'exit'.¹⁵

Discussions about the need for an intervention that partially criminalises the purchase of sexual services are evident in Sweden in the early 1980s.¹⁶ The country went on to be the first to adopt the Nordic Model through a series of laws, the first of which was adopted in 1998.¹⁷ Similar approaches were popularised in anglophone (neo)abolitionist literature through the 1990s, with interventions from Catherine Mackinnon suggesting the need for a legal solution that is not

⁹ The term 'legal regime' is used by Joyce Outshoorn to discuss the various typographies of feminist responses to transactional sex based on the type of legislative proposal they envision as necessary. Joyce Outshoorn (ed), *The Politics of Prostitution: Women's Movements, Democratic States and the Globalisation of Sex Commerce* (Cambridge University Press 2004).

¹⁰ Gunilla Ekberg, 'The Swedish Law that Prohibits the Purchase of Sexual Services: Best Practices for Prevention of Prostitution and Trafficking in Human Beings' (2004) 10 *Violence Against Women* 1187, 1210.

¹¹ This thesis will refer to the advocated legal regime primarily as 'the Nordic Model'.

¹² 'What is the Nordic Model?' (*Nordic Model Now!*, 27 March 2016) <<https://nordicmodelnow.org/what-is-the-nordic-model/>> accessed 30 September 2022.

¹³ *ibid.*

¹⁴ *ibid.*

¹⁵ *ibid.*

¹⁶ Yvonn Svanström, 'Criminalising the John – a Swedish Gender Model?' in Joyce Outshoorn (ed), *The Politics of Prostitution: Women's Movements, Democratic States and the Globalisation of Sex Commerce* (Cambridge University Press 2004)

¹⁷ Kvinnofrid (Government proposal, Violence against Women) Prop: 1997/98:55 (Sweden 1998).

symmetrical.¹⁸ During this period, Sheila Jeffreys also expresses great interest in the developments taking place in Scandinavia.¹⁹ Today, the approach is deemed an essential component of (neo)abolitionism. Recent contributions to (neo)abolitionist literature, from authors such as Kat Banyard, contend ‘the Sex Buyer Law [the Nordic Model] is the only legal framework that has ending demand for prostitution – thereby ending this form of violence against women – as its objective.’²⁰ The importance of the Nordic Model in contemporary (neo)abolitionist literature is often attributed to its capacity to achieve ‘an end to the global sex trade’ and supporters often signpost developments in Sweden and other countries that have adopted such legislation to evidence this claim.²¹ Janice Raymond, for example, claims that ‘penalizing the prostitution users has *proven to be an assuredly practical change* in the campaign to eliminate prostitution in Sweden and Norway’.²²

Central to the (neo)abolitionist reasoning that it can abolish transactional sex is its conceptualisation of *demand for sexual services*. As Janice Raymond notes, transactional sex is complicated; it is a domain where many issues coalesce and those involved have diverse experiences.²³ However, she argues that in order to implement effective responses one need

¹⁸ Catharine A Mackinnon, ‘On Sex and Violence: Introducing the Antipornography Civil Rights Law in Sweden’ in *Are Women Human?: And Other International Dialogues* (Harvard University Press 2007).

¹⁹ Sheila Jeffreys, *The Idea of Prostitution* (Spinifex Press 1997) 335.

²⁰ Kat Banyard, *Pimp State: Sex, Money and the Future of Equality* (Faber & Faber 2016) 208.

²¹ The existence of peer-reviewed academic evidence that is support such claims is extremely limited. A recent meta-analysis of existing quantitative and qualitative studies by Lucy Platt et. al found that existing research into the effects of the Nordic Model was that it produces extensive harm. See Lucy Platt and others, ‘Associations between Sex Work Laws and Sex Workers’ Health: A Systematic Review and Meta-Analysis of Quantitative and Qualitative Studies’ (2018) 15 PLOS Medicine. Jay Levy, who carried out an extensive review of the Nordic Model in Sweden, found no decline of sex work in the country but rather spatial displacements and increases in harms. See Jay Levy, *Criminalising the Purchase of Sex: Lessons from Sweden* (Routledge 2014) 225. The existence of such an extensive evidence base that contests (neo)abolitionist claims has led many (neo)abolitionists to dismiss academia as a hostile environment and that the research community as being behest to ‘essentialist identity politics, the rise of market doctrine... old-fashioned sexism and male libertarianism’. See Bindel, *The Pimping of Prostitution* (n 7) 237.

²² Janice G Raymond, *Not a Choice, Not a Job: Exposing the Myths about Prostitution and the Global Sex Trade* (2013) 3 (emphasis added). These explanations predate any jurisdiction implementing the Nordic Model. Sven-Axel Mansson, for instance, presented an explanation about how the Nordic Model would work at a conference in the Netherlands several years prior to the adoption of such laws in Sweden. Mansson’s explanation remains consistent with those provided by contemporary authors, as outlined below. See Jeffreys (n 18).

²³ Raymond, *ibid* 62.

only understand and respond to the ‘abstract’ notion of ‘male demand’.²⁴ Raymond contends that this is because ‘male demand’ is a ‘limiting factor’, it is something that ‘controls all the other factors’.²⁵ As such, she suggests that we can effectively ignore other issues like ‘globalization and poverty’ because without male demand ‘other factors alone or together could not sustain the system of prostitution.’²⁶ This notion of ‘male demand’ is a frequently engaged problem in (neo)abolitionist literature and it is rare for authors to consider demand for transactional sex emerging from sexualities other than those of cis male heterosexuals.²⁷ This is intentional and Raymond is keen to distinguish her understanding of demand as something which is explicitly gendered. She contends other approaches that provide ‘an abstract emphasis on market forces’ make invisible the role of men.²⁸ Mackinnon also evokes a similar notion of male demand and extends it from prostitution to pornography, stating:

‘The traffic is pulled by men, the demand, not pushed by women, the supply. Reality has been recognized: men’s demand creates prostitution. If men did not buy prostitutes, there would be no prostitution, and if there was no prostitution, there would be no

²⁴ *ibid.*

²⁵ *ibid.*

²⁶ *ibid.*

²⁷ Most of the (neo)abolitionist literature reviewed in this section contains no reference to other sexualities. Sheila Jeffreys and Julie Bindel, in contrast, do dedicate sections of their books to consider queer defences of sex work. These sections primarily attack queer activism that promotes sexual liberation in a way that is inclusive of sex work. Bindel perceives these activities as normalising prostitution and pornography as part of sexuality, in a way which then primarily benefits men who pay for sex from women. She states ‘accepting prostitution as a ‘sexuality’ brings us full circle because it is a ‘sexuality’ exclusive to men: men who buy sex...the history of human civilisation there has never been a brothel built for women to abuse men and boys’. As is common in this literature, Bindel identifies women as clients as ‘the exception proving the rule.’ (See Bindel, *The Pimping of Prostitution* (n 7) 300; Jeffreys (n 19) 92.

Bindel has also previously written about ‘female sex tourism’ which she identifies as economically exploitative and racialised. However, she distinguishes this form of sex-work as non-violent and is largely sympathetic to women-clients, believing they engage in these relationships because of their ‘low self-esteem and a history of failed relationships’. She believes they often fail to understand the transactional nature of the relationships they are engaged in, stating, ‘It is prostitution, but often only the seller, and not the buyer, is aware of that.’ She further attributes blame to the male sex workers who she describes as objectifying women, being disrespectful towards their clients, and deceitfully tricking women into these relationships. She alleges that some women who move permanently to live with Jamaican partners end up ‘beaten or abused’ See Julie Bindel, ‘Thought It Was Just Men Who Flew Abroad for Squalid Sexual Kicks? Meet the Middle-Aged, Middle-Class Women Who Are Britain’s Female Sex Tourists’ (*Mail Online*, 26 August 2013).

²⁸ Janice Raymond, ‘Prostitution on Demand: Legalizing the Buyers as Sexual Consumers’ [2004] *Violence Against Women* 1160

pornography.²⁹

The Nordic Model is envisioned to function by being capable of significantly interrupting the existence of this male demand. This understanding is based on the belief that the law is capable of both deterring and normalising sexual practices. This can be seen in the work of Melissa Farley et al. who argue that criminalisation is by far the most effective means of dissuading existing clients from seeking the services of sex workers.³⁰ Bindel further contends that the introduction of criminalisation would help establish a culture that is intolerable to such practices and would deem them socially impermissible.³¹ Raymond concurs, describing the Nordic Model as ‘both legislative and normative’.³² She states that the former makes individual buyers ‘legally accountable for their actions’ whilst the latter sends a message about what is ‘appropriate in this society’.³³ Banyard likewise advances that the ‘ultimate aim’ of the Nordic Model is to ‘deter men from attempting to pay for sex in the first place.’³⁴

In turn, the opposite claim is made regarding the effect of other legal regimes. Bindel, for instance, argues that legalisation and decriminalisation lead to ‘a normalisation of prostitution’ and that the absence of criminality encourages such practices to occur.³⁵ Farley similarly states that such legal regimes lead to the creation of spaces where harassment, sexual exploitation and violence against women are practised with impunity.³⁶ Banyard argues that such legal regimes reflect ‘a society where commercial sexual exploitation is promoted, not prevented’ which she calls a ‘a pimp state’.³⁷ Raymond also believes such alternative legal regimes result in ‘the current

²⁹ Mackinnon (n 18)

³⁰ Melissa Farley and others, ‘Men Who Buy Sex Who They Buy and What They Know’ (2009) 22.

³¹ Bindel, *The Pimping of Prostitution* (n 7) 125.

³² Raymond, *Not a Choice, Not a Job* (n 22) 71.

³³ *ibid.*

³⁴ Banyard (n 20) 205.

³⁵ Bindel, *The Pimping of Prostitution* (n 7) 122.

³⁶ Melissa Farley, “‘Bad for the Body, Bad for the Heart’: Prostitution Harms Women Even If Legalized or Decriminalized’ (2004) 10 *Violence Against Women* 1087, 1116.

³⁷ Banyard (n 20) 12. See also, Kathleen Barry, *Female Sexual Slavery* (NYU Press 1984).

expansionism of the sex industry, giving it the stable marketing environment for which it continues to lobby'.³⁸

This understanding of the law as capable of affecting sexual practices through normalisation draws attention to how (neo)abolitionist literature, at times, understands (hetero)sexuality to be socially constituted. A frequent feature of (neo)abolitionist literature is to dispute efforts to 'naturalise' transactional sex, which is described as an inherently violent act. Banyard notes:

'... the decision by some men to perpetrate this violence is not 'natural'. It is not somehow a part of men's essential nature. It is driven by sex inequality – by unequal societal power relations between women and men, underpinned by sexist attitudes, beliefs and practices (i.e. patriarchy).'³⁹

Bindel concurs:

'[(neo)abolitionists] do not believe that male babies are born pre-programmed to commit acts of violence against women, nor do we believe that girls are born to be victims. Our view is that under patriarchy, men are given power over women, and that a way of asserting that power is to be violent towards women.'⁴⁰

The Nordic Model is thus envisioned as an intervention that disrupts the working of these patriarchal relations. How exactly legal power operates to normalise different relationships and override the holistic interests of a patriarchal system, which is recognised to extend beyond state power, is often underexplored in (neo)abolitionist texts. MacKinnon offers, perhaps, the most elaborate discussion of how such disruption can occur through legal regime changes. She articulates an understanding of 'butterfly politics', a cybernetic view of patriarchy in which small and strategic changes to its systems can intentionally promote wider developments.⁴¹

³⁸ Raymond, 'Prostitution on Demand: Legalizing the Buyers as Sexual Consumers' (n 28) 1184.

³⁹ Banyard (n 20) 218.

⁴⁰ Bindel (n 7) 132.

⁴¹ Catharine A MacKinnon, *Butterfly Politics: Changing the World for Women* (The Belknap Press of Harvard University Press 2017).

The notion of ‘legal deterrence’ employed in the Nordic Model heavily relies on coding male (hetero)sexuality as adhering to principles of economic rationality. The activities that constitute male (hetero)sexuality are conveyed as profit-seeking and deemed to be malleable through the introduction of costs, such as criminal punishments. This rational actor outlook allows (neo)abolitionists to consider diverse transactions, most frequently: prostitution, trafficking, stripping, and pornography, as all part of a single libidinal commercial exchange system of male demand which are all susceptible to the same type of legal interventions.

1.2.2 (Neo)abolitionism as a Feminist Response

(Neo)abolitionist literature claims that the legal regime an individual believes to be an appropriate response to transactional sex is inherently connected to their political and material interests. In this vein and as examined in this section, (neo)abolitionists frequently contend that supporting the Nordic Model is congruent with feminist beliefs and identity. For example, Banyard argues that the Nordic Model is part of proposing a ‘feminist opposition to the sex trade’.⁴² Bindel similarly describes her feminism as ‘pushing for the introduction of laws to criminalise those who pay for sex and to decriminalise those who sell it’.⁴³ Raymond situates her legal advocacy as founded on a ‘feminist understanding’ that takes aim at ‘the final strongholds of sexualized male dominance’.⁴⁴

The type of feminist understanding which (neo)abolitionism ascribes is often specified to be *radical* in nature. This detail is most often provided to explain why (neo)abolitionist feminism is at odds with other feminist movements, often including sex worker collectives, who actively

⁴² Banyard (n 20) 149.

⁴³ Bindel, *The Pimping of Prostitution* (n 7) xxviii.

⁴⁴ Raymond, *Not a Choice, Not a Job* (n 22) xvii.

campaign against the introduction of the Nordic Model. This radicalism is associated with a *belief* that the existence of transactional sex is incompatible with the interests of equality. Bindel summarises this radical outlook as one which views prostitution as ‘a cause and consequence of male supremacy... and that if women and men were equal, prostitution would not exist; it also means that if women and men are ever to become equal, prostitution must not exist.’⁴⁵ In (neo)abolitionist literature, this radicalism is rarely connected to beliefs about how feminists should organise themselves or the legitimacy of specific tactics as part of feminist activism. The (neo)abolitionist definition of radical feminism is unconcerned with outlooks on the compatibility of the law or state power with feminism.⁴⁶

Through locating the Nordic Model as a radical feminist response, (neo)abolitionist literature often questions whether other responses are feminist at all. Raymond states these other positions are ‘self-defined’ as feminist.⁴⁷ MacKinnon pithily summarises, ‘liberal feminism has been liberalism applied to women... Radical feminism is feminism’.⁴⁸ Bindel argues that feminism must ‘pose a serious challenge to patriarchy... if it doesn’t then it is *not real feminism*’.⁴⁹ Bindel further juxtaposes her ‘serious’ position to that of ‘fun’ feminisms, who she deems: ‘never upset men, and appear to be happier tearing down tried and tested theories of patriarchy and male power being the driver for the sex trade than they are asking how prostitution can be sexual liberation for the prostituted’.⁵⁰ She dismisses sex worker collectives that organise against the Nordic Model as unrepresentative, depicting these movements as having middle-class interests and being representative of ‘tourists’ with a transitory interest in transactional sex.⁵¹

⁴⁵ Bindel, *The Pimping of Prostitution* (n 7) xxviii.

⁴⁶ In Chapter Three, this contemporary outlook will be contrasted to alternative outlooks that locate feminist identity and ethics in the types of tactics one deploys within one’s organisation.

⁴⁷ Raymond, *Not a Choice, Not a Job* (n 22) 124.

⁴⁸ Catherine A MacKinnon, *Toward a Feminist Theory of the State* (Harvard University Press 1991) 117.

⁴⁹ Julie Bindel, *Feminism for Women: The Real Route to Liberation* (2021) 94 (emphasis added).

⁵⁰ Bindel, *The Pimping of Prostitution* (n 7) viii.

⁵¹ *ibid* 60.

As such, the term *radical* is sometimes deployed to convey ‘legitimacy’ to this type of feminism. It helps present it to be an outsider to the forces that enable violence against women, and thus an active challenge, rather than accomplice, to the hegemony of liberalism. This manoeuvre is also accomplished in (neo)abolitionists literature through assertions that it has a direct lineage to historic abolitionist movements and second-wave feminism.⁵² These periods are discursively remembered as examples of *bona fide* feminist challenges, often contrasted to a third-wave or postmodern variants deemed to be inauthentic and inaccessible.⁵³ Kajsa Ekis Ekman for instance, writes of ‘postmodern leftists’ who she claims are in a state of retreat from radical feminism because its ‘comprehensive analysis’ are too challenging to integrate into the former’s lives.⁵⁴ She depicts this postmodern group as exploring queer theory, taking part in language games, and claiming to listen to marginalised voices because it is easier than real political action.⁵⁵

It is also common for (neo)abolitionist literature to describe advocates of legal-regimes other than the Nordic Model as having significant interests in maintaining systems of exploitation. Farley, for instance, attributes the existence of jurisdictions which have decriminalised sex work to the success of a so called ‘pimp-lobby’ and collective ‘consumer’ pressure.⁵⁶ She accuses non-governmental organisations, which offer support to sex-workers, to be fronts that work on behalf of those who profit from and purchase sex.⁵⁷ In other examples from (neo)abolitionist literature, patriarchal systems are contended to condition proponents to believe sex-work is inevitable. Raymond dedicates a great deal of space in her work to describing this outlook as

⁵² Several active contributors to contemporary (neo)abolitionist literature were authors and feminist activists during the anti-pornography movements of 1970s, including Kathleen Barry, Janice Raymond, Sheila Jefferys, Melissa Farley, Catherine Mackinnon.

⁵³ For more on the ‘authenticity’ in feminist discourse, see Kathryn Telling’s reflection on Judith Butler’s treatment: Kathryn Telling, ‘Real Feminists and Fake Feminists’ in Russell Cobb (ed), *The Paradox of Authenticity in a Globalized World* (Palgrave Macmillan US 2014).

⁵⁴ Kajsa Ekis Ekman, *Being and Being Bought: Prostitution, Surrogacy & the Split Self* (Spinifex Press 2013) 117.

⁵⁵ *ibid* 81.

⁵⁶ Farley (n 36) 1113.

⁵⁷ *ibid* 1114.

one of ‘inevitability’ and believes it is a significant obstacle to the abolition of prostitution.⁵⁸

Bindel also situates this alleged lack of imagination lying with patriarchal power, stating: “The same attitude is never applied to poverty in Africa, child sexual abuse, or cancer.”⁵⁹

1.3 Critiques of (Neo)Abolitionism

Developing from this overview of (neo)abolitionist contentions about the possibilities of the law and its response being characterised as feminist, this section reflects on several critiques of its perspective. It first considers research that draws attention to how (neo)abolitionist arguments are based on an abstracted understanding that fails to reflect or engage with the nuanced lived-realities of sex workers. It then moves to consider how (neo)abolitionist understandings of the law have been challenged as overly simplistic. This part introduces research based on methodologies of governmentality, which argue the (neo)abolitionist account is naïve to the regulatory effects law can have on the lives of sex workers. I position the contribution of this thesis alongside these critical interventions, whilst acknowledging their lack of attention to the usefulness of law as a potential source of such regulation. This lack of engagement with this dimension of law’s relationality leaves a gap in existing research. This research investigates this gap and, in doing so, provides a more comprehensive understanding of how the use of law regulates the activities, identities, and objectives of feminist activism.

1.3.1 (Neo)abolitionism as Exclusionary

Those with lived experience of sex work have repeatedly drawn attention to the limited ways in which law is engaged in through (neo)abolitionist discourse and the harmful effects this can have. In this section, I outline literature which contends (neo)abolitionism: misrepresents sex-worker social movements; fails to meaningfully represent or engage with experiences of sex work from racialised positionalities and in post-colonial contexts; and does not engage in good

⁵⁸ Raymond, *Not a Choice, Not a Job* (n 22) 127.

⁵⁹ Bindel, *The Pimping of Prostitution* (n 7) 333.

faith with other theoretical accounts, neglecting, for example the contributions of trans-materialism. This literature is both an important refutation of the claims (neo)abolitionism makes, but also identifies how (neo)abolitionism's interventions are only sustainable through a flattened discursive account that disregards or misrepresents other accounts.

Molly Smith and Juno Mac provide an extensive overview of how different legal regimes impact the material conditions of sex workers and they advocate for the need to decriminalise.⁶⁰ The authors specifically state that their argument is not one that seeks to validate work or, indeed, sex as necessarily enjoyable or connected to self-actualisation. Instead, they call for an empathetic approach which notes how 'criminal law change the incentives and behaviours of people who sell sex, along with clients, police, managers, and landlords.'⁶¹ In doing so, they heavily contest the monolithic characterisation of 'the contemporary left sex worker movement' by (neo)abolitionists as a liberal choice-based movement or one that seeks to facilitate men's interests.⁶² Melissa Gira Grant, asserts that (neo)abolitionist calls for the Nordic Model are an attempt to control the existence of sex workers. Grant states that this is because criminalisation is capable of introducing 'a state of being and moving in the world, of forming relationships – of having them predetermined for you'.⁶³ She contends that dominant narratives about sex work attempt to gain discursive-control through the extensive exclusion of sex worker voices if their views do not support the argument being made.⁶⁴

Other research also draws attention to the lack of meaningful intersectional consideration within (neo)abolitionist literature. Such research complicates (neo)abolitionist understandings of sexuality as a construction of patriarchal power and certain transactional sex relationships as

⁶⁰ Molly Smith and Juno Mac, *Revolting Prostitutes: The Fight for Sex Workers' Rights* (Verso Books 2018)

⁶¹ *ibid* 3.

⁶² *ibid*.

⁶³ Melissa Gira Grant, *Playing the Whore: The Work of Sex Work* (Verso 2014) 11.

⁶⁴ *ibid*.

epitomal forms of exploitation. Mireille Miller-Young, for example, describes ‘the work of racial fantasy’ by black women in pornographic productions.⁶⁵ Miller-Young contends these performers are, of course, well aware of the racial fetishism and discriminatory treatment they face within the pornography industry.⁶⁶ Nevertheless, these performers are demonstrated to intervene in their representations, confront and contest the fraught history of black female sexuality, and are involved in strategising how to best make use of their erotic power, social significance, and economic positionality. Post-colonial critiques, have also challenged outlooks, such as (neo)abolitionism, for attempting to universalise women's experiences. Ratna Kapur believes that such outlooks actively obscure power relations and systems of knowledge that inform their feminist understanding of women and subaltern subjects.⁶⁷ Kapur argues that in India, efforts by ‘Western-feminists’ to introduce legal interventions into the lives of sex-workers ignore the ongoing significance of the colonial encounter and actively participate in *othering* through their advocacy. Kapur suggests their discourse is built on a notion of economic oppression that is so expansive it ‘equates choice with wealth and coercion with poverty’.⁶⁸ In doing so, this imaginary negates the possibility of any kind of agency or choice in the global south.⁶⁹ This not only erases sex worker struggles, which have taken place in both colonial and contemporary post-colonial contexts, but also ends up reinforcing cultural essentialism that informs states’ punitive treatment of sex workers.⁷⁰

It is perhaps unsurprising to note that (neo)abolitionist literatures fail to meaningfully engage with transgender accounts and encounters with feminism and sex work given, as Sophie Lewis points out, there is a substantial overlap between (neo)abolitionism and those who are overtly

⁶⁵ Mireille Miller-Young, *A Taste for Brown Sugar: Black Women in Pornography* (Duke University Press Books 2014).

⁶⁶ *ibid.*

⁶⁷ Ratna Kapur, *Erotic Justice: Law and the New Politics of Postcolonialism* (Routledge 2005) 17.

⁶⁸ *ibid* 118.

⁶⁹ *ibid* 76.

⁷⁰ *ibid* 118; See also Kamala Kempadoo and Jo Doezema, *Global Sex Workers: Rights, Resistance, and Redefinition* (Psychology Press 1998).

trans-exclusionary.⁷¹ This leaves their account unable or uninterested in engaging with contributions such as Emma Heaney's recent work, which contends both society and academia are 'mired in cis understandings of sex'.⁷² Utilising a methodology of 'Materialist Trans Feminism', she instead contends that 'woman has never been a cis category'.⁷³ Heaney notes how trans feminine experiences of womanhood can evade conformity to cis understandings. Nevertheless, Heaney draws attention to the frequency in which trans women's experiences are presented through cis understandings of sex and then installed into narratives about the reordering of sex and wider societal gender anxieties. This 'allegorical' manoeuvre requires the occlusion of trans experiences and presents trans femininity as a means of substantiating something outside of itself, namely the purported 'cis general subject'.⁷⁴ For example, Heaney contends that both Judith Butler and Michel Foucault make use of trans feminine persons as critical 'in between' figures which serves their own constructions of sex and gender.⁷⁵ This is achieved only through ignoring the declarations of the persons they cite who often voice a commitment to sex identification, as well as a general denial of the possibility that trans femininity has its 'own history and theoretical insights'.⁷⁶

In contrast to this cis presentation, Heaney articulates the emergence of trans femininity as a distinct social category and emphasises its material relations and historical associations.⁷⁷ Within her analysis, Heaney locates sex work as a particularly important material basis for

⁷¹ Sophie Lewis, 'SERF "n" TERF: Notes on Some Bad Materialisms' (*Salvage*, 2 June 2017)

<<https://salvage.zone/in-print/serf-n-terf-notes-on-some-bad-materialisms/>> accessed 30 September 2022.

Extensive and multiple transphobic works were produced from authors considered in 1.2 of this chapter, see: Janice G Raymond, *The Transsexual Empire: The Making of the She-Male* (Teachers' College Press 1994); Sheila Jeffreys, *Gender Hurts: A Feminist Analysis of the Politics of Transgenderism* (Routledge 2014); Bindel, *Feminism for Women* (n 49)

⁷² Emma Heaney, *The New Woman: Literary Modernism, Queer Theory, and the Trans Feminine Allegory* (Northwestern University Press 2017) 20.

⁷³ *ibid.*

⁷⁴ *ibid.*

⁷⁵ *ibid* 241.

⁷⁶ *ibid* 204.

⁷⁷ *ibid* 246.

contemporary trans feminine experience.⁷⁸ Heaney contrasts the experiences and treatment of trans feminine sex workers in the mid-Victorian period to those in the early 20th century. In the former period, cis and trans women are described as intertwined in their sociality, with relationships of sisterhood being described between working class trans feminine and cis women engaged in transactional sex. She also notes that both experienced shared vulnerability and exposure to police and medical violence, and that even within these processes there was an imbrication of the vagina and the rectum, with legal discourse asserting a connection between penetration and womanhood.⁷⁹ Heaney contends that, during the late 19th and early 20th centuries, genitals became foregrounded as establishing sex identity. During this period ‘feminist social discourses’ provided heterosexual and rational masculine avenues by which cis women were encouraged to imagine their freedom.⁸⁰ This resulted in sex work and ‘gender-deviant queerness’ to be interpreted as impediments to this limited form of freedom, and in turn encouraged an outlook on ‘effeminacy as a kind of unacceptable femininity’.⁸¹ In this context Heaney states:

‘Trans femininity was only allowed to enter popular or medical consciousness in a narrative of medical salvation through sex change. The trans femininity that refused this narrative retained its relation to degeneracy, and among normatively gendered homosexuals trans femininity was disavowed as an anachronistic aberration.’⁸²

These engagements display a much more complicated and nuanced understanding of experiences of transactional sex. Contrast, for example, MacKinnon, who striates black women’s experiences as compounded suffering due to a posited inability to comply with a unidimensional male sexuality, with Miller-Young’s acknowledgement of uneasy strategising

⁷⁸ *ibid* 162.

⁷⁹ *ibid* 164.

⁸⁰ *ibid* 247.

⁸¹ *ibid* 247.

⁸² *ibid* 247.

within racialised spaces. This juxtaposition reveals just how much is lost in (neo)abolitionist's discourse and its disregard for the possibility of agency.⁸³ Kapur's account, displays how the (neo)abolitionist project creates a flattened feminism, one unable to meaningfully comprehend the politics of sex-workers. She notes how this form of feminism is unable to comprehend demands such as 'We want bread. We also want roses!' due to the limited agentic possibilities of their discourse.⁸⁴ Instead, (neo)abolitionism prefers to make assumptions of absolute victimisation and disregard narratives that do not comply.⁸⁵ Through its own hostile allegorical use of trans experience, (neo)abolitionist theories of sexual politics and patriarchal dominance remain underdeveloped, unable to perceive sex work as constitutive of anything other than abject subordination and thus choice as a potential site of impossible betrayal. As such, these contributions draw attention to (neo)abolitionist literature's neglect to meaningfully engage with 'other' positionalities, of whom it so often declares to understand and speak on behalf. This neglect allows for its particular discursive construction of transactional sex and the way it understands and argues that the Nordic Model functions.

1.3.2 Governmentality Critiques

Several critiques of legal interventions into transactional sex identify an understanding of governmentality to influence their contributions. As I briefly introduced in the Introduction to this thesis and will provide a more specific account of in Chapter Two, in this thesis, governmentality is understood as a methodology; a way of thinking and comprehending an important dimension of our contemporary relations, one which we undertake through a variety of means and that influences ourselves, institutions, and wider society. This dimension of relations is summarised as *government*, an effort to achieve various ends indirectly through

⁸³ Mackinnon (n 48) 101.

⁸⁴ Kapur (n 67) 127.

⁸⁵ *ibid.*

shaping what is possible and sometimes summarised as ‘the conduct of conduct’.⁸⁶ This methodology is primarily concerned with ‘how’ the practices of government are rationalised, ‘whom or what must be governed, what governing is, whom or what can govern, and so forth’.⁸⁷ Succinctly then, governmentality is understood as a methodology that is interested in investigating *how to govern*.⁸⁸

However, this understanding of governmentality is not exhaustive. As emphasised in this section, the use of the term in research has housed a diverse range of projects, different research agendas, and led to myriad conclusions. In general, the accounts analysed in this section, argue that the law has a complex regulatory role in contemporary power relationships, one which is not explicitly or sufficiently recognised within (neo)abolitionist literature.⁸⁹ These critiques differ in the diverse ways they perceive the law to participate in such activities of governing and the effects of these relationships.

Laura María Agustín argues that (neo)abolitionism is a ‘sociolegal’ approach with a reductionist theory of both law and sex work.⁹⁰ Similar to the critiques accounted for in 1.3.1, Agustín contends that their approach simplifies the complexity of transactional sex into ‘one vague idea’ which is divorced from the lived reality of those who exchange sex for money.⁹¹ (Neo)abolitionism, like other sociolegal approaches, uses this constructed understanding of prostitution in its efforts to locate ‘the most rational, most just, and least upsetting model’ to

⁸⁶ Michel Foucault, ‘The Subject and Power’ in James D Faubion (ed), Robert Hurley (tr), *Power: The Essential Works of Michel Foucault 1954-1984: Essential Works of Michel Foucault 1954-1984 v 3* (Third Edition, Penguin 2002) 341.

⁸⁷ Bal Sokhi-Bulley, ‘Alternative Methodologies: Learning Critique as a Skill’ (2013) 3 *Law and Method* 6 15.

⁸⁸ Colin Gordon, ‘Governmental Rationality: An Introduction’ in Graham Burchell and others (eds), *The Foucault Effect: Studies in Governmentality* (Chicago, Ill: University of Chicago Press 1991) 7.

⁸⁹ What is meant by a ‘methodology of governmentality’ is discussed in much greater detail in Chapter Two and summarised in the thesis’ introduction and glossary. At this point it will suffice to remark that such a methodology affords law as ‘regulating’ function, that shapes the possibilities of activities, in manners beyond those imagined in juridical imaginations of implementation through state apparatus.

⁹⁰ Laura Agustín, ‘Sex and the Limits of Enlightenment: The Irrationality of Legal Regimes to Control Prostitution’ (2008) 5 *Sex Res Soc Policy* 73, 74.

⁹¹ *ibid* 75.

respond to its perceived problems.⁹² The terms of this discursive regime about transactional sex inevitably turn to the need to ‘prohibit or permit, punish, or tolerate’ and resort to legal power, because these are the only possible responses that can be imagined through the rubric of its ‘rationality’.⁹³ Agustín importantly points to how these legal responses are based on a fantasy of how state power actually operates.⁹⁴ They ignore ‘issues of police violence, abusive arrests, and social discrimination’ and have repeatedly demonstrated that they are incapable of resolving the issues they argue are at stake.⁹⁵

Based on her observation that commercial sex is treated very similarly in all jurisdictions, Agustín concludes that the type of law adopted is of overstated importance. She states: ‘debating about legal systems to control prostitution is bizarrely irrelevant, except for its symbolic value.’⁹⁶ Like Grant above, Agustín argues that feminist activist movements are invested in the construction of these sociolegal discourses because it affords them power.⁹⁷ Specifically, she contends that these discourses provide middle-class women an important role in managing and controlling working-class migrant populations, a relationship the former have used to ascertain greater social significance.⁹⁸ Agustín describes this relationship of management as ‘the exercise of governmentality’.⁹⁹ She goes on to describe that ‘governmentality theory’ provides her with an understanding of what ‘social agents were thinking but also what they were doing.’¹⁰⁰ Agustín’s general argument, that the law is over-determined in importance, is

⁹² *ibid* 74.

⁹³ *ibid*.

⁹⁴ One of the most influential writers on this shift to *carceral feminism* (feminism that prioritises policing and criminalisation as keyways to deliver justice) in response to sex work is Elizabeth Bernstein. See: Elizabeth Bernstein, ‘The Sexual Politics of the “New Abolitionism”’ (2007) 18 *differences* 128 and Elizabeth Bernstein, ‘Carceral Politics as Gender Justice? The “Traffic in Women” and Neoliberal Circuits of Crime, Sex, and Rights’ (2012) 41 *Theory and Society* 233.

⁹⁵ Agustín (n 90).

⁹⁶ *ibid*.

⁹⁷ Laura María Agustín, *Sex at the Margins: Migration, Labour Markets and the Rescue Industry* (Zed Books 2007).

⁹⁸ *ibid*.

⁹⁹ *ibid*.

¹⁰⁰ *ibid* 98-99.

affirmed by several authors. Jane Scoular agrees that blind faith in the law is ‘unsustainable as a political and intellectual position’.¹⁰¹ Scoular has latter elaborated that this overprivileged outlook is one of ‘legal formalism’, which she states is an understanding that law operates ‘in purely instrumental ways – according to an internal logic – and changes in behaviour in society are assumed to follow its prescribed codes.’¹⁰² Prabha Kotiswaran concurs, ‘for all the sophistication of feminist theorizing of sex work, when it comes to the law, feminists demonstrate signs of legal formalism’.¹⁰³ Janet Halley similarly describes the outlook of (neo)abolitionists as relying on ‘a highly monolithic and state-centred form of power’ which it imagines can be activated through pulling ‘legal levers’.¹⁰⁴

However, despite the significance Agustín places on governmentality as a theoretical approach, she does not sufficiently detail her understanding of its application or what it contributes within her work. The description of (neo)abolitionism as a project that governs in order to provide itself with more power is at odds with Foucault’s description of government, which he argues is not an activity directed simply towards accumulating more capacity to govern, but instead based on distinct governmental rationalities.¹⁰⁵ Further, in providing such a universal explanation of feminist engagements with transactional sex and the law, Agustín presents an understanding of feminist power relations as essentially unchanged in their motivations since the Victorian period to the present day. This outlook reduces developments in feminist theory or activist tactics over the past 150 years as largely irrelevant; they all simply remain in an

¹⁰¹ Jane Scoular, ‘What’s Law Got To Do With It? How and Why Law Matters in the Regulation of Sex Work’ (2010) 37 *Journal of Law and Society* 12 24.

¹⁰² Jane Scoular, *The Subject of Prostitution: Sex Work, Law and Social Theory* (Routledge 2017) 12

¹⁰³ Prabha Kotiswaran, *Dangerous Sex, Invisible Labor: Sex Work and the Law in India* (Princeton University Press 2011) 186.

¹⁰⁴ Janet Halley and others, ‘From the International to the Local in Feminist Legal Responses to Rape, Prostitution/Sex Work, and Sex Trafficking: Four Studies in Contemporary Governance Feminism’ (2006) 29 *Harv JL & Gender* 335.

¹⁰⁵ Foucault states: ‘What can the end of government be? Certainly not just to govern...’ Michel Foucault, ‘1 February 1978’ in Arnold I Davidson (ed), Graham Burchell (tr), *Security, Territory, Population* (Palgrave Macmillan 2007) 105.

ongoing game of competition for discursive power, over largely symbolic legal relations, to achieve their own social significance.

Scoular seeks to provide a corrective to Agustín's overly totalising 'expulsion' of the law as an irrelevance.¹⁰⁶ Scoular argues that the promise of the 'new approach' of governmentality is that it articulates how the law matters with respect to issues of sex work.¹⁰⁷ She contends that 'modern legal power' is not solely juridical and, as such, it is not rendered impotent if it does not activate its pronouncements in 'reality', as claimed by Agustín.¹⁰⁸ Instead, Scoular argues that the law is an important means of 'authorising and shaping contemporary power relations', particularly those that normalise types of citizenship and sexual activity.¹⁰⁹ She explicitly positions (neo)abolitionist arguments as playing an important role in securing the functioning of the neoliberal state, through its capacity to shape contemporary power relations. She points to how the Nordic Model, whilst ostensibly receding the state's capacity to interfere in the lives of sex workers through partial 'decriminalisation' in fact extends interventions into sex workers lives through quasi-legal forums.¹¹⁰

The law, for Scoular, thus produces new sets of relationships between groups, empowering expert actors who are authorised to attempt to shape the lives of sex workers. An example of this can be seen in the state's endorsement of 'exit services', whose services are typically run by non-governmental organisations (NGOs) and rely on indirect grant funding.¹¹¹ Such services typically seek to provide alternative employment, training, or some form of rudimentary healthcare provisions. Scoular outlines how such interventions often assume a pathologized

¹⁰⁶ Scoular (n 101).

¹⁰⁷ *ibid* 24.

¹⁰⁸ *ibid* 25.

¹⁰⁹ *ibid* 24.

¹¹⁰ Scoular (n 102) 76.

¹¹¹ For an example of such exit services in the UK, See: Beyond The Streets, 'Why Help?' (no date) <<https://beyondthestreets.org.uk/why-help/>> accessed 3 July 2022.

vision of sex worker identity, as one who is unwell and uneducated, requiring individual rather than systematic remedy.¹¹² As such, the ends sought by such interventions is that sex workers will adapt their individual behaviour to fit a particular vision of citizenship, one which conforms to prevailing norms of ‘the family and the market’.¹¹³ Scoular contends this is a much more pervasive form of control than that which took place in systems that relied on fines to discourage sex work.¹¹⁴ Further, this positions the Nordic Model as a response that does not envision sex work as an issue requiring structural change, despite (neo)abolitionism’s positioning itself as a radical response. Instead of seeking to provide ‘recognition, rights or redistribution’ to sex workers as a group, (neo)abolitionism conceives the problem as one of ‘individual re-education, re-training, and entry into legitimate economies and relationships.’¹¹⁵

Scoular’s identification of why the law matters, namely the productivity of legal relationships and their involvement in governing behaviours and forming subject positions, is an important contribution and influence to the methodology of this thesis.¹¹⁶ However, Scoular’s work on modern legal power is largely focused on how these relations of governmentality affect the formation of ‘the subject of prostitution’.¹¹⁷ This analytical direction leaves her account of feminist activism underexplored. For instance, Scoular does not question how feminist understandings of the law were produced, or whether these outlooks have roles in regulating the conduct of feminist activism itself. She is largely comfortable with treating their legal outlooks as ‘naïve, unicasual and universal’ and failing to ‘reflect on the governmental features’ of their projects.¹¹⁸ A consequence of this outlook is that feminism is largely treated as an external discourse that serves as a useful idiot to the ‘systems of liberal and neo-liberal

¹¹² Scoular (n 101) 24.

¹¹³ *ibid* 33.

¹¹⁴ *ibid* 31.

¹¹⁵ *ibid* 33.

¹¹⁶ As further expanded on in Chapter Two.

¹¹⁷ Scoular (n 102).

¹¹⁸ *ibid* 118.

governmentality'.¹¹⁹ It is treated as a 'normalising discourse' that becomes co-opted because it provides an accessible narrative for 'policymakers who seek to simplify complex social issues... and graft criminal justice solutions onto them'.¹²⁰ As such, Scoular tends to favour a view of the state as the determinate institution in legal power relations, underappreciating feminist involvement in co-constituting and regulating the ways in which law governs.

The existence of 'governance feminism', initially identified by Janet Halley, Prabha Kotiswaran, Hila Shamir, Chantal Thomas in 2006,¹²¹ and revisited with Rachel Rebouché in 2018,¹²² does go some way towards recognising the ways in which contemporary feminism engages with legal power and shapes the possibilities for its activism. Like Scoular and Agustín, the authors acknowledge that feminist engagements, including those of (neo)abolitionists, often present a view of criminal law reform as 'actually eliminating precisely and only the conduct it outlaws' and as being 'directly liberatory for women'.¹²³ Halley et al. contend that in fact 'punishing conduct as crime does not "stop" or "end" it' but rather, that 'the law enables a wide range of specific institutional actors to do a wide range of things'.¹²⁴ In sex work settings they draw attention to how the criminal law can situate and create activities for different actors:

'police and landlords can extract bribes from legally "guilty" and legally "innocent" actors; prohibited conduct can "go underground" and become regulated by means that are not specifically legal.'¹²⁵

However, the authors then contrast this presentation with the observation that (neo)abolitionists have successfully engaged and installed their actors and ideas within 'legal-

¹¹⁹ *ibid.*

¹²⁰ *ibid.* 62.

¹²¹ Halley and others (n 104)

¹²² Janet Halley and others, *Governance Feminism: An Introduction* (University of Minnesota Press 2018).

¹²³ Halley and others (n 104) 340.

¹²⁴ *ibid.* 337.

¹²⁵ *ibid.*

institutional power'.¹²⁶ Halley argues that this integration is made possible through a 'strategic' understanding of power.¹²⁷ So, rather than seek to achieve monolithic top-down authority, feminists have rather sought to participate, intervene, and assert feminism as an expertise and a component of such institutional operations.¹²⁸ This 'strategic' outlook further displays an understanding that legal-power itself is 'highly fragmented and dispersed'.¹²⁹ (Neo)abolitionist actors do not seek to be involved in only 'the spectacularly legal domains of litigation, legislation, and policymaking'.¹³⁰ Instead, they seek and find opportunities for interventions in 'personal pressure campaigns, consciousness raising, and highly discretionary legal moments'.¹³¹

Halley draws on the term 'governance' to describe this strategic use of legal power, which she distinguishes from 'sovereignist' outlooks.¹³² Governance she argues, helps avoid misrepresenting legal power as emanating from the state as a source of legitimate coercive power. It instead describes the 'multiplicity, mobility, fragmentation' of legal power and how it can be expressed through various attitudes and styles, which operate in 'ready facility with non-state and para-state institutional forms'.¹³³ Through acknowledging the existence of the activities of governance, Halley contends that 'to study the resulting feminist reforms as if they will function as sovereign rather than governmental power is, I think, to make a tempting but fundamental mistake'.¹³⁴ In 2018, Halley, Kotiswaran, Shamir and Rebouché summarise governance feminism as: 'every form in which feminists and feminist ideas "conduct the conduct of men"'.¹³⁵ Like Scoular then, governance feminism is a recognition that feminist legal reforms have productive effects beyond the juridical realm.

¹²⁶ *ibid* 341.

¹²⁷ *ibid* 342.

¹²⁸ *ibid* 341.

¹²⁹ *ibid*.

¹³⁰ *ibid*

¹³¹ *ibid* 340.

¹³² *ibid* 341.

¹³³ *ibid*.

¹³⁴ *ibid* 342.

¹³⁵ Halley and others (n 122) ix. The notion of 'conduct' is further expanded upon in Chapter Two.

Nevertheless, the governance feminism authors express ‘a sense of puzzlement’ towards why (neo)abolitionist campaigns have adopted such formalistic legal campaigns and overly simplistic outlooks in their projects towards transactional sex.¹³⁶ They describe this approach as one that seems to have ‘foreshortened the relationship between social theory and legal advocacy’.¹³⁷ They initially conject that this may be part of (neo)abolitionist strategising, as they are focused on securing ‘normative achievements (message sending, making rape/sexual violence visible, changing hearts and minds among elites and across populations)’, which benefit from the proposal that these legal reforms can ‘end’ harm to women.¹³⁸ They argue, this in turn has devalued the usefulness of pragmatic attitudes towards the law, because seeing legal power as resulting in complex distributions would fall ‘outside the scope of feminist concern’.¹³⁹ In this argument, Halley et. al therefore position feminism not as a co-opted discourse, but an active part of the strategic enterprise that co-produces ‘new governance’.¹⁴⁰ However, this outlook changes in their later work, where the authors are keen to present governance feminism as acting in good faith in its legal outlooks and as a project that aspires to achieve the emancipation of women.¹⁴¹

As such, they balk from arguing that the inaccurate presentations of (neo)abolitionism are truly intended and at times, suggest these outlooks are simply mistaken calculations. They position the work of critique and feminist research as capable of redeeming governance feminism through supplementing its outlook with a ‘distributive’ mode of analysis.¹⁴² Further, they describe this method of analysis as thinking ‘of the transaction you are concerned about either

¹³⁶ Halley and others (n 104) 420.

¹³⁷ *ibid.*

¹³⁸ *ibid* 421.

¹³⁹ *ibid* 420.

¹⁴⁰ *ibid* 340.

¹⁴¹ Halley and others (n 122)

¹⁴² Halley and others (n 104) 408.

as a game with many players or as a zone of human concern marked by convergence and conflict'.¹⁴³ In doing so, the proponents of Halley et al. have seemingly overcorrected their argument on governance feminism in the face of respondents that alleged they were overly critical of feminist achievements.¹⁴⁴ The result is that they, like Scoular, come to situate governance feminism as having a naïve account of the law. Instead, this project argues that these 'formalist' or 'sovereignist' accounts of legal power are aspects that play an important role in governing feminist activism. Halley et al. recognise that their efforts have so far concentrated on how governance feminists have become incorporated into '*state, state-like, and state-affiliated* power' which has left other domains of feminist governing through the law underexplored.¹⁴⁵ This thesis therefore suggests that a governmentality analysis can be expanded in its outlook, to acknowledge how feminist activism engages with the use of law in its interactions beyond institutions.

1.4 Conclusion

This chapter has introduced how (neo)abolitionist literature positions the Nordic Model to be a (radical) feminist response to transactional sex. It demonstrated that (neo)abolitionism articulates an understanding of legal power, that perceives it as capable of normalising and deterring specific behaviours related to male (hetero)sexuality. Further, legal regimes, other than the Nordic Model were considered by (neo)abolitionists to erroneously naturalise transactional sex and their capacity to therefore be identified as feminist was questioned. A literature review of critiques of this (neo)abolitionist position were then considered. The first set demonstrated how (neo)abolitionism was an overly abstracted account of transactional sex. These critiques were argued to demonstrate that (neo)abolitionism fails to consider diverse positionalities

¹⁴³ Halley and others (n 122) 253.

¹⁴⁴ *ibid* x.

¹⁴⁵ *ibid*.

within its analysis and thus misrepresents the effects of transactional sex as solely patriarchal dominance. The second set of critiques argued that (neo)abolitionist accounts of legal power are flawed and do not accurately reflect how law functions or the governmental effects it can have. These governmentality critiques presented (neo)abolitionism as legally naïve and prone to co-option by (neo)liberal forces. I contended, that these critiques were partial in their analysis and quick to excuse (neo)abolitionism, due to their over fixation on governmental legal power as an important aspect of contemporary state relations. I suggested that an analysis into how feminist activism has engaged with the law, particularly the various ways it has conveyed it to be useful, may demonstrate other avenues of law as a component of contemporary governmentality. In Chapter Two, I present how I believe such an analysis can be carried out.

Chapter Two:

The Methodology of Governmentality

2.1 Introduction

Chapter One considered how a contemporary form of feminist activism, (neo)abolitionism, locates the partial criminalisation of the purchase of sex to be a feminist response. The chapter reviewed critiques which argued that this (neo)abolitionist position is based on reductive understandings of both transactional sex and legal power. Several of these critiques contended that (neo)abolitionism holds an underdeveloped legal-theoretical basis, which in turn led feminism to be co-opted by the neoliberal state or to be involved in other systematic projects of contemporary government. These analyses provide important insights into how state-citizen relationships are governed by these legal-policies and the detrimental impact this has on the lives of many sex workers. However, I argued that there is a gap in existing research, that these critiques underexplore how the practices of feminist activism are themselves regulated and constituted through their relationships with the use of law. I identified the contribution of this thesis as providing an examination of how relationships with ‘the use of law’ affect the subjectivities, practices, and political objectives of feminist activism.¹

The objective of the current chapter on methodology is to provide an account of the analytical framework that is used in this thesis to investigate the relationships between the use of law and feminist activism. The methodology of this thesis draws on Michel Foucault’s work, in particular governmentality, due to the creative and thorough ways his work guides investigations into how our ways of doing, knowing and living are constituted and produce

¹ As further discussed in 2.2.3 of this chapter, the term use of law is iterated here as relationships of *use* hold prominent place in relationships of feminist government.

subjects.² Based on this use of Foucault, an important proviso from the outset is to acknowledge his reticence to propose strict ‘principles, rules or theorems’ and instead his preference to offer ‘indications of choice or statements of intent’.³ I therefore make use of these indications to provide a reading of governmentality as a methodological approach rather than theory; a way of shaping the research design, attitude and the way that objects are thought about in this thesis.⁴

In order to provide a detailed account of how governmentality is read and subsequently deployed in this thesis as a methodology, the chapter begins with an overview of Foucault’s analytics of strategic power relations in section 2.2. In this section, I explicate how this general analytics shapes an understanding of feminist activism as a regime of practices which are constituted through transient and strategic power relations. From this general analytical approach, in section 2.3 I refine my understanding of governmentality as a specific means of reflecting on how a domain of strategic power relations, those concerned with the ‘conduct of conduct’, are rationalised.⁵ This directs the analysis of this thesis towards seeing relations with *the use of law* as part of a tactical calculation which regulate feminist activism. I then employ this understanding to consider how Sara Ahmed’s study of the word ‘use’ compliments these efforts to think about the various dimensions of affective-regulatory relationships encouraged through the use of law.⁶ I argue that Ahmed’s thinking helps emphasise the important and dynamic nature of our relationship with use, notably how making use of things can transform both the

² See Foucault’s reinterpretation of his own work in this general paradigm in: Michel Foucault, ‘The Subject and Power’ in James D Faubion (ed), Robert Hurley (tr), *Power: The Essential Works of Michel Foucault 1954-1984: Essential Works of Michel Foucault 1954-1984 v 3* (Third edition, Penguin 2002) 326.

³ Michel Foucault, ‘Lecture One - 11 January 1978’ in Arnold I Davidson (ed), Graham Burchell (tr), *Security, Territory, Population* (2009 ed. edition, Palgrave Macmillan 2007) 3.

⁴ This understanding follows Bal Sokhi-Bulley articulation of methodology and its importance to legal studies. She defines methodology as ‘your approach, your perspective, your *attitude*; it is, essentially, how you think’. See: Bal Sokhi-Bulley, ‘Alternative Methodologies: Learning Critique as a Skill’ (2013) 3 *Law and Method* 6, 6.

⁵ Foucault, ‘The Subject and Power’ (n 2) 341 The terms *conduct*, *rationalised*, *government*, *governmentality* have technical definitions considered in greater detail in this chapter. They are also further summarised in the annexed *Glossary*.

⁶ Sara Ahmed, *What’s the Use?: On the Uses of Use* (Duke University Press 2019).

thing used and the user. Section 2.4 turns to consider how my decision to investigate feminist activist writing as a source of data is compatible with this governmentality analysis, as well as justifying my selection of varied case studies.

2.2 The Analytics of Strategic Power Relations

This section provides a general introduction to my reading of Michel Foucault's analytics of strategic power relations and its implications as a methodological approach. This provides important foundational context for my subsequent reading of governmentality, which I contend is a methodology for considering how a specific modality of these strategic power relations, namely, those concerned with the 'conduct of conduct', are rationalised.⁷ I argue that this analytics leads my research to treat feminist activism as a regime of practices which encourages an investigation into everyday activities not traditionally privileged as important sites of research.⁸ This construction affects my decisions regarding my choice of case studies and the selection of methods used to gather data in this project, which I discuss further below in section 2.4 Methods.

2.1.1 The Juridical Model

Foucault contends that a *juridical model* often frames depictions of power.⁹ This model presents power as if it were a substance, something that can be held and transferred. As its name suggests, the juridical model is observable in presentations of power as something that is capable of legitimising control through the form of law.¹⁰ This juridical model often directs us to perceive power as an object that one group possesses and uses to ensure the subservience of another. As such, a prevalent image of juridical power is present in the depiction of the

⁷ Foucault, 'The Subject and Power' (n 2), 341.

⁸ Michel Foucault, 'Impossible Prison' in Sylvère Lotringer (ed), Colin Gordon (tr), *Foucault Live: Collected Interviews, 1961–1984* (1996) 276.

⁹ Michel Foucault, *The History of Sexuality. Volume I: The Will to Knowledge* (Robert Hurley tr, Pantheon 1978) 86.

¹⁰ *ibid* 92.

sovereign state as capable of using *its power* to ensure control over its citizens.¹¹ Foucault argues the juridical model is an ‘essentially negative’ depiction of power as it ‘seeks to exclude, reject, bar, deny, dissimulate’ and thus is envisioned to prevent the possibility of activities.¹²

Foucault argues that the juridical model often informs research methods and restricts the insights such studies are able to derive. As a result, it encourages certain kinds of research questions, for example: ‘Given a specific state structure, how and why is it that power needs to establish a knowledge of sex?’ or ‘What law presided over both the regularity of sex and the conformity of what was said about it?’¹³ These questions reveal how juridical based research makes assumptions about the coherent status of institutions and their connection to an essentialised legal-power. In turn, Foucault contends that these outlooks show limited interest in ‘our bodies, our lives, our day-to-day existences’ because they are insignificant to its understanding of how power functions.¹⁴ Further, this juridical power is often comprehended as a self-contained experience; it is something that is done by an identifiable powerful institution to a specific powerless other. It thus comes to inform theories of emancipation, that believe in the possibility of escape from power through destroying institutions or finding refuge outside their repressive activities.¹⁵ As Amy Allen notes, Foucault’s contention that the juridical model neglects the everyday is an observation that is congruent with the outlook of many feminist theorists.¹⁶ However, this latter contention regarding the possibilities of emancipation has ‘generated a host of problems’ as it complicates views of dismantling institutional forms in

¹¹ *ibid.*

¹² Michel Foucault, ‘Power and Strategies’ in Gordon Colin (ed), *Power/Knowledge: Selected Interviews & Other Writings-1972-1977* (Pantheon 1980) 140.

¹³ Foucault, *The History of Sexuality* (n 9) 97.

¹⁴ Michel Foucault, ‘Power Affects the Body’ in Sylvère Lotringer (ed), Colin Gordon (tr), *Foucault Live: Collected Interviews, 1961–1984* (1996) 209. For more on feminist standpoint theory, see Nancy CM Hartsock, ‘Comment on Hekman’s “Truth and Method: Feminist Standpoint Theory Revisited”’: Truth or Justice?’ (1997) 22 *Signs* 367.

¹⁵ Foucault, *The History of Sexuality* (n 9) 95.

¹⁶ Amy Allen, *Politics of Our Selves: Power, Autonomy, and Gender in Contemporary Critical Theory* (Columbia University Press 2007) 3.

order to escape patriarchal power.¹⁷

Foucault contends that the juridical model as a methodology is insufficient. This revelation comes from his work on prisons in the 1970s, where he witnessed productive effects of power beyond those circumscribed by the law.¹⁸ As Foucault summarises, '[this experience of prisons] convinced me that power should not be considered in terms of law but in terms of technology, in terms of tactics and strategy'.¹⁹ Towards this new consideration, Foucault stresses a desire to move from a 'theory' of power towards an 'analytics'.²⁰ He distinguishes that this analytics of power stresses the existence of *power relations*; avoids assuming the privileged role of the sovereign or institutions; and, comes to substitute 'a technical and strategical grid for a legal negative grid'.²¹

2.1.2 Strategic Power Relations

The basis of Foucault's analytics rests on treating power as an effect of 'the multiplicity of relations' which exist between each and every point of the social.²² These are understood to be sites of activity where 'certain actions modify others'²³ and whereby an ensemble of actions 'induce others and follow from one another'.²⁴ These *power relations* are thus found to reside in all manners of settings and behaviours. Foucault remarks on the ubiquity and the diverse forms that these relations take, noting that they exist 'between a man and a woman, between the members of a family, between a master and his pupil, between the one who knows and the one

¹⁷ *ibid.*

¹⁸ Foucault, 'Power Affects the Body' (n 14) 207.

¹⁹ *ibid.*

²⁰ Foucault, *The History of Sexuality* (n 9) 82. Elsewhere in Foucault's work he succinctly describes this distinction between theory and practice. For him, theory suggests a prior 'objectification' of what power is and whilst analysis is 'ongoing conceptualization... critical thought – a constant checking', see Foucault, 'The Subject and Power' (n 2) 326-327.

²¹ Foucault, 'Power Affects the Body' (n 14).

²² Foucault, *The History of Sexuality* (n 9) 92.

²³ Foucault, 'The Subject and Power' (n 2) 340.

²⁴ *ibid* 337.

who does not'.²⁵ This analytics therefore transforms what was seemingly anodyne in the juridical model, the everyday, into a domain of potentially deep significance. In this analytics, power relations are understood to not come into effect primarily because of the projection of a sovereign institution's will or through legal impositions. They are instead an important stratum upon which these institutions are able to take root and function.²⁶ Foucault uses the example of the family to clarify this point:

‘The family, even today, is not the simple reflection, the extension of state power; it is not the representative of the state for the woman. For the state to function as it does, the relationship of domination between the man and woman or the adult and child has to be very specific, with its own configuration and relative autonomy.’²⁷

It is important to stress, however, that this analytics does not argue that *everyday* relationships, are unaffected by the institutions that are of traditional importance to the juridical model, such as the state, the form of law, economic processes, and relations of production. It is not simply an inversion of traditional hierarchies of power, as if to say what was on the bottom was in fact the top.²⁸ Rather, the intention is to complicate, witness the multitude of mechanisms at work sustaining, supporting, and blocking relations of power. Our investigations are required at the level of this complex domain, rather than reduced to an explanation that power relations result from the will of institutions or individuals.²⁹

The understanding that power relations provide the foundations for the existence of institutions, draws attention to how power relations have productive capacities. Institutions, like the state, become possible through myriad networks of relations bringing about

²⁵ Foucault, ‘Power Affects the Body’ (n 14) 210.

²⁶ *ibid.*

²⁷ *ibid.*

²⁸ See, Ben Golder, who provides a helpful discussion on the connections between different levels of power relations in Foucault's work: Ben Golder, *Foucault and the Politics of Rights* (Stanford University Press 2015) 122.

²⁹ Foucault, ‘Power Affects the Body’ (n 14) 210.

‘redistributions, realignments, homogenizations, serial arrangements, and convergences’.³⁰ The operation of power relations provides a ‘substrate’ upon which new modes of knowledge, discourses, and practices can be based.³¹ Power is thus no longer comprehended in the negative sense of the juridical model, where it was imagined only to be capable of ‘a renunciation of freedom, a transference of rights, the power of each and all delegated to a few’.³² Indeed, Foucault contends that power relationships are what ‘open up space’ and allow what we typically envision as ‘struggles’ against power, including feminist activism, to develop.³³

These power relations are volatile and liable to change. This is because whilst power relations direct their deployment towards achieving specific ‘aims and objectives’, their existence is immediately met with *resistance*. Foucault stresses this notion of resistance is not to be thought of as oppositional or as a binary to power, instead, he suggests it is better thought of as a creative opportunity.³⁴ Resistance is the immediate possibility that one might change the situation introduced by power relations, for example, through the refusal of its conditions or modification of the rules or logic that such relations propose. As Foucault summarises, resistance ‘is not anterior to the power which it opposes. It is coextensive with it and absolutely its contemporary... as soon as there is a power relation, there is the possibility of resistance’.³⁵ Thus, the objectives and aims of power relationships are affected by their very performance and the possibility of resistance they face through their operation. Foucault likens this situation of perpetual confrontation to that present in ‘war or games’ whereby a struggle is taking place between competing forces.³⁶ He therefore suggests that we might further develop the language

³⁰ Foucault, *The History of Sexuality* (n 9) 94.

³¹ *ibid* 93.

³² Foucault, ‘The Subject and Power’ (n 2) 340.

³³ Michel Foucault, ‘Clarifications on the Question of Power’ in Sylvère Lotringer (ed), James Cascaito (tr), *Foucault Live: Collected Interviews, 1961–1984* (1996) 260.

³⁴ Michel Foucault, ‘Sex, Power and the Politics of Identity’ in Sylvère Lotringer (ed), *Foucault Live: Collected Interviews, 1961–1984* (1996) 386.

³⁵ Michel Foucault, ‘End of the Monarchy of Sex’ in Dudley M Marchi and Sylvère Lotringer (trs), *Foucault Live: Collected Interviews, 1961–1984* (1996) 224.

³⁶ Foucault, ‘The Subject and Power’ (n 2) 346.

of ‘strategy’ which is used in these contexts, to move beyond the law as the primary means of describing power.³⁷ Significantly, this strategic outlook means that despite their appearance of permanence, institutions of seeming universality, like sovereign power, are asserted to only ever be assessable as historical forms. Their societal characteristics and features are ultimately ‘transitory’.³⁸

2.1.3 Feminist Activism as a *Regime of Practices*

It is pertinent to briefly reflect on how this research’s methodology is shaped through this general analytics of strategic power relations, before introducing governmentality as a reflection upon a specific modality of such relations. This is because the object of the research, feminist activism, is considered in this general analytics to be a set of practices (re)produced ‘from one moment to the next’ by a coalescence of such strategic power relations.³⁹ This thesis, therefore, recognises that the relations and the strategies that constitute feminist activism are liable to transform, reverse, or strengthen. These mutations may manifest in highly visible outcomes to the point that it may appear as if a revolution is suddenly underway. But these shifts are also occurring in more subtle fashions. The play of power relations may mean that old ways of working and doing feminist activism are quietly put aside, used less, and/or thought of slightly differently. Thus, in engaging with such an analytics the research becomes an investigation not of feminist activism as an institution or coherent theory, but as a transitory *regime of practices*.⁴⁰

This consideration of feminist activism as a regime of practices is of critical importance because

³⁷ Foucault, ‘End of the Monarchy of Sex’ (n 35) 223.

³⁸ Foucault, *The History of Sexuality* (n 9) 89.

³⁹ *ibid* 93.

⁴⁰ I take this term from a Foucauldian interview in which he clarifies how his analytics engages with research objects differently to juridical studies. He states the target is not of ‘theory’, ‘institutions’, or ‘ideology’ but instead a question of analysing a ‘regime of practices’. See: Foucault, ‘Impossible Prison’ (n 8) 276.

in much of the existing literature it is often treated as if it were a permeant institution.⁴¹ This was observable in Chapter One, where I noted how existing literature on (neo)abolitionism regularly categorises it as belonging to a ‘radical feminist’ movement. I further documented how (neo)abolitionist authors with connections to the ‘second wave’ of feminist activism, such as Dworkin, Mackinnon, Barry, Raymond, and Farley, are often emphasised as principal thinkers within both supporting and critical literature of (neo)abolitionism. Yet, despite such references to ‘radical feminism’ and its ‘second wave’ lineage, one can easily discern that the way such terms are used is highly dependent on their discursive context within this literature.⁴² For example, when the term ‘radical’ is used as a description by proponents of (neo)abolitionism, it is often in an effort to assign the movement characteristics of being outsiders to (male) power or as serious ‘not fun’ feminists.⁴³ Conversely, critics of (neo)abolitionism may use the term disparagingly to suggest that its proponents are making use of ‘emotive language’ and are implicitly being unreasonable.⁴⁴ Other texts may conversely find use in contesting the terms relevance as a descriptor of (neo)abolitionism, attempting to reclaim or distinguish the use of the word ‘radical’ from a context in which they see a masquerading conservatism.⁴⁵

In carrying out these kinds of discursive activities, through categorical terminology of ‘types of

⁴¹ This is despite fairly widespread acceptance that feminism is not a monolith – there still remains a tendency for works to engage with its categorises as coherent institutions. See Alison M Jaggar, *Feminist Politics and Human Nature* (Rowman & Littlefield 1983).

⁴² See: Kristen D Gleason and others, ‘Discursive Context and Language as Action: A Demonstration Using Critical Discourse Analysis to Examine Discussions about Human Trafficking in Hawai’i’ (2018) 46 *Journal of Community Psychology* 293.

⁴³ As noted in Julie Bindel, *The Pimping of Prostitution: Abolishing the Sex Work Myth* (Palgrave Macmillan 2017) viii.

⁴⁴ Ronald Weitzer, ‘New Directions in Research on Prostitution’ (2005) 43 *Crime, Law and Social Change* 211 213

⁴⁵ See Molly Smith and Juno Mac, *Revolting Prostitutes: The Fight for Sex Workers’ Rights* (Verso Books 2018) 209. It is also interesting to note the history of now popular terms such as, *Trans Exclusionary Radical Feminist (TERF)* or *Sex Worker Exclusionary Radical Feminist (SWERF)* in this context, initially coined as useful ways of distinguishing these politics from those of other feminist radicals. See: ‘I’m Credited with Having Coined the Word “TERF”. Here’s How It Happened’ (*the Guardian*, 28 November 2018)

<<http://www.theguardian.com/commentisfree/2018/nov/29/im-credited-with-having-coined-the-acronym-terf-heres-how-it-happened>> accessed 30/09/2022. See also, Ruth Pearce and others, ‘TERF Wars: An Introduction’ (2020) 68 *The Sociological Review* 677.

feminist activism', the literature puts aside questions about the existence of the signified or the intelligibility of such terms. For their accounts to be coherent, they filter out how types of organisational structuring were once the pivotal descriptors of 'radical' practice or that a diversity of perspectives towards the validity of the law as a response to transactional sex were possible as part of a 'radical' feminist activism.⁴⁶ Judith Butler notes this similar shift in the category of radicalism, as she laments that 'there was a movement of radical sexual freedom that once travelled under the name of radical feminism, but it has sadly morphed into a campaign to pathologise trans and gender non-conforming peoples.'⁴⁷ Institutional accounts also largely ignore how the term 'second-wave' has been subject to numerous critiques within feminist academia, such as its selective attribution of significance to certain types of work, movements, and thinkers in its efforts to discuss a whole historical epoch. In particular, the use of the term 'second-wave' feminism is disfavoured by many feminist authors due to its privileging of aspects of the women's movement at the expense of others. Barbara Molony and Jennifer Nelson, as well as Alison Phipps more recently, note the structural racism implicit in deciding which movements come to depict the 'second-wave', often favouring examples of activism led by middle-class white women.⁴⁸ Angela Davis further argues that efforts to esteem the 'second-wave' often erase the movement's complicity with racist and classist societal forces.⁴⁹ Davis draws particular attention to how the often lauded 1970s reproductive rights campaign failed to engage with Black Americans' concerns and in fact participated in a highly

⁴⁶ This point is perhaps best summarised by noting the core argument of Kathleen Barry, *Female Sexual Slavery* (NYU Press 1984) (*FSS*), which remains considered a key text of (neo)abolitionism. When *FSS* was first published in 1979 and contains an analysis of the law which refutes its possibility as a feminist response with Barry often surmising that 'the state as a pimp'. As such she argues strongly for decriminalisation as the only coherent approach for feminists to take. Barry would go on to change her analysis in her later work, see Kathleen L Barry, *The Prostitution of Sexuality* (NYU Press 1996).

⁴⁷ Alona Ferber, 'Judith Butler on the Culture Wars, JK Rowling and Living in "Anti-Intellectual Times"', *New Statesman* (22 September 2020).

⁴⁸ Barbara Molony and Jennifer Nelson, *Women's Activism and 'Second Wave' Feminism: Transnational Histories* (Bloomsbury Academic 2017) Alison Phipps, 'Whose Personal is More Political? Experience in Contemporary Feminist Politics' (2016) 17 *Feminist Theory* 303.

⁴⁹ Angela Davis, *Women, Race & Class* (Random House 1981) 202-221.

racialised birth control discourse as a means of reducing poverty.⁵⁰ Harry Bruinus documents the history of federally funded forced sterilisation programmes which explicitly targeted persons of colour and those with disabilities within the United States during the ‘second-wave’ period.⁵¹ In contrast, Becky Thompson further notes how the period of supposed decline for the ‘second-wave’ was in fact a significant period of activity for women’s antiracist movements.⁵²

Foucault’s advice is to avoid passing the object of research through ‘an obligatory grid of intelligibility’ and instead ‘start with concrete practices’ and pass the object ‘through the grid of these practices’.⁵³ As a result, this research considers practices that tend to be overlooked in the institutional framing or categorisation of activism. Instead, it finds significance in feminist activists’ decisions about organisational rotas, what it felt like to have to carry out photocopying, or which words are chosen when tweeting to others. As I will return to more fully below, it specifically locates the use of law as a type of relationship connected to these underexplored practices. This exposes how contemporary literature requires the forgetting of certain moments or chooses to remember the past differently, to make use of its coherent categories and claims of a certain history. It returns focus to how relations with law’s use have been occluded and remain of deep significance to the ways in which feminist activism pursues its objectives.

This reading of power relations results in a distinct methodological engagement with feminist activism that differs from those deployed in the other governmentality critiques I identified in

⁵⁰ *ibid* 203.

⁵¹ Harry Bruinus, *Better for All the World: The Secret History of Forced Sterilization and America’s Quest for Racial Purity* (Vintage Books 2007).

⁵² Becky Thompson, ‘Multiracial Feminism: Recasting the Chronology of Second Wave Feminism’ (2002) 28 *Feminist Studies* 337 JSTOR.

⁵³ Michel Foucault, *The Birth of Biopolitics - Lectures at the Collège de France, 1978-1979* (Burchell Graham tr, Palgrave Macmillan 2008) 3.

Chapter One. As I argued, these critiques remain largely focused on how the state secures behaviour from its citizenship and structures the social, through the influence of pre-existing legal regimes on the production of subjects. For example, in Jane Scoular's research, feminist activism has a reduced role as an outsider to power.⁵⁴ It is primarily a discourse which becomes co-opted to provide a normative opportunity for the state to secure the control of the population. Contrastingly, in the work of Agustín and Governance Feminism, (neo)abolitionists are framed as a collaborator with juridical power which has sought and achieved a place alongside state and inter-governmental institutions. As Halley summarises, 'Feminists now walk the halls of power', referring to their representation and occupation of traditional institutions of sovereignty.⁵⁵ My reading of feminist activism as a regime of practices, instead investigates the plethora of activity that takes place elsewhere which is also of interest and consequence to this institutional focus.

2.3 Governmentality

Governmentality is a methodology concerned with how the strategies that underpin a specific modality of power relations, referred to as government, are rationalised. Whilst the terms government and rationality used in this precis are familiar language, they are afforded distinct and expanded definitions in Foucault's work. The first part of this section therefore details the implications of these key terms and how they give the 'ugly word' of governmentality its meaning and critical resonance.⁵⁶ After providing this interpretation, the section goes on to consider how this approach is deployed in the present study and the impact thinking with governmentality as a methodology has on the project. I introduce Sara Ahmed's work on *use* here, as her discussion of use as an 'organising principle' helps guide an investigation into

⁵⁴ Jane Scoular, 'What's Law Got To Do With It? How and Why Law Matters in the Regulation of Sex Work' (2010) 37 *Journal of Law and Society* 12.

⁵⁵ Janet Halley and others, *Governance Feminism: An Introduction* (University of Minnesota Press 2018) ix.

⁵⁶ M Foucault, *Security, Territory, Population* (Arnold I Davidson ed, Graham Burchell tr, Palgrave Macmillan 2007) 115.

overlooked domains of governmental activity that take place in feminist activism.

2.3.1 Government, Conduct, and Governmental Rationality

As Foucault expounds, government is a modality of power relations which are grounded in a shared conception of reality in which ‘things and men’ exist in an interconnected series of relations.⁵⁷ So, this comprehension of reality posits the existence of ‘a complex’ whereby peoples’ involvement with objects, spaces, customs, comportments, and events are perceived as having potential effects upon one another.⁵⁸ Which of these relationships between people and things are understood to exist and which connections are deemed to ‘matter’ are historically specific considerations that radically affect sociality.⁵⁹ For instance, Judith Butler uses a Foucauldian framing to argue that certain lives are constituted as grievable and types of violence perceivable whilst others are ignored, through the way such relations between *which things* and *which persons* are recognised to matter.⁶⁰

What I wish to stress here, is that the apprehension of the interconnectedness of ‘things and men’ enables a mode of activity that seeks to (re)arrange both things and persons to secure desired outcomes. This mode of activity is referred to as *governing*, a manoeuvring that ‘incites, it induces, it seduces, it makes easier or more difficult; it realises or contrives, makes more probable or less; in the extreme, it contains or forbids absolutely’.⁶¹ Governing is thus distinct

⁵⁷ *ibid* 96.

⁵⁸ *ibid*.

⁵⁹ Foucault in *Security, Territory and Population* is largely interested in how this general comprehension of reality is a significant mutation in sociality, the state institutions, and the way that people engage with the world. For example, he contends that relationship to event of ‘the scarcity of grain’ or ‘scourge’ has been related to significantly differently since the 18th century. Previously, such events were primarily comprehended through being moral, cosmological, or juridical realities. They were understood as the consequence of fallen man, misfortune, or in the fault of sovereign rule. Under *economic government*, a mutation occurs whereby society attempts to try to grasp the reality of the thing itself. As such, they attempt to study crop, no-longer as a moral problem of good-and-evil but attending to a neutral reality that is connected to the population via markets. This way of relating to the phenomena, changes the way that society relate to its events. When persons die due to food shortages, these events are reframed as a means of allowing the prices to correct themselves. It is no longer an event to which revolt is a reasonable proposition. See *ibid* 29-55.

⁶⁰ Judith Butler, *The Force of Nonviolence: An Ethico-Political Bind* (2021).

⁶¹ Foucault, ‘The Subject and Power’ (n 2) 341.

in its indirectness, it is ‘an action upon actions, on existing actions, or on those which may arise in the present or the future’.⁶² As Nikolas Rose remarks, ‘governing is a genuinely heterogenous dimension of thought and action – something captured to some extent in the multitude of words available to describe and enact it: education, control, influence, regulation, administration, management, therapy, reformation, guidance’.⁶³

Underlying these activities of governing, like all power relations, are strategies.⁶⁴ The strategies of contemporary government are typically defined by a shared mode of calculation, namely that, through governing, a particular disposition of the complex is achievable, which in turn will be capable of achieving desired ends.⁶⁵ In other words, governing is often undertaken to order things in such and such a way, so that their regulation will intensify specific effects, like wealth, subsistence, health, or even the salvation of souls.⁶⁶ Conversely, as Achille Mbembe’s *necropolitics* further demonstrates, things are also ordered to the intentional devaluation of racialised populations, conferring on some the status of the ‘living dead’.⁶⁷ The term *government* is therefore used to collectively refer to this distinct modality of power relations, a domain that consists of the comprehension of reality as a complex; a type of action upon actions; and a strategy that, on this basis, governs towards desired distributions in order to achieve varied ends.

Foucault goes on to make use of the term ‘conduct’ in an effort to elucidate how contemporary relations of government operate and are distinguished from other modes of power relation.⁶⁸

⁶² *ibid* 341.

⁶³ Nikolas Rose, *Powers of Freedom: Reframing Political Thought* (Cambridge University Press 1999) 4.

⁶⁴ As discussed in 2.2.2 above.

⁶⁵ Foucault, *Security, Territory, Population* (n 56) 98.

⁶⁶ *ibid* 192.

⁶⁷ Achille Mbembé, ‘Necropolitics’ (2003) 15 *Public Culture* 11 40.

⁶⁸ Although initially introduced in as a term in his description of the specifics of ‘pastoral power’ and thus as part of his genealogy of modern government (Foucault, *Security, Territory, Population* (n 56) 121) he also turns to discuss ‘conduct’ in a more general sense in his later writing on government (Foucault, ‘The Subject and Power’ (n 2) 341).

He notes that the word ‘conduct’ can express a duality of meanings, with the first set involving the word’s deployment to describe specific activities such as leading, directing, or driving through persuasive techniques.⁶⁹ This is conducting in the active verb sense, but also covers conduction, a process noun, that refers to the practice of conducting.⁷⁰ The second set of meanings refers to directed-behaviours: the way in which one conducts oneself; lets oneself be conducted; is conducted; and, the resultant way one behaves as an effect of their conduction.⁷¹ Foucault’s use of the phrase ‘the conduct of conducts’⁷² or ‘conducts the conduct of men’⁷³ helps summarise the activity and stakes of government, drawing attention to how its specific qualities often involve the governed electing to concern themselves with themselves in self-directed ways and thus motivates the performances of certain behaviours. As such, conduct helps highlight an important typography of government, namely *self-government*, which involves the governor and the governed being two aspects of a singular actor.⁷⁴ These two axes of government, ‘the relationship to self and the relationship to others’ are argued to be the basis upon which the individual is constituted as a subject.⁷⁵ As such, Arnold Davidson remarks that conduct offers ‘a conceptional hinge’ in Foucault’s work which links ‘together the political and ethical axes’.⁷⁶

As with Foucault’s general description of power relations, relations of government are conceived as always imbued with a type of active resistance. Continuing to utilise the specific meanings of conduct, Foucault deploys the term *counter-conduct* as a favoured way to describe this modularity of governmental resistance. He is once again keen to stress that counter-

⁶⁹ Foucault, *Security, Territory, Population* (n 56) 193.

⁷⁰ *ibid.*

⁷¹ *ibid.*

⁷² Foucault, ‘The Subject and Power’ (n 2) 341.

⁷³ Foucault, *The Birth of Biopolitics—Lectures at the Collège de France, 1978-1979* (n 53) 186.

⁷⁴ Mitchell Dean, *Governmentality: Power and Rule in Modern Society* (Second edition, SAGE Publications 2009) 19.

⁷⁵ M Foucault and others, *The Government of Self and Others: Lectures at the Collège de France 1982–1983* (Palgrave Macmillan 2010) 42.

⁷⁶ Arnold I Davidson, ‘Introduction’ in Arnold I Davidson (ed), Graham Burchell (tr), *Security, Territory, Population* (Palgrave Macmillan 2007) xviii.

conduct does not come after conduction, it is not a 'reactive' or 'negative form' but rather something that is immanent within relations of government.⁷⁷ As Davidson notes, 'Conduct and counter-conduct share a series of elements that can be utilized and re-utilized, re-implanted, re-inserted, taken up in the direction of reinforcing a certain mode of conduct or of creating and re-creating a type of counter-conduct'.⁷⁸ Counter-conduct is therefore a desire to be conducted differently, a refusal of the premise of the rationalisation for the need to be governed, and the identification of how one could conduct oneself and others differently.⁷⁹ These dynamics of counter-conduct highlight how the very practice of government raises questions about: Who should be allowed to govern others? What are the proper kinds of rituals or behaviours that should be engaged in to govern correctly?

Foucault describes governmentality as his 'proposed analytical grid' which is directed towards understanding the way in which government is implemented.⁸⁰ Governmentality is further specified as a methodology for analysing the 'rationality' that inhabits the strategies of government.⁸¹ In this context, the term rationality refers to the localised expectation within power relations that certain effects will be produced by government and how achieving such effects is a desirable outcome. As Mitchell Dean clarifies, rationality refers simply to 'any form of thinking which strives to be relatively clear, systematic and explicit about aspects of 'external' or 'internal' existence, about how things are or how they ought to be'.⁸² As such, Foucault presents governmentality as an endeavour 'to grasp the level of reflection in the practice of government and on the practice of government' summarising that it is an effort 'to study government's consciousness of itself'.⁸³ Foucault therefore contends that his own use of the

⁷⁷ Foucault, *Security, Territory, Population* (n 56) 195.

⁷⁸ Davidson (n 76) xx.

⁷⁹ For a discussion of these dimensions, see: Foucault, *Security, Territory, Population* (n 56) 194-200

⁸⁰ Foucault, *The Birth of Biopolitics—Lectures at the Collège de France, 1978-1979* (n 53) 186.

⁸¹ *ibid* 3.

⁸² Dean (n 74) 18.

⁸³ Foucault, *The Birth of Biopolitics—Lectures at the Collège de France, 1978-1979* (n 53) 2.

methodology of governmentality is directed towards understanding ‘the rationalization of governmental practice in the exercise of political sovereignty’.⁸⁴

What is of interest to the present study is how the ends of government are identified as desirable by feminist activists, which instruments are determined to be the right ones to use, which ‘things’ matter, and how their qualities are understood to be related to others. Making use of governmentality as a methodology, directs research to be interested in the rationality of government, not ‘the way that governors actually govern’.⁸⁵ This reading of governmentality is affirmed by secondary literature on the topic. Michael Fitzpatrick and Ben Golder, for example, note that the general use of governmentality ‘simply refers to any manner in which people think about, and put into practice, calculated plans for governing themselves and others’.⁸⁶ Bal Sokhi-Bulley similarly situates governmentality as a methodology and an analytics interested in the ‘rationality of government... a way of thinking about the practice of government, and hence of whom or what is being governed, what governing is, whom or what can govern, and so forth’.⁸⁷ Or as Gordon succinctly contends, ‘governmentality is about how to govern’.⁸⁸

In this thesis, this reading of governmentality directs my analysis to investigate how the regime of practices that constitute feminist activism are implicated in relations of government and to examine how such practices are rationalised. The vocabulary of the methodology of

⁸⁴ *ibid.*

⁸⁵ *ibid.*

⁸⁶ Ben Golder and Peter Fitzpatrick, *Foucault's Law* (Routledge-Cavendish 2009) 31. Fitzpatrick and Golder go onto to discuss that governmentality has a more specific engagement in Foucault's work related to ‘a particular mode of deploying and reflecting upon power relationships... developed by certain political theorists from the middle of the sixteenth to the end of the eighteenth century’, *ibid.* As I have noted, the fixation on the ‘state’ and ‘citizen’ relationships is a dominant image in many governmentality studies of feminist activism and transactional sex. Bröckling et al. have argued is the misuse of governmentality in academic research, which end up supporting ‘sweeping historical narratives’ such as the advance of the welfare state to neoliberalism; or ‘small format empirical studies’ that reproduce ‘identical rationalities, strategies, and technologies of neoliberalism’ (See, Ulrich Bröckling and others, *Governmentality: Current Issues and Future Challenges* (Routledge 2010) 16).

⁸⁷ Sokhi-Bulley (n 4) 15.

⁸⁸ Colin Gordon, ‘Governmental Rationality: An Introduction’ in Graham Burchell and others (eds), *The Foucault Effect: Studies in Governmentality* (Chicago, Ill: University of Chicago Press 1991) 7.

governmentality helps specify the primary site of the regulation analysed, namely *the conduct of feminist activism*. Using this phrasing establishes my interest in how practices of ‘doing feminism’ are secured through relations of government and rationalised as necessary. The immanence of ‘conduct’ and ‘counter-conduct’ draws attention to how such rationalities that regulate the practices of feminist activism are often simultaneously imbricated in efforts to resist other types of conduct, particularly those codified as part of patriarchal systems of power. This helps situate feminist activism’s involvement in power relations in a more nuanced capacity than as a radical force for emancipation or as simply a normative discourse appropriated by other dominant global forces.⁸⁹ Governmentality instead situates the productive importance of the study of these activities, suggesting they are constitutive of feminist subjectivity, practices, and the objectives of its politics.

2.3.2 ‘Use’ as a technique of government

Governmentality further refines the agenda of this research towards considering how government takes place through the use of law. This interest in ‘the use of law’ is intended to highlight an underemphasised dimension of legal relationality, one which I argue plays an important role in the government of the regime of practices of feminist activism and its responses to transactional sex.

Sara Ahmed’s following of the word ‘use’ across various contexts helps demonstrate the dimensions of this governmental relationality.⁹⁰ Ahmed emphasises that our relationships to use have a dynamic quality; that making use of things can change both the thing used and user, shaping the way in which both interact together in the future. When we think of the ‘use of things’ the thing’s instrumentality is often obvious to us. Thus, the law is often perceived as

⁸⁹ Dean (n 74) 46.

⁹⁰ As Ahmed notes, to follow a word is ‘ask about where they go, how they acquire associations, and in what or whom they are found’, see Ahmed (n 6) 3.

useful by feminist activism because of its apparent role in instrumental relations (i.e. the law is considered *useful* because law *is* an object that is used to *do* something).⁹¹ The law is similarly often thought of as a designed object, because it is understood as something brought into existence because of what it is for (i.e. the law is something made in order to be used).⁹² However, use relations are also endowed with affects.⁹³ Such affects of use can be an intended feature of law's design, for example, making a subject feel afraid can be part of the express intentions by which criminal laws are constructed and how they are deemed useful.⁹⁴ Affects can also be felt quite apart from what is seemingly expressed as the intention of its design; for example, the *foriness* of human rights law provides it affective value that to mention it will light up the eyes of some,⁹⁵ fill others with anger,⁹⁶ and turn others off with tedium.⁹⁷ Ahmed remarks that affection and instrumentality are often intertwined, remarking they are 'different threads woven together in the same story about use.'⁹⁸ Further, whilst a relation of use might appear simple, it is always situated within an environmental context with other things. So, the design of an object, may assume that a wider infrastructure is in place that will make it useable. To make use of the law often requires one to make assumptions about the pre-existence of administrative capacity to implement legal edicts or that its very existence will have a normative impact. As a result, the wider social environment is clearly connected to how use is distributed and facilitated. Through following these distributive dimensions of use, one can direct a

⁹¹ *ibid* 6.

⁹² *ibid* 24.

⁹³ *ibid* 7.

⁹⁴ See Priti Patel's comments on her desire for law to promote feelings of terror in some. 'Home Secretary Priti Patel: I Want Criminals to Feel Terror', *BBC News* (8 March 2019) <<https://www.bbc.com/news/uk-49213743>> accessed 11 November 2021

⁹⁵ For example, "If you're thinking about a modern day knight in shining armour, most lawyers don't fulfil that criteria, but human rights lawyers do" 'Mark Muller, Bridget Jones' Real Mr Darcy', *The Guardian* (11 April 2001) <<https://www.theguardian.com/film/interview/interviewpages/0,6737,471825,00.html>> accessed 30 September 2022.

⁹⁶ Tom Tugendhat, 'Human Rights Lawyers Now Present a Real Threat to British Troops at War', *The Telegraph* (19 September 2016) <<https://www.telegraph.co.uk/news/2016/09/19/human-rights-lawyers-now-present-a-real-threat-to-british-troops/>> accessed 30 September 2022.

⁹⁷ Alex Barr, 'Why Lawyers Are Boring at Parties' (*The Law Society*, 17 December 2015) <<https://www.lawsociety.org.uk/topics/blogs/why-lawyers-are-boring-at-parties>> accessed 30 September 2022.

⁹⁸ Ahmed (n 6) 7.

questioning towards how the use object is implicated in such relationships with its environment:

‘Who gets to use what? How does something become available to use? Can something be available as a public facility— like a well from which we can draw water— without it being usable by everyone?’⁹⁹

Ahmed connects these instrumental, affective, and distributive dimensions of ‘use’ to how persons, things, spaces, and events are shaped and transformed. As Ahmed contends, the effects of use can render it a ‘a technique for shaping worlds, as well as bodies’¹⁰⁰ making use what she refers to as ‘an organising concept’.¹⁰¹ Ahmed goes further though, to stress how using objects also shapes the object. For example, as they are used knives grow blunt, paths become easy to take, sentiments can become attached to clothing. This transformation of the use object through its use, in turn changes how these objects are related to and the ways in which they are put to use in the future.¹⁰²

Given use’s potential to organise, we can indeed read other studies that deploy governmentality with Ahmed’s work, seeing them as emphasising how ‘the use of law’ is often implicitly recognised as an important feature of government. Anne Brunon-Ernst, for example, notes the importance of ‘the principle of utility’ for understanding how the individual is governed through legal and extra-legal norms in biopolitical forms of governmentality.¹⁰³ Sokhi-Bulley also highlights how the ‘useful’ tools of International Non-Governmental Organisations (INGOs), such as their methodology of ‘naming and shaming’ human rights abusers assist in the exercise of ‘humanitarian government(ality) through rights’.¹⁰⁴ ‘These organisations’ activities are suggested to be regulated by their relationships towards what is useful and these

⁹⁹ *ibid* 7.

¹⁰⁰ *ibid* 12.

¹⁰¹ *ibid* 8, 103-140.

¹⁰² *ibid* 82.

¹⁰³ Anne Brunon-Ernst, *Utilitarian Biopolitics: Bentham, Foucault and Modern Power* (Routledge 2015) 50.

¹⁰⁴ Bal Sokhi-Bulley, *Governing (Through) Rights* (Hart Publishing 2016) 51.

can ultimately lead ‘to the entrenchment of deeper inequality and rights violations’.¹⁰⁵ She further notes how the demand to be ‘useful’ for others can be an impelled relationship, with INGOs moderating their expertise and knowledge in order to fulfil an imagined need to be useful for the workings of inter-governmental organisations.¹⁰⁶ Use can also be read into Golder and Fitzpatrick’s contentions that Foucault expresses a polyvalent outlook on how law operates in contemporary relations. The authors suggest Foucault believed law to simultaneously have a quality of ‘vacuity’ yet also its own ‘specificity’ that marks its operations beyond being just any other pliable instrument.¹⁰⁷ As a result of both these qualities, they contend that law is marked as a ‘generative locus’ for the production of a society’s truth.¹⁰⁸ We can reinterpret the discussion of laws’ qualities in the vocabulary of use, interpreting law’s vacuity as also a reference to its capacity to become and be understood as useful or redundant to other modalities of power relations. Law’s specificity can similarly be construed through this use perspective, referring to how law remains impressed by the sentiments of its designers and its perceived institutional *forness*. This *forness* is what marks its relations and its capacity to be put to use with its own distinctive affective qualities, that set it aside from other modalities of power relations.

How we relate to law’s utility therefore has the potential to organise and transform. Ahmed’s work helps guide the thesis’ investigation by locating instrumental, affective, and distributive dimensions of the use of law; emphasising the transformative ways that such use impresses upon feminist activism, changing the way it understands its activities and how it relates to law. In the forthcoming chapters, this understanding is deployed to reveal a variety of ways in which the use of law governs feminist activism. Chapter Three considers how relations to the use of

¹⁰⁵ *ibid* 64.

¹⁰⁶ *ibid* 62.

¹⁰⁷ Golder and Fitzpatrick (n 86) 130.

¹⁰⁸ *ibid*.

law come to regulate the organisational structures and operational routines adopted in feminist activism. In turn, Chapter Four expands on how such experiences of the feminist activist workplace leave impressions on feminist activists, shaping the way in which law is construed as useful in writing about prostitution. Chapter Five considers how the use of law continues to play an important role in regulating contemporary feminist activism. It notes how the normative qualities of law deeply configure the ways in which online feminist communities form and interact with one another. Chapter Six similarly investigates how human rights law is considered useful and configures how feminist protestors respond to police violence and if different ways of relating to the law are possible in the future.

2.4 Methods

The current section moves to detail how this methodology informs the decisions of method undertaken in this project; the specific tools that I deploy to collect data for this research. As noted in the introduction to this chapter, this project follows Sokhi-Bulley's distinction between methodology and method, the latter being summarised as 'what you do in a project, as opposed to how you think it'.¹⁰⁹ This section introduces the criteria used to select case studies for this work, before considering the individual cases in more detail. The specific tools of textual-coding and thematic pattern recognition are discussed in subsequent chapters to explain how they were used to gather writing for their respective analysis.

As Sasa Baškarada notes, the use of case studies offers researchers the opportunity 'to gain a deep holistic view of the research problem' and 'facilitate describing, understanding and explaining a research problem or situation'.¹¹⁰ In this pursuit, this thesis draws on three case studies to pursue its investigation of the various regulatory relationships held between the use

¹⁰⁹ Sokhi-Bulley (n 4).

¹¹⁰ Sasa Baškarada, 'Qualitative Case Study Guidelines' [2014] *The Qualitative Report*, 1.

of law and feminist activism, namely: the *Spare Rib Collective* (1972-1993); Feminist Twitter users (2017-2021); and the vigil responses of *Reclaim These Streets* and *Sisters Uncut* (2021-2022). At first glance, these case studies may appear eclectic; they each hold vastly different organisational structures and objectives, operate from distinct periods of time, and make use of different forms of media. However, as the following subsection expands, they were selected due to their shared fulfilment of criteria of interest to this governmentality study. All of these case studies identify as groups of feminist activists who use writing as an important tactic of their activism; engage with problems of transactional sex and the relevance of law as a feminist response; and despite occurring in different periods of recent history, they are all imagined by contemporary modes of feminist activism to share a coherent lineage.

2.4.1 Feminist Activist Writing

Feminist activist writing serves as the primary source of data analysed in this research. This decision was made for several reasons. Firstly, whilst most social movements make use of writing, for feminism, it holds a special place as both a key intervention and the territory it contests.¹¹¹ Access to writing, publishing, and the possibility of being read, remain deeply political concerns that are steeped in intersectional complications. In this context it is easy to intuit the importance of the written word to the feminist project of liberation. As Stacy Young remarks, writing is often connected to an understanding of how to maintain or transform ‘women’s social, political, and economic positions’.¹¹² More specifically, however, writing is also expressly thought of and discussed as a tactic of government in feminist activism. As Teresa de Lauretis succinctly notes, the significance of writing to feminism lies in its capacity to form ‘a habit-change in readers, spectators, speakers, etc. And with that habit-change it has produced a new social subject, women.’¹¹³ De Lauretis thus articulates what I contend to be a widespread

¹¹¹ Stacey Young, *Changing the Wor(l)d: Discourse, Politics, and the Feminist Movement* (Psychology Press 1997) 13.

¹¹² *ibid* 13.

¹¹³ Teresa de Lauretis, *Alice Doesn't: Feminism, Semiotics, Cinema* (New ed edition, The Macmillan Press Ltd 1984) 186.

conscious rationalisation of the affective capacities of writing as a technology, one able to secure conduct and which plays a role in the formation of new subjects critical to feminism.

The significance that feminist activism has also placed on writing as an activity of government has provoked questions on ‘how to govern’, which remains an active and important problem in contemporary scholarship. As Katherine Angel notes, the importance placed on expression as a constitutive practice of feminist activism glorifies the benefits of activities like writing, whilst ignoring or understating the risks that accompany such expression.¹¹⁴ Further, for Angel, this prioritisation of writing as a form of expression can become a source of ontological anxiety, remarking: ‘Being outspoken, it would seem, is a requirement of any self-respecting feminist subjectivity; if you are not talking loudly about gutsiness, are you even a feminist?’¹¹⁵ Tanya Serisier describes the Derridean notion of ‘genre’ as a device that enables ‘new modes of telling, understanding, hearing and reading’ to become possible.¹¹⁶ In the context of feminist discourses, she argues that these features of genre allow individuals to carry out collective acts through shared patterns of speech, which are capable of producing political effects.¹¹⁷ However, Serisier contends that genre can also be understood as a constraining force, ‘it constructs a cultural space and a set of tools for telling certain narratives but marks other narratives as outside of that space and forecloses other ways of telling or understanding a story.’¹¹⁸ The result of the expectations of genre mean that ‘the telling of some stories precludes the possibility of telling others’.¹¹⁹

This tension profoundly shapes how we are able to write, understand one another, and attribute

¹¹⁴ Katherine Angel, *Tomorrow Sex Will Be Good Again: Women and Desire in the Age of Consent* (Verso 2021) 19.

¹¹⁵ *ibid* 16.

¹¹⁶ Tanya Serisier, *Speaking Out: Feminism, Rape and Narrative Politics* (Palgrave Macmillan 2018) 8.

¹¹⁷ *ibid* 44.

¹¹⁸ *ibid* 9.

¹¹⁹ *ibid*.

meaning to our experiential encounters in ways that can replicate and sustain structural violence, particularly devaluing ‘the lives and experiences of women and others who are not white, middle-class and cis-gendered’.¹²⁰ Similarly, Donna Haraway articulates governmental concerns about the holistic effect of practices, such as writing, on ourselves and what we do, as she states ‘it matters what thoughts think thoughts, what stories tell stories, what knowledges know knowledges’.¹²¹ Thus, writing is directly a form of expression that is both important to feminism, as well as explicitly recognised as an activity of government. Analysing this activity allows for the exploration of relationships with ‘the use of law’ beyond ‘the law’ as solely an engagement between the (neo)liberal state and state-like institutional power and its paralleled construction of citizenry.

The second reason for electing to consider feminist activist writing is due to writing’s compatibility, as a form of data, with existing Foucauldian research methods. Indeed, Foucault encourages this type of research, describing his own methods as an attempt to reconstruct the function of writing and in doing so establish ‘its objectives, the strategies that govern it, and the program of political action it proposes’.¹²² Such advice has been systemised in various schools of qualitative research that engage with written language for insights into societal relations, notably Critical Discourse Analysis (CDA).¹²³ As a result, through focusing on writing as a form of data, this research has drawn on some of the methods developed under this school of analysis.

¹²⁰ Tanya Serisier, ‘Complex Back Stories: Feminism, Survivor Politics and Trans Rights’ (*Critical Legal Thinking*, 15 June 2020) <<https://criticallegalthinking.com/2020/06/15/complex-back-stories-feminism-survivor-politics-and-trans-rights/>> accessed 30 September 2022

¹²¹ Donna Haraway, *Staying with the Trouble: Making Kin in the Chthulucene* (Duke University Press 2016) 39.

¹²² Michel Foucault, ‘18 January 1978’ in Graham Burchell (tr), *Security, Territory, Population* (2009 ed. edition, Palgrave Macmillan 2007) 36.

¹²³ Theresa Catalano and Linda R Waugh, ‘Introduction to Critical Discourse Analysis (CDA), Critical Discourse Studies (CDS), and Beyond’ in Theresa Catalano and Linda R Waugh (eds), *Critical Discourse Analysis, Critical Discourse Studies and Beyond* (Springer International Publishing 2020).

Many CDA approaches, acknowledge the importance of written language, Norman Fairclough, for example, contends ‘texts have causal effects upon, and contribute to changes in, people (beliefs, attitudes, etc.), actions, social relations, and the material world.’¹²⁴ However, writing itself is understood as an aspect of its wider discursive context, which Van Leeuwen describes as socially specific ways of knowing social practices.¹²⁵ CDA methods are therefore helpful in that they avoid doctrinal pitfalls of interpreting texts without recognition of the context that gives it meaning, or over-emphasising its capacity of writing to be a sole depiction of reality. As a result, CDA shares fundamental aspects with my understanding of governmentality as a mode of analysis, understanding writing as involved in interrelated strategies of justifying, evaluating and ascribing value to and with social practices.

Due to this general compatibility, my research process is guided by some of the approaches articulated by various CDA works on methods. I therefore approach writing as involved as inherently ‘intertextual’ with discourse.¹²⁶ This means not treating writing as a total depiction of what constitutes feminist activism as a regime of practices, even at its most autobiographical and self-reflexive moments. On a practical level, my analysis looks for secondary sources to complicate its intertextual understanding. It also means that my analysis acknowledges its capacity to produce partial knowledge claims, rather than presenting itself as a total or complete representation of what happens in relationships with the use of law. This creates space for the claims of other research, which might elect to focus on, say, the use of visual iconography as part of sex worker activism, and seek to uncover other vastly different insights that are distinctly valuable.¹²⁷

¹²⁴ Norman Fairclough, *Analysing Discourse: Textual Analysis for Social Research* (Psychology Press 2003) 8.

¹²⁵ Theo van Leeuwen, *Discourse and Practice: New Tools for Critical Discourse Analysis* (Oxford University Press 2008)

¹²⁶ Fairclough (n 124) 39

¹²⁷ An important and under-explored in academia, See: Camille Melissa Waring, ‘Visual Activism and Marginalized Communities in Online Spaces’ in Katy Deepwell (ed), *Feminist Art Activisms and Artivisms* (Anagram Books 2020)

However, whilst I acknowledge that the approaches of CDA consist of a broad church of methods, I am reluctant to designate the methods of this project wholesale to their description. These reservations primarily stem from the observation that many CDA proponents draw insights and justifications from Foucault's earlier work – notably *The Archaeology of Knowledge* and *The Order of Things*.¹²⁸ In doing so, they tend to ignore the correctives Foucault asserts that move his methods away from imagining power-relations as essentially coercive, exclusionary, and negative forces. This leads some CDA authors to favour imagining power as neatly structured into hierarchical orders of dominance and submission. An influential proponent of CDA, Ruth Wodak, for example, advances that the approach is fundamentally concerned 'with analysing opaque as well as transparent structural relationships of dominance, discrimination, power and control as manifested in language'.¹²⁹ This leads much CDA research to envision that they participate in an act of resistance through revealing language to be a tool of oppression used by hegemonic order, Teun Adrianus van Dijk, for example, foreground CDA as a method engaged on behalf of the powerless,¹³⁰ whilst Norman Fairclough and Gunther Kress propose that resistance is the act of breaking discursive conventions.¹³¹

This is dissonant to my reading of power-relations and indeed resistance, as discussed in section 2.2. I share the view articulated by Janet Halley, that observing how feminist activism is involved in power relations that it often obfuscates or evades recognition of, is not the equivalent of passing normative judgement, as if to say 'gotcha'.¹³² Rather, implicating feminist activism in governmentality is to acknowledge that these regulatory practices are productive; including making lives and forms of feminist resistance against hegemonic order possible. As a

¹²⁸ Michel Foucault, *Archaeology of Knowledge* (Routledge Classics 2002); Michel Foucault, *The Order of Things: An Archaeology of the Human Sciences* (Routledge Classics 2001)

¹²⁹ Ruth Wodak and Michael Meyer (eds), *Methods of Critical Discourse Studies* (Third edition, SAGE 2016) 2.

¹³⁰ Teun A van Dijk, 'Principles of Critical Discourse Analysis' (1993) 4 *Discourse & Society* 249.

¹³¹ John Flowerdew, 'Critical Discourse Analysis and Strategies of Resistance' in Vijay K Bhatia and others (eds), *Advances in Discourse Studies* (Routledge Press 2008).

¹³² Janett Halley makes a similar assertion in Halley and others (n 55)

result, power relations are not *just* restraining possibilities or the dominance of others. Further, and as influenced by thinkers such as Serisier and Angel above, I take issue with the tendency of CDA to uncritically position itself as ‘speaking out’ against power, as if this were an emancipatory politics in and of itself. Liberal politics is often quick to assume the supposed emancipatory reaction of expression is sufficient, stopping short of meaningfully committing to the activities required for systematic change or reflecting on whether its own expressions commit to hegemonic order or other forms of violence. For these reasons, rather than affiliate the method of this project with CDA, I think it is more appropriate, albeit inelegant, to refer to the method of this research as a ‘governmentality analysis of feminist activist writing’.

2.4.2 Comprehensive Examples of Feminist Activism

The second criteria identified for the selection of case studies was to explore examples of feminist writing where activists discussed a wide set of concerns and diverse objectives, rather than being singularly concerned with transactional sex. This may appear counterintuitive, as single mission organisations likely produce more writing on these relevant subjects. However, this research advances on the presumption these types of activist organisation will hold an existential attachment to their particular problematisation of transactional sex and conceptualisations of the law. The activities of such organisations are dependent on the continuation of transactional sex being an issue that must be addressed. Hence, the writing they produce on the necessity or usefulness of the law is likely to be less obviously permeable. For example, whilst it is possible to imagine subtle changes taking place in how an organisation like ‘Nordic Model Now!’ is affected by its rationalisation of the law as useful, it is very difficult to imagine it publicly writing about a position that is not inherently tied to its public commitment towards the usefulness of the Nordic Model.¹³³ In contrast, the case studies investigated in this

¹³³ As discussed in Chapter One.

thesis are not *a priori* attached to a particular conception of the use of law for their existences (superficially at least!). It suspected that, as a result, these selected case studies would involve more reflective and intertextual writing about the relevance of the use of law as a feminist response, which could provide in turn a more nuanced account of its regulatory relationships on the conduct of feminist activism.

2.4.3 Temporal Contexts and Media

The case studies also demonstrate the decision to compare examples of activism from different time periods and media. The first reason for this decision arises from the assumption that these different contexts will reveal multifarious regulatory relationships with the use of law. As such, they offer the chance to see how law interacts with the different lexicons, concepts, and stories available. For example, as discussed in the Introduction to this thesis, the term ‘sex worker’ describes a specific identity within the domain of transactional sex that is laden with affective legal implications. As considered in Chapter Five, for many Twitter users this term and its widespread adoption holds deep political significance to contemporary feminist struggles and human rights claims. However, despite the term being attributed to Carol Leigh in 1978, it is not used once throughout the publication run of *Spare Rib*.¹³⁴ Despite extensive engagement with topics related to transactional sex throughout *Spare Rib*’s pages, they appear to take place in a context where sex workers are yet to be ‘known’ through this term. The absence or presence of the availability of these legal-identities and related terminologies are assumed to thus orientate both case studies differently towards their respective relationships with the use of law. This allows the thesis to explore whether these different relationships with identities are linked to different kinds of feminist activist conduct.

A second reason for this exploration of different periods of time, is that it allows me to

¹³⁴ Brooke Meredith Beloso, ‘Sex, Work, and the Feminist Erasure of Class’ (2012) 38 Signs: Journal of Women in Culture and Society 47.

investigate and evidence the existence of an important regulatory relationship that takes place through the use of law, namely the activities of remembrance and forgetting. As I develop in the forthcoming chapters, these processes of memory are active performances, made possible through the telling of certain histories and lineages. I argue that these performances enable the rationalisation of certain identities and practices that make up the conduct of feminist activism. For example, contemporary feminist narratives often individually accredit Catherine MacKinnon for the introduction of legal responses in feminist activism, particularly in response to prostitution and pornography.¹³⁵ However, during the 1970s and 1980s MacKinnon's individual contributions were not particularly influential in the mainstream feminist activism in the United Kingdom, as evidenced by the fact that she was never explicitly acknowledged or discussed in the pages of *Spare Rib Magazine*. Despite her absence, the publication as considered in Chapters Three and Four, nevertheless evidences a similar transition in their relationships with the use of law and their changing problematisation of transactional sex. This suggests that other histories and processes which contributed towards this transition in attitudes have been electively forgotten, recoverable through an exploration of the past in this research. It also suggests that the insistence on contributions of MacKinnon in the present, the performance of this kind of remembrance, demonstrates the operationalisation of a different kind of governmental activity that relies on the coherence of individualised narratives of feminist progress.¹³⁶

2.4.4 Selection of Case Studies

The *Spare Rib Collective* produced a nationally distributed publication in the United Kingdom from 1972 to 1993, dedicated to the topic of women's liberation. With several hundred issues and an estimated 11,000 articles, *Spare Rib Magazine* features and letters contain a wealth of

¹³⁵ See comments on MacKinnon and Sweden in the Chapter One. See also Susan Brownmiller, *In Our Time: Memoir of a Revolution* (Delta Group 2000)

¹³⁶ As discussed above, this is less an argument for a neat lineage but that mutations take place that remain unnoticed in the present or allocated different explanations.

feminist activist writing from a wide range of contributors.¹³⁷ As a feminist activist organisation with a broad interest in facilitating conversation about women's liberation, it also demonstrates the varied ways issues of transactional sex were encountered over its publication history. *Spare Rib Magazine* further provides reflections from its collective members on their changing perceptions of what constitutes feminist activism and how this shaped their conduct, which is the focus of Chapter Three. Finally, *Spare Rib* continues to be the subject of academic and activist interest, with many continuing to position its important role in the lineage of contemporary feminist activist efforts.¹³⁸

The second case study I explore in this thesis is feminist activists writing on the social media website Twitter from 2017-2021. This case study was primarily selected to analyse manifestations of mainstream feminist activist writing that take place in the contemporary beyond organisational structures or academic writing. Feminism today is met with numerous declarations that it is part of an unfurling 'fourth-wave', often defined by activists' use of digital and online technologies. Kira Cochrane writes in *The Guardian*, that this wave of feminism 'feels like something new again...defined by technology: tools that are allowing women to build a strong, popular, reactive movement online.'¹³⁹ Antonia Zerbisias similarly remarks on the contribution of hashtags, such as #MeToo, #rapeculture and #FHRIP to the feminist project. Zerbisias states that these tools have 'pushed gendered violence and abuse out of the shadows.'¹⁴⁰ Academics writing on the feminist present are also keen to make similar connections between the novelty of this moment and its use of technology. Alison

¹³⁷

¹³⁸ See British Library.

¹³⁹ 'The Fourth Wave of Feminism: Meet the Rebel Women' (*the Guardian*, 12 October 2013) <<http://www.theguardian.com/world/2013/dec/10/fourth-wave-feminism-rebel-women>> accessed 4 December 2020.

¹⁴⁰ Antonia Zerbisias, 'Feminisms Fourth Wave is the Shitlist' (*NOW Magazine*, 16 September 2015) <<https://nowtoronto.com/feminisms-fourth-wave-is-the-shitlist>> accessed 4 December 2020.

Dahl Crossley contends that social media can ‘enlarge and nourish feminist networks’.¹⁴¹ Gina Masullo Chen, Paromita Pain, and Briana Barner draw attention to the role social media technologies have to ‘fomenting social justice, political resistance, and empowerment for women’, whilst also warning that it may be ‘a constrained empowerment that reinforces hegemonic norms, perpetuates digital subjugation of women, and reifies damaging narratives of victimhood and cultural imperialism.’¹⁴² Ealasaid Munro, states ‘it is increasingly clear that the internet has facilitated the creation of a global community of feminists who use the internet both for discussion and activism’.¹⁴³

As I note above, I resist the claim that the ‘fourth wave’ is suitable as a descriptive metaphor, however, I acknowledge that its very iteration reveals how a limited group understand their activism to be conducted differently in the present. The primacy that these accounts place on the use of digital technologies as the defining feature of today’s activism is remarkable when contrasted to previous depictions of feminist waves. When waves from previous time periods are recounted it is typically as a collective effort *for something*.¹⁴⁴ Whilst certain technologies that activists use, such as *consciousness raising* or the *feminist collective* are occasionally remarked upon today, this is performed in a register of noting their novelty.¹⁴⁵ They are rarely used to characterise the movement itself. In contrast, efforts within fourth wave declarations define themselves through the activities of digital occupation and connectivity, asserting these as

¹⁴¹ Alison Dahl Crossley, ‘Facebook Feminism: Social Media, Blogs, and New Technologies of Contemporary U.S. Feminism’ (2015) 20 *Mobilization: An International Quarterly* 253.

¹⁴² Gina Masullo Chen and others, “‘Hashtag Feminism’: Activism or Slacktivism?” in Dustin Harp and others (eds), *Feminist Approaches to Media Theory and Research* (Comparative Feminist Studies, Springer International Publishing 2018). 198.

¹⁴³ Ealasaid Munro, ‘Feminism: A Fourth Wave?’ (2013) 4 *Political Insight* 22.

¹⁴⁴ Constance Grady, ‘The Waves of Feminism, and Why People Keep Fighting over Them, Explained - Vox’ (20 July 2018) <<https://www.vox.com/2018/3/20/16955588/feminism-waves-explained-first-second-third-fourth>> accessed 5 October 2020.

¹⁴⁵ ‘C is for Consciousness Raising!’ (*We are Plan C*, 31 May 2015) <<https://www.weareplanc.org/blog/c-is-for-consciousness-raising/>> accessed 7 June 2021.

sufficient characteristics of the new contemporary feminism.¹⁴⁶

The third case study concerns the responses of two feminist activist organisations, *Reclaim these Streets* and *Sisters Uncut*. The activities of these organisations occurred towards the latter half of the drafting of this thesis. Their public prominence and interesting engagements with the use of law, reveals important insights of shared precariousness, how conduct is understood to be gendered, and the boundaries between interpersonal and state violence. As such, this case study helps reveal details about how the use of law in other feminist engagements with transactional sex, can inform wider discursive understandings about conduct in public space, sexual violence, and the compatibility of police in progressive feminist politics.

2.5 Conclusion

This chapter outlined how governmentality can be considered as a methodology, a way in which this thesis thinks about feminist activism as the object of its study and a way of comprehending its relationships with the use of law as regulatory. I contended that feminist activism can be considered as ‘a regime of practices’ which are constituted through transient and strategic power relations. I demonstrate how the use of law is implicated as an important tactic, that is deployed in attempts to govern this transitory regime and configure how it operates.¹⁴⁷ I have further specified how writing is an important source of feminist activist activity and a reflection of its interactions in contemporary governmentality.

¹⁴⁶ The prioritisation of online tools as a characteristic perhaps speaks to an awareness of a lack of cohesion in this moment; an acknowledgement of unresolved issues of race, class, coloniality and gender that demarcate strands of feminist activism.

¹⁴⁷ Foucault, *The History of Sexuality* (n 9) 92.

Chapter Three:

The Repulsive Conventional and The Ascetic-Usage of Collective Experiences

3.1 Introduction

Chapter Two: Methodology of Governmentality considered how this project investigates the relationships between feminist activism and the use of law through the analytics of governmentality. It further described the methods used and justified feminist writing as a relevant source of data. The present chapter and Chapter Four primarily analyse writing from this thesis' first case study, *Spare Rib Magazine*. In the present chapter, I argue that this case study evidences a type of counter-conduct, which emerges in feminist activist refusal to be governed by conventional modes of organising in hierarchical structures and deployments of the law as a core requirement of political expression. I contend that the performance of this counter-conduct produces distinct experiences of activism, which in turn affect the type of feminist-governmental relations active in the *Spare Rib Collective (Spare Rib)*. I demonstrate these experiences ultimately mutated the governmental rationality of the organisation encouraging those involved in activism to feel authorised to govern the conduct of other women.

Briefly recalling the introduction of case studies in *Chapter Two: Methodology, Spare Rib Magazine* was a nationally distributed publication in the United Kingdom from 1972 to 1993 dedicated to the topic of women's liberation.¹ *Spare Rib Magazine* features an estimated 11,000 articles, as well as containing letters and adverts from a wide range of contributors.² *Spare Rib Magazine* thus provides a wealth of feminist activist writing from myriad voices, including the reflections

¹ Marsha Rowe, 'Spare Rib and the Underground Press' (*The British Library*) <<https://www.bl.uk/spare-rib/articles/spare-rib-and-the-underground-press>> accessed 30 September 2022.

² 'About the Spare Rib Digitisation Project' (*The British Library*) <<https://www.bl.uk/spare-rib/about-the-project>> accessed 30 September 2022.

of its own producers, *the Spare Rib Collective*. The experiences of the collective's membership, specifically their changing perceptions on what constitutes feminist activism and how they should conduct themselves, is the core focus of this chapter. Data was gathered for this purpose primarily through using *the British Library's* digitised collection of the publication.³ For the purpose of analysis, each digital edition was downloaded as a portable document format and then imported into the qualitative data analysis software *NVivo*.⁴ Within this software metadata was assigned for each issue, namely its year of publication and the details of the credited contributors for each issue, and text searches were then subsequently performed to identify contributions from membership. Each article was read multiple times, coded to assist with the identification of themes for analysis, and research notes made.

The chapter is structured as follows. 3.2 analyses how conventional hierarchical-organisational structures were problematised by members of *Spare Rib* as a form of governmentality. I demonstrate that this problematisation of the conventional is discursively connected to the refutation of the law and the decision to become a collective as a response in 1970s feminist discourse. This is further evidenced in examples from feminist scholarship, written during this period and which concern transactional sex. Section 3.3 goes onto consider how the collective, as a mode of counter-conduct, necessitated new workplace procedures that were directed by the repulsiveness of conventional organisational structures. Testimonials evidence that members of the collective were encouraged to reflect on their experiences of these procedures

³ At the time of research, *the British Library* secured the digital publication rights to share *Spare Rib* by reaching out to 1080 *Spare Rib* contributors and relying on the EU Orphan Works Directive. This resulted in around 57% of the magazine's content being made available online. A limited number of articles are redacted from this digital copy whilst the library continues to secure copyright permissions. As a result of the UK leaving the European Union the digital collection is no longer protected by the EU Directive and the British Library has now withdrawn access for future researchers. Ian Cooke, 'Spare Rib Archive - Possible Suspension of Access UPDATE - Social Science Blog' (*British Library*, 26 January 2020) <<https://blogs.bl.uk/socialscience/2019/10/spare-rib-update.html>> accessed 9 October 2020.

⁴ *NVivo* is a highly flexible tool for qualitative data analysis, which provides researchers powerful tools for textual analysis, such as the ability to carry out mass textual searches on multiple documents or quantify the use of certain terms across time. For more information about NVivo, see: <https://www.qsrinternational.com/nvivo-qualitative-data-analysis-software/home>.

as part of the work of feminist activism and connected to defining feminist ontology. Section 3.4 argues that the effects of collective work and how members were encouraged to relate to their experiences evidences the adoption of a kind of asceticism at *Spare Rib*. I contend that this had the ironic consequence of hierarchising feminist-knowledge and authority. I conclude that the emergence of this new capacity makes relationships with the use of law, other than its repulsiveness, possible.

3.2 Problematisations of the Conventional

In this section, I argue that the problematisations of *the conventional* resulted in the performance of feminist counter-conduct. Analysing narratives written by members of *Spare Rib* reveals how workplace hierarchies are comprehended as a kind of governed conduct that is produced through unquestioned acceptance of conventional attitudes. This workplace conduct is further understood to result in the privileging of male experience and expression. This comprehension of the conventional is then addressed in parallel with examples of feminist theorising about wider issues of transactional sex from the same period. This literature demonstrates how transactional sex is similarly understood to be an effect produced through the operation of conventional societal conduct. These accounts also contend that the result of such conduct is that male sexual experiences and expression are privileged to the detriment of women. I argue that the proposals to resist this shared problematisation of the conventional, namely the collective and the refutation of the law, are interlinked examples of feminist counter-conduct.

Rosie Boycott and Marsha Rowe launched *Spare Rib* in 1972, a mostly monthly magazine tied to women's liberation, which in its first edition states its aim: '[to] reflect on the questions, ideas and hope that is growing out of our awareness of ourselves, not as a 'bunch of women' but as

individuals in our own rights.’⁵ *Spare Rib* emerged out of an underground publication movement where an increasing number of women’s groups were seeking to come together to produce journals.⁶ Several names were proposed for the magazine, with *Spare Rib* making a clear reference to the biblical story of women being created from the first man’s rib being first proposed to the founders over dinner at a Chinese restaurant.⁷ Boycott recalls that the magazine was responding to what women knew, that ‘there was a huge gap between what their lives were about and what they read, between the cushioned world of the women’s weeklies and the reality of inequality and feminine conditioning’.⁸ *Spare Rib* was staffed by women editors and journalists from the outset, making it an exceptional operation in comparison to other publishing outlets at the time in which men were overwhelmingly represented.⁹ Despite its motivations and composition, initial issues were shy to use the word ‘feminism’ as a descriptive term for the publication.¹⁰ *Spare Rib* initially operated in accordance with a conventional organisational structure for a publication of its size, with a small editorial team, comprised of Rowe and Boycott, that took the lead on strategic and content decisions.

Reflecting on its initial composition, Rowe later describes their working conditions to be the result of coming ‘from a world of men, and with an idea of publishing as an awe-inspiring hierarchy of processes.’¹¹ Rowe refers to this organisational structure as following ‘the disastrous conventional attitude’ which operated on the assumption that ‘some jobs are done by the clever and intellectual people (men, writers, editors, designers)’ whilst others were ‘done by the not-so-clever, boring, even stupid people (women, secretaries, assistants, cleaners,

⁵ ‘Spare Rib’, [1972] (1, *Spare Rib*) 3.

⁶ Rowe (n 1).

⁷ ‘The Reunion - Spare Rib - BBC Sounds’ (no date) <<https://www.bbc.co.uk/sounds/play/b039yz4x>> accessed 20 September 2022.

⁸ Rosie Boycott, *A Nice Girl Like Me* (Pocket Books 2009).

⁹ Angela Smith (ed), *Re-Reading Spare Rib* (Palgrave Macmillan 2017) 15.

¹⁰ Rosie Parker, ‘7 Years On’ [1979] (84) *Spare Rib* 18.

¹¹ Marsha Rowe, ‘Why Do We Work Collectively? How Does It Feel?’ [1975] (32) *Spare Rib* 4-5.

accounts, selling advertising).¹² Marion Fudger, an advertising manager at the time concurs, 'It was OK to start with' but as time passed, all the team came to know as much about magazines as each other.¹³ Fudger contends that the conventional requirement for the hierarchy made less sense as the team developed experience of running a publication.¹⁴ As a result, the hierarchical organisational structure became subject to critique and was interpreted as a means of keeping women 'down' with tasks deemed less fulfilling, such as advertising and production.¹⁵

In contrast, co-founder Boycott disagrees with this assessment and asserts the belief that an editorial hierarchy is necessary. In her autobiography, she argues that the desire to refute the conventional came from an aspiration to be 'more feminist'.¹⁶ Boycott describes this critique of the conventional to be 'politically correct' but wrongfooted, as she saw it as connected to a wider attack against content that was appealing to their readership, such as fiction and fashion, but which was not considered sufficiently feminist.¹⁷ When *Spare Rib* staff discussed becoming a collective, Boycott thus argued that it would make the magazine, in her opinion, 'undeniably duller' and less relevant.¹⁸ This led to disagreements at *Spare Rib*, with Rowe reportedly chastising Boycott for not participating in enough feminist activism beyond activities that were for money or her own personal glory.¹⁹ Boycott refutes this allegation and contests that feminism does not need to be inherently serious and selfless, stating 'Feminism isn't supposed to be miserable. What the hell is the point of liberation if it isn't fun?'²⁰ As such, Boycott does not believe there to be a fundamental incompatibility with feminism and conventional workplace structures. She states that she liked being an editor at the top of the hierarchical

¹² *ibid* 4-5.

¹³ Boycott (n 8).

¹⁴ *ibid*.

¹⁵ *ibid*.

¹⁶ *ibid*.

¹⁷ *ibid*.

¹⁸ *ibid*.

¹⁹ *ibid*.

²⁰ *ibid*.

arrangement and enjoyed being the youngest magazine editor in London.²¹ Boycott ultimately failed to convince Rowe or the wider *Spare Rib* membership with her vision of what feminism meant.

Throughout 1973 the contributor section in the magazine reveals that staff titles were in a state of flux. For instance, the new position of 'Reviews Editor, Production, Distribution' was held by Rose Ades in Issue 8, who had previously held the role of 'Production'.²² Boycott and Rowe continue to interchangeably share the title of 'Editorial' or 'Editors' until issue 13, in which Rowe assumed sole role of 'Editor' and Boycott took on the more specific title of 'News Editor'.²³ By issue 18, December 1973, the decision to work as a non-hierarchical collective was put into practice and all job titles were removed from the magazine credits.²⁴ Rowe would subsequently write in detail about this decision, stating that it was a resolution 'to tumble tradition so that we, as women, make new chances, our own chances, to redefine ourselves'.²⁵ She also describes the decision to organise as a collective as forming 'an alliance' between the six-full time staff in *Spare Rib*.²⁶ Boycott quotes Rowe as arguing that: 'We'll never be a feminist magazine while we have a hierarchy' and that whilst it persisted it made *Spare Rib* 'just like any male magazine without the men'.²⁷

This discourse is evidence that *Spare Rib's* reorganising as a collective was a form of counter-conduct. As with Foucault's general definition, the collective was established through questioning of the necessity of the 'conventional' ways of ordering publications, connection of the effects of such governing to the facilitation of patriarchal systems, and a demand for a

²¹ Boycott (n 8).

²² *Spare Rib*, 'Credits' [1973] (8) *Spare Rib*.

²³ *Spare Rib*, 'Credits' [1973] (13) *Spare Rib*.

²⁴ Rowe (n 11) 4.

²⁵ *ibid.*

²⁶ *ibid.*

²⁷ Boycott (n 8).

different conduct to take its place.²⁸ The conventional means of production were problematised as privileging male experiences of work and the feminist consequences of which were understood to be two-fold. First, the privileging of male experiences through the hierarchical valuation of creative work meant that women were relegated to non-creative roles that were occupied by the 'boring' and 'stupid'.²⁹ Thus, organisational structures were understood to be instrumental to the maintenance of gendered roles and derogatory associations for women. Second, the organisational structures that privilege male experience were fundamentally associated with the type of content a publication was able to produce. The old ways of working were interpreted by Rowe to obstruct *Spare Rib's* capacity to 'close the gap' between what women were able to read and that which was relevant to their own experiences.³⁰ Even in Boycott's dissent, she maintains that there is an inherent connection between the way that the publication was organised and the type of content it was able to produce.

This revocation of the tools of the hierarchical organisation take place in a similar discursive register to that present in feminist literature on transactional sex written in the early 1970s. These texts similarly observe that institutional structures facilitate male experiences, alienate women, and thus play a supportive role in wider systems of patriarchal control.³¹ For example, Kate Millet's *Sexual Politics* argues that the mainstream societal arrangements of monogamy and marriage privilege male experience and sexual autonomy, whilst prescribing chastity for women.³² Millet argues that these ways of conducting relationships create economic conditions

²⁸ M Foucault, *Security, Territory, Population* (Arnold I Davidson ed, Graham Burchell tr, Palgrave Macmillan 2007) 191-227.

²⁹ Rowe (n 11); A regular theme for feminist activism is to engage with arguments regarding intellectual capacity. At times these are simple disputations of efforts that are clearly intended to belittle the capacity women. However, intelligence and education are also often treated synonymously and engaged with uncritically, rather than questioning how they are designated, distributed or how the normative value attached to them appears to legitimise greater access to agency or rights.

³⁰ *ibid.*

³¹ Similar attitudes towards the law and its connection to transactional sex are expressed in the content *Spare Rib's* published about prostitution, as discussed in more detail in Chapter Four.

³² Kate. Millett, *Sexual Politics* (Hart-Davis 1971) 122.

that produce the existence of prostitution in order to satiate men's unrestrained sexual demand.³³ Andrea Dworkin's *Women Hating: A Radical Look at Sexuality* similarly connects representations of sexuality in literary-fiction and other sources of media to the adoption of societal conduct that privileges the sexual experiences of men in order to oppress women.³⁴ She argues that through stories these media retell cultural motifs, which normalise systems of patriarchy and violence against women. Dworkin contends that prostitution is fundamentally a shared societal condition that is experienced by all women, who are currently 'the best-fed, best-kept, best-dressed, most willing concubines the world has ever known.'³⁵ As with *Spare Rib's* identification of the counter-conduct of the collective, Dworkin and Millet identify the need to conduct society differently to allow women access to new experiences previously forbidden to them. Dworkin, for example, encourages the need for an 'androgynous mythology' that can help us imagine creating a new community and within it realise the 'fullest expression of human sexual possibility and creativity.'³⁶

Importantly, both authors warn the reader that the law is unsuitable for these resistance projects. Millet contends that the criminal law in the current system exists to provide men access to the thrill of an 'illicit experience'.³⁷ She suggests that previous Victorian feminist efforts to use the law failed because they were not committed to the fundamental alteration of marriage and the family.³⁸ Millet encourages the reader to learn from the experiences and failures of the Victorian's legal reform strategy, stating that they should guide feminists to instead imagine a more 'significant era of sexual freedom'.³⁹ Likewise, Dworkin manoeuvres the reader away from considering the law as useful for feminist struggle.⁴⁰ She contests that the

³³ *ibid.*

³⁴ Andrea Dworkin, *Woman Hating* (Dutton 1974).

³⁵ *ibid* 1.

³⁶ *ibid.*

³⁷ Kate Millett (n 32) 122-123.

³⁸ *ibid* 125.

³⁹ *ibid* 63.

⁴⁰ Andrea Dworkin (n 34) 153.

law is a fundamental feature of male cultural structures and therefore directly supports patriarchal systems of domination.⁴¹ Dworkin briefly acknowledges that the struggle for human rights has been part of the struggle of feminism, but she quickly dismisses it as ‘an ingenuous form’ unable to provide the necessary change required.⁴² As will be considered further in Chapter Five, articles written about prostitution that were published in *Spare Rib’s* magazine demonstrate similar refutations to those of Millet and Dworkin about the role law should play in a feminist response.

The requirement of this form of feminist counter-conduct to reject the conventional ways of doing things, including the hierarchical-organisation and the law as a tool of resistance, rationalises that their revocation will make new types of experiences and expression possible for women.⁴³ *Spare Rib’s* implementation of this counter-conduct evidences two key arguments. I contend that these revocations do not obliterate the relationality of the object they deem no longer useful. Rather, the hierarchical-organisational structure and the law continue to guide the conduct of feminist activists. They become imbued with a repulsiveness that orientates feminist activists to organise differently, to take up other types of tools and to identify different objectives. The evidence is shown in *Spare Rib’s* decision to reorganise as a collective introducing new modes of workplace conduct, which are explicitly rationalised through a consideration of the repulsiveness of the conventional. My second argument is that this mode of counter-conduct anticipates the production of new experiences as an effect of its activities. As a result, *Spare Rib* is primed to interrogate and interpret experiences of working at the collective as holding the key to bringing about new possibilities for feminist activism and the transformation of the self. As considered in Section 3.3 below, the ironic consequence is that

⁴¹ *ibid* 153

⁴² *ibid* 18

⁴³ Not all modes of counter-conduct necessarily follow this trajectory of revulsion. Foucault contends that there is vast array of ways counter-conduct can operate, which do not necessarily require complete revocation or repulsion of obedience to authority. See Foucault (n 28) 211-212.

the pursuit of such counter-conduct results in new kinds of practices and subjectivities which would appear largely incompatible with its initial anti-hierarchical provocation.

3.3 Experiences of the Collective

The decision to reorganise as a collective, governed by the repulsiveness of the conventional, meant the introduction of new workplace procedures at *Spare Rib*. Within the collective the disposition of work-place relations remained important, Rowe summarises that the effort ‘to command our own work and alter the conditions for our work’ are ‘essential to liberation’.⁴⁴ Pursuing this reorganisation meant that conventional job titles were abolished and individual workloads were redistributed amongst the membership. This resulted in members sharing tasks previously reserved for those who occupied creative and editorial roles. As such, each month the collective’s members took turns to choose which letters were published and how listings were organised on content pages.⁴⁵ Each article would also be assigned to a collective member who would be responsible for ‘taking it through... which means making sure it gets written, goes to the typesetters, and gets designed and pasted down properly.’⁴⁶ The reorganisation as a collective also meant that administrative or ‘mundane’ work was reallocated and shared amongst the team.⁴⁷ ‘Office days’ were established, which meant tasks such as to ‘answer the phone, open the mail, clean up, see visitors and go to the bank for the wages’ were allocated to an individual member of the team on rotation.⁴⁸

Despite this, the collective never went as far as to completely dissolve individual responsibilities across the organisation and some accounts of its collective working appear to be embellished. For example, advertising, accounts, and subscriptions remained the responsibility of individual

⁴⁴ Rowe (n 11).

⁴⁵ Spare Rib Collective, ‘Spare Rib - We Don’t Quite Reveal All’, [1983] (131) *Spare Rib* 30.

⁴⁶ *ibid* 30.

⁴⁷ Rowe (n 11).

⁴⁸ Boycott (n 8).

members throughout *Spare Rib's* publication run.⁴⁹ Louise Williamson writes about her disappointment when she joined *Spare Rib* in 1980 only to find that she would solely work on subscriptions. She recalls that it 'became apparent that doing a hundred per cent admin work at home in my bedroom was clearly not a very collective way of working'.⁵⁰ In contrast, Williamson notes that editorial work was considered 'the "important" stuff' and was a responsibility 'some women did all the time'.⁵¹ Williamson reports that she 'felt resentful lots of times at SR' for this unequal distribution of work, compounded by the fact that she was 'the only woman on the collective who at the time openly identified as working class'.⁵²

The aspiration to share workplace tasks and the eradication of job titles reveals how *Spare Rib's* understanding of being a feminist collective was guided by the repulsiveness of the conventional, particularly its rationalisations that legitimise meritocracy and the division of labour. However, these testimonials clearly evidence that the collective continued to disparage administrative work. The disproportionate allocation of administrative tasks to junior and working-class members highlights this disparagement, as well as *Spare Rib's de facto* failure to abolish the organisation's hierarchical operations. Despite administrative work remaining essential to their new mode of operating as a collective, it was not a type of work that they sought to reappropriate or esteem with greater value. *Spare Rib* instead retained its former associations that this type of work was experientially lesser and connected to the subordination of women's experience. The burden of administrative labour and the difficulty of doing unfamiliar tasks are described as physically and emotionally exhaustive.⁵³ Metaphors that deploy exertive activities, such as diving, swimming, indigestion, and boxing are regularly used to

⁴⁹ Spare Rib Collective (n 45) 30.

⁵⁰ *ibid.*

⁵¹ *ibid.*

⁵² *ibid.*

⁵³ Rowe (n 11).

enunciate the somatic experiences of collective work.⁵⁴

Meetings at *Spare Rib* were also reconfigured by the decision to become a collective. As part of collective workplace conduct, *Spare Rib* held organisation wide meetings twice a week for all staff to consider ideas and to make decisions about the magazine.⁵⁵ A member of the collective, Ruthie Petrie, recalls that these meetings were ‘the arena for hatching plans, commissioning new articles, taking up suggestions for cover images, circulating new material – a history feature, health, sexuality, international coverage, a short story or some poems for us all to read.’⁵⁶ It was considered important for there not to be a ‘chairperson’ at these meetings, as such a title was understood to disrupt the equal and uniform status of all in the collective. Instead, such roles would be descriptively divided, for example ‘this person reads out the agenda, takes the minutes, and notes decisions’, and responsibilities would then be reallocated from meeting to meeting.⁵⁷ During these meetings a ‘Flat Plan’ of the next issue would be devised. This process involved deciding the general content of the magazine, which articles would go on colour pages and where items would be placed to ‘give a nice balance both content-wise and visually’.⁵⁸

When decisions were made during these meetings, they required total consensus of all members to be considered valid.⁵⁹ Rowe justifies consensus decision making as a technique by asserting that ‘voting is a system that works against democracy within the collective’.⁶⁰ She explains that this is because with voting ‘you are more likely to have worked out what you thought in advance and see any change as defeat’.⁶¹ This understanding meant that attempting to reach an ‘easy

⁵⁴ *ibid.*

⁵⁵ *ibid.*

⁵⁶ Ruthie Petrie, ‘A Day in the Life of Spare Rib’ (*The British Library*) <<https://www.bl.uk/spare-rib/articles/a-day-in-the-life-of-spare-rib>> accessed 30 September 2022.

⁵⁷ Rowe (n 11)

⁵⁸ Spare Rib Collective (n 45) 30

⁵⁹ Rowe (n 11)

⁶⁰ *ibid.*

⁶¹ *ibid.*

agreement' for the sake of convenience or to avoid potential conflict between members was disparaged. In turn, the potential of discovering 'the right agreement' became highly valued and sought after.⁶² Boycott asserts that the way these meetings were held and the necessity of consensus meant that 'items of lighter interest' were dropped for 'more serious stuff, which stood up to the feminist critique' and changed the type of content published by the magazine.⁶³ Despite the importance this rationality placed on consensus decision making for feminist activism, several members of *Spare Rib* write about the discomfort of participating in its procedures. Petrie notes 'our discussions could be heated, for the collective was made up of women with very different views and experiences.'⁶⁴ Rowe similarly acknowledges these disagreements and states they led to experiences of discomfort, such as 'uncomfortable self-criticism, the shattering of naïve idealism, and sometimes bewilderment at the world we find ourselves in.'⁶⁵

Accounts, such as Rowe's, evidence how the need for consensus decision making at *Spare Rib* is founded on a belief that there are *right answers* and that the collective is a mechanism for discovering them. The collective is recognised as providing suitable conditions for such discovery, as it fosters equal standing between members, creates space for shared deliberation, and prioritises the reaching of agreement.⁶⁶ This understanding follows from a critique of conventional procedures which fail to provide such conditions, and thus prohibits women from experiencing deliberation and shared decision making. The prohibition of these experiences is ascribed the consequence of denying women access to the right answers, which is further codified as preventing women from accessing feminist truth.

⁶² *ibid.*

⁶³ Boycott (n 8)

⁶⁴ Petrie (n 420)

⁶⁵ Rowe (n 11)

⁶⁶ Louise McPherson, 'Communication Techniques of the Women's Liberation Front' (1973) 21 *Today's Speech* 33

As a result, the discovery of the right agreement is ascribed a value beyond what is good for the magazine and is seen also to be an act of establishing truth, a core component of doing feminist activism.⁶⁷ As Melanie Waters observes, this results in a universalising tendency which is a mainstay throughout *Spare Rib*'s editorial discourse.⁶⁸ Waters notes that *Spare Rib* constantly identifies the publication's objective as reaching 'out to all women' whom they comprehend as being a unified entity and a coherent population 'invoked repeatedly as part of the rationale for changes in the magazine's structure and organization, scope and contents, and political position'.⁶⁹

3.4 Asceticism and the Emergence of Feminist Expertise

As noted in Section 3.2, *Spare Rib* frames its decision to organise as a collective in productive terms. It rationalises that the collective is a technology that results in the prioritisation of women's experiences. These experiences are in turn understood to facilitate the possibility of new 'alliances', 'chances', and the discovery of the self.⁷⁰ The existence of the collective is further tied to the need and possibility of transforming the publication's being; it is what allows a critical shift to occur, so that *Spare Rib* can become 'a feminist magazine' rather than 'a male magazine'.⁷¹ However, there is no evidence that the experiences of exhaustion and discomfort, as documented in Section 3.3 were initially foreseen effects pursued as part of the counter-conduct of *Spare Rib* reorganising as a collective.

That these experiences were unforeseen is perhaps unsurprising given, as Foucault notes, 'effects only rarely coincide with ends', but their unanticipated appearance does produce new

⁶⁷ A similar rationality is found in some schools of consciousness raising, which was a particularly popular technique amongst feminist activism at the time of *Spare Rib*'s publication. Consciousness raising asserts that women have access to a shared reality that houses feminist truths which are knowable through the sharing of experiences. See: *ibid.*

⁶⁸ Melanie Waters, "'Yours in Struggle": Bad Feelings and Revolutionary Politics in *Spare Rib*' (2016) 27 *Women: A Cultural Review* 446.

⁶⁹ *ibid.*

⁷⁰ Rowe (n 11)

⁷¹ *ibid.*

possibilities.⁷² For example, when the appearance of unforeseen effects are noticed, they may provoke initial practices to be reformed in an effort to recalibrate and avoid producing such consequences again in the future. As Dreyfus and Rabinow contend, technologies of contemporary political relations use ‘the language of reform’ as ‘from the outset, an essential component of these political technologies’.⁷³ As a result, they argue the operations of contemporary governmentality are able transform unforeseen effects into ‘merely technical problems’.⁷⁴ These technologies expect change, debate, resistance and as such do not need to depart from their initial suppositions about the need for their activities.⁷⁵

Alternatively, such unforeseen effects can also be assigned their own meaning, ascribing them what Foucault refers to as ‘usage’.⁷⁶ Foucault observes, usage can ‘in some new and unforeseen way... construct new rational behaviours, different from the initial program but which fulfil their objective, and in which play between different social groups can take place’.⁷⁷ *Spare Rib’s* ascription of experiences of exhaustion and discomfort as meaningful can be seen as such *usage*. The usage of these experiences enables *Spare Rib’s* counter-conduct to transform into a distinct mode, known as practices of *asceticism*. As Foucault describes these practices involve ‘a sort of exasperated and reversed obedience that has become egoistic self-mastery’.⁷⁸ I outline and evidence the role of these disagreeable experiences in the practices of asceticism below.

I contend that through asceticism, these experiences are recodified as important signifiers of feminist work being done, a means for members of the collective to ascertain knowledge of feminist truth, and ultimately what enable the transformation of the self into a feminist. This

⁷² Michel Foucault, ‘What Calls for Punishment’ in Sylvère Lotringer (ed), John Johnston (tr), *Foucault Live: Collected Interviews, 1961–1984* (1996) 425.

⁷³ Hubert L Dreyfus and Paul Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics* (Second edition, Routledge 1983) 196.

⁷⁴ *ibid.*

⁷⁵ *ibid.*

⁷⁶ Foucault (n 73)

⁷⁷ *ibid* 425-426.

⁷⁸ Foucault (n 28) 208.

asceticism results in a new political objective being identified as necessary for feminist activism, namely self-mastery in pursuit of liberation. Along with this new objective, a distinct kind of governmentality emerges that ironically (re)legitimises the hierarchisation of knowledge, previously disparaged as an oppressive component of the conventional.

An example of how experiences of exhaustion are transformed and incorporated into practices of asceticism can be witnessed in the ways that collective working at *Spare Rib* are discussed. For instance, Rowe explicitly connects exertive work as necessary to truly experience the self and carry out feminist self-discovery. She remarks that ‘collectives do mean the person flounders, blows bubbles, sinks into herself and out again’ but connects the symptoms of exhaustion to feminist existence, ‘when our backs ache, we look at our work and know we exist, when our mouths smile and grumble, we know we are expressing ourselves, when our eyes blink with tiredness, we find our stares have had somewhere to focus.’⁷⁹ Rowe is also keen to distinguish that these experiences of exhaustion are not the product of a desire to be commercially successful.⁸⁰ In this vein, she describes working as a collective as resulting in public fumbling, carrying out work with low facility due to lack of familiarity, and taking longer due to its ‘drawn-out’ processes.⁸¹ These experiences evidence that the rationality of exhaustive labour is not attached to the need to produce a profitable or efficient magazine, but explicitly to the production of the feminist self.⁸² Rowe assigns exhaustion *usage* by claiming it is evidence of their ascetics on the body; it is the material revelation that self-transformation is taking place and that the membership are becoming feminists. As Kathi Weeks observes, this usage of experiences of work and its construal as necessary is in no way unique to *Spare Rib*’s feminism.⁸³

⁷⁹ Rowe (n 11)

⁸⁰ *ibid*

⁸¹ *ibid*

⁸² *ibid*

⁸³ Kathi Weeks, *The Problem with Work: Feminism, Marxism, Antiwork Politics, and Postwork Imaginaries* (Duke University Press Books 2011) 12.

With the notable exception of feminist work abolition moves, Weeks contends that there is a tendency amongst feminism to consider work as something that always needs to be done, even when it does not. Ironically, she attributes this tendency to a lack of feminist critique into conventional attitudes that place moral and social significance on productivism.⁸⁴ Similarly, when members of *Spare Rib* experience discomfort, such as when they are disagreeing with their colleagues during consensus decision making, practices of asceticism are encouraged.⁸⁵ As Rowe asserts, consensus decision making allows ‘those who are wrong’ to understand ‘why they are wrong’.⁸⁶ Once again turning to an embodied metaphor, Rowe conveys that these experiences are ‘dives of self-discovery’ and that those who attempt to avoid such discomfort are left ‘safely dabbling their toes... because that is the only way to remain sitting on the edge’.⁸⁷ As a result, such disagreements are inscribed with self-transformative potentiality, they offer *Spare Rib* members the opportunity to discover something about herself she did not initially know.

Spare Rib’s membership are also encouraged to construe their disagreements with one another as evidence of a patriarchal contamination of the self. This contamination is rationalised to emerge through conventional practices, which continue to affect member’s ways of thinking and conversing. As Rowe notes, these experiences emerge because ‘for so long we have been saying only what’s expected from us, rather than what we feel’.⁸⁸ However, beyond just compelling such expression, members are instructed to examine themselves and their actions. Once identified, the awareness of the suspected contamination is shared with the collective and its eradication is posed as a challenge. Foucault describes ‘challenge’ as a core component of the counter conduct of asceticism, exemplified in practices such as fasting, in which one makes

⁸⁴ *ibid.*

⁸⁵ Rowe (n 11).

⁸⁶ *ibid.*

⁸⁷ *ibid.*

⁸⁸ *ibid.*

‘an extremely difficult exercise, to which the other responds with an even more difficult exercise.’⁸⁹ In the face of these challenges new ethical practices become required, conduct must be shifted, and relationships of self-government introduced.⁹⁰ Through such examination *Spare Rib* members identify workplace seniority, turns of phrase, and friendships with some colleagues at the exclusion of others as inhibiting feminism.⁹¹ For example, they discuss how the phrase, ‘Oh, yes, I know how you feel’, is a type of backhanded solidarity. As such, they argue it masks the fact that its speaker ‘does not want to listen to you’ and further, ‘She is trying to contain your argument within her own boundaries by enveloping your separate self in her own emotional pattern. Then what you say won’t touch her. Under the guise of sisterhood you are still being oppressed if you allow yourself to be ignored this way.’⁹²

Through this ascetic interpretation, disagreements do not upset essentialist understandings of a shared feminist truth. To the contrary, the counter-conduct of ascetics encourages members to perceive that as long as there is disagreement, the challenge of self-examination is not over, and the correct conduct of feminist activism is yet to be truly realised. Hence the challenge is constantly reissued and the practices of asceticism inoculates the belief in universal sisterhood and the existence of feminist truth, as it recasts disagreement as evidence that more feminist work needs to be carried out.⁹³ This corresponds with Foucault’s contention that, the ultimate end of asceticism is a kind of self-mastery, referred to as *apatheia*, which is a state in which one no longer suffers. As a result, rather than an idealistic edict of ‘express your feelings’ a deeper kind of policing is encouraged – to interrogate the self and speak well.

⁸⁹ Foucault (n 28) 208.

⁹⁰ *ibid* 208.

⁹¹ Rowe (n 11).

⁹² *ibid*.

⁹³ See more on right answers in 3.3 above.

3.5 Conclusion

In this chapter, I have shown how initial reticence towards comprehending the law as useful were tied up in a wider problematisation of the conventional. I argued that the collective became interpreted as a necessary means of producing experiences that afford individual members of *Spare Rib* the possibility of becoming feminists. The usage of ‘negative’ experiences in practices of asceticism establishes a mechanism for discovering new knowledges, new modes of feminist conduct, and the possibility of self-transformation. This analysis revealed that whilst *Spare Rib*’s understanding of feminist activism still explicitly pursues the objectives of liberated womanhood and necessitated collective organising, the counter-conduct of asceticism emphasises the need for individual self-mastery.

As a result, one can point to a contradiction becoming apparent and lived in the experiences of the *Spare Rib* collective’s membership – whereby the communal transformation of the collective is made dependent on the individual member realising an increased sense of their own atomised responsabilisation. The pursuit of self-mastery is carried out in collaboration with the collective membership, it endorses an increasingly individualised feminist epistemology and ontology. As Rowe identifies, the ironic consequence of working as a collective under such conditions is often that there is no one to ‘lean on or ask questions of’.⁹⁴ But further, the challenge of self-examination is premised on the understanding that one can discover and know feminist truths which are yet to be known to others. As a result, access to feminist truth is increasingly limited to those who are involved and participate in the specific practices of doing feminist work (whilst others ‘remain sitting on the edge’).⁹⁵ This transforms ‘the feminist perspective’ at *Spare Rib* to become, what Nancy Hartsock would later argue to be the defining feature of a feminist standpoint – namely that it requires work, it is ‘achieved rather than obvious, a mediated rather

⁹⁴ Rowe (n 11)

⁹⁵ *ibid*

than immediate understanding'.⁹⁶ This change to the conditions of feminist knowledge was thus ironically made possible through adopting organisational practices that sought to negate the effects of hierarchising knowledge. As I evidence in the next chapter, the emergence of this new possessive knowledge capacity is interrelated to the emergence of distinct relationships with the use of law. I contend this results in the boundaries of governmental power relationships being extended into new areas in the process notably encouraging governing relationship to be extended over the conduct of 'other women'.⁹⁷

⁹⁶ Nancy CM Hartsock, *Money, Sex and Power: Towards a Feminist Historical Materialism* (Northeastern University Press 1985) 234.

⁹⁷ Nikolas Rose, *Powers of Freedom: Reframing Political Thought* (Cambridge University Press 1999) 87.

Chapter Four:

Categories of Writing About Prostitution and The Emergence of Feminist Expertise in *Spare Rib*

4.1 Introduction

In the previous chapter, I considered how the problematisation of ‘the conventional’ resulted in *Spare Rib*’s pursuit of counter-conduct, which included shunning the law as an appropriate response to feminist problems. I contended the repulsive impression of this law orientated the activities of the magazine, encouraging them to assume different practices such as new collective-organisational procedures. This changed the way feminist activism was experienced. The experiences of exhaustion and discomfort were unintended effects produced through these collective-organisational procedures. These experiences were designated *usage* and, in turn, became an important source of ascetic-challenge for *Spare Rib* members.¹ This usage shifted the counter-conduct of the collective, encouraging practices of asceticism that sought meaning in these affective experiences otherwise prone to be assigned a more antipathetic meaning. I argued that this shift resulted in changes to the conditions of feminist activism, notably the way it understood the individual’s role in knowledge production and individual identity. The result was an endorsement of the objectives of self-mastery as key to liberation and turning the magazine into a feminist publication, which could only be achieved through individuals acquiring an understanding of feminist truth and conducting themselves appropriately.

In this chapter, I document how *Spare Rib* magazine’s writing engaged with the topic of

¹ Michel Foucault, ‘What Calls for Punishment’ in Sylvère Lotringer (ed), John Johnston (tr), *Foucault Live: Collected Interviews, 1961–1984* (1996) 425.

transactional sex and how it gradually shifts to evidence distinct relationships with the use of law. I argue that these relationships with law increasingly come to frame sex workers as dependent on the support of an exterior and exclusionary feminist activism. I further demonstrate how the emergence of these relationships with the law are connected to the endorsement of individual-knowledge, as documented in Chapter Three. I take these observations together to evidence the emergence of a distinct governmental attitude, referred to as *feminist expertise*. These attitudes of feminist expertise enable the law new relations of tactical utility; no longer treated as an object of repulsion, but as a useful source of know-how that is able to support efforts to govern the conduct of *other women*. In Section 4.2, I recall the methods used to collect and analyse these articles, as well as my decision to focus on writing about prostitution as a distinct domain of transactional sex. I then outline the thematic categories I identify in the magazine and detail their distinct presentations of sex work and the law. In Section 4.3, I further analyse these categories. I contend in this section that whilst the law was initially absent as a concern in *Spare Rib's* writing, it becomes a dominant generic expectation. I note the changing relational paradigm in these articles and how the law has an organising effect on the way that the topic of prostitution is discussed, which I argue regulates narrative roles, knowledge claims, identities, and the practices of feminism itself.

4.2 Categories of *Spare Rib's* Writing about 'Prostitution'

As I argued in Chapter Three, *Spare Rib's* decision to organise as a collective and their subsequent practices of asceticism were rationalised on the basis that they would transform the magazine into a feminist publication and themselves into feminists. In order to investigate whether these practices also resulted in transformations of the magazine's content, I carried out an analysis of *Spare Rib's* writing on the topic of prostitution. This section recounts the findings of this analysis, notably how the generic expectations of writing about prostitution shift over the course of the publication run. I pay particular attention how these shifts in

generic expectations are accompanied by transformations in relationships with the use of law. In section 4.3, I argue this analysis validates the thesis hypothesis, that such relations play an important role in governing the subjectivities, practices, and political objectives of feminist activism.

The decision to focus this analysis on writing about ‘prostitution’ in *Spare Rib*, reflects my interest in how contemporary feminist projects often attribute the emergence and evolution of their political outlooks on transactional sex to the ‘second-wave’ and ‘radical feminist’ interventions of the 1970s and 1980s. Thus, through an analysis of examples of feminist writing from the 1970s and 1980s, I (re)consider how this dimension of transactional sex was engaged with in this past in order to discover more about the construction of feminist-political claims made in the present.²

The decision to investigate ‘prostitution’ as the specific dimension of transactional sex explored was a practical choice necessitated by the methods of this project. *Spare Rib* features approximately 11,000 articles and many more thousands of adverts and personal correspondences.³ Given the time limits of this project and my desire to investigate several case studies, word searches were performed on digital versions of the publication to expedite the identification of relevant data. Unfortunately, this method is only able to use specific phrases for search terms, such as ‘pornography’, ‘stripping’, and ‘prostitution’.⁴ As a result, word searches alone are limited in their ability to identify the dimensions of transactional sex

² This is an endeavour undertaken in the attitude summarised by Wendy Brown’s prayer that critical theory ‘...affirms the times, renders them differently, reclaims them for something other than the darkness’ See: Wendy Brown, *Edgework: Critical Essays on Knowledge and Politics* (Princeton University Press 2005) 16.

³ ‘About the Spare Rib Digitisation Project’ (*The British Library*, The British Library no date) <<https://www.bl.uk/spare-rib/about-the-project>> accessed 30 September 2022.

⁴ Using the qualitative research software NVivo, I was able to expand this word search analysis to feature synonyms and stemmed phrases. As noted in introduction, the term ‘sex work’ does not appear anywhere within *Spare Rib*.

that exist on the penumbra of formal recognition by feminist activism.⁵ I therefore refined my analysis to focus primarily on search results related to ‘prostitution’, as indicated in the distribution of search results depicted in *Figure 1* below, this search term produced the most consistent and relevant materials. In an initial review of these texts, I was also able to provisionally establish that the generic expectations associated with this term evidenced an interesting and lucid transformation over the publication run. Results related to ‘stripping’ in contrast were rarely engaged with, and ‘pornography’ only temporarily erupted in the magazines discussion during a limited point in the 1980s.

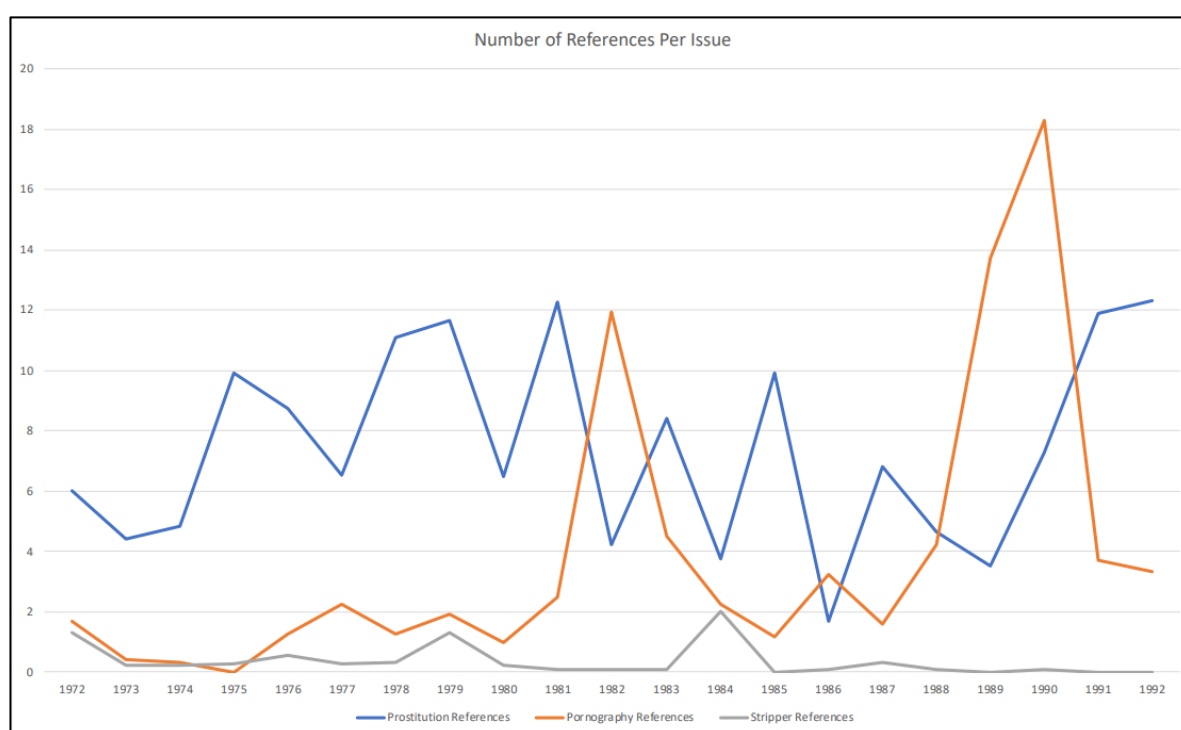


Figure 1 – Distribution of different word searches per issue over years of the Spare Rib publication run

Each feature which contained a reference to ‘prostitution’ was reviewed in close and repeated readings. The objective of these readings was to both document and keep track of the relationships between actors and the use of law over the publication run. I kept a research diary to document my reflections when reading these features. I further made use of the

⁵ My use of the term ‘prostitution’ did help ameliorate this concern somewhat, as related terms often featured in passages where other transactional and sexual acts were problematised, including those involved in marriage, sexual relationships, and work.

qualitative research method ‘coding’ to track the presence of themes and generic developments.⁶ *Coding* is a systematised practice by which a researcher attempts to categorise passages of texts into specific themes to inductively draw out general conclusions and trends.⁷ This method prioritises acknowledging the interaction of the researcher with the text and the subjective nature of constructed coding categories. As Kathy Charmaz summarises ‘...we choose the words that constitute our codes. Thus we define what we see as significant in the data and describe what we think is happening.’⁸

The coding practices I used were *closed*, as from the outset I had a strong interest in particular themes related to the use of law in these articles.⁹ As such, I coded for specific themes influenced by methodological understandings of strategic power relations, governmentality, and use as an organising principle as outlined in Chapter Two: Methodology. My selection of coding themes was further influenced by Critical Discourse Analysis researcher Theo van Leeuwen whose work is also interested in how social practices are ‘regulated ways of doing things’ that are (re)affirmed by written texts.¹⁰ Van Leeuwen advocates paying attention to various features of a text which are connected to the manner in which they are bestowed legitimacy through rationalisations.¹¹ In this vein, he recommends identifying features of participants, actions, performance modes, and eligibility conditions.¹² The finalised version of the codebook I used for this research is provided in the appendix to this thesis.¹³

Following this analysis, I was able to identify several categories in which prostitution was

⁶ Michael Williams and Tami Moser, ‘The Art of Coding and Thematic Exploration in Qualitative Research’ (2019) 15 *International Management Review* 45.

⁷ Kristin G Esterberg, *Qualitative Methods in Social Research* (McGraw-Hill Humanities 2001).

⁸ Kathy Charmaz, *Constructing Grounded Theory: A Practical Guide through Qualitative Analysis* (SAGE Publications Ltd 2006) 47.

⁹ Esterberg (n 7).

¹⁰ Theo van Leeuwen, *Discourse and Practice: New Tools for Critical Discourse Analysis* (Oxford University Press 2008).

¹¹ *ibid* 8.

¹² *ibid* 10.

¹³ See Appendix B.

discussed with different generic expectations. In the subsections below, I describe each of the contents of these categorisations in greater detail. The order of this presentation tracks their successive appearance and their relative dominance as a type of writing within the publication. However, I do not intend to imply that a neatly linear history exists or that the appearance of subsequent categories are neatly segregated and supersede other ways of writing. There are significant overlaps in these types of categories and many of the tropes I identify continue to be repeated today. These categories, instead, show how distinct relationships with ‘the use of law’ that were previously incompatible or even unthinkable with the expectations of writing about transactional sex gradually emerged in the magazine.

4.2.1 Sex Workers as Outsiders

Spare Rib’s initial engagements with prostitution tend to depict sex workers as *outsiders* whose conduct is queried for its compatibility with feminist political objectives. These engagements are implicitly written by feminist insiders, whose belonging in women’s liberation is not questioned but asserted through imposing this relation of exteriority. As such, it is rare for examples within this category of writing to be independently authored by sex workers themselves. An example of this category of writing is apparent in the news report ‘*Prostitution with a Catholic Face*’ which is one of the earliest engagements with prostitution to feature in *Spare Rib*.¹⁴ The report argues that prostitution demographics in Italy and Spain challenge the assumptions of their respective state actors. It further details that 15% of prostitutes in Italy hold university degrees and 41% completed secondary education.¹⁵ *Spare Rib* interpret this statistic as evidence that women involved in sex work hold ‘a capability of judgement’ and thus substantiates the existence of sex workers’ free-choice to engage in prostitution.¹⁶ *Spare Rib* further regards the prevalence of higher education to be a repudiation of the belief that

¹⁴ ‘Prostitution with a Catholic Face’ [1972] (2) *Spare Rib* 12.

¹⁵ *ibid.*

¹⁶ *ibid.*

prostitution is ‘a series of occasional accidents and collective guilts’ which they attribute to national authorities.¹⁷ *Spare Rib* dismiss the Spanish Attorney General’s concerns that 6% of women between the ages of 15 and 50 are involved in prostitution, because these authorities misinterpret these figures as indicative of ‘delinquency’ and ‘immorality’.¹⁸

The report therefore positions sex workers as electing to defy Catholicism, the state, and traditional morality, by electing to live as outsiders. It is notable that this report does not consider the material circumstances or the conditions of labour experienced by sex workers. Nor does it show any interest in hearing the voices of sex workers themselves. Educational credentials are alone treated as a sufficient signifier of absolute agency. This story and the category of writing it participates in, demonstrates a very limited interest in sex workers’ own experiences of patriarchal domination or if they understand themselves as participating in a prefigurative politics through their work. Instead, the article primarily appears to be for the readership of *Spare Rib*, who are presumed not to be sex workers but who they want to encourage to question, (re)envision, and aspire to new choices regarding their sexuality.

Law does not feature dominantly in these early depictions of sex workers as outsiders. As I detailed in the previous chapter, this attends to the prevalent attitude of feminist activism’s counter-conduct that envisions the law as tactically repulsive. Evidence of this repulsion continuing to govern *Spare Rib*’s writing, can be observed in news reports which actively omit the law from their accounts. For example, in ‘*Hookers of the World Unite!*’, *Spare Rib* reports on the formation of the sex-worker activist organisation *COYOTE* in the United States.¹⁹ The story reports on founder Margo St James’ efforts to ‘change the way society treats, punishes

¹⁷ *ibid.*

¹⁸ *ibid.*

¹⁹ ‘Hookers of the World Unite!’ [1973] (14) *Spare Rib* 17.

and stigmatises prostitutes'.²⁰ *Spare Rib* presents COYOTE as seeking 'a basic transformation in society – the way we look at relationships between men and women'.²¹ In doing so, the authors choose to forefront St James' sex-positivity and COYOTE's specific demands which are the most connected to non-sex worker concerns. *Spare Rib* highlights the notion that prostitution is 'an essential service industry of the city' and that St James' understands sex as an entrepreneurial opportunity.²² For instance, it quotes St James as saying: 'When I realised that I could get paid for what I'd been giving away free since I was 15, I became a hooker.'²³ As such, *Spare Rib* foregrounds COYOTE to be an organisation primarily concerned with changing sexual mores. In doing so, the collective overlooks the fact that the decision to establish COYOTE followed St James' arrest for prostitution and that she used her legal education to defend herself against subsequent charges.²⁴ COYOTE's slogan, 'You have nothing to lose except cop harassment' is quoted, but despite its reference to the law and role of state violence in the lives of sex workers, it remains substantively ignored by the text of the article.²⁵

The omission of the law in writing about sex work is repeated in the feature, *For the Love of Money* written by Denise Winn.²⁶ The article is based around interviews with sex workers who are afforded limited space to discuss the difficulties they face from police. However, as its title reveals, the vast majority of Winn's article focuses on the sexual encounters of sex workers and the amount of pay they receive for their work. In this article, Winn is interested

²⁰ *ibid.*

²¹ *ibid.*

²² *ibid.*

²³ *ibid.*

²⁴ *ibid.* For more information about COYOTE's history, see also: 'Coyote (Organization). Records of Coyote, 1962-1989: A Finding Aid' (20 December 2016) <<https://web.archive.org/web/20161220233711/http://oasis.lib.harvard.edu/oasis/deliver/~sch00278>> accessed 30 September 2022.

²⁵ *ibid.*

²⁶ 'For the Love of Money' [1972] (2) *Spare Rib* 13.

in presenting sex work as ‘a dead easy way of making a living’.²⁷ Winn states: ‘Men will continue to need prostitutes so long as there is inhibition about sex. Women will continue to choose to sell their bodies while they are denied an equal chance for financial independence.’²⁸ Winn’s article is not proposing a distinct moral obligation of men involved in these transactions beyond noting their hypocrisy in socially endorsing monogamy which they do not practice. Sex work is once again primarily presented to be an occupation that involves challenging the status quo of male-dominated social order.

These articles sometimes suggest that sex-workers are potential allies in the struggle for women’s liberation, however, their inclusion within the movement itself remains a subject of tension. An example of this agonism is present in Carroll Morrell’s review of the book *Prostitutes*.²⁹ This book was written by Winn two years after the publication of her article discussed above.³⁰ *Prostitutes* features a collection of fictional short stories written from the imagined perspective of male and female sex workers. Once again, within the book Winn constructs sex workers as liberatory figures, who exist beyond conventional societal restrictions and refuse to be repressed by the conventional demands expected of women’s conduct.³¹ As such, she positions sex workers as outsiders who provide figures of alternative conduct for insider feminist audiences to learn from.

Morrell’s review proceeds to engage with these fictional sex workers as capable representatives of experiences which should be subjected to feminist critique. Morrell thus contends that ‘Winn presents them truly and sharply, so that, to the perceptive reader, the

²⁷ *ibid.*

²⁸ *ibid.*

²⁹ Carol Morell, ‘Prostitutes by Denise Winn Hutchinson’ [1974] (24) *Spare Rib* 41.

³⁰ Denise Winn, *Prostitutes* (Hutchinson and Co 1974).

³¹ *ibid* 11.

contradictions in their lives and their various levels of experience, are quite clear.³² Morrell provides the subsequent analysis that:

‘While the lives of prostitutes is clearly presented, it is essentially their own view of themselves and their activities which come across. One of the qualities lacking in their stories is depth of self-knowledge: they are very defensive. Their attitudes range from a blunt dismissal of the idea that their job is in anyway different from any other job, to a damaging confusion about themselves.’³³

Morrell goes on to confront these ‘sex workers’ as making the claim that their outsider credibility makes them more liberated. She contests that whilst ‘each transaction in itself may be painless and harmless’ there is a ‘cumulative effect on the prostitute’ that is psychologically devastating.³⁴ Morrell further suggests that this is because they participate in a kind of sex that is ‘emotionally damaging to them’.³⁵ This results in symptoms such as the loss of ‘the ability to experience the caring and sharing sort of relationship which feminists have recognized as healthiest and happiest’.³⁶ Morrell appeals to psychoanalytic authority to further extend this conclusion:

‘Psychologists see prostitution as one of the ways of using another person for selfish sexual satisfaction and see it as a schizoid activity. They refer to clients. I would extend the definition to include the prostitute. Prolonged practice of prostitution must invoke her in similar psychological ills as her clients. The exploited becomes the exploiter.’³⁷

Following this psychological assessment, Morrell argues that sex workers can be categorised

³² Morell (n 29).

³³ *ibid.*

³⁴ *ibid.*

³⁵ *ibid.*

³⁶ *ibid.*

³⁷ *ibid.*

into two distinct groups. The first group comprises of *poor women* who must occasionally supplement their income through sex-for-money due to economic hardship.³⁸ Morrell seems to suggest that this group are welcome into the struggle for women's liberation, providing they understand these experiences as emanating from their victimisation.³⁹ The second group are those who choose to engage in transactional sex out of selfish greed. As the quote from Morrell notes, these 'professionals' are ultimately damaged through this conduct and will become the 'exploiter' of others.⁴⁰ As a result, when Morrell repeats the slogan: 'so long as a woman can make more money in one night than a regular job, prostitution will continue to be the profession of choice for many'.⁴¹ In doing so, she is both extending sympathy towards victimhood and castigating those not agreeing to the feminist prescribed 'healthiest and happiest' sexual encounter⁴²

Morrell's engagement with *Prostitutes* emphasises dimensions and consequences of the construction of sex workers as *outsiders*. Notably, she treats the fictionalised account as sufficient grounds to essentialise and critique as if it were a real subject position. Her engagement emphasises the repeated trope of these stories, that sex workers are not permitted to engage in auto-narration and are only seldom and selectively quoted. The *subaltern* positionality of sex workers are thus entrenched and assumed in this genre.⁴³ Their expressions are represented by others to draw conclusions and instruction about feminist conduct. Morell clearly engages in this topic to advance that the 'healthiest and happiest' sex is a feminist-ethical relation, whose conduct is claimed to be connected to the construction of the liberated subjectivity as well as pathological self-disintegration. The solidarity that is at

³⁸ *ibid.*

³⁹ *ibid.*

⁴⁰ *ibid.*

⁴¹ *ibid.*

⁴² *ibid.*

⁴³ Gayatri Chakravorty Spivak, 'Can the Subaltern Speak?' in Cary Nelson and Lawrence Grossberg (eds), *Marxism and the Interpretation of Culture* (Macmillan Education 1988).

times offered as a result remains conditional on a shared assessment of the problems and shared objectives, and unilaterally determined by feminist activist authors.

4.2.2 Prostitution in the 'Third World'

It is notable that the representation of sex workers as *outsiders* draws exclusively on examples of prostitution from European and North American contexts. There is a striking contrast between these representations and how *Spare Rib* discusses women's sex work in what the collective referred to as 'third world' countries.⁴⁴ *Spare Rib* regularly published features in its issues that provided a summary review or news updates on the situation of women predominately living in the global south. Sex work was rarely the focus of these features but, when raised, it was always uncritically assumed to evidence the existence of a lack of women's liberation or freedom.

For example, in Issue 9, the article '*China*' raises prostitution to link it with the presence of venereal disease and contend this is the result of the legacy of imperialism.⁴⁵ The authors contend that these issues will soon be resolved through 'education reforms' of the Cultural Revolution.⁴⁶ In Issue 17, *Spare Rib* published an illustration of two racist caricatures fighting one another. The article, which accompanies this image, reports on how women in Thailand are being trained as boxers.⁴⁷ Their trainer is quoted as saying 'I am seeking a way to promote women in an honourable field. It is much better for a girl to earn her living like this than be a prostitute', to which *Spare Rib* remarks 'Maybe he has a point.'⁴⁸ In Issue 27, Anne Doggett who was reportedly 'involved in the women's movement in Australia and England' is

⁴⁴ In the 1980s, *Spare Rib* would engage in reflective discussion of this term and the need for a more diverse editorial representation. They note: 'The path has been painful for various reasons... in spit of good intentions it is always difficult to learn how to give up power to other groups of women... we understand that it is dangerous to emphasize splits and divisions. But, if we do not realise those differences how we [sic] can accommodate them, what will we do with the splits?', see: *Spare Rib*, 'Editorial' [1983] (135) *Spare Rib*.

⁴⁵ Rose Buxton, '*China*' [1973] (9) *Spare Rib* 8.

⁴⁶ *ibid.*

⁴⁷ 'Honourable Thai Women Boxers' [1973] (17) *Spare Rib* 26.

⁴⁸ *ibid.*

interviewed after spending two months in Delhi, Bombay and the Himalayas.⁴⁹ When she is asked to speak about Indian sexuality, she remarks that ‘Prostitution is a big industry’ which she ties to conditions of poverty and work instability.⁵⁰ She believes that prostitution ‘must play a similar role to beggary... beggar women are apart from normal women, they really aren’t even human’.⁵¹

In an interview with Madame Minh, the Foreign Minister of the Provisional Revolutionary Government of Vietnam, Minh contends that prostitution was a choice some women made out of desperation and others because of moral corruption.⁵² The former are said to be easily reintegrated into society because ‘the revolutionary forces assure work’ but the latter ‘preferred to earn their living without doing any work... [they] don’t wish to work honestly’.⁵³ The existence of prostitution is referred to as a moral contagion: ‘If you leave them at liberty in their old haunt they would continue to follow that trade, and to corrupt others.’⁵⁴ When *Spare Rib* questions how those who were ‘forced into prostitution to support their families’ would be treated, Minh’s response is to suggest that to save them requires their transformation.⁵⁵ Minh refers to education programs where women are ‘made to read books, even fairy stories to give some freshness to their thoughts. In this way we witness the transformation of prostitutes who become... people like anyone else’.⁵⁶

In the mid 1970s, *Spare Rib* begins to recognise and speak of ‘sex tourism’, before trafficking becomes the sole topic the magazine uses to discuss transactional sex in the early 1990s.

Notably, in the news article ‘Prostitution in South Korea: “To Seoul to sell my body”’ Ann Scott

⁴⁹ Anne Doggett, ‘India’ [1974] (27) *Spare Rib* 24.

⁵⁰ *ibid.*

⁵¹ *ibid.*

⁵² Women in Indochina Study Group, ‘Interview with Mme Phan Thi Minh’ [1975] (37) *Spare Rib* 19.

⁵³ *ibid.*

⁵⁴ *ibid.*

⁵⁵ *ibid.*

⁵⁶ *ibid.*

reports on so called *keisaeng* tourism in South Korea.⁵⁷ Drawing primarily and uncritically on a report by the National Christian Council Women's Committee in Japan, Scott details that the South Korean women are involved in government licensed prostitution, primarily to cater for Japanese tourists. Scott reports on the absurdity that these sex workers were being sent to Japan as part of an 'Artistic Delegation' by the Ministry of Education.⁵⁸ Other than commenting on the South Korean government's endorsement of these activities, the article focuses on both how little money *keisaeng* make and how the lifestyle prematurely ages them.⁵⁹ The familiar trope, that sex work is the 'easy choice' for those living in increasingly capitalist societies is made, with Scott stating that between 'a 16-hour day in a textile factory or team room, or earning twice as much during 10 hours a night as a whore. The women are given totally free choice on how they want to be exploited'.⁶⁰ The complicated history of *keisaeng* as a slave/cultural class in Korea is not engaged with in this article, nor are the voices of sex-workers represented. It instead is keen to report on the Japanese woman's movement efforts to campaign against *keisaeng* tourism, whilst failing to acknowledge the interactions between *keisaeng* in Japanese-Korean colonial history and its ongoing post-colonial context.⁶¹

Spare Rib's editorial and correspondence sections are notably unquestioning of these presentations of sex workers. This is remarkable given the troubling frequency by which the question of how to recognise their existence as people or human is queried by those they interview. In later editions of *Spare Rib*, the collective does eventually attempt to correct their engagement and question the ethics of these kind of general depictions of 'third world women' authored primarily by white middle-class women.⁶² However, their subsequent

⁵⁷ Ann Scott, 'Prostitution in South Korea: "To Seoul to Sell My Body"' [1976] (47) *Spare Rib*.

⁵⁸ *ibid.*

⁵⁹ *ibid.*

⁶⁰ *ibid.*

⁶¹ Okpyo Moon, *Japanese Tourists in Korea: Colonial and Post-Colonial Encounters* (Routledge 2008).

⁶² *Spare Rib* (n 44) See also: Roisin Boyd, 'Race, Place and Class: Who's Speaking for Who?' (*The British Library*) <<https://www.bl.uk/spare-rib/articles/race-place-and-class-whos-speaking-for-who>> accessed 30 September 2022

attempts to engage with greater solidarity with international feminism and women of colour, never comes to rectify its exclusion of sex worker voices in these contexts. Instead, their existence is always linked to systematic failures of education or culture, and the desired goal of the eradication of its existence (rather than the conditions of its existence) are assumed. Sex workers, as a result, remain a colonial metric by which the success or failures of a society can be measured.

4.2.3 Sex Worker Interventions

The generic positioning of sex workers as outsiders was contested in later issues of *Spare Rib*. This contestation was primarily the result of interventions made by sex workers and newly formed sex worker organisations. The first example of these sex worker interventions appears in 1975 with the publication of Gerrie Moore's letter in *Spare Rib*, 'Outside Society'.⁶³ As the title of the correspondence reveals, both the magazine and the author identify its contribution as participating in the familiar generic convention of discussing sex workers as *outsiders*. As Moore expands 'we are (and have been throughout the history of civilised society) discriminated against more than any other group that lives outside society. And live outside society we do.'⁶⁴ However, Moore disrupts the narrative of outsider exteriority as being the result of a choice to be a sexual dissident or the kind of pathological affliction, as discussed in 4.2.1 above. She instead contests that they are outsiders because of society's active ostracism, rather than an individualised desire to live beyond the repressive consequences of conservative sexual mores.⁶⁵ As such, Moore's letter features perspectives previously untold within the publication. Moore further identifies that sex workers lack political status within the feminist project and calls for their accounts to be recognised.⁶⁶ She states a desire to

⁶³ Gerrie Moore, 'Outside Society' [1975] (37) *Spare Rib* 5.

⁶⁴ *ibid.*

⁶⁵ *ibid.*

⁶⁶ *ibid.*

collaborate towards this end and offers it as an open invitation to readers to participate together ‘whether hookers or not.’⁶⁷

It is notable that Moore makes the appeal for political inclusion of sex workers on the basis that they possess an under-recognised intelligence. She introduces herself as ‘a prostitute, a reasonably intelligent and aware one but nevertheless a prostitute’.⁶⁸ Moore also identifies that inclusion requires the recognition that sex workers can be intelligent and the need to ‘get rid of the peroxide blonde cabbages will do for brains’ image.⁶⁹ Moore is therefore making the familiar appeal for political inclusion on the basis of possession of a mental acuity and capacity for rational thought previously denied.⁷⁰ Significantly, Moore also highlights some specific forms of danger that sex workers and their families face due to the arbitrary use of law by state powers. For instance, she identifies how the law empowers the state to take children away from sex workers, to blackmail and extort sex workers, and to penalise restaurant owners if they let sex workers eat or drink in their premises.⁷¹ As a result of these legal abuses, Moore contends that: ‘After abortion and rape prostitution will be “the” women’s issue.’⁷²

Moore’s letter marks a critical intervention which articulates the demand for political inclusion within the feminist project and introduces the effects of law as an ongoing feminist concern. In the years following Moore’s letter, interventions from sex workers gradually became more prevalent in *Spare Rib*’s pages, particularly when national activist groups began to be interviewed by *Spare Rib*. The first sex worker organisation from the United Kingdom

⁶⁷ *ibid.*

⁶⁸ *ibid.*

⁶⁹ *ibid.*

⁷⁰ See also: Stacy Clifford Simpican, *The Capacity Contract: Intellectual Disability and the Question of Citizenship* (University of Minnesota Press 2015).

⁷¹ Moore (n 63).

⁷² Gerrie Moore, ‘Outside Society’ [1975] (39) *Spare Rib* 4.

to be substantially featured was *PROS* (Programme for the Reform of Soliciting Laws), a Birmingham based organisation which, as their name suggests, were keen to achieve legal reformation.⁷³ The interviews of *PROS* members in the article ‘*Prostitutes Organise*’ provides a more extensive examination of the law’s effects on sex workers than previous coverage in *Spare Rib*. The article begins with sex worker and *PROS* activist, Susan stating: ‘If the law was changed we could work together and be safe from attacks.’⁷⁴ Susan emphasises the importance of law in her political thinking, as she remarks, ‘I’ve been thinking about changing the law for years. We’re not criminals but the law is always after us.’⁷⁵ The article goes onto detail some of the consequences laws have on sex workers, particularly on how children are often taken into care as a result of their arrests and sentences. Louise, another *PROS* member, notes that ‘the law actually forces women on to the streets. That woman is on social security. She has to earn the money for the fine or go to prison.’⁷⁶ Organising together, whilst vital for their struggle, was noted to place sex workers at additional risk of police harassment due to existing laws allowing for them to be charged as a ‘common prostitute’.⁷⁷ This article also features the first mention of sex worker concerns as a rights based concern, as Susan acknowledges that ‘we talk about our rights and about how to change things’ in discussions with local associations, probation officers and magistrates.⁷⁸

PROS demanded the removal of offences of loitering and soliciting, ending the use of ‘common prostitute’ offenses, and removing imprisonment as punishment.⁷⁹ It appears linked to the contemporary sex worker efforts and arguments for decriminalisation, however, there are notable differences between these movements. Notably, *PROS* explicitly offers

⁷³ Victoria Green, ‘Prostitutes Organise’ [1977] (56) *Spare Rib* 17.

⁷⁴ *ibid.*

⁷⁵ *ibid.*

⁷⁶ *ibid.*

⁷⁷ *ibid.*

⁷⁸ *ibid.*

⁷⁹ *ibid.*

understanding and toleration of offences related to ‘persistent nuisance’ and endorses schemes of graduated fines for such offences.⁸⁰ Areas for assignation are also foregrounded as a key objective, rationalised on the grounds that they would allow ‘customers and prostitutes’ to ‘meet without causing nuisance’.⁸¹ PROS national strategy was directed at prioritising parliamentary dialogue, through the support of external parties, particularly lawyers.⁸² Like Moore, PROS also continue to call for a greater recognition of sex workers as political subjects within feminist activism itself. *Spare Rib* author Victoria Green concludes this article highlighting the need for feminists to ‘take up the issue of prostitution laws’ and goes onto quote Eileen and Louise, from PROS, saying:

‘We want women’s liberation to think about the whole thing and discuss it, but not just use it. They have used the word “prostitute” in a really nasty way - about housewives, to sum up their idea of the exploited situation of women. But we need allies to lobby and to publicise our programme. And we need practical help, centres to meet in and money to run the campaign.’⁸³

4.2.4 Struggles with Recognition

Spare Rib’s audience initially struggled to recognise sex workers’ specific complaints regarding their exclusion from feminism. A clear example of this difficulty in recognition is evidenced in the series of letters from *Spare Rib*’s readership which followed the PROS feature ‘*Prostitutes Organise*’.⁸⁴ In issue 58, Sarah Ward writes to *Spare Rib* in order to express her ‘unease after further reflection on the ethical issues involved.’⁸⁵ Ward perceives herself as having an experimental and tolerant attitude towards what she designates as ‘sexual morality’, however,

⁸⁰ *ibid.*

⁸¹ *ibid.*

⁸² *ibid.*

⁸³ *ibid.*

⁸⁴ *ibid.*

⁸⁵ Sarah Ward, ‘Selling Ourselves’ [1977] (58) *Spare Rib* 38.

she does ‘not believe that prostitution is justifiable from a feminist point of view’.⁸⁶ Ward argues that this is because prostitution reasserts ‘the common illusion that woman was basically provided for man’s convenience’.⁸⁷ Her letter goes on to say that *PROS* calling for areas of assignation is ‘tantamount to saying that prostitution is an essential social service, an old myth which panders to the androcentric nature of our exploitative society’.⁸⁸ Her conclusion that ‘it is not the individual prostitutes who should be blamed’ is somewhat at odds with the remainder of her correspondence, which asks individual sex workers to take responsibility for what she perceives to be the incompatibility of their conduct.⁸⁹ Ward contends that prostitution will remain ‘as long as women are prepared to sell themselves’ and asks ‘Is there really no other way to feed the kids that will not compromise what the rest of us are struggling to achieve?’⁹⁰ She concludes that sex workers expectation for ‘wholehearted feminist support for their cause’ is ‘a double standard as unacceptable as that of their clients.’⁹¹

In the issue that followed the publication of Ward’s letter, a response was published authored by Sheila Miller. Miller argues that Ward is attempting to deny women the opportunity to ‘enjoy sex on a purely physical level’.⁹² She contends that, ‘In the truly egalitarian society which we’re fighting for, there should surely be both male and female prostitutes, of whom some would cater for heterosexual, and some for homosexual tastes.’⁹³ Miller further calls on *Spare Rib*’s readership to ‘give *PROS* all the support we can’.⁹⁴ This reading of *PROS* as primarily advocating for sex-positivism demonstrates a narrow understanding of sex workers

⁸⁶ *ibid.*

⁸⁷ *ibid.*

⁸⁸ *ibid.*

⁸⁹ *ibid.*

⁹⁰ *ibid.*

⁹¹ *ibid.*

⁹² Sheila Miller, ‘Catering For All Tastes’ [1977] (60) *Spare Rib* 4.

⁹³ *ibid.*

⁹⁴ *ibid.*

contributions to feminist activism. As with the generic expectations of *outsider* writing, noted in 4.2.1, sex workers are interpreted by Miller to be primarily a device for the discussion of feminist sexual ethics and possibilities. Through this attachment to generic conventions, Miller's reading is unable to witness the specific policy demands of sex worker interventions or the articulation of the specific political dangers of state power in the lives of women.

This initial difficulty in witnessing sex workers demands is confirmed and compounded by a third respondent, Hilary Russell.⁹⁵ Once again, Russell speaks about prostitution solely as an ethical problem for feminism, as she writes, 'to deny that prostitution is an essential social service is a long way from denying that woman can enjoy sex on a physical level... *having* casual sex is one thing, but *buying* it is quite another.'⁹⁶ Russell further contends that men contract sex workers 'for the sake of their egos, not their penises' and concludes that the sex worker's decision to engage in such acts is a simple choice between 'boosting the male ego because it pays, or because they enjoy doing it'.⁹⁷ This binary decision to engage in sex work reduces its political meaning and motivations to a limited set of possibilities; it is either placcation for pay or self-pleasure. Through this reduction, sex workers are refused a role within feminist activism as their conduct is deemed incompatible. Russell writes: '...no way can I see why they should regard themselves as feminists par excellence, as some of them appear to do. Would we expect to find pacifists working in a napalm factory?'⁹⁸

These letters demonstrate how sex worker interventions in feminist political projects were difficult for much of the *Spare Rib's* readership to comprehend. There is clearly a limited ability or desire to discuss the conditions of sex work or the threats that sex workers were

⁹⁵ Hilary Russell, 'It's Their Business' [1977] (62) *Spare Rib* 4.

⁹⁶ *ibid.*

⁹⁷ *ibid.*

⁹⁸ *ibid.*

experiencing. Instead, there is a preoccupation with reasserting the need to question the legitimacy of individual choices. The primary question these letters consider is the ethics of sex workers' decisions and whether their conduct is compatible with the readers' own understandings of feminist sexuality and sexual ethics. As a result, the more familiar generic construction of sex workers as a device for the readership to judge and assess is reverted to a preoccupation of the authors' desire to legitimate their own sexual actions. This is of course, part of the dominant discourse of liberalism, which regularly features a strong belief in the freedom of the individual that is superior to and supersedes material conditions. But it also speaks to the increasing moral polarisation of sexual ethics in feminism – a dividing line that is becoming conditional for feminist citizenship - one that renders sex worker calls for inclusion as coming from either 'feminists *par excellence*' or a 'pacifists in a napalm factory'.

4.2.5 Universalising the Problem of Prostitution Laws

Whilst sex worker interventions feature throughout *Spare Rib's* publication run, the amount of space committed to their voices and the level of congeniality expressed towards their organisations diminished from 1975-1980.⁹⁹ *Spare Rib's* editorial team, in contrast, increasingly authored articles addressing prostitution during this time frame. Whilst these articles are comfortable in writing about laws which concern prostitution and frame them as a feminist problem, they rarely attribute their analysis to the grounded assessments of sex workers themselves. The articles penned by *Spare Rib* members also spoke less, if at all, about the need to provide sex workers inclusion and recognition within the feminist activist movement.

This shift in writing is indicated by how members of the *Spare Rib* collective limit the amount of discursive space and the type of speaking roles they grant to sex workers within their

⁹⁹ As recorded in coding data. See *Figure 1* in Section 4.2. above.

articles. For instance, a year after her letter to *Spare Rib*, discussed in section 4.2.3 above, Gerrie Moore was interviewed by Victoria Green.¹⁰⁰ In this feature, Green provides an introduction to the law on prostitution and provides a diagnosis of how it produces feminist problems.¹⁰¹ Moore's voice only features towards the second half of the feature and provides a narrative of personal mistreatment that endorses Green's assessment.¹⁰² The article identifies that the law impacts specifically on sex workers and Moore does endorse a similar legal outlook to that provided by Green. Nevertheless, the bulk of Green's analysis of the law as a feminist problem, involves her identifying how it contributes and perpetuates a more universal gendered double-standard. As Green summarises, 'While the men who buy their services are generally held to be normal, prostitutes are judged to be deviant and criminal' and the problem of law is producing 'infringements on personal freedom', noting that these issues 'affects all women'.¹⁰³

On the surface Green presents views that would seem entirely consistent with a (neo)abolitionist perspective, as discussed in Chapter One. For example, she understands that demands for more regulation of sex work stem from beliefs about 'the nature of male sexuality', which render the existence of prostitution 'inevitable'.¹⁰⁴ Green describes this argument as 'seductive' because it is 'usually expressed in terms of the interests of the prostitute'.¹⁰⁵ Green, like contemporary (neo)abolitionists, resists such claims stating that 'it is men who demand their services and men who seek to control the terms of sale.'¹⁰⁶ As such, Green clearly remains attached to the notion that feminism should ultimately advocate for the abolition of prostitution.¹⁰⁷ However, Green does not use this article to promote the

¹⁰⁰ Victoria Green, 'Gerrie Moore Interview' [1976] (47) *Spare Rib*.

¹⁰¹ *ibid.*

¹⁰² *ibid.*

¹⁰³ *ibid.*

¹⁰⁴ *ibid.*

¹⁰⁵ *ibid.*

¹⁰⁶ *ibid.*

¹⁰⁷ *ibid.*

criminalisation of clients and instead asserts, 'Prostitution must be de-criminalised... all forms of state regulation must be rejected'.¹⁰⁸

Remarkably, Green's legal outlook shifts a few months later in the absence of Moore's presence. In the article '*The Sensitive Kerb-Crawler and the Common Prostitute*' Green considers a report published by the Home Office Working Party on Vagrancy and Street Offences in 1976 which made recommendations related to laws regulating prostitution.¹⁰⁹ One of the body's recommendations was the introduction of a new criminal offense to penalise 'kerb-crawling' that was ultimately adopted into law through the Sexual Offences Act 1985, and amended in the Sexual Offences Act 2003 and Policing and Crime Act 2009. The enactment of such 'kerb-crawling' recommendations clearly had the potential to have a profound effect on the conditions of sex work, such as the opportunity to screen clients.¹¹⁰ However, Green's evaluation focuses on the double-standard of the proposed offense. She draws attention to how the suggested requirement for 'persistency' from those soliciting sex in a vehicle is a higher evidential threshold than the offense of being a 'common prostitute' which only requires a constable to hold 'reasonable cause'.¹¹¹ Green thus primarily expresses her dismay that the working group is trying to justify this higher threshold on the basis that, 'The kerb-crawler may be a respected member of the community and much more sensitive to the stigma of a court appearance than, say, a confirmed prostitute'.¹¹²

Green's analysis of the double-standard of the law and the diminished legal-standing of sex workers fundamentally shifts the problematisation of the law away from the threats caused by

¹⁰⁸ *ibid.*

¹⁰⁹ Victoria Green, 'The Sensitive Kerb-Crawler and the Common Prostitute' [1976] (52) *Spare Rib* 22.

¹¹⁰ This is an issue raised several years later, See: Nina Lopez-Jones, 'Kerbcrawling Bill: A New Sus Law?' [1985] (152) *Spare Rib*.

¹¹¹ Sexual Offences Act 1959, s 1.

¹¹² Green, 'The Sensitive Kerb-Crawler and the Common Prostitute' (n 109).

systems of policing, prisons, or social care in the lives of sex workers. In contrast to her previous article, Green welcomes the proposal to introduce new criminal offenses provided that they are equitable and send the correct message, namely, the need to eradicate prostitution. She contends that her issue is that these offenses would seem ‘to condone their profession’ whilst not ‘endangering its continued existence’.¹¹³ Green further argues that the working party’s refusal to propose offences that would criminalise ‘accosting and importuning to include both sexes’, is a position that argues ‘prostitutes should take the blame for their customers’.¹¹⁴ As a result, the proposed resolution is to punish men equally, rather than to prevent the state’s endangerment of sex workers.

The prioritisation of ‘the double-standard’ of prostitution laws as *the* feminist problem appears frequently in issues of *Spare Rib*. As early as 1972, the news report ‘USA: Criminal Clients’, *Spare Rib* considers the adoption of a new law in New York that makes ‘men who use prostitutes... liable to the same penalty as prostitutes’.¹¹⁵ Interestingly, at this early date *Spare Rib* already acknowledges this is not the type of legal reform that many women involved in sex work demand.¹¹⁶ *Spare Rib* also note structural contexts that encourage women to undertake sex work, such as ‘the sort of work and wages’ that would otherwise be available to them.¹¹⁷ However, *Spare Rib* nevertheless buys into the rationalisation that this criminalisation might reduce prostitution through deterring ‘respectable men’.¹¹⁸ The article deduces that strengthening of criminal law provisions, to allow for pimps to be ‘liable to conviction solely on the testimony of a prostitute’ is logically connected to the reduction of ‘the control that pimps can have over women’.¹¹⁹ *Spare Rib* further praises New York for its recognition that ‘it

¹¹³ *ibid.*

¹¹⁴ *ibid.*

¹¹⁵ ‘USA: Criminal Clients’ [1972] (74) *Spare Rib* 12.

¹¹⁶ *ibid.*

¹¹⁷ *ibid.*

¹¹⁸ *ibid.*

¹¹⁹ *ibid.*

is sexist to prosecute a prostitute and not her client, when both are involved in the same act'.¹²⁰ Similarly, when Sylvia Walby reviews Carol Smart's *Women, Crime and Criminology: a feminist critique* she notes her disappointment that it fails to connect the discriminatory treatment of sex workers to wider structural issues.¹²¹ Walby evidences her understanding of these 'structural issues' by noting how violent men are not punished to the same degree as women involved in sex work.¹²² She states, that for feminists the important question is a need to know: 'why prostitutes are harassed by police but not men who beat up the women living with them'.¹²³

The law also becomes an important and central feature for articles about prostitution to be structured around. In 'Prostitution and the Law', Felicity Crowther expands on how prostitution has been regulated in England and Wales and discusses the legal definitions of the terms 'prostitute', 'soliciting', 'a brothel', and 'immoral earnings'.¹²⁴ The article broadly assesses the law to be unjust because it is unspecific, overly harsh, and provides the police with too much discretionary power. Crowther does not reference sex workers or sex worker organisations as the source of her understanding about these issues. Instead, she relies primarily on asserting an objective understanding of the law, suggesting that a feminist-reading alone is enough to project its consequences and forecast claims about 'the usual situation' that sex workers experience.¹²⁵ Crowther contrasts the situations of sex workers who are 'ignorant of her rights' and those who 'know the law'.¹²⁶ However, she does not suggest they face meaningfully different outcomes because the law itself is flawed.¹²⁷ Rather, the relevance of these laws is that they 'vividly illustrate the double standard existing in our

¹²⁰ *ibid.*

¹²¹ Sylvia Walby, 'Women, Crime and Criminology: A Feminist Critique by Carol Smart' [1977] (55) *Spare Rib* 39.

¹²² *ibid.*

¹²³ *ibid.*

¹²⁴ Felicity Crowther, 'Prostitution and the Law' [1975] (34) *Spare Rib*.

¹²⁵ *ibid.*

¹²⁶ *ibid.*

¹²⁷ *ibid.*

society for women and men.’¹²⁸

In the early 1980s, the severance of prostitution laws as a feminist concern becomes a pronounced issue in the magazine, with *Spare Rib*’s editorial and contributors publishing their own tactical analysis explicitly in dissent to that provided by sex worker campaigns. The most notable dissent is expressed towards *The English Collective of Prostitutes* (the ECP), a grassroots organisation that was initially backed by *Wages for Housework* and continues to operate today.¹²⁹ *Spare Rib*’s criticism can be first seen following the ECP’s appearance on a television programme that followed the organisation’s occupation of the Church of the Holy Cross in King’s Cross for 12 days in November 1982. *Spare Rib* reviewing this programme criticised ECP for not questioning the ‘basic assumptions of prostitution’.¹³⁰ Arati, writing for *Spare Rib*, contends:

‘Is it not important to connect prostitution with the sex industry and therefore to pornography which debases women? Getting paid more than factory workers is surely not reason enough to justify the servicing of patriarchy with no attempt to break it down.’¹³¹

In subsequent issues, features continued to be published in *Spare Rib* which reported on the ECP occupation, as well as Camden Council’s and the Metropolitan Police’s response.¹³² *Spare Rib* begins each these features by first fulfilling the generic expectations of outlining the law

¹²⁸ *ibid.*

¹²⁹ See: Holly B Fletcher, ‘Three Stories of Prostitution in the West: Prostitutes’ Groups, Law and Feminist “Truth”’ (1994) 4 *Columbia Journal of Gender and Law* 26.

With respect changing relationships to the use of law in 1995 the ECP with *Women Against Rape* successfully introduced the first criminal private prosecution for rape in the England and Wales the CPS at the time refused to prosecute. This case resulted in reforms to CPS prosecution guidelines. See: English Collective of Prostitutes, ‘Successful Private Prosecution of Serial Rapist – R v Davies’ (*English Collective of Prostitutes*, 1 January 1996) <<https://prostitutescollective.net/private-prosecution/>> accessed 21 September 2022 See also a discussion of this prosecution in Niki Adams, ‘Prostitute Women, Justice and the Law’ (1993) 4 *Women: A Cultural Review* 295

¹³⁰ Arati, ‘The London Programme, New Prostitution’ [1983] (126) *Spare Rib*.

¹³¹ *ibid.*

¹³² ‘Prostitutes Protest’ [1983] (127) *Spare Rib*; Sue O’Sullivan, ‘Women Cross at Kings X Cops’ [1983] (128) *Spare Rib*.

as a feminist problem.¹³³ As with the articles above, the provided analysis of the law does not reference sex worker contributions or perspectives, instead presenting the account as based on a more general feminist knowledge. Similarly, these legal accounts emphasise the problem of ‘the double standard’ and threats to all women’s freedoms, over and above the specific legal dangers faced by sex workers.¹³⁴ Notably, *Spare Rib* use these articles to distance their now shared legal-tactical analysis from the feminist analysis of the ECP:

‘Their [ECP’s] insistence on the decriminalisation of prostitution is shared by most prostitutes and most feminists; their insistence that all women are prostitutes because of their particular relation to men, the state, and the economy is not shared by many others.’¹³⁵

Spare Rib also distances the political objectives of the ECP and sex workers, from the demands of local women in the area who were:

‘...not necessarily anti-prostitute, but there is nothing in residents’ daily lives to give rise to spontaneous sympathy and understanding of prostitution... angry and frightened by the rise in kerb crawlers and the violence and degradation in their neighbourhood’.¹³⁶

Whilst *Spare Rib* still offers the refrain, that ‘the real problem is men’ they nevertheless make the assessment that ‘prostitutes... bring violence and fear with them’.¹³⁷

As the articles above make clear, there is an increasing desire to recentre feminism as a project for an essentialised conception of sisterhood and resistance against violence against women in this category. In contrast, sex workers’ specific demands are framed as secondary and divisive. This is demonstrated when the ECP responded to Camden Council’s Women’s

¹³³ ‘Prostitutes Protest’ (n 132).

¹³⁴ *ibid.*

¹³⁵ *ibid.*

¹³⁶ *ibid.*

¹³⁷ *ibid.*

Committee report and recommendations into the situation at King's Cross, notably critiquing its lack of engagement with class and race.¹³⁸ Sue O'Sullivan writing for *Spare Rib* reports that the ECP response was 'sectarian' and unhelpful.¹³⁹ O'Sullivan believes the report is 'quite clearly a progressive, feminist document' and argues that 'The whole attitude of the Wages for Housework backed ECP suggests a belief that prostitution as a political issue *belongs* to them'.¹⁴⁰ Instead, she suggests that it is an issue for 'all women' and part of a shared struggle 'against male violence'.¹⁴¹ A similar response can be seen when ECP launched their own magazine and reportedly said that they are 'fed up with anti-porn feminists' and that sex workers believe them to be 'nutters' and 'quite funny'.¹⁴² *Spare Rib* sarcastically responded that they think it is:

'Hilarious to read the true life stories of women like Linda Lovelace. Hilarious to see our bodies on page 3 each day, in Soho and in films. Hilarious that you assume lesbians want to watch other women strip. Hilarious that there's violence against women. ECP, I can't stop laughing.'¹⁴³

A decade after Green's engagement with the proposed criminalisation of 'kerb-crawling', in 1985 representatives from the ECP wrote to *Spare Rib* and published several articles as part of a campaign against the 'Sexual Offences Bill'.¹⁴⁴ The ECP campaign, contended this Act's proposed criminalisation of 'kerb-crawling' would result in the passing of a 'new sus law', referencing the police's discriminatory use of stop and search powers to target black populations under the Vagrancy Act 1824 (which also established the common prostitute offence).¹⁴⁵ The ECP suggested that the new laws would empower police in an attempt to

¹³⁸ O'Sullivan (n 132).

¹³⁹ *ibid.*

¹⁴⁰ *ibid.*

¹⁴¹ *ibid.*

¹⁴² Bernice, 'Strip Shows' [1983] (137) *Spare Rib*.

¹⁴³ *ibid.*

¹⁴⁴ Lopez-Jones (n 110) See also: Nina Lopez-Jones, 'Sexual Offences Bill: Protection for Women?' [1985] (153) *Spare Rib*.

¹⁴⁵ Lopez-Jones (n 110).

carry out ‘clean ups’ and attack sex workers ‘many of whom are Black’.¹⁴⁶ They further noted that these laws would likely be used to arrest black men ‘who are always assumed to be involved in prostitution or other “street crime”’.¹⁴⁷

The contrasting engagement of *Spare Rib* and sex worker organisations on the issue of kerb-crawling was reconfirmed a few issues later, where *Spare Rib* writer Amanda Sebestyen writes an article that ‘unearths the experiences of two women – Josephine Butler and Rebecca Jarrett – who were at the forefront of women’s massive resistance to prostitution’.¹⁴⁸ In her reporting, Sebestyen valorises the individual efforts of Butler and goes as far to suggest she established ‘an underground railroad’ which helped with ‘the escape of ‘white slaves’ from their catchers’.¹⁴⁹ Whilst noting that Butler was ‘against soliciting by either sex’ she notes that she ‘predicted that any law on the subject would be enforced unfairly’.¹⁵⁰ Sebestyen goes onto remark, ‘Let’s hope for better from the new Sexual Offences Act and see a few male kerb-crawlers picked up from time to time.’¹⁵¹

4.3 The Use of Law and the Emergence of Feminist Expertise

These thematic categories demonstrate how the law became available, utilised, and ultimately an expectation in *Spare Rib*’s writing about prostitution. As I analyse in this section, these categories of writing about the law and prostitution are evidence of shifts in the collective’s ways of knowing and identifying as feminist. I contend that these shifts are concurrent to the developments documented in Chapter Three, in which *Spare Rib*’s usage of experiences were documented to gradually result in a hierarchisation of their own knowledge, informed by beliefs about the correct ways to conduct oneself in pursuit of liberation. The

¹⁴⁶ *ibid.*

¹⁴⁷ *ibid.*

¹⁴⁸ Amanda Sebestyen, ‘Two Women from Two Worlds’ [1985] (155) *Spare Rib*.

¹⁴⁹ *ibid.*

¹⁵⁰ *ibid.*

¹⁵¹ *ibid.*

interconnectivity between *Spare Rib's* collective-organisational rituals and the writing it published, can be noted through reflecting on how the ways the topic of prostitution is discussed mirrors the collective's concerns about the composition of feminist activist and feminist liberatory conduct.

For example, in section 4.2.1 a central concern of these writings was what the existence of sex workers meant for 'insider' women's imaginations of sexuality, financial liberation, and good sex. As a result, the types of inquiry into sex worker experiences this category represented were limited. Sex worker narratives and political demands were actively omitted in its writing, with the category neglecting to consider prostitution laws or their impacts on the lives of sex workers.¹⁵² The category depicted in section 4.2.4 also shows a similar limited interrogation of sex workers' conduct, primarily probing the compatibility of their behaviours with feminist praxis and its liberatory futures. As noted in section 3.2 of Chapter Three, this omission was a common feature in other feminist writing about transactional sex in the early 1970s, which problematised conventional approaches and deemed legal responses as unimportant. In all three examples, the omission of the law in writing is connected to a rationalisation about the lack of importance the law has to feminist liberatory futures and essentialised understandings of women as a universal category. These categories of writings reflect the same repulsive attitude towards the law, which directed feminist tactics away from more instrumental relationships with its use. In *Spare Rib's* writing, this attitude of repulsion can be seen to provide a similar value judgement about what the collective imagines their readership to be interested in. The law here was deemed a superfluous dimension of sex worker identity, distinct from the more important shared issues of women's struggle.

¹⁵² This was clearly an *active* omission, several articles that appear early in the magazine's publication run indicate that the collective members were aware of sex worker movements' concerns about the law. As such an editorial decision was made to not give space to the law in these categories discussions and initially keep these issues outside the text itself. Notable examples include: 'USA: Criminal Clients' (n 115) 'Hookers of the World Unite!' (n 19).

The sex worker interventions, as detailed in section 4.2.3, clearly emphasise how much of feminist writing excludes sex workers. They draw attention to how feminist writing can fail to recognise the specific contexts of sex work and experiences of sex workers which, in turn, ignores various dimensions of patriarchal domination, particularly from the apparatus of a hostile state. This category can be read as an appeal from sex workers to feminist activists to amend their conduct in ways which would result in more effective practices of solidarity with sex workers. It further ascribes a need for those involved in feminist activism to avoid essentialising women's experiences as universal or directed towards a shared notion of liberated sexuality.¹⁵³ Notably these perspectives emphasise the material significance of the law to feminism, noting the way it can affect some women more than others. These interventions also appeal to the influence the law had on important strategic sites for women's liberation, such as women's access to children, enjoyment of public space, and the capacity to politically organise. They present an understanding that a reduction of the law will disempower police and state apparatus, in turn preventing their violent interactions with sex workers. As such, the category of writings discussed in section 4.2.3 advocate for feminist activist practices to reappraise and expand their relationships with the use of law – recognising the law's instrumental effects and the potential for reformation or repeal to have consequences for sex workers.

These rationalisations of the law along instrumental lines also involve affective considerations about whose interests the law represents, what experiences the law fosters, as well as distributive beliefs about how state power is administered. There are also nuanced threads concerning feminist strategies interwoven with these relationships with the use of law. As

¹⁵³ 4.2.4 confirms the difficulty of this appeal for feminist solidarity, as it documents how requests for recognition were misread by the readership as a demand to be seen as 'feminists *par excellence*' or as advocating for more sex positive feminist conduct.

documented above, *PROS* campaign, for instance, publicly involved collaborating with lawyers and sought parliamentary dialogue. It also supported areas of assignation accompanied by the rationalisation that there was a legitimate role for policing activities of nuisance sex work. These legal strategies demonstrate the organisation finding use in the law as a way to conduct its activism in compatibility with prevailing *respectability norms*.

As Iris Marion Young notes, norms of respectability often involve the ‘repression of the body’s physicality and expressiveness’ and the activities that one displays in public space in order to signify the ‘rationality’ of its adherents.¹⁵⁴ As such, *PROS*’ legal strategy signals its acceptance of bourgeois desires to order public space and conduct; eschewing specular protest activities and seemingly endorsing the reasoning that those who exhibit ‘unruly heterogeneity of the body and affectivity’ are rightly criminalised others that require policing.¹⁵⁵ However, as Evelyn Brooks Higginbotham notes, whilst *respectability politics* do inherently involve a ‘highly self-conscious concession to hegemonic values’ they can also play an important role in exercising agency to define oneself and subvert the prevailing expectations of existing discourse.¹⁵⁶ *PROS*’ engagement and recognition of this use of the law can thus be read as an effort to unsettle assumptions about sex workers as inherently unintelligent or unreasonable that, as other articles in *Spare Rib* noted, were prevalent tropes in both law-making and feminist discourses of the time. In contrast, the ECP placed less importance in demonstrating sex worker respectability through these kinds of use relationships with the law, whilst still maintaining calls for decriminalisation and engaging in national advocacy efforts. So, contrary to efforts to appeal to respectability, the ECP continued to make use of tactics of occupation, taking up public space that was denied to sex

¹⁵⁴ Iris Marion Young, *Justice and the Politics of Difference* (Princeton University Press 1990).

¹⁵⁵ *ibid.*

¹⁵⁶ Evelyn Brooks Higginbotham, *Righteous Discontent: The Women’s Movement in the Black Baptist Church, 1880-1920* (Harvard University Press 1994).

workers under the rationale of nuisance.¹⁵⁷

Following these sex worker interventions, the category outlined in section 4.2.5 exemplifies how *Spare Rib*'s editorial team came to recognise new dimensions of utility in the law.

Notably, in this writing the current laws on prostitution are often outlined in initial paragraphs and explanations are then offered explaining why they are unacceptable from a feminist standpoint. This distinct generic expectation appears regardless of the specifics of the feature, such as whether it involves an interview with sex workers or if it is addressing a historic or contemporary concern related to prostitution. These articles also frequently feature the author using their narrative positioning to prescribe legal responses, which they depict as the objective of feminist activism.¹⁵⁸

The effect of these generic expectations is that gradually sex workers lose the capacity to speak about prostitution law in the writings of this category. Rather than duplicate the author's feminist legal analysis, sex workers are denied the narrative role of articulating their own problematisations of the law. In turn, this regulation of who contributes what to the writing means that sex workers gradually become more restricted in the kinds of narrative roles they are afforded in the text. The result is that sex workers increasingly become objects of 'naïve transmitters of raw experience' in the text, from which the *Spare Rib* author performs their analysis and finds support for their conclusions.¹⁵⁹ As this delimitation of sex workers narrative roles occurs, the generic expectations surrounding the law concurrently empower the author. Through providing legal analysis, the author finds a new capacity to

¹⁵⁷ O'Sullivan (n 132).

¹⁵⁸ Although, as noted the exact meaning of this term is somewhat ambiguous at times, notably endorsing offenses such as 'kerb-crawling'.

¹⁵⁹ Linda Alcoff and Laura Gray, 'Survivor Discourse: Transgression or Recuperation?' (1993) 18 Signs 260 264; See also Tanya Serisier, *Speaking Out: Feminism, Rape and Narrative Politics* (Palgrave Macmillan 2018) 9. As I recall in Chapter Two: Methodology, Serisier contends genre to be 'a cultural space and a set of tools for telling certain narratives but marks other narratives as outside of that space and forecloses other ways of telling or understanding a story'.

assert their knowledge about both the lives of other women and state power. As such, from these basic relationships with the law (re)organising in narrative roles, the conduct of feminist activism becomes deeply restructured; the author begins to accumulate *feminist-expertise* through this relationship with the law.

The term *feminist-expertise* is used here to denote an attitude and social designation, whereby a group of actors claim to have privileged access to ‘the truth’ and to possess a diagnostic capacity which renders rational their grounds for decisions and proposed actions.¹⁶⁰ This description draws on the insights of Nikolas Rose, whose governmentality studies on *expertise* contend the prescriptions of experts often involve directing the conduct of others in ethical terms.¹⁶¹ Rose advances that contemporary experts make promises that following their advice will lead to self-transformations frequently connected to being more ‘liberated’, ‘unified’, ‘healthy’, and ‘aware’.¹⁶² As a result, expertise is deeply connected to the dynamics of (neo)liberal responsibilisation of subject positions and the redistribution of power from traditional state apparatus.¹⁶³

The governmental role of feminist-expertise is relatively under-researched.¹⁶⁴ Authors such as Rachel Wood argue that sex experts in the media instruct women to carry out a ‘mental-

¹⁶⁰ Expertise can be understood as existing in a systematic relationship with the institutionalisation of truth; it lends a coherence to the way that various social authorities visualise, evaluate and diagnose conduct and helps render rational the grounds of decisions and action. Rose argues that this helps secure power relationships ‘by appealing to the authority of a true discourse and, hence, inescapably, to the authority of those who are experts of this truth’. (Nikolas Rose, *Powers of Freedom: Reframing Political Thought* (Cambridge University Press 1999) 192.)

¹⁶¹ Rose contends experts hold a social authority and role in government ‘that is not merely technical and scientific’ but also ‘ethical’ in the Foucauldian sense of the word; they encourage relationships between oneself and morality. See Nikolas Rose, *Inventing Our Selves: Psychology, Power, and Personhood* (Revised ed. edition, Cambridge University Press 1998) 88.

¹⁶² *ibid.*

¹⁶³ Nikolas Rose, ‘Government, Authority and Expertise in Advanced Liberalism’ (1993) 22 *Economy and Society* 283 297. Nikolas Rose argues that expertise is a vital tool for ‘making liberal rule operable’ it does this by ‘implanting forms of sociality and norms of responsible autonomy within subjects of rule’.

¹⁶⁴ Broadly speaking, some of relationships that arise out of this dynamic have been subject to critique and review, notably, with governance feminism receiving (re)emerging importance. However, surprisingly limited work has been carried out that seeks to specifically address ‘feminist expertise’, the term itself producing less than 300 results on Google Scholar.

makeover' and carry out 'work upon and understand themselves as confident and choice-driven sexual agents'.¹⁶⁵ Wood thus positions sex experts as playing a role in the governing and construction of the 'ideal female neoliberal subject' who 'must continually work upon the self, becoming the best and most successful version of herself through a range of techniques including consumption'.¹⁶⁶ Tanya Serisier also argues feminist expertise plays an important role in the regulation of generic speech.¹⁶⁷ Serisier notes how this form of expertise frequently relies on moving between different types of knowledge claims to justify its own production of knowledge.¹⁶⁸ This can involve feminist writing often being positioned simultaneously or selectively as coming from a voice trained in an academic-discipline, as a woman, or as someone making use of feminism as a methodology.¹⁶⁹ Serisier notes that each claim has significant positional disparities, as each entails 'different relations... different processes and outcomes' and that through this mobilisation of knowledge claims the feminist expert asserts their proficiency.¹⁷⁰ The result is that feminist experts can come to position themselves as the knowers of others and their experiences, whilst reducing these others' ability to narrate their own stories without the assistance of expert interpretation for meaning.¹⁷¹ When *Spare Rib's* editorial adopts such an attitude of feminist-expertise, it finds use in the law as another varied source of knowledge; as it offers a kind of *know-how* which demonstrates the authors has access to feminist-truth and a juridical depiction of power, and thus helps render rational their prescribed remedies and accounts.

This use of the law as know-how leaves impressions that transform both the author's role in

¹⁶⁵ Rachel Wood, 'Look Good, Feel Good: Sexiness and Sexual Pleasure in Neoliberalism' in Ana Sofia Elias and others (eds), *Aesthetic Labour: Rethinking Beauty Politics in Neoliberalism* (2017) 329.

¹⁶⁶ *ibid* 318.

¹⁶⁷ See in particular 'Whose Business Is Speaking Out? The Bell Debate, Indigenous Stories and the Construction of White Feminist Expertise' in Serisier (n 159) 119-144.

¹⁶⁸ *ibid* 137.

¹⁶⁹ *ibid*.

¹⁷⁰ *ibid* 134.

¹⁷¹ *ibid* 134.

feminist writing and how they rationalise the law as useful.¹⁷² This is evidenced by the way in which writing about the problem of prostitution laws increasingly becomes decoupled from the concerns of sex workers about state violence. In its place, the category's writing emphasises the problem as one of the 'double-standard' and discriminatory application of the law.¹⁷³ Whilst initially the authors remain attached to the notion of decriminalisation, as the problem of law increasingly becomes of its distributive implementation, a fascination with the prospect of more punitive and retributive forms of criminal law take root. This shift is particularly noticeable in the discussions around kerb-crawling, with some of *Spare Rib* endorsing the increasing criminalisation of men involved in transactional sex because punishing men would be presumed to benefit women through this definition of equitable relations.¹⁷⁴ These legal approaches in turn also increasingly become attached to a desire to endanger the professions existence, rather than to limit the exposure of sex workers to violence emanating from state apparatus.

Utilising the law as know-how results in *Spare Rib's* authorship asserting their own legal analysis, one which becomes decoupled from sex worker experiences and prioritises different arguments and problematisations. At its most extreme, this leads to an attempt to ascertain discursive control over the topic of prostitution for feminism *from* sex workers, who it alleges have the mistaken belief 'that prostitution as a political issue *belongs* to them'.¹⁷⁵ This is documented in section 4.2.5, where *Spare Rib* distinguishes that it holds a differential analysis to the ECP, despite the consequence being a similar legal outlook. In these articles *Spare Rib* both implicitly and explicitly alleges that sex workers' very existence brings with it violence

¹⁷² As expanded on in Chapter Two, See: Sara Ahmed, *What's the Use?: On the Uses of Use* (Duke University Press 2019).

¹⁷³ This reverts its influence, remembering middle-class feminists campaigns, such as Josephine Butler and the LNA, over than the demands of the sex worker movement. See: Rebecca Styler, 'Josephine Butler's Serial Auto/Biography: Writing the Changing Self through the Lives of Others' (2017) 14 *Life Writing* 171.

¹⁷⁴ Green, 'The Sensitive Kerb-Crawler and the Common Prostitute' (n 109).

¹⁷⁵ O'Sullivan (n 132).

against women and provides support to patriarchal domination. *Spare Rib* also seems to encourage the ECP to engage in the respectability politics rather than occupying or making claims to public space. This attempt to control the activist conduct of sex workers can be contrasted with *Spare Rib*'s own activism, which was increasingly occupying areas, such as Soho, London, in the name of feminist activism – despite the impact this might have on sex worker income and safety.¹⁷⁶ In gaining narrative control over the law, *Spare Rib*'s authorship establishes their dissimilar analysis as based on their own superior knowledge of feminist concerns, and sex workers as unknowledgeable in this domain. Serisier similarly notes this as a regular occurrence in feminist expertise, namely its capacity to make claims as to the epistemological primacy of gender and in doing so make authoritative statements about related subject matters in a way that reduces or excludes other aspects of identity.¹⁷⁷ This allows feminist expertise to make claim to the whole of women's experience as existing under its purview through reducing observations from other theoretical and political standpoints.¹⁷⁸

Interestingly, the writing of *Spare Rib* provides evidence that activists at the time were cognisant of feminist expertise and its impact on changing feminist praxis. The 1979 article 'Radical Discontent' features a discussion between *Spare Rib*'s Amanda Sebestyen, and New York feminist activists, Kathie Sarachild and Collette Price, from the feminist collective *Redstockings*.¹⁷⁹ In the interview the group consider what they perceive to be a critical rupture in the politics of feminist activism which they date to as early as 1972. Sarachild contends that initially radical feminism was concerned with a 'pro-woman' outlook that she helped develop.¹⁸⁰ This outlook asserted:

¹⁷⁶ Women Against Violence Against Women (WAVAW), 'Taking the Porn Industry By Storm' [1983] (130) *Spare Rib*.

¹⁷⁷ Serisier (n 159) 133.

¹⁷⁸ *ibid*.

¹⁷⁹ For more on the *Redstockings Manifesto*, see its recent republication in: Redstockings, 'The Redstockings Manifesto (1969)' in Breanne Fahs (ed), *Burn it Down! Feminist Manifestos for the Revolution* (2020).

¹⁸⁰ Amanda Sebestyen, 'Radical Discontent' [1979] (79) *Spare Rib*.

‘That oppression was real, our behaviour was based on real options or lack of options; and changing our head was not going to free us. Our heads were OK, they didn’t have to be changed. We needed more knowledge, but getting more knowledge is not changing your head.’¹⁸¹

This outlook is in sharp contrast to many of the collective practices developed in *Spare Rib* which, as I outlined in Chapter Three, were fundamentally driven by a desire for self-transformation. Sebestyen, as a member of *Spare Rib*, unsurprisingly contests Sarachild’s reading. She argues that for feminism to work ‘you’ve got to move’ rather than believe that ‘everything women do at this moment is in their own interests’.¹⁸² Sarachild counters, however, that this is a misreading and that being ‘pro-woman’ simply meant perceiving that everything women do has ‘a rational basis’ and is undertaken in an effort to secure their best interests.¹⁸³ She argues that mass movement was required to collate and share these interests together in pursuit of liberation.¹⁸⁴ In contrast, the individualised self-transformation Sebestyen spoke of was not required because liberation was not to be individually secured.¹⁸⁵

Sarachild contends that this misreading of liberation as a project of individualised self-transformation led to the women’s movement being taken over by those who believe themselves to already be ‘liberated’.¹⁸⁶ She notes that with this transformation, many of the practices of radical counter-conduct had become subverted into sites of regulation and control over other women. She uses the example of going to a consciousness raising session and being told about specific rules the group had for speaking.¹⁸⁷ This attempt of some women to control others’ conduct was a shocking encounter for Sarachild, as was the fact

¹⁸¹ *ibid.*

¹⁸² *ibid.*

¹⁸³ *ibid.*

¹⁸⁴ *ibid.*

¹⁸⁵ *ibid.*

¹⁸⁶ *ibid.*

¹⁸⁷ *ibid.*

that the 'old ways' had already been forgotten. She remarks:

'I raised my hand and said, "It wasn't always like this. There weren't always rules and regulations." And a woman said "Oh yes, it always was." There we were, both standing in the same room, with her telling us, "This was the way it always was ..." and we were part of the people who were there when it was being made. And that whole thing really struck me as, "My god, history needs to be written down."'”¹⁸⁸

Those involved in the interview signpost that feminist engagements with transactional sex were an early indicator that something had changed within the movement. They note that women within the movement were becoming increasingly critical of those involved in sex work, framing them as 'selling out their sisters'.¹⁸⁹ Sebestyen identifies Susan Brownmiller as an early contributor to this kind of discourse, noting her remarks: 'I could sell it, but I choose not to' as egregious.¹⁹⁰ The group note how starkly these kinds of views contrasted with the *Redstocking* manifesto statement of unequivocal solidarity, 'we take the woman's side in everything'.¹⁹¹

¹⁸⁸ *ibid.*

¹⁸⁹ *ibid.*

¹⁹⁰ *ibid.*

¹⁹¹ Despite Sarachild's claim in this article 'to take women's side in everything', she has since made deeply harmful statements about 'the right' to exclude trans women from feminist meetings and openly questioning the validity of transitioning. Notably, an attitude of anti-expertise continues to feature in these hostile communications, maligning 'gender studies' as having 'displaced the grassroots women's liberation analysis of the late 1960s and early 1970s'. However, in contrast to the article 'Radical Discontent', Sarachild argues critiques of prostitution and pornography are, in the present, a site of 'disagreement' that is no longer antithetical to radical feminism. Instead, radical feminism is cast as a broad-church, something which has 'stood up for the right to think, speak and write freely on the question of gender'. But these statements are themselves a 'forgetting' and a misrepresentation of the past. The *Redstocking* manifesto, for instance, clearly locates womanhood as a class relationship and one of political oppression. Nowhere is there an alignment of its values with the biological essentialism that so often comes to be prioritised in the *RadFem* present. It is also ironically a claim made from a position of feminist expertise, with Sarachild clearly mobilising her own eminent position of historical social authority to make specific knowledge claims about the correct way that feminist conduct should conduct others. See, Letter from Carol Hanisch and others, 'Forbidden Discourse: The Silencing of Feminist Criticism of "Gender"' (12 August 2013).

4.4 Conclusion

This chapter has documented and analysed shifts in how the law featured in writing about the topic of prostitution in *Spare Rib*. In section 4.2, it revealed that distinct relationships with the use of law which would previously be considered incompatible with the counter-conduct of feminist activism, gradually emerged in the magazine. This included the emergence of the generic expectation, in which prostitution laws would be introduced as a means of exhibiting feminist know-how. The law was thus reimagined, as no longer imbued with repulsiveness but as an object that can be wielded *differently* towards feminist ends. Section 4.3 argued that these distinct uses of the law had various regulatory effects. It secured the outlook documented in Chapter Three, that the specific perspective of feminism involves distinct kinds of knowledge claims that are earned and not inherent to all women. In turn, this outlook justified generic expectations that delimited the narrative roles that sex workers and authors could occupy. These restrictions empowered the feminist as an expert, resulting in a strengthened understanding that she is empowered through her legal knowledge and obliged with a responsibility to speak for others. This empowerment of feminist experts was, however, notably achieved through delimiting the narrative contributions of sex workers. The very act of speaking about prostitution laws and speaking for sex workers is deemed sufficient feminist activity, previously mentioned issues about sex worker exclusion from feminist activism are no longer expressed. These articles further begin to situate sex workers as ‘unknowing’ about their legal contexts. The appropriation of sex worker legal analysis within such articles, ultimately rendering sex workers’ political demands to be viewed by feminist experts as a site of contestation and potential division, even when their legal outlooks were shared. As a result, sex workers’ very existences became increasingly depicted as analytically wrongfooted, a source of public nuisance, and even incentivising violence against women. *Spare Rib*’s writing evidenced how respectability norms were advanced in the name of protecting an essentialised and universalised ‘woman’, a population from whom the sex

workers were once again discursively excluded from, cast as outsiders.

The feminist expert, as the knower of feminist-truth, thus revealed an outlook that the activities of feminist activism should involve a concern for the conduct of others. Like other forms of expertise in advanced liberal governmentality, its prescriptions encouraged increasing responsibilisation of the individual. The political objectives of feminism were shown to be transformed, the practices that once constituted their 'radicalism' were forgotten or remembered differently. This rationalisation of the use of law also further shifts the objectives of feminist activism, no longer envisioning liberation in terms of the escape from state apparatus, but towards its apprehension of governors with feminist knowledge. These observations advance my thesis hypothesis; that relationships with the use of law play an important, varied, and under-recognised role in governing the subjectivities, practices, and political objectives of feminist activism. The shifts in the way the law is rationalised and deployed in the practices of feminist activism, changes the ways of feminist analysing and knowing, and ultimately ontologises being a feminist in very different terms. Establishing a feminist role in governing relationships previously incompatible with its anti-hierarchical objectives.

Chapter Five: The Use of Law in Online Feminist Activism

5.1 Introduction

The previous chapters in this thesis revealed several ways in which feminist relationships with the use of law regulate the shape of organisational structures, ways of knowing, and the wider objectives of activist practices. Chapter Three demonstrated that the association of the law with conventional conduct, which facilitates patriarchal modes of domination, rendered it a repulsive object for *Spare Rib*. I argued that this identification of the law as useless for feminism, nevertheless governed the collective's efforts, directing *Spare Rib's* organisational structures and expressions away from adopting more traditional approaches. This repulsive force in turn regulated how staff experiences were interpreted as a part of feminist activism, configuring a distinct collective understanding of the need for individualised responsibility and feminist epistemology. Chapter Four evidenced the emergence of *feminist expertise* by examining writing about prostitution and the law. It noted how *Spare Rib's* editorial team appropriated the narrative role of problematising the law from sex workers, which became an important way of expressing its 'know-how'. This development was argued to be made possible by the concurrent shifts in epistemology and responsibility documented in Chapter Three. Through this narrative appropriation, new relationships with the use of law were established which regulated the magazine's comprehension of feminist activism. I concluded that these emerging rationalisations enabled those who identified as feminist activists to delimit the meaning of other women's experiences based on their own access to feminist truth, ultimately facilitating governance feminism's endorsement of criminalisation and respectability politics. These observations advanced the thesis' hypothesis, which argues that law is a tactic of governmentality that regulates the behaviours and relations that constitute feminist activism.

The objective of the present chapter is to provide an analysis of how a contemporary network of feminist activists make references to the law in their online expressions. Drawing on examples of feminist online writing sourced from the social media platform Twitter, I highlight how several online communities have continued to relate to the criminal law as useful in their expressions. I argue that these expressions are often connected to an appeal for (some) women to be secured from various threats. Drawing on Isabel Lorey's notion of 'servile virtuosity', I analyse these legal expressions as part of a mode of conduct which is encouraged through contemporary governmentality through precarisation.¹ As a result, I advance that those collaborating in these kinds of online expressions through the law are often publicly demonstrating their willingness to be governed and assessed as compatible with normalised standards, notably 'correct' gender and sexual performances, in a desire to be made safe. The use of the criminal law in online feminist writings are thus interpreted as a public gesture, one which Angela Mitropoulos refers to as 'the secularised language of prayer against contingency'.²

The chapter proceeds through the following structure. Section 5.2 briefly reflects on the methods used to collate data for this case study. It recounts how digital research methods, such as web-scraping, were deployed to identify and gather relevant information from a network of feminist Twitter users. Section 5.3 provides a summary of my analysis of these web-scraped tweets, noting several ways in which the criminal law is used in these expressions, namely as a tactics of citation, retributive justice, and a method of preventing 'bad' sexual conduct. Section 5.4 contends that these expressions emphasise a belief that present conditions, which secure women from insecurity, are under threat and in danger of being lost. Understanding this use relationship illuminates how the law plays an important role in the conduct encouraged by

¹ Isabel Lorey, *State of Insecurity: Government of the Precarious* (Verso Books 2015) 87

² Angela Mitropoulos, 'Precari-Us?' [2005] precariat, transversal texts

contemporary forms of governmentality through precarisation. In turn, this reveals a distinct kind of use regulation through the use of law than those documented in *Spare Rib* in Chapters Three and Four, or expressly articulated in (neo)abolitionist scholarship considered in Chapter One.

5.2 Feminist Activism Online

This chapter investigates examples of feminist writing that are hosted on the social media website Twitter. I noted in Chapter Two, that the decision to investigate this media of writing follows numerous declarations that there is an unfurling ‘fourth-wave’ of feminism defined by activists’ use of the internet.³ I elected to extract research data from Twitter due to the prevalence of feminist communities on the website and due to the vast majority of such writing being publicly accessible. The decision to analyse feminist writing from Twitter meant establishing methods that were able to: (a) identify relevant communities of Twitter users that collaborate in feminist activist writing; and (b) extract writing from these communities and process them in such a way that they could be subject to a *governmentality analysis*. A bespoke web-scraping application was developed for these purposes.⁴

Web-scraping is a method that most contemporary researchers have likely performed in a

³ As further discussed in Chapter Two: Methodology, this thesis’ understanding of feminist activism as ‘a regime of practices’ means that it avoids treating feminism as adhering to an institutional framing or descriptors, instead seeking to investigate activities that take place outside of traditional conceptions of power. This means that it avoids treating appeals to ‘the wave’ metaphor as an accurate description of what feminist activism *is*. Instead, it engages with ‘waves’ as a kind of truth claim which continues to conduct contemporary feminist activist conduct (e.g. through the erasure and unrecognition of various feminist histories, particular practices and actors who participate in feminist activism are legitimised, whilst others disparaged or forgotten).

⁴ Software developer and comrade John Colborne provided expertise and moral support that made this bespoke application possible. In addition to being written in Python3, this application makes use of Twitter’s publicly available Application Programming Interface, the Open-Source Intelligence projects *Twint* and *Tweepy* (see ‘Twintproject/Twint: An Advanced Twitter Scraping & OSINT Tool Written in Python’ (no date) <<https://github.com/twintproject/twint>> accessed 30 September 2022; ‘Tweepy/Tweepy: Twitter for Python!’ (*GitHub*, no date) <<https://github.com/tweepy/tweepy>> accessed 30 September 2022), and the operating system virtualisation software *Docker* (Docker Inc, ‘Docker’ (5 October 2022) <<https://www.docker.com/>> accessed 30 September 2022).

rudimentary fashion. For example, the act of copying or transcribing text from a website into another file or document is essentially a manual form of this practice. The application developed for this project systematises and automates this same basic task, searching for relevant textual information from Twitter and then storing it elsewhere.⁵ Identifying users on twitter, who both identified as feminists and spoke about issues of transactional sex and the law, was achieved using methods developed in Social Network Analysis.⁶ Specifically, I drew on the *homophily* principle developed in this school of methods, which suggests that individuals are more likely to form relationships with others based on having similar characteristics to them.⁷ On Twitter, I assumed that feminist identity would be a characteristic that was sufficient to encourage homophilous relations to be established.⁸ On the basis of this initial assumption, I built a network from a single elected Twitter user, the organisation *Nordic*

⁵ A plain English translation of the application's script reads as follows: (i) request a website's code; (ii) locate the part of that code where the relevant text is written; (iii) copy the relevant text (iv) stores the text as a value in a separate data frame; (v) repeat steps as necessary if there are multiple text objects desired; and, (vi) once all relevant text is secured, export the compiled data frame as a file; (vii) stop the application.

Methods like web-scraping raise somewhat emergent questions for research ethics. On the one hand, current societal norms and discourse mean that many users of these websites are both aware and anticipate the use of their expressions by third-parties, for example by journalists or other users in 'quote-tweets'. As discussed more in 5.4 below, the surveillance of online expressions is fundamental to the business model of the platforms themselves. However, the parameters of individual knowledge about the extent of data-practices and whether the normative acceptance of surveillance capitalism therefore makes its practices 'ethical' are somewhat more ambiguous concerns. It is also unclear as to whether the users implicit consent to extractive practices for the purpose of profit and the facilitation of third-party analysis through the company's API, equates to the user consenting to extractive practices for the purpose of academic research. (See Casey Fiesler and Nicholas Proferes, "'Participant' Perceptions of Twitter Research Ethics' (2018) 4 Social Media + Society 1). This project does not offer easy answers to these questions. Instead, it tries to bypass some of the thornier issues through: (a) user-id data was anonymised during data-collection through the use of hash-keys, aside from a list of predefined notable individuals and organisations that are well-known for their (neo)abolitionist campaigning activity; (b) removing all private accounts from its data-sets prior to analysis; (c) only considering writing that features key-words related to the research's interests, and; (d) only quoting users who write in a distinctly public capacity – e.g. awareness raising, advocacy, or contesting someone else's opinion in an open-correspondence. (For more information on 'hash-keys' (see: Andrew Zola, 'What is Hashing and How Does It Work?' (*SearchDataManagement*, June 2021)

<<https://www.techtarget.com/searchdatamanagement/definition/hashing>> accessed 30 September 2022).

⁶ A basic proposition within Network Analysis is that 'connections are a key mechanism of social action' and that the relationships between people are what enables the formation communities, cultures, and institutions. See: Brea L Perry and others, *Egocentric Network Analysis: Foundations, Methods, and Models* (Structural Analysis in the Social Sciences, Cambridge University Press 2018) 7.

⁷ Miller McPherson and others, 'Birds of a Feather: Homophily in Social Networks' (2001) 27 Annual Review of Sociology 415.

⁸ For examples of other studies using similar principles, see: Elanor Colleoni and others, 'Echo Chamber or Public Sphere? Predicting Political Orientation and Measuring Political Homophily in Twitter Using Big Data' (2014) 64 J Commun 317 Joaquin Castillo-de-Mesa and Paula Méndez-Domínguez, 'Homophily, Echo Chamber, Affective Polarization and Radicalization against the Migration: Case Study #Openarms on Twitter' [2020].

Model Now! (@nordicmodelnow).⁹ As discussed in Chapter One, this organisation is a (neo)abolitionist group who describe themselves as a ‘UK grassroots group campaigning for the abolition of prostitution and for the Nordic Model (aka Sex Buyer Law) and an end to demand for sexual exploitation’.¹⁰ The organisation was selected due to the assumption that, as a cause-related organisation concerned with the law, they would primarily follow other accounts with similar interests to their own, thus reducing gathering potentially irrelevant user-data which would have to be removed at a later stage.

To construct a network, the application scraped all the usernames that the @nordicmodelnow was following on 20 January 2021 and placed the results in a data frame. A total of 5864 usernames were scraped during this step. The application then collated the usernames that each of these 5864 users followed. This data then established a new data-frame that held all the connections between the primary (ego), secondary (alter), and the tertiary (sub-alter) usernames.¹¹ An abstracted visualisation of the data gathered from this process is illustrated in the table *Figure 1* below.

⁹ This method borrows heavily from other approaches, broadly categorised together as ‘ego-centric network analysis’ due to developing a network from a single seed user. See: Perry and others (n 6).

¹⁰ ‘Nordic Model Now! (@nordicmodelnow) / Twitter’ (*Twitter*, no date) <<https://twitter.com/nordicmodelnow>> accessed 20 October 2020.

¹¹ These specific terms are common in Social Network Analysis, as means of describing different layers of a network. Perry and others (n 6).

Ego Node (Primary Tier)	Alter Nodes (Secondary Tier)	Sub Alter Nodes (Tertiary Tier)
@NordicModelNow	@Username1	@Username4
		@Username5
		@Username3
	@Username2	@Username2
		@Username5
		@NordicModelNow
	@Username3	@Username6
	@Username4	@Username7

Figure 1 - visual representation of twitter sets

This data collection process established a network of 9,510,607 unique users. A network this large is unwieldy to analyse effectively without additional resources. It also contained incidental users who do not identify as feminist and were therefore irrelevant for the purposes of extracting relevant examples of feminist writing. As a result, on the basis of the assumption of feminist-identity homophilous relations, the application pruned the list users so that only those with the most connections remained in the dataframe. To perform this reduction, the application assigned each user in the sub-alter list a number based on the number of times they were followed by the ego and alter users within the network. The top 1000 users were then identified and assimilated back into the total network list. Any user identified by the script to have a ‘private’ account at the time of analysis was removed from the dataset. This established the dataset used in my subsequent analysis, which featured 5990

users.¹²

This dataset was then analysed for relevant communities and sub-neighbourhoods of users.¹³ This involved processing the dataset into graphical plots that visually depict which users hold follower relationships to one another.¹⁴ In the case of a relatively small dataset certain patterns from the network can be intuitively noticed. For example, in Figure 2 below, it is easy to identify which usernames are more connected to other usernames, which users are well connected and which are isolated (*Figure 2*). However, as the dataset used in this project is large, featuring 1,130,373 connections between users, algorithmic methods are helpful as they can manipulate the location of the users on the plot making existence of possible communities easier to notice (see the example of *Figure 3*).¹⁵

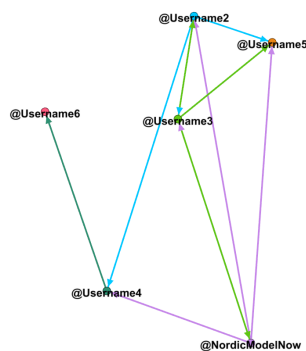


Figure 2 -Example of a small network random plot

¹² Collectively referenced henceforth as 'Thomas Ebbs, 'The Use of Law in Feminist Activism - Tweet Dataset' (PhD thesis, University of Sussex 2022).

¹³ For a basic discussion of these techniques, see: AM Chiesi, 'Network Analysis' in Neil J Smelser and Paul B Baltes (eds), *International Encyclopedia of the Social & Behavioral Sciences* (Pergamon 2001).

¹⁴ This was achieved primarily through the free software package *Gephi* that allows one to independently visualise networks through graphical plotting and contains several force algorithms. See: 'Gephi - The Open Graph Viz Platform' (no date) <<https://gephi.org/>> accessed 13 September 2022.

¹⁵ Ken Cherven, *Mastering Gephi Network Visualization* (Pack Publishing 2015).

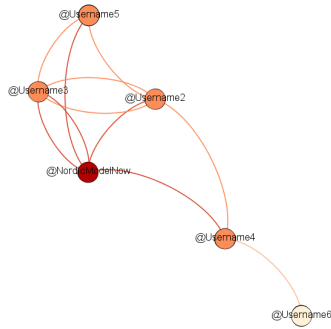


Figure 3 – Example of a small graphical plot distributed through an algorithm

This project elected to use ‘force-directed’ algorithms for the purpose of community identification.¹⁶ These methods work by using a formula to assign repulsive or attractive values to individual users based on their number of connections. The network software then inputs these values to emulate physical forces in a simulation. Scholars such as Andreas Noack have demonstrated that force-directed plots can help detect communities as they appear as groups together on plots.¹⁷ The algorithm *ForceAtlas2* worked well with this project’s large dataset.¹⁸ The creators of *ForceAtlas2* describe it working by the ‘nodes repulse each other like charged particles, while edges attract their nodes, like springs. These forces create a movement that converges to a balanced state... aims to provide a generic and intuitive way to spatialize networks’.¹⁹ To further assist with the graphical analysis of communities, key-words from the users’ Twitter bios were used to colour the individual users and their connections.²⁰

¹⁶ See: Thomas M.J. Fruchterman and Edward M. Reingold, ‘Graph Drawing by Force-Directed Placement’ (1991) 21 Software: Practice and Experience 1129 Michael J. Bannister and others, ‘Force-Directed Graph Drawing Using Social Gravity and Scaling’ in *Graph Drawing* (Lecture Notes in Computer Science, Berlin, Heidelberg, Walter Didimo and Maurizio Patrignani eds, Springer 2013).

¹⁷ Andreas Noack, ‘Modularity Clustering is Force-Directed Layout’ (2009) 79 Phys Rev E 026102

¹⁸ See: Mathieu Jacomy and others, ‘ForceAtlas2, a Continuous Graph Layout Algorithm for Handy Network Visualization Designed for the Gephi Software’ (2014) 9 PLOS ONE e98679 Exact variable settings used with the algorithm: Tolerance: 1.0; Approximate Repulsion of 1.2; Scaling 5.0; Gravity 1.0; Edge Weight Influence 1.0.

¹⁹ *ibid.*

²⁰ Key words were generated following of both inductive choices based on pre-existing knowledge of these communities and use of word frequency tables. Details regarding these categories and the order in which they were processed are detailed in the Appendix B below. These are categories were hierarchised to avoid a single user

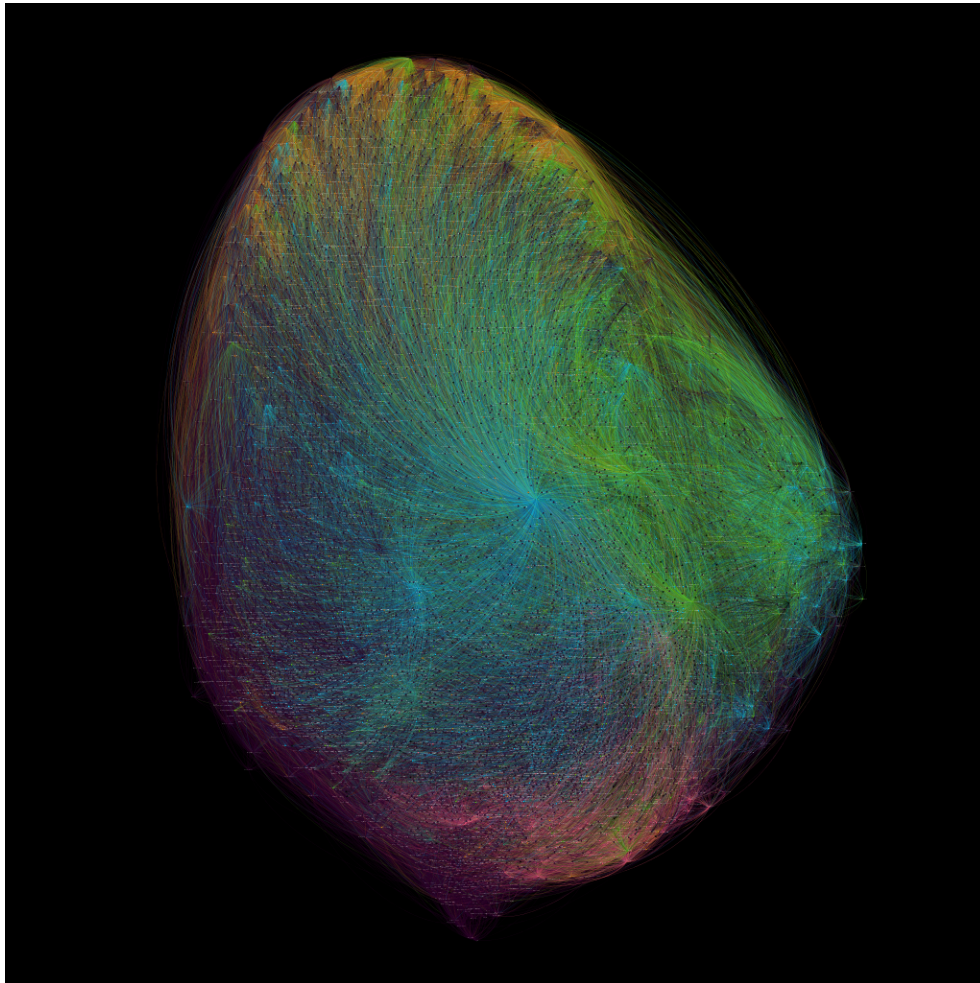


Figure 5 – Depicts the Tweet Dataset used in this project, compiled from the ego node @nordicmodelnow. It consists of 5990 users who are connected through 1,130,373 distinct unidirectional lines. The users are spaced through an algorithm (ForceAtlas2) and further coloured based on Twitter bio text data, details of colours provided in Appendix B.

As the visualisation in Figure 5 above demonstrates, the users in this network are extremely well connected to one another, with each user on average connected to 188.71 other users within the network. The colours used in the visualisation demonstrate the high frequency

appearing in multiple categories. As a result, if a user's biography featured keywords related to both RadFem and Gender Based Violence categories, they would be designated as belonging to the RadFem category. Thus, these categories should not be perceived as an effort to refute the inherently multifaceted nature of identities but to note how different users prioritise specific phrases over others.

(31.57%) in which users refer to feminist identifying terms in their biographies.²¹ The clustering of users affirmed my assumption regarding homophily being produced along feminist grounds. A somewhat unexpected and interesting observation to be noted, is that users in the network are more likely to follow others who use similar biographical keywords. Reducing the network to specific groups of users based on clusters helps demonstrates such feminist sub-community relationships even more clearly, see for example Figure 6.²²

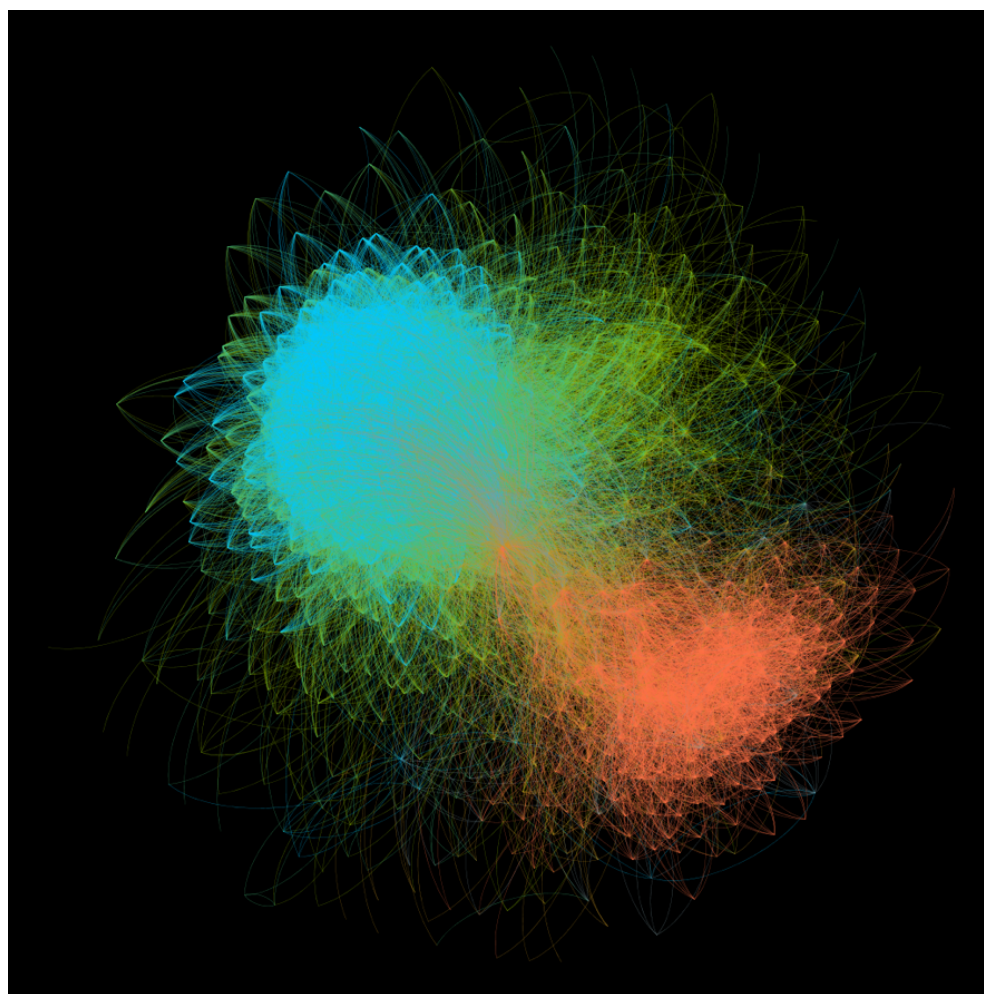


Figure 6 – A network graph featuring only (neo)abolitionists (Orange), Rad Fem (Green), Gender Critical

²¹ See Appendix B for the colour coding and summation of this network breakdown.

²² Whilst the purpose of these network constructions was to extract writing from relevant users, these graphs do provoke novel questions and questions that may be of interest to future research projects related to feminist activism. For example, do practices of differential connections challenge assumptions about homogeneity of SWERF/TERF identities? (see, Sophie Lewis, 'SERF "n" TERF: Notes on Some Bad Materialisms' (*Salvage*, 2 June 2017) <<https://salvage.zone/in-print/serf-n-terf-notes-on-some-bad-materialisms/>> accessed 30 September 2022) If so, do user identities such as *RadFems* play important roles for maintaining cross-pollination of ideas between these groups? Which users or sub-communities of feminists transmit information the most information to non-feminist identifying networks or networks of users such as journalists or politicians?

(Blue) collected from the network.

Following this confirmation of homophilous feminist relations, I scraped the tweets of this subset of 1,891 connected-users that use relevant feminist identifiers in their biographies. These tweets were further filtered for the presence of relevant key-words related to transactional sex, noted in *Appendix B*. This reduced the total 10 million tweets of this subset of users to 233,578 tweets (2.3%) of which 23,000 of the total tweets featured keywords related to ‘law’, ‘rights’, or ‘justice’ (10%).²³ This dataset was then skim read in the qualitative research software *NVivo*, with relevant tweets highlighted and reviewed using the code book previously discussed in Chapter Four and further detailed in Appendix A.

5.3 The Use of Law in Transactional Sex Tweets

The collection and preliminary analysis of the dataset reveal that within the network, there is widespread consensus regarding the need for legal interventions to resolve the associated problems of transactional sex. The form of these legal interventions was unanimously one of instrumental criminality and restriction; the law should *prevent* access to pornographic materials; *deny* business-licenses to strip-clubs; and *arrest* those involved in sex work exchanges, most often through unilateral offenses against those seeking to purchase sex. This was anticipated given that homophilous social networks likely exhibit homogenous political outlooks, and that this dataset of tweets was constructed by establishing the wider network of *Nordic Model Now!* whose (neo)abolitionist legal outlook is a central characteristic of their identity.²⁴ However, beyond this general legal outlook, my analysis of these tweets revealed that the ways in which the criminal law was expressed and related to as useful was often in the pursuit of governing feminist activist conduct. In this section, I outline several of these

²³ Ebbs (n 12)

²⁴ See Chapter One for a more detailed breakdown of ‘the Nordic Model’. On the phenomenon of social-media ‘echo-chambers’ related to social-network homophily, see: Colleoni and others (n 8)

regulatory relationships with the use of law which frequently reoccurred in the dataset.

5.3.1 Legal Citation

In several tweets within the dataset, the law is declared to provide definitive meaning over a term being disputed.²⁵ I refer to this deployment of the law in writing as *legal citation*, a tactical attempt to defer an absolute authority and capacity to the law, as an exterior object that provides the meaning of words. As a result, this tactic constructs the meaning of words as pre-established and unable to change following their legal-codification. Through the use of legal citation, the author positions themselves as a neutral knower, someone who is just reporting on matters of objective fact. In the dataset, the manoeuvre of legal-citation is often deployed to contend that the dispute has already been settled by the law, which is proposed to be a thing that exists exterior to the author and reader. This is asserted as a mutual-disempowerment, that neither author nor their reader have the capacity to determine or extend what words mean. In turn, this attempts to deny and obscure the author's agency. For example, legal citation obfuscates that it is the author who declares that the law is *the thing* that governs meaning and the author's role in deciding which specific legal documents, interpretations, or abstract jurisprudential concepts matter in the context at hand.

Examples of such legal citation within the dataset can be noted in conversations that assert definitions of trafficking.²⁶ Whilst Erin O'Brien notes that forced-movement and transit are traditionally considered the key characteristics of trafficking discourse, within this dataset such connections are not as prevalently asserted.²⁷ Instead, this body of writing tends to emphasise trafficking as a form of organised rape for commercial purposes. Laila Mickelwait,

²⁵ Ebbs (n 12)

²⁶ *ibid.* Trafficking offences are some of most 'impactful' and engaged with discussions in the network. For example, based on the metrics of likes and retweets, the vast majority of the top 100 Tweets in dataset concern alleged trafficking offenses.

²⁷ Erin O'Brien, *Challenging the Human Trafficking Narrative: Victims, Villains and Heroes* (Routledge 2018)

the coordinator of the popular hashtag campaign #TraffickingHub tweets:

‘...According to the US TVPA [Trafficking Victims Protection Act of 2000] and the UN Palermo Protocols [sic] that define human trafficking, EVERY commercial sex act involving a minor is an act of sex trafficking. Full stop. Every sex act on Pornhub is commercial. In a few weeks we found over 120 confirmed cases of children being raped & sexually abused on Pornhub. That means over 120 cases of child sex trafficking...’²⁸

When another user contests these acts being described as trafficking rather than as rape,²⁹

Mickelwait suggests they are the same thing:

‘Yes, I didn’t mean to minimize it with that language I was just trying to point out the legal definition of trafficking but it would be better termed commercial rape you are absolutely correct.’³⁰

This consent-weighted definition of trafficking is arrived at only by ignoring additional requirements of the offenses. For example, the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (the Palermo Protocol) that supplements the *United Nations Convention against Transnational Organized Crime* requires ‘the recruitment, transportation, transfer, harbouring or receipt of persons’.³¹ It further requires ‘means’ broadly categorised as coercive to be present, but does suggest in the case of children the ‘consent of the victim’ is irrelevant.³² Mickelwait’s citation also does not comply with the requirements of US Federal Law, The Trafficking Victims Protection Act 2000 (TVPA), that defines trafficking as involving the ‘the recruitment, harbouring, transportation, provision, or obtaining of a

²⁸ Ebbs (n 12) LC #001. ‘Thread with critical info: According to the US TVPA and the UN Palermo Protocols that define human trafficking, EVERY commercial sex act involving a minor is an act of sex trafficking. Full stop. Every sex act on Pornhub is commercial. In a few weeks we found over 120 confirmed cases of children being raped & sexually abused on Pornhub. That means over 120 cases of child sex trafficking. This number just scratches the surface of child sexual exploitation on Pornhub. Take a stand at’

²⁹ ibid LC #002. ‘It’s rape’

³⁰ ibid LC #003. ‘Yes, I didn’t mean to minimize it with that language I was just trying to point out the legal definition of trafficking but it would be better termed commercial rape you are absolutely correct’

³¹ United Nations General Assembly, ‘Protocol to Prevent, Suppress and Punish Trafficking in Persons’ (first published 2000, United Nations Convention against Transnational Organized Crime, 2003) Art 3.

³² ibid.

person' for the purposes of a commercial sex act.³³ The TVPA does stipulate that 'severe forms of trafficking in persons' can include acts of 'sex trafficking' if the 'commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age'.³⁴ These 'severe forms' are thus an aggravated form of the offense.

In Mickelwait's tweets, there is thus an attempt to appeal to the authority of the law to define these acts of sexual violence as trafficking offenses in a way that ostensibly disempowers her, so she does not have capacity to call it 'commercial rape'. At the same time, however, she is also masking her own act of legal interpretation as to what constitutes the offense. The citation of this legal definition reveals an effort to shift the meaning of trafficking in feminist discourse away from an internationalised context, whilst drawing legitimacy from international sources, towards a version that is largely synonymous with other forms of sexual violence. This activity further masks the inherently political nature of drafting laws and what ascribes legal meaning to such terms in the first place. As Jo Doezema has documented, the definition of 'trafficking' in the *Palermo Protocol* owes much to earlier international treaties that were explicitly responding to racialised moral panics concerning 'White Slavery'.³⁵ As a result the Protocol remains connected to a wider discourse of 'a supposed threat to women's safety served as a marker of and metaphor for other fears, among them fear of women's growing independence, the breakdown of the family, and loss of national identity through the influx of immigrants'.³⁶ Doezema also documents the numerous competing interests that were present during the drafting process, including those of feminist NGOs and diverse state representatives.³⁷ In doing so, she draws attention to the inherent tension present in the

³³ The Trafficking Victims Protection Act 2000 (TVPA) Sec 103 (9) 22 USC 7102.

³⁴ Ibid s 103.

³⁵ Jo Doezema, *Sex Slaves and Discourse Masters: The Construction of Trafficking* (Zed Books 2010) 125.

³⁶ Ibid 125.

³⁷ Ibid.

definitions and text of the Protocol, as one which is both seeking to criminalise activities whilst also seeking to protect the rights of victims of trafficking.³⁸

The emphasis this version places on the absence of consent, in turn governs how other users express their viewpoints on the subject matter and attempt to govern the expressions of others. A noticeable example of this is documented when (neo)abolitionist campaigner, Jessica Taylor tweeted a response to an image that accompanies the *Washington Examiner* magazine article ‘The privilege pyramid’.³⁹ The basic argument of the article and the image is that of the trope of the right, that identity politics has created a societal hierarchy that privileges those it codes as vulnerable, at the expense of wealthily hetero white college educated men, whom are now persecuted because they are ranked lowest on the schema. The image in the article is of a pyramid built from various blocks, with various cartoon persons carrying and moving blocks to different levels. On each block is inscribed the text of a different identity or experience. In the image, the block inscribed ‘rape victim’ is placed several layers higher than that reading ‘sex-trafficking victim’. In her tweet, Taylor disapproves of this image due to its inaccurate understanding of ‘the law’ and the definitions it offers. Taylor writes to the author, Ed Scarry:

‘how are you differentiating victims of rape, sexual abuse and sex trafficking when they are all the same offences? Why would they all have different ‘privilege?’’^{40 41}

As such the argument is that the author is wrong because the blocks are legally the same.

The need to merge rape and sex trafficking together becomes the key issue to demonstrate

³⁸ *ibid.*

³⁹ Eddie Scarry, ‘The Privilege Pyramid’ [2020] *Washington Examiner*.

⁴⁰ Ebbs (n12) LC#004. “*how are you differentiating victims of rape, sexual abuse and sex trafficking when they are all the same offences?*”

⁴¹ This is a popular argument regarding so called ‘identity’ politics. See for instance Amy Chua, ‘How America’s Identity Politics Went from Inclusion to Division’ (*the Guardian*, 1 March 2018) <<http://www.theguardian.com/society/2018/mar/01/how-americas-identity-politics-went-from-inclusion-to-division>> accessed 21 June 2021 Chua contends the importance of such views in contemporary American politics, although contestably attributes their existence to the Left ‘ostensible demands for inclusivity’, reinforcing the notion that ‘identity politics’ is running wild.

the article author's 'wrongness'. And this argument is favoured over others, that might have challenged the bad-faith rhetoric, such as the feminist implications positioning of women as privileged over men in society and wider issues with these kinds of misreading of identity politics.

The legal citation of trafficking as sexual-consent weighted, in turn affects the types of narratives that are told about the harms of transactional sex. Incidents of trafficking within the network focus on children as the most frequently identified victims, as they are situated as beyond the possibility of lawful consent. This strengthens the authors' capacity to make incontestable claims about the existence of trafficking. In turn, the types of transactional sex that are connected to trafficking shift from the previously popularised image of women in cages, towards the experiences of persons depicted in online-pornography.⁴² In turn, the authors of tweets are seemingly legitimised in speaking for victims who are situated as not being able to speak-out on their own behalf.⁴³ These descriptions of the violence others experience takes the form of episodic encounters, meaning that there is minimal, if any, interest in the individual victim's life prior to the violent event. The only contextual factors that feature in these tweets are those that typify the encounter as one of maximal vulnerability on behalf of the victim. As a result, discursive cues about drug use, abuse, poverty, age, and identity are sometimes present within such tweets, but these factors are not interrogated in any detail.⁴⁴ They instead perform as aggravating circumstances, things that are presumed to already be understood by the reader as factors which make the violent encounter that much worse, helping to further mitigate the possibility of the victim's consent.

⁴² Ebbs (n12). 69 of the 100 most liked dataset tweets that reference law reference online-pornography

⁴³ *ibid.* Of the 100 most liked tweets, only two come from authors who identify themselves as survivors of violent acts.

⁴⁴ *ibid* LC#005. "No matter your lot in life. If you're now homeless; in trouble with the law; drug addicted; still involved in sex trafficking; & even if you helped recruit other victims. Nobody will judge you. Nobody will blame you. You will be heroic. You did nothing wrong. You were a child"; "She was poor, uneducated, mentally ill, sexually abused in a childhood drug addict. And these privileged men including police officers took advantage of her for their sick sexual pleasure. All punters deserve to be in jail."

No space is afforded to efforts that provide a more complicated account of work, consent, and the often uneasy states of acquiescence that accompany living in these times, which are important features of contemporary sex worker discourse.⁴⁵ Instead these tweets favour a flattened representation of *episodic violence* in transactional sex which, through resisting detailed contextual accounts, enables the network to argue that episodic violence is the typical.⁴⁶ Testaments that challenge this unambiguous conception of reality are rejected as participating in ‘wokeness of the day’ and enabling the violence they seek to resist.⁴⁷

Another example of legal citation tactics within the dataset can be observed when Amnesty International (AI) published its policy and research on protection of sex worker’s rights in 2016.⁴⁸ The AI Policy publicly positioned the organisation in support of the decriminalisation of consensual sex work. Many tweets in the network registered their upset and the hashtag #QuestionsforAmnesty’ became a popular way of the network collectively expressing its discontent. Several early responses registered their complaint that this policy conflicted with how human rights were defined in ‘international or EU law’ and that this approach was not compatible with what ‘human rights means’.⁴⁹ Once again, these tweets do not engage with the substantive merit of AI’s position regarding the welfare of sex workers under systems of criminalisation. Instead, the complaint is lodged as a matter of challenging an incorrect legal

⁴⁵ Molly Smith and Juno Mac, *Revolting Prostitutes: The Fight for Sex Workers’ Rights* (Verso Books 2018).

⁴⁶ Ebbs (n12) LC #006. ‘*The average woman in prostitution in legalized Germany is an immigrant, sometimes illegal, doesn't speak the language or know her rights, doesn't trust police, has to feed her family and frequently owes money to a violent pimp; It's an illusion that the average woman in #prostitution can stand up for her rights against pimps & buyers. We know this cause buyers show no fear of arrest purchasing drunk or high women, pimped and trafficked women and women who dissociate or fight back; Having to be available to dozens of men per day is not average, but it still happens in legal brothels and escort services.*’

⁴⁷ ibid LC #007. ‘*But you will support prostitution and normalise it as ‘work’ and you will support the erasure of womens rights by putting the undefinable gender identity above biological sex, and now you speak up on this? I think your agenda is driven by the wokeness of the day*” (XXX); ibid LC #007. ‘*Oh, it's always fun when 20-yr-old "woke" girls who think feminism means legalising prostitution & posting topless selfies smugly lecture us on how we aren't "real" feminists if we don't want to give up the rights we bled for just bc ppl with penises now say we must, isn't it?*’

⁴⁸ Amnesty International, ‘Amnesty International Publishes Policy and Research on Protection of Sex Workers’ Rights’ (24 May 2016) <<https://www.amnesty.org/en/latest/news/2016/05/amnesty-international-publishes-policy-and-research-on-protection-of-sex-workers-rights/>> accessed 29 April 2021

⁴⁹ Ebbs (n 12)

interpretation, by arguing the matter is already settled. The argument becomes one that Amnesty has got the law wrong and that this is not what human rights are meant *for*.

5.3.2 Retributive Justice and the Marketisation of Transactional Sex

Throughout the dataset, there are frequent demands for legal injunctions, the seizure of assets, arrests and incarcerations, which are all argued to be tantamount to the achievement of justice. Such retributive understandings of justice, those that emphasise punishment of the offender are by far the most prevalent and popular within the dataset. Whilst some tweets mention the notion of financial compensation for victims, none within the dataset examined indicate or discuss the potential of restorative or distributive justice mechanisms.⁵⁰ There are many examples of this demand for retributive justice in discussions about the prospect of legal proceedings being brought against the website *Pornhub*. In these tweets, many express that they look forward to the perpetrators being held ‘criminally liable’⁵¹ and rejoice that ‘these men will be in prison soon’.⁵² As another tweet notes: ‘Justice for victims of Pornhub means civil lawsuits bleed them of all finances and criminal prosecutions put their executives in prison for destroying countless lives over the last decade. Lock them up. Seize their assets. Pay the victims.’⁵³

The tweets that call for retributive justice all demonstrate a high degree of comfort with the prospect of criminal incarceration and depict the police as compatible allies of feminist activism. This attitude of carceral feminism is further confirmed through the 4,466 tweets

⁵⁰ *ibid* #RJ 001. “Although financial compensation helps, no amount of money can help bring healing and justice for victims as much as seeing their traffickers and rapists rot in prison for life. I know this on a very personal level. Ijs.”

⁵¹ *ibid* #RJ 002. “Sources say Pornhub is trying to get rid of evidence of illegal videos on their partner channels they make significant profits from. They are terrified that 2 million people and growing are demanding they be investigated and held criminally liable.”

⁵² *ibid* #RJ 003. “Pornhub executives were an unprepared stumbling disaster today—implicating themselves criminally, not able to answer simple questions regarding their business or finances, or their legal obligations to report child sexual abuse on their site. These men will be in prison soon.”

⁵³ *ibid* #RJ 004. “Justice for victims of Pornhub means civil lawsuits bleed them of all finances and criminal prosecutions put their executives in prison for destroying countless lives over the last decade. Lock them up. Seize their assets. Pay the victims.”

from the dataset which contain the word ‘police’.⁵⁴ This subset of tweets frequently cite the police as impartial agents, for example stating that their independent opinions confirm (neo)abolitionist truth claims about the extent of human trafficking, or connections of viewing pornography to committing domestic violence.⁵⁵ The network also contains tweets that blame the decriminalisation movement for sewing unfounded fears about the police.⁵⁶ In contrast to the interventions of sex workers noted in *Spare Rib* in Chapter Four or the demands of contemporary sex worker campaigns for decriminalisation, none of the dataset’s tweets framed the police as a threat for sex-workers themselves.⁵⁷ The minority of tweets that frame the police in a negative context, typically concern the police’s *lack of action*. In these instances, the complaint is typically that in the face of a violation ‘they did nothing’⁵⁸ or ‘they let him off’.⁵⁹

Several tweets explicitly connect notions of retributive justice and increasing criminalisation as resulting in lasting changes to present conditions. Such changes range from the possibility that an individual website will be ‘shut down’ to more ambitious desires that online pornography itself will be outlawed. As one user remarks:

‘The class action lawsuit against Pornhub will do more to end human trafficking than most people realize. Remove child porn and human trafficking from the digital space and we MIGHT have a chance to end it on the ground one day.’⁶⁰

These claims often advance on the basis that the law will have instrumental and normative effects of deterrence or economic interference, similar to the rationalisation documented in

⁵⁴ *ibid.* See also, Elizabeth Bernstein, ‘Carceral Politics as Gender Justice? The “Traffic in Women” and Neoliberal Circuits of Crime, Sex, and Rights’ (2012) 41 *Theory and Society* 233

⁵⁵ Ebbs (n 12) RJ #005. ‘Remember when NSW Police said porn use was linked to domestic violence? Why was that not covered on the news?’

⁵⁶ *ibid.*

⁵⁷ *ibid.*

⁵⁸ *ibid* RJ #006 ‘As an adult, I’ve been to the police 4 times about the sexual abuse incl trafficking. They did nothing.’

⁵⁹ *ibid.*

⁶⁰ *ibid* RJ #007 ‘The class action lawsuit against Pornhub will do more to end human trafficking than most people realize. Remove child porn and human trafficking from the digital space and we MIGHT have a chance to end it on the ground one day.’

(neo)abolitionist scholarship in Chapter One. For example, one user spells out ‘the calculation’ as:

‘John stings deter those seeking to purchase sex – reducing the demand for human trafficking – and serve as a reminder that these crimes are more prevalent and closer to home than you may think.’⁶¹

On the surface, these tweets depict a similar outlook to that of (neo)abolitionist scholarship, whereby male-heterosexuality is considered to be rational profit seeking and amoralistic.⁶² However, unlike the former (neo)abolitionist depiction, at least in its published scholarship, these tweets rarely attribute contemporary heterosexual behaviours to a social-constructivist understanding. As such, the depiction of men as ‘rational economic actors’ is rarely connected to being informed by wider patriarchal institutions or theories of sex-class dominance. In turn, this aspect of the feminist critique is stripped, in favour of an essentialised understanding of masculine nature as inherently economic. For example, on the website of Christian non-profit organisation Exodus Cry, who established the popular Twitter campaign #TraffickingHub:⁶³

‘Sex trafficking is one of the most insidious injustices of our time, but it is one fact of a much larger system of exploitation. If we truly want to abolish trafficking, we must uproot the underlying issues that cause it. The entire global sex industry, including prostitution, pornography, and stripping, is a system where violence, exploitation, and

⁶¹ *ibid* RJ #008. See also, *ibid* RJ #009 It’s not about abolishing prostitution. It’s about instituting the @nordicmodelnow to reduce the demand by half. When sex buyer majority are wealthy men w families & good reps, they don’t want risk of arrest. Common sense law of supply n demand. Reduce the demand+more training.

⁶² *Ibid* #RJ #010 ‘We men are not such slaves to our instincts that the rights of our companions need to be sacrificed to them in prostitution’; ‘Men’s entitlement and perverted ideas about sex have caused this situation. I hope they are caught. Lesbians are a target cos we don’t need/want men.’; This raises the thorny question of “sex work” and exposes the reality that (legal or not) it is neither sex nor work but abuse & exploitation. Further its existence is corrosive of male sexuality & normalises the abuse of women from the #Dorchester to the brothel; On the Left, the sexually liberated woman is the woman of pornography. Free male sexuality wants, has a right to, produces, and consumes pornography because pornography is pleasure. Leftist sensibility promotes and protects pornography because pornography is freedom.

⁶³ Interestingly – the #Traffickinghub campaign makes very few references to EC on twitter and instead presents itself as a campaign carried out by an individual, Laila Mickelwait. Mickelwait makes no reference to the organisation on her twitter biography, nor does she disclose that she is the ‘Director of Abolition’ at the organisation.^{63]}

gender inequality flourish. It's fuelled by the demand of men and profits predatory stakeholders like pimps and traffickers.⁶⁴

Strikingly, the supply side of the market-equation is never considered as consisting of active-subjects with agency in these economised terms. The impossibility and illegitimacy of their choice as irrational, as noted and produced through the mode of legal citation, renders sex-workers to be *passive things*. Their existence is reduced to just a variable known in its entirety as a metric which needs to be reduced.

5.3.3 Obscenity and Censorship

There are frequent calls within the dataset for new laws to censor depictions and prevent access to pornographic media.⁶⁵ These calls are often advanced through the familiar feminist discourse of objectification, which situate the existence of transactional sex as informing attitudes and cultures that dehumanise women.⁶⁶ As such, these tweets extend a depiction of transactional sex as responsible for causing harms beyond the immediate transaction or the production of related media. Such discourses have been an aspect of feminist anti-pornography movements for decades and were noted in Chapter Four, where *Spare Rib* also advanced a problematisation of sex worker conduct in public spaces due to its connection to violence against women. What is remarkable, however, is the predominant ways in which these tweets envision harm caused by the existence of transactional sex and related media.

One notable allegation is that transactional sex is threatening *the family* institution. To be clear, many in the dataset do refer to forms of harm experienced by women in the family,

⁶⁴ 'The Problem' (*Exodus Cry*) <<https://exoduscry.com/theproblem/>> accessed 14 June 2021

⁶⁵ Ebbs (n 12)

⁶⁶ ibid OBS #001. 'To accept "sex work" is to retreat from human rights... Prostitution is neither work nor sex. It's the commodification of the human body, the objectification of women & transformation of human life into private property... a form of rape covered by money.' ibid OBS #002. 'Why You Can't Have Your Porn and #MeToo - something men can do to support the #16Days campaign, right now, is stop linking their sexual arousal to the objectification of women and #VAW. Step 1: Stop. Watching. Porn.'

particularly through the identification of forms of violence against women such as domestic abuse and coercive control.⁶⁷ However, the validity of the institution itself is rarely challenged and these forms of violence are rarely connected to a feminist critique of the family as providing impunity or instigating conditions. Instead, with respect to transactional sex, concern is most frequently raised about the possible destruction of the family. For example, several tweets mourn the decline of marriage rates and rise of divorce, which they connect to the effects of transactional sex. One user for instance writes:

‘Anyone who considers pornography a harmless diversion should talk to marriage therapists and divorce lawyers; Legalize prostitution so men can have sex outside of marriage and not face consequences? Wow. #gocanadianmodel’⁶⁸

Within the dataset, digital accessibility to pornography in the family home is presented as an innovation that is acutely affecting the current generation of children.⁶⁹ These tweets represent the young as impressionable and ethically irresponsible, only capable of uncritically accepting this digital invasion as normal.⁷⁰ As such, the dataset features frequent expressions of anxiety that the presence of transactional sex is having an impact on children’s development, a process described in the network’s tweets as ‘brainwashing’ or ‘hijacking’ young person’s desires.⁷¹ The specific harms attributed to this generational crisis come to frame child sexuality as unhealthy or incorrect, and suggest this deviance will increase the probability that all women will experience forms of violence in the future.⁷²

⁶⁷ *ibid.*

⁶⁸ *ibid* OBS #003. ‘Anyone who considers pornography a harmless diversion should talk to marriage therapists and divorce lawyers; Legalize prostitution so men can have sex outside of marriage and not face consequences? Wow. #gocanadianmodel’

⁶⁹ These panics about how children growing up wrong are not inherently novel concerns to feminism in the present moment. See for instance, Betty Friedan’s controversial chapter ‘Progressive Dehumanization: The Comfortable Concentration Camp’ which basis its concern for the effects of women’s subordination on the ‘a subtle and devastating change’ that is taking place in American children. Betty Friedan, *The Feminine Mystique* (Penguin Classics 2010).

⁷⁰ Ebbs (n 12).

⁷¹ *ibid.*

⁷² *ibid* OBS #004 ‘In the past I might have agreed. But internet porn is a social experiment on a vast scale. Sexual assaults in schools have risen 400% in the last couple of years, with even police attributing the rise to young boys watching porn. It shapes how they think about women’

In addition to contending the destruction of the family will lead to more male violence, a notion frequently expressed in the dataset is that access to pornography has led to the young being less capable of experiencing *good sex*. Descriptions of good sex and the associated harm of lost pleasure are features of previous feminist critiques of transactional sex, particularly during the *sex wars*. However, these previous iterations often discuss the present as a moment of lost possibility for women's pleasure. According to Ann Ferguson for instance, 'doing feminism' was an important part of achieving this radical future, one which was inspired by sapphic themes and ideals of connectiveness.⁷³ In contrast, the tweets place good sex as something that is experienced in the present and thus something that is possible *now*. The severe danger is that this pleasure will be lost in the future.

The tweets often depict 'bad sex' as involving *kink* sexual practices, particularly those that involve conduct popular in forms of *BDSM*. Despite the apparent similarities these disparaging representations share with those common to the feminist sex wars, the practices of 'bad sex' are envisioned within the tweets as novel and growing in popularity. This is achieved through situating 'bad sex' as connected to an unrelenting masculinised technological progress, which allows for a state of perpetual crisis to always be unfurling. The most recent example of this can be observed in the tweets' consideration of the use of asphyxiation during sex, colloquially referred to as 'choking'. Whilst older tweets within the network rarely contemplate choking specifically and, when they do, consider it to be just another feature of problematic male desire, the practice has increasingly been theorized as undergoing specific normalisation through *pornification* of mainstream culture.⁷⁴ Other

⁷³ Ann Ferguson, 'Sex War: The Debate between Radical and Libertarian Feminists' (1984) 10 *Signs: Journal of Women in Culture and Society* 106

⁷⁴ Ebbs (n 12) OBS #005. "*A few years ago, this would have been laughed out of court- 'you're claiming she asked you to choke her?' But what's euphemistically described as 'rough sex' has become a staple of online porn, & strangulation has moved from being a male fantasy to an actual defence*"

accounts of bad sex in the dataset are less specific about problematic sexual practices, but frame emerging difficulties with deriving pleasure from sex to be primarily the result of a new generation of ‘men who are crap in bed’.⁷⁵ Women sleeping with such men in this contemporary discourse are presented as passive victims, unable to imagine or request a different kind of sex than that they have been conditioned into accepting through transactional sex’s normalisation.

This dyadic presentation, of good and bad sex, is thus primarily theorised through a presumed monogamous-heterosexual perspective. However, within the dataset there is also a strong current of transphobic theorising that young lesbians are under threat from bad sex. This theorisation begins by contending that lesbian pornography reflects an inherently male gaze and that the performances it depicts are primarily produced to satiate the desires of a male audience.⁷⁶ The lack of realism and disconnection from authentic lesbian sexual experience is argued to make it inherently undesirable for cis-lesbian-women to view.⁷⁷ However, through the use of egregious biomedical speculation, this pornography is argued to have specific appeal to trans-women. The existence and enjoyment of pornography depicting lesbian sex becomes a crude explanation as to why trans-lesbian-women exist and a way to arbitrarily demark trans-feminine behaviour as non-compliant with an essentialised vision of gender. Transactional sex thus becomes an important part of a wider cultural transphobic conspiracy theory popular within the network, namely *lesbian erasure*, which casts trans-women as attempting to coerce lesbian women into sexual relationships through a culture of gender-confusion. This outlook thus connects a rationalisation of the hostility towards transactional sex, to the overt hostility that many members of the network hold towards those with trans identities.

⁷⁵ *ibid* OBS #006.

⁷⁶ *ibid*.

⁷⁷ *ibid*.

5.4 Precariousness

These categories of tweets reveal an ongoing problematisation of transactional sex through its connection to non-state and episodic sexual violence and gendered sexual behaviours.

It is notable that the exact way that these connections are maintained relies on ambivalent understandings of how feminine and masculine subjectivities are constructed. There is a tendency in much of the dataset's writing to essentialise the existence of transactional sex, primarily as a masculine violent desire that results in the injury of the feminised subject. So, for example, there are various depictions of transactional sex being a source of genuine pleasure for men. In these arguments, women's consent is not discussed, because it can never exist. When women participate in 'bad sex', whether it be transactional sex or sexual practices informed by its existence, they are described as having been coerced or tricked. At other times, these behaviours are considered socially-constructed, created through current conditions and a society with misplaced values. Indeed, their advocacy for the criminal law, whilst superficially documented to feature retributive justice qualities, also had strong connections to a rationalisation of its capacity to inform gendered sexual conduct that is thus inferred to be malleable. Yet, despite this repeated reassertion of the power of the state, through the criminal law, there is an absence of communication, attention, or theorising in these tweets regarding the dangers of police and state interventions upon sex workers themselves.⁷⁸

This ambivalence has been read as a tactical way of sustaining the ironic 'unholy alliance' between the Christian right and forms of sex worker exclusionary feminism.⁷⁹ This argument

⁷⁸ A departure from *Spare Rib's* expertise, which I documented in Chapter Four as becoming disconnected from the distinct problems of the law for sex workers but remained cognisant of the effects state power.

⁷⁹ Ronald Weitzer, 'The Social Construction of Sex Trafficking: Ideology and Institutionalization of a Moral Crusade' (2007) 35 *Politics & Society* 447 See also: Alison Phipps, *Me, Not You: The Trouble with Mainstream Feminism* (Manchester University Press 2020) 136-140; Elizabeth Bernstein, *Brokered Subjects: Sex, Trafficking, and the Politics of Freedom* (University of Chicago Press 2019) 98-128.

extends that there is a sufficient intersection of conservative sexual mores held between these two otherwise disparate groups which allows them to sustain an implicit tactical-coalition.

Wendy Brown alternatively notes the role of turning to the state and appeals for criminalisation as part of an ontologising of feminist ‘wounded attachments’.⁸⁰ She argues that political powerlessness is ‘sometimes worn rather straightforwardly as the conservative raiment of despair, misanthropy, narrow pursuit of interest’ which can ‘twist into a more dissimulated political discourse of paralyzing recriminations and toxic resentments parading as radical critique’.⁸¹ The efforts of feminist activism thus become appropriated by contemporary modes of carceral governmentality, and a familiar advancement of legal naivety on behalf of activists is proposed.⁸²

In this section, however, I offer an alternative reading of the communications of this dataset and how their insistence on the need for criminalisation can rest on an ambivalent theory of harms and sexuality. Namely, that through the problematisation of transactional sex and the advocacy of the criminal law, these online expressions are not solely interested in presenting a coherent theory of sexual behaviour and its potential normalisation. Instead, they are involved in a display of public servility encouraged by a mode of governmentality that produces anxieties and fears around conditions of the present. The prevalence of public servility is an observation described by Isabel Lorey, whose work outlines the dynamics of what she believes to be a dominant contemporary mode of power relations, which she defines as *governmental precarisation*.⁸³ Lorey, following Judith Butler, suggests that we all have a socio-ontological dimension in our lives referred to as ‘precariousness’.⁸⁴ This precariousness designates an inescapable and relational vulnerability, an endangerment because we are mortal

⁸⁰ Wendy Brown, *States of Injury* (Princeton University Press 1995) 52-76.

⁸¹ *ibid* xi.

⁸² As discussed in Chapter One.

⁸³ Lorey, *State of Insecurity* (n 1). 13

⁸⁴ *ibid*. 11-12

and the conditions of our survival are tied to our sociality with the social that can also cause us harm.⁸⁵ Lorey further specifies that many political, social and legal engagements are supposed to protect us against existential precariousness.⁸⁶ This second dimension of the precarious, draws attention to how precariousness whilst a shared condition is also striated and segmented. The protections imposed to protect against it inherently result in compensations against some threats rather than others, thus involve a hierarchising and judgement about their importance. This creates and maintains relations of inequality, designations of which lives matter more than others, and naturalises dominations and identarian positionalities.⁸⁷ This social positioning of insecurity and distribution is referred to as ‘precarity’.⁸⁸ Lorey connects these aspects of the precarious to a third dimension, an outlook that perceives various modalities of governmentality as relying on dynamics of security.⁸⁹ Our exposure to precariousness and its striation through precarity, have played important roles in regulating the conduct of life, employment, bodies, and subjectivation through shaping how we understand ourselves as secure or insecure.⁹⁰ She refers to this general introduction of regulation through precariousness and systems of precarity as ‘governmental precarization’.⁹¹ For example, in a familiar biopolitical register, where everyone in the population is encouraged to see themselves as in control of their own body and thus health, or to otherwise fall ill. These kinds of self-relations rely fundamentally on the individual learning their precariousness and forming beliefs that they can, to a certain extent, influence it.

Contrary to sovereign modes of control which sought obedience in exchange for protection,

⁸⁵ *ibid.*

⁸⁶ *ibid* 12-13.

⁸⁷ *ibid.*

⁸⁸ *ibid.*

⁸⁹ *ibid* 23.

⁹⁰ *ibid* 13-14.

⁹¹ *ibid*

neoliberal governmental precarisation proceeds through regulating the conduct of the population by exposing individuals to increasing levels of insecurity.⁹² The basic rationality of this mechanism is that through creating conditions for the greatest tolerable amount of insecurity and then proclaiming an alleged absence of alternatives, lives can be organised by their ‘indefinite trajectory’.⁹³ So in this dynamic the expectations of the state become delimited, typified by it no longer holding the objective of providing social welfare to reduce the gap between rich and the poor, but only towards the need to prevent ‘absolute poverty’ and promising increasing levels of domestic surveillance and policing.⁹⁴ In these social conditions, individuals find themselves in a situation by which:

‘it becomes increasingly difficult to distinguish between an *abstract* anxiety over existential precariousness (fear that a body, because it is mortal, cannot be made invulnerable) and a *concrete fear* in the politically and economically induced precarization (fear of unemployment or of not being able to pay rent or health care even *with* employment); both of these negative worries overlap.’⁹⁵

As people become unable to distinguish between the anxiety of precariousness and the fear of being excluded through precarization, they resort to an individualised risk management. This inversely creates an illusion of individual security as being possible, an outlook where one sees themselves as in a ‘permanent race’ whereby one seeks to find assurance ‘of one’s own life and that of the immediate social surroundings against competing Others’. This masks the fact that precariousness and precarity are fundamentally the products of a social-interconnectedness, thus a ‘lastingly better life cannot be an individual matter.’⁹⁶

⁹² Its extent must not pass a certain threshold such as that it seriously endangers the existing order: in particular, it must not lead to insurrection. Lorey describes managing this threshold as what makes up ‘the art of governing’ today, see *ibid* 65.

⁹³ *ibid* viii.

⁹⁴ *ibid* 66.

⁹⁵ Isabell Lorey, ‘Governmental Precarization’ (*transversal texts*, Aileen Derieg tr, 2011)

<<https://transversal.at/transversal/0811/lorey/en>> accessed 30 September 2022.

⁹⁶ *ibid*.

Lorey contends that so far, ‘borne by their fear of being replaceable’ and thus becoming exposed to endangerment, the conduct that this mode of governmental precarisation has encouraged is one of ‘an anxious self-arrangement’ by which individuals modulate themselves and arrange their lives, behaviours, and identities ‘in the sense of servility, of subservience and obedience’.⁹⁷ Lorey notes, for example, how many who consider themselves as left wing or critical of capitalism tolerate living and working conditions based on fantasies of their own freedom and desires for self-realisation.⁹⁸ She connects anxiety, loss of control, feelings of insecurity, and experiences of failure to the behaviours of the self, in which one must be productive ‘on speed’, accumulating knowledge during unpaid hours for its utilisation in the context of paid work, relying on one’s own network for opportunities, whilst making no time for relaxation until one then desiring to do so in order to ‘find oneself’ again (which itself becomes marketable).⁹⁹ Increasingly, work involves the self-exposure of oneself publicly – revealing ones personality, intellect, thinking, emotional competences to others, in an effort to demonstrate one’s own deservedness for security in competition with others, and thus compatible within current precarised conditions.¹⁰⁰

Social-media engagements, involving the self-exposure of ‘the seemingly private self’ are recognised as a symptom of this public-servility.¹⁰¹ These are particularly obvious behaviours when such interactions are close to career advancement or economic production, for example public disclosures that take place in *LinkedIn* posts, influencer marketing, or indeed much of academic Twitter. But, they can also be witnessed in the peculiar natures of feminist activism documented in this dataset which, whilst not exclusively part of these

⁹⁷ Lorey, *State of Insecurity* (n 1) 70.

⁹⁸ Isabell Lorey, ‘Virtuosos of Freedom’ (*transversal texts*, Mary O’Neill tr, 2008) <<https://transversal.at/transversal/0207/lorey/en>> accessed 30 September 2022.

⁹⁹ *ibid.*

¹⁰⁰ See Lorey, *State of Insecurity* (n 1) 73-91, for an expanded discussion of this type of labour arrangement.

¹⁰¹ *ibid* 73.

productive labour relations Lorey focuses on, nevertheless demonstrate a similar prayer against contingency.¹⁰²

This is notable in the shared ways in which these disparate tactical deployments of the law understand the state and the stakes of the present. Whilst the state is superficially advanced to have a role in providing social-security in (neo)abolitionist academia examined in Chapter One, the dataset communications depart from this expectation. They instead construe the law as useful when it operates in a criminal and juridical-restrictive capacity. The violence and harm that motivates their responses, what necessitates and makes the law useful, an individualised other who needs to be made responsible by increased exposure to insecurity. It is notable that through these demands for and revelling at the notion of retributive justice being done, and thus the calculation of deterrence being put into effect, the speaker displays their own compatibility with systems of atomised responsabilisation. This is made clear in calls for legislation to introduce restrictions upon transactional sex and pornography, whereby the speaker marks her fear through her adherence and commitment to loss of her privatised role in social reproduction in the family and health sexualities.¹⁰³ Thus in chastising other forms of sexual conduct, they do not demand a more pleasurable sexuality in a liberated future, but that sex is sufficiently pleasurable now. Other kinds of public excess, that escape from a limited purview of good sex – thus are considered to endanger what is left, after so much has been lost. They show a fear of the other and a limited concern and care based on one's own property.

When legal citation is advanced in these communications it demarcates the author as content and compliant with the current state of the law. The appeal is not for a feminist law, not even

¹⁰² Mitropoulos (n 2)

¹⁰³ Jules Joanne Gleeson and Kate Doyle-Griffiths, 'Kinderkommunismus: A Feminist Analysis of the 21st Century Family and a Communist Proposal for Its Abolition' [2015] *Ritual*

more feminist representation in law making. The minimum definition of harm as that criminalised as trafficking, and human rights as extant are already sufficiently feminist. No more needs to be asked for in terms of restricting, just more policing and surveillance for their effective enforcement. In other words, these tweets voice the belief that law is no longer questioned as something that might be compatible with feminism, but as something that is already feminist enough. The present is sufficient, but fearful what will happen if this bear minimum is lost or granted to a competitive other, the speaker is compliment with normative requests.

These fears coincide with feminist practices and relationships that esteem the opportunity of speaking out, and further collide, coexist, and co-operate with other relational forces, particularly emerging modes of capitalist economisation. As Shoshana Zuboff observes Twitter itself is a company that primarily profits through the conduction and extractive-surveillance of behavioural activities, normalised in governmental precarisation.¹⁰⁴ Zuboff describes its strategy of surveillance capitalism; an economic model involving the selling of ‘behavioural futures’; predictive-knowledge about the likely future conduct of persons that is of consumeristic relevance.¹⁰⁵ These predictions are made possible through acquiring masses of personal data, including online expressions and relationships. Zuboff notes the extensiveness of this surveillance.

‘Intimate territories of the self, like personality and emotion, are claimed as observable behaviour and coveted for their rich deposits of predictive surplus. Now the personal boundaries that shelter inner life are officially designated as bad for business...

Surveillance capital wants more than my body’s coordinates in time and space. Now it violates the inner sanctum as machines and their algorithms decide the meaning of my

¹⁰⁴ Shoshana Zuboff, *The Age of Surveillance Capitalism: The Fight for a Human Future at the New Frontier of Power* (Profile Books 2019)

¹⁰⁵ *ibid*

breath and my eyes, my jaw muscles, the hitch in my voice, and the exclamation points that I offered in innocence and hope.¹⁰⁶

Twitter acknowledges and participates in the fantasy of violating the inner sanctum of the self when it writes for its investor audience.¹⁰⁷ Twitter refers to the capturing of emotion and unprompted reactions of consumers as ‘the holy grail’ for today’s businesses.¹⁰⁸ They consider Tweets as the second best, but more ‘ethical’, alternative than ‘tapping directly into a consumer’s brain’.¹⁰⁹ Twitter’s governing activities are instigated in recognition that not all expressions are equally profitable and, as a result, equally desirable. They therefore seek certain types of provocative expressions, they create a feedback loop that encourages other users to respond, through the form of their own tweets, or ‘engage’ in the form of likes, retweets, profile or link clicks, thus creating more data for algorithmic predictions.¹¹⁰

This partisan attitude towards expressions and Twitter’s governing of expression coincides with the observations several authors have made about online feminist discourses. Alison Phipps notes, within these online spaces certain kinds of feminist writing are made more visible and implicitly prioritised because they are the more profitable for the platform.¹¹¹ Contributions to #MeToo have been shown to favour those speaking from dominant hegemonic positions, with the stories of white and privileged speakers coming to establish narrative and generic expectations.¹¹² This has meant that certain groups, including sex workers and BIPOC, are implicitly excluded or have their expressions deprioritised from types of feminist expression. This delimits the kinds of knowledge and truths can be known,

¹⁰⁶ *ibid* 289

¹⁰⁷ Joe Rice, ‘But, How Do You Really Feel?’ (*Twitter Blog*, 6 November 2019) <https://blog.twitter.com/en_us/topics/insights/2019/but-how-do-you-really-feel.html> accessed 23 February 2021

¹⁰⁸ *ibid.*

¹⁰⁹ *ibid.*

¹¹⁰ Sarah Lutz and Frank M Schneider, ‘Is Receiving Dislikes in Social Media Still Better than Being Ignored? The Effects of Ostracism and Rejection on Need Threat and Coping Responses Online’ [2020] *Media Psychology* 1.

¹¹¹ Alison Phipps, *Me, Not You: The Trouble with Mainstream Feminism* (Manchester University Press 2020).

¹¹² *ibid.*

with #MeToo diminishing recognition of the impact of racialism, coloniality, the state, family as participatory forces in sexual violence.¹¹³ Serisier further observes the promise of the online, the speaker has a new way to be heard, but also ‘new ways of doubting and disbelieving women’s stories, alongside older modes of judgement’.¹¹⁴ Thus, the very act of speaking out invites new forms of violence, disproportionately experienced by some speakers and not others, that do not form part of the discursive-imperative to ‘speak out’ to be feminist. Serisier also queries the wider strategic benefit of this tactic of online expressions if it is not accompanied by some other kind of feminist work, contending it endangers ‘a circular logic’ manifesting in a feminist politics that conceptualises change as ‘a continuing commitment to speech and to speaking’.¹¹⁵

Lorey’s work on governmental precarisation and the observations of this chapter, help further elucidate that these encouragements of expression are connected to fear and anxiety of the loss of the present. In doing so, they affirm the notion that this ‘commitment to speech and to speaking’ seems to be taking place so often at the expense of political action but situate it as the very point of such expressions. They are not only encouraged to speak by an ideology of liberal discourse that esteems expression but also, increasingly, necessitated to speak by an acute awareness of one’s exposure to existential vulnerability. Speakers in the (neo)abolitionist online communities are thus contended to be a group that feels increasingly threatened, that seeks to express and condone state and state-like violence to demonstrate their servility to existing hegemonic order. The result is that ‘social practices that are oriented not solely to the self and one’s own milieu, but rather to living together and to common political action, recede ever more into the background and become ever less imaginable as a lived reality’.¹¹⁶

¹¹³ *ibid.*

¹¹⁴ Tanya Serisier, *Speaking Out: Feminism, Rape and Narrative Politics* (Palgrave Macmillan 2018) 96.

¹¹⁵ *ibid* 114.

¹¹⁶ Lorey, *State of Insecurity* (n 1) 90.

5.5 Conclusion

This chapter has outlined how I was able to gather relevant expressions for analysis using web scraping tools. In 5.2 I outlined several typographies of expression that make use of the law as a tool of citation, retributive justice, and restriction from obscenity. I argued that these deployments of the law revealed deep anxieties about the loss of present conditions, whilst also serving as a means of expression that demonstrate the speaker's compatibility with existing governmental modes of precarisation. The result is a form of feminist activism unable to effectively demonstrate public critique or disobedience or direction towards other future possibilities.

Chapter Six:

Anxiety and the Future

6.1 Introduction

The previous chapter considered how the conduct of feminist activism is governed by the law in the present. The chapter analysed a network of twitter users who identified as feminists and identified within their tweets thematic categories about transactional sex and the law. Collectively these themes evidence a particular rationalisation of law by this strand of contemporary feminist activism, one which considers the law to not require further innovation to be feminist. As such, implicit within these expressions was an understanding that legal power is already a sufficient response to perceived problems of transactional sex. The chapter went on to consider why such expressions that assert the sufficiency of law are such a prevalent part of ‘doing feminist activism’ today. It argued that this behaviour should be understood as part of a particular paradigm of contemporary governmentality, one which Isabel Lorey identifies as relying on precarisation. Lorey posits that public displays of servility are efforts to exhibit the self as a governable subject and carried out due to anxiety of being exposed to insecurity. Thus, expressions that voice the law as sufficient were argued to be a particular display of such servility, a gesture that situates the feminist activist as compatible with and the custodian of extant legal regimes. The chapter concludes that as a result of these activities, this form of feminism is unlikely to render meaningful critique or practices of disobedience that depart from hegemonic socialities.¹

Faced with the evidence that an aspect of feminist activism is seeking to close off alternative futures through its relationships to the use of law, this chapter considers what forms of feminist counter-conduct exist that resist such contemporary governmental precarisation. It

¹ Isabel Lorey, *State of Insecurity: Government of the Precarious* (Verso Books 2015) 90.

analyses *Reclaim These Streets* (RTS) and *Sisters Uncut* (SU), whose responses to Sarah Everard's murder reveal contrasting relationships with the use of law which, I argue, shape how their protest activities demand to be governed *differently*.² The chapter structure proceeds in two parts. section 6.2 recalls the responses of RTS and SU to the murder of Sarah Everard from March to October 2021. Section 6.3 then proceeds to analyse these responses and presents the disparity between RTS and SU's respective understandings. It details this through a consideration of their differing understanding of governed-conduct at stake in their vigil, the way in which human rights can be used to secure alternative conduction, and what role law should have in the future of governing.

6.2 The Murder of Sarah Everard, Vigils, Legal Futures

This section recounts feminist activist responses to the murder of Sarah Everard from March to October 2021.³ It primarily draws on data collected from the publicly available social media pages of the organisations *Reclaim These Streets* (RTS) and *Sisters Uncut* (SU). The dataset also further includes examples of the wider discourse that surrounded Sarah Everard's murder, through reviewing media and parliamentary transcripts produced during this period that featured keywords related to Sarah Everard's murder. This chapter analyses these responses and argues that they reveal disparate comprehensions of shared precariousness, how conduct

² This chapter engages with sensitive and upsetting events. Sarah Everard's murder provoked a wide range of reactions, many of which were felt in acute and pronounced ways along gendered lines that my positionality as a researcher delimits me from experiencing. I contend and situate such responses as governed by a wider paradigm of governmentality, intending to call attention to the effects of such relationships. This account does not intend to dismiss the importance or question the legitimacy of such experiences or emotions, not in the least, because they do (and should) play a critical role in all social-movements and politics more broadly, see Sara Ahmed, *The Cultural Politics of Emotion* (Routledge 2007) 170.

³ This period of review was primarily defined through the time-limits of this research. Since the conclusion of my analysis of these events, there have been subsequent legal developments, namely: RTS successfully brought about a judicial review (*Leigh v the Commissioner of Police of the Metropolis* [2022] EWHC 527(Admin)) which ruled that the police's decision-making process and interventions were an unlawful interference with the activists' Article 10 (freedom of expression) and Article 11 (freedom of assembly and association) rights. Further, the discussed Police, Crime, Sentencing and Courts Bill received Royal Assent on 28 April 2022, and thus is now the Police, Crime, Sentencing and Courts Act 2022. These developments are material but, following an initial review, they do not significantly affect the overall argument advanced in this chapter regarding the disparate approaches of RTS and SU. I have provided additional footnotes and explanations in places where these developments provide further clarity and context but leave their substantive review as an opportunity for future research.

is understood to be gendered, and the boundaries between interpersonal and state violence. Superficially, this chapter marks a departure from the previous chapters of this thesis which focus on engagements with sex work as a distinct dimension of transactional sex. However, as the subsequent analysis demonstrates, the responses of RTS and SU reveal how these former engagements with the use of law increasingly situate wider discursive understandings of conduct in public space, sexual violence, and the compatibility of police in progressive feminist politics.

On 3 March 2021, Sarah Everard disappeared walking home to Brixton Hill from a friend's house in Clapham.⁴ She was abducted by Wayne Couzens, a serving Metropolitan Police officer from Kent, who did not know her.⁵ A witness of the kidnapping, and CCTV footage revealed that Couzens stopped and handcuffed Everard.⁶ This evidence was used to infer that Couzens had used his police credentials and equipment to assist in his abduction of Everard.⁷ Couzens was arrested on 9 March 2021, prior to the discovery of the remains of Everard's body on land he owned.⁸ When Couzens' was initially interviewed, he fabricated a story in an effort to partially exonerate himself, which drew on trafficking discourse.⁹ Couzens stated that he was coerced by a gang, which used a vehicle with 'Romanian plates' to abduct 'a girl'.¹⁰ Couzens alleged that the gang initially threatened him after he was unable to pay for sex.¹¹ He repeatedly stated his desire to defend his family from these fictitious threats. Couzens

⁴ 'Wayne Couzens Timeline: Footage Shows Movements before Murdering Sarah Everard' (*the Guardian*, 29 September 2021) <<https://www.theguardian.com/uk-news/2021/sep/29/wayne-couzens-timeline-footage-shows-movements-before-murdering-sarah-everard>> accessed 30 September 2022.

⁵ 'Sarah Everard: How Wayne Couzens Planned Her Murder', *BBC News* (30 September 2021) <<https://www.bbc.com/news/uk-58746108>> accessed 30 September 2022.

⁶ 'Wayne Couzens "Used Police ID and Handcuffs to Kidnap Sarah Everard"' (*the Guardian*, 29 September 2021) <<https://www.theguardian.com/uk-news/2021/sep/29/wayne-couzens-used-police-id-to-kidnap-sarah-everard-court-told>> accessed 30 September 2022.

⁷ *ibid.*

⁸ 'Wayne Couzens timeline' (n 4).

⁹ 'Wayne Couzens "used police ID and handcuffs to kidnap Sarah Everard"' (n 6).

¹⁰ 'Wayne Couzens timeline' (n 4).

¹¹ 'Wayne Couzens "used police ID and handcuffs to kidnap Sarah Everard"' (n 6).

maintained this story until he pled guilty of murder on 8 June 2021.¹²

The news of Sarah Everard's disappearance and murder resulted in an abundance of social media responses. Several news articles reported on these online-expressions, noting the frequency of testimonies from women concerned about their own experiences of sexual harassment, abuse, and being made to feel unsafe in public spaces.¹³ These articles also focused on the way that women are encouraged to conduct themselves because of these negative-experiences. The term *female hypervigilance* was notably used to describe these behaviours; describing an attitude in which women were encouraged to assume tactics and take responsibility for securing themselves from the threat of masculine-violence.¹⁴ It was widely reported that the Metropolitan Police was implicated in encouraging women to assume such attitudes of female hypervigilance by cautioning women in Clapham not to go out during their investigation.¹⁵ Articles frequently referred back to the facts of the murder, presenting an understanding that Sarah Everard had assumed the demands of this gendered-responsibilisation; she had done everything right.¹⁶ This was used to advance that one's safety

¹² 'PC Wayne Couzens Pleads Guilty to Kidnap and Rape of Sarah Everard' (*the Guardian*, 8 June 2021) <<http://www.theguardian.com/uk-news/2021/jun/08/pc-wayne-couzens-pleads-guilty-to-kidnap-and-of-sarah-everard>> accessed 30 September 2022.

¹³ Hannah Bows, 'Sarah Everard: Why Women Shouldn't Have to Risk Trading Their Freedom for Safety' (*The Conversation*, 16 March 2021) <<http://theconversation.com/sarah-everard-why-women-shouldnt-have-to-risk-trading-their-freedom-for-safety-157029>> accessed 30 September 2022; Carlie Porterfield, 'How Sarah Everard's Disappearance Sparked A Social Media Movement' (*Forbes*, 11 March 2021) <<https://www.forbes.com/sites/carlieporterfield/2021/03/11/how-sarah-everards-disappearance-sparked-a-social-media-movement/>> accessed 25 October 2021; 'Women's Safety: Smartphone Tips Shared Online', *BBC News* (12 March 2021) <<https://www.bbc.com/news/technology-56373292>> accessed 30 September 2022; 'Government Asks Women To Share Experiences Of Harassment And Abuse' (*HuffPost UK*, 12 March 2021) <https://www.huffingtonpost.co.uk/entry/sarah-everard-women-harassment-government_uk_604ba44ac5b65bed87da52bf> accessed 30 September 2022; 'Opinion: Sarah Everard's Disappearance Strikes a Chord with Every Woman' (*The Independent*, 11 March 2021) <<https://www.independent.co.uk/voices/sarah-everard-death-women-safety-night-b1815608.html>> accessed 30 September 2022.

¹⁴ 'Women Tell Men How to Make Them Feel Safe after Sarah Everard Disappearance' (*the Guardian*, 10 March 2021) <<http://www.theguardian.com/uk-news/2021/mar/10/women-tell-men-how-to-make-them-feel-safe-after-sarah-everard-disappearance>> accessed 30 September 2022.

¹⁵ 'Sarah Everard Missing: Women in Clapham Area "told to Be Careful and Not Go out Alone" - MyLondon' (8 March 2021) <<https://www.mylondon.news/news/south-london-news/sarah-everard-missing-women-clapham-19992681>> accessed 30 September 2022.

¹⁶ 'Women tell men how to make them feel safe after Sarah Everard disappearance' (n 14).

could not be secured through self-conduct alone.

On 10 March 2021, a vigil was proposed which would take place on Clapham Common on 13 March 2021, entitled ‘Reclaim These Streets’.¹⁷ Over the following days, *Reclaim These Streets* (RTS) became the name the organisers of the vigil used to refer to themselves.¹⁸ RTS describe themselves as a ‘volunteer collective’, initially formed of 9 women, including Labour Councillors, Jess Leigh and Anna Birley, chair of London Young Labour, Henna Shah, and marketing director, Jamie Klingler.¹⁹ The social media event, published by RTS, contained text that reiterated many of the previously noted concerns about the unfairness of women’s responsibilisation.²⁰ The event states the belief that ‘streets should be safe for all women’ and that there was a need for this to be irrespective of women’s conduct.²¹ The event post clearly acknowledged that ‘women are not the problem’ and that it is ‘wrong that the response to violence against women requires women to behave differently.’²² The vigil was identified to be for Sarah Everard, as well as for ‘all of the women who go missing from our streets and who face violence every day... all women who feel unsafe, all women who feel angry’.²³ The need for ‘the journey home’ to be safe is a central image drawn upon in the text. The event was self-described as both ‘a vigil and a protest’²⁴ whilst an RTS organiser would later contend that everything they published stated that it was solely the former.²⁵

¹⁷ Reclaim These Streets, ‘Reclaim These Streets’ (11 March 2021) <<https://web.archive.org/web/20210311182731/https://www.facebook.com/events/338249534275512/>> accessed 30 September 2022.

¹⁸ Reclaim These Streets, ‘ReclaimTheseStreets Judgment Now in: Ruling Confirms Law Does Not Prevent Protest in All Circumstances’ (*Reclaim These Streets*, 12 March 2021) <<https://reclaimthesestreets.com/2021/03/reclaimthesestreets-judgment-now-in-ruling-confirms-law-does-not-prevent-protest-in-all-circumstances/>> accessed 27 October 2021.

¹⁹ *Leigh & Ors v The Commissioner of the Police of The Metropolis* [2021] EWHC 661 (EWHC).

²⁰ *ibid.*

²¹ Reclaim These Streets, ‘Reclaim These Streets’ (n 17).

²² *ibid.*

²³ *ibid.*

²⁴ *ibid.*

²⁵ *Policing and organisation of vigils relating to the safety of women in public places: Hearing before the Home Office Parliamentary Committee* (UK England and Wales) Q7.

At the time of the proposed date of the vigil, London was designated a ‘Tier 4’ area with respect to the Coronavirus Restrictions.²⁶ Obtaining permission to hold the vigil from authorities was an early priority for RTS. Tweets from both the collective and individual organisers noted their intention to work with the council and police ‘to ensure the event could safely and legally take place’.²⁷ On 11 March, RTS issued a statement noting that they had been informed by the Metropolitan Police that the vigil would be ‘unlawful’.²⁸ RTS further noted that, as a result, they individually ‘could face tens of thousands of pounds in fines and criminal prosecution under the Serious Crimes Act’.²⁹ The statement notes that they have taken advice from ‘a group of human rights lawyers’ who believed the Metropolitan Police to be ‘wrong in their interpretation of the law and that socially distant, outdoor gatherings of this kind are allowed under the current lockdown regulations, when read together with the Human Rights Act’.³⁰ Tweets earlier that day, show RTS communicating with lawyer Adam Wagner who would go on to form part of their legal counsel.³¹ Wagner had previously tweeted to express interest in how the vigil would be responded to by the Metropolitan Police, stating that they ‘seem to have been treating protest as essentially banned’ which he considered to be a misinterpretation of their statutory authority.³² Wagner posited that protest was itself a ‘reasonable excuse’, a defence within the lockdown

²⁶ The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020.

²⁷ Georgina Laud, ‘Reclaim These Streets Cancelled: Why Has Sarah Everard Vigil Been Cancelled?’ (*Express.co.uk*, 13 March 2021) <<https://www.express.co.uk/news/uk/1409346/reclaim-these-streets-cancelled-clapham-why-sarah-everard-vigil-cancelled-evg>> accessed 27 October 2021.

²⁸ Reclaim These Streets, ‘Urgent Update: Police Want to Pull the Vigil’ (*Reclaim These Streets*, 11 March 2021) <<https://reclaimthesestreets.com/2021/03/urgent-update-police-want-to-pull-the-vigil/>> accessed 27 October 2021.

²⁹ *ibid.*

³⁰ *ibid.*

³¹ Reclaim These Streets, ‘@AdamWagner1 Adam, Can You Follow Back so We Can DM? Thanks!’ (@ReclaimTS, 11 March 2021) <<https://twitter.com/ReclaimTS/status/1369954000464994307>> accessed 27 October 2021.

³² Adam Wagner, ‘Interested to See How the @metpoliceuk Police this. In the Current Lockdown They Seem to Have Been ‘Treating Protest as Essentially Banned. I Think that is Legally Wrong. Outdoor Socially Distanced Protest Should Be Permitted under the Covid Regulations.’ (@AdamWagner1, 11 March 2021) <<https://twitter.com/AdamWagner1/status/1369917786936516614>> accessed 27 October 2021.

regulations.³³

On 12 March 2021, RTS sought urgent interim relief from the High Court.³⁴ The organisation's legal team did not request a ruling on the legality of their particular proposed protest, but rather sought three declarations from the court:

"(a) Schedule 3A to the All Tiers Regulations 2020 insofar as it prohibits outdoor gatherings, is subject to the right to protest protected by the Human Rights Act 1998;

(b) the Metropolitan Police Service's policy prohibiting all protests irrespective of the specific circumstances is, accordingly, erroneous in law;

(c) persons who are exercising their right to protest in a reasonable manner will have a reasonable excuse for gathering under that schedule."³⁵

With respect to declaration (a), Justice Holgate stated that this point had already been confirmed in existing legal rulings, namely *R (on the application of Dolan) v Secretary of State for Health and Social Care*³⁶ and *DPP v Ziegler*,³⁷ and that he did not wish to 'incapsulate in an interim declaration what has been said more clearly by others in reserved judgment'.³⁸ In summary, these cases confirmed the need for a proportionality test to be carried out by the police to ensure their proposed actions (the cancellation of the vigil) did not extend beyond what was necessary to achieve their intended objective with respect to public health. In regard to (b), Justice Holgate considered a blanket ban to thus be unlawful but was not prepared to

³³ Adam Wagner, 'That Socially Distanced Outdoor Protest (Does Not Pose Significant Risk in Public Health Terms) is Lawful as It Would Be a "Reasonable Excuse" and Therefore a Defence to Breaking the Gathering Rule. Regulations Here - this is Not Legal Advice! <https://t.co/2fqxxQAwEV> (3/3)' (@AdamWagner1, 11 March 2021) <<https://twitter.com/AdamWagner1/status/1369925042566541313>> accessed 27 October 2021.

³⁴ *Leigh & Ors v The Commissioner of the Police of The Metropolis* [2021] EWHC 661.

³⁵ *ibid* [18].

³⁶ [2020] EWCA Civ 1605.

³⁷ [2020] QB 253.

³⁸ *Leigh & Ors v The Commissioner of the Police of The Metropolis* (n 19) [20-21].

comment authoritatively on whether the Metropolitan Police held such a policy.³⁹ He noted that the Metropolitan Police had denied a blanket ban as part of their defence.⁴⁰ Finally, Justice Holgate refused to make declaration (c), believing it to be an overextension of the *Dolan* principle and an understatement of the law.⁴¹ Justice Holgate believed that (c) would give the impression that participation in any protest would have a reasonable excuse, so long as those involved behaved in ‘a reasonable manner’ and this ‘would lead to false expectations on the part of members of the public.’⁴²

Despite the judgement not affirming all the interim declarations sought, both RTS and their legal representatives publicly claimed the ruling a success.⁴³ RTS stated, ‘the Judge has confirmed we were right... Because of this ruling, protest during the Coronavirus pandemic is now potentially lawful in England.’⁴⁴ Wagner tweeted that ‘The position now, because of the ruling, is protest can in principle be lawful and it is up to the police to assess the proportionality’.⁴⁵ Following the judgement, RTS continued their discussions with the police, seeking to secure endorsement for the event. RTS tweeted that they were seeking to ‘confirm how the event can proceed in a way that is proportionate and safe – our number 1 priority’.⁴⁶

At 7.58am 13 March 2021, RTS published a statement which indicated that the organisers

³⁹ *ibid* [22].

⁴⁰ *ibid*.

⁴¹ *ibid* [23].

⁴² *ibid*.

⁴³ Reclaim These Streets, ‘ReclaimTheseStreets judgment now in’ (n 18).

⁴⁴ *ibid*.

⁴⁵ Adam Wagner, ‘Have to Log out but this is the Point: At 3pm Today Every Police Force in England Was Saying Protest Could Never Be Lawful under Covid Regs. The Position Now, Because of the Ruling, is Protest Can in Principle Be Lawful and It is up to the Police to Assess the Proportionality’ (@AdamWagner1, 12 March 2021) <<https://twitter.com/AdamWagner1/status/1370450075449708544>> accessed 27 October 2021.

⁴⁶ Reclaim These Streets, ‘We Are Really Pleased with the Outcome from this Judgment. The Met Conceded We Are Right on the Law and Protest is Not Banned per Se. We Are Now in Discussions with the Met to Confirm How the Event Can Proceed in a Way that is Proportionate and Safe - Our Number 1 Priority’ (@ReclaimTS, 12 March 2021) <<https://twitter.com/ReclaimTS/status/1370458551362187272>> accessed 27 October 2021.

were unable to reach agreement with the police and that the vigil would not go ahead.⁴⁷ In the statement RTS noted their efforts to make ‘suggestions... to accommodate police concerns – as well as asking the police for their own suggestions’.⁴⁸ The organisers further phrased their efforts in the language of the judgement, noting that they sought an outcome which ‘applies proportionality... an appropriate balance between our right as women to freedom of assembly and expression with the regulations set out in Covid regulations’.⁴⁹ They noted that despite their successes in the court judgement, that the gathering may place attendees legally at risk and that they would not be present to provide covid safeguards.⁵⁰ RTS further strongly discouraged others from attending in their absence.⁵¹

Within the statement, RTS acknowledge the possibility of ‘pressing ahead’ with the demonstration, but justified their decision to not pursue this course of action as it would expose the organisers to potential fines.⁵² They further suggest that paying these fines through crowdfunding would be ‘a poor use of our and your money’.⁵³ RTS also argue that these funds would contribute to a system ‘that consistently fails to keep women safe – either in public spaces or in the privacy of their homes. Women’s rights are too important.’⁵⁴ In a subsequent inquiry into the vigil events, Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) report that the organisers were anxious regarding ‘consequences of a criminal conviction’ and that securing the organisers’ immunity from

⁴⁷ Reclaim These Streets, ‘Update: Clapham Vigil Cancelled and Fundraising for Women’s Causes’ (*Reclaim These Streets*, 13 March 2021) <<https://reclaimthesestreets.com/2021/03/update-clapham-vigil-cancelled-and-fundraising-for-womens-causes/>> accessed 27 October 2021.

⁴⁸ *ibid.*

⁴⁹ *ibid.*

⁵⁰ *ibid.*

⁵¹ *ibid.*

⁵² *ibid.*

⁵³ *ibid.*

⁵⁴ *ibid.*

prosecution was a priority.⁵⁵ The report suggests that their inability to secure this immunity was a deciding factor in the vigil ultimately being cancelled.⁵⁶ Following their withdrawal from organising the vigil, RTS' activities pivoted towards fundraising for women's causes; later in the morning, at 10.53am, they announced 'a doorstep vigil' to be held at 9.30pm that evening.⁵⁷ At 3.50pm they further announced their participation in a virtual event hosted by *Feminists of London*.⁵⁸

Sisters Uncut (SU), announced at 8.54am:

"We will still be attending tonight's event in memory of #SarahEverard and all those killed by gendered and state violence. We hope you do too. See you at Clapham Common at 6pm. #ReclaimTheseStreets"⁵⁹

Sisters Uncut went on to post safety advice, regarding both covid and engaging with the police, noting that *Green & Black Cross* would be providing legal observers.⁶⁰ Throughout the day SU confirmed their attendance and encouraged others to 'bring your sadness and your rage.'⁶¹

⁵⁵ Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services, 'The Sarah Everard Vigil - An Inspection of the Metropolitan Police Service's Policing of a Vigil Held in Commemoration of Sarah Everard on Clapham Common on Saturday 13 March 2021' (30 March 2021).

⁵⁶ *ibid* "The police did agree that a vigil that was spread out in time and location might not comprise a gathering under the All Tiers Regulations. But the sticking point was the organisers' request for a guarantee of immunity from prosecution."

⁵⁷ Reclaim These Streets, 'This Evening at 9:30pm We Will Be Joining People around the Country in a Doorstep Vigil, Standing on Our Doorsteps and Shining a Light – a Candle, a Torch, a Phone – to Remember Sarah Everard and All Women Affected by and Lost to Violence. #ReclaimTheseStreets <https://t.co/C7BoBuQtZ>' (@ReclaimTS, 13 March 2021) <<https://twitter.com/ReclaimTS/status/1370689530081214465>> accessed 27 October 2021.

⁵⁸ Reclaim These Streets, 'We Will Be Joining Feminists of London's Virtual Event at 6:00pm this Evening, Livestreamed Online to Our YouTube Channel. The Event Will Feature Speakers @sanditoksvig, @BellRibeiroAddy, @DeborahFW, @ManduReid, @jamiengklingler with Readings and Contributions from the Community.' (@ReclaimTS, 13 March 2021) <<https://twitter.com/ReclaimTS/status/1370764134728470530>> accessed 27 October 2021.

⁵⁹ Sisters Uncut, 'We Will Still Be Attending Tonight's Event in Memory of #SarahEverard and All Those Killed by Gendered and State Violence. We Hope You Do Too. See You at Clapham Common at 6pm. #ReclaimTheseStreets' (@SistersUncut, 13 March 2021) <<https://twitter.com/SistersUncut/status/1370659626241376256>> accessed 27 October 2021.

⁶⁰ Sisters Uncut, 'SAFETY: Arrive & Leave with a Friend. Follow @GBCLegal's 5 Key Messages, and Importantly: Don't Speak with the Police! They Will Be Trying to Gather Information on Attendees. You Do NOT Need to Give Personal Details, Legal Observers Will Be around to Inform You on Your Rights.' (@SistersUncut, 13 March 2021) <<https://twitter.com/SistersUncut/status/1370752552413892610>> accessed 27 October 2021.

⁶¹ Sisters Uncut, '@ReclaimTS To All Those Still Thinking of Heading to Clapham Common at 6pm Tonight: We Will Be There! Please Bring Your Sadness and Your Rage.' (@SistersUncut, 13 March 2021) <<https://twitter.com/SistersUncut/status/1370661314880811010>> accessed 27 October 2021.

Emotion and defiance were repeated themes in these expressions and calls to action. One tweet noted, 'We are angry. We will not be controlled. We will not be silenced. See you in Clapham at 6. #ReclaimTheseStreets'.⁶² In a press release SU declared, 'We will not be silenced, we will not ask permission, we will not be told what to do by violent men.'⁶³ SU statements throughout the day articulated an understanding of male violence as extremely prevalent but also a multifaceted issue. They noted the pervasiveness of its effects upon people within their own homes, but also objected to police and prisons as 'individually and systemically violent to all people, especially women and gender non-conforming people.'⁶⁴ In a Facebook event organised for the vigil, *Sisters Uncut* state:

'We refuse to obey orders and we stand in solidarity with everyone impacted by gendered violence. Sisters Uncut is led by survivors of gendered violence - we are women (trans, intersex and cis), nonbinary, agender and gender variant. We are working class, people of colour, migrants, sex workers, disabled and queer... We recognise that this violence is not the same for everyone, and that the cops don't keep us safe'⁶⁵

Sisters Uncut thus identify as being comprised of those directly affected by gendered violence, but also recognise that specificities of identity contour or intersect upon such experiences in distinct ways. SU further state specific objections to police conduct,⁶⁶ such as police photographing themselves with the bodies of black women, Nicole Smallman and Bibaa

⁶² Sisters Uncut, 'We Are Angry. We Will Not Be Controlled. We Will Not Be Silenced. See You in Clapham at 6. #ReclaimTheseStreets' (@SistersUncut, 13 March 2021)

<<https://twitter.com/SistersUncut/status/1370663466101530627>> accessed 27 October 2021.

⁶³ Sisters Uncut, 'PRESS RELEASE: We Will Not Be Silenced, We Will Not Ask Permission, We Will Not Be Told What to Do by Violent Men.' (@SistersUncut, 13 March 2021)

<<https://twitter.com/SistersUncut/status/1370726043884093440>> accessed 27 October 2021.

⁶⁴ Sisters Uncut, 'Every 3 Days, a Woman is Killed by a Partner or Ex-Partner. The Police and Prisons Are Individually and Systemically Violent to All People, Especially Women and Gender Non-Conforming People.' (@SistersUncut, 13 March 2021) <<https://twitter.com/SistersUncut/status/1370726383610167297>> accessed 27 October 2021.

⁶⁵ 'Sisters Reclaiming These Streets! We Will Not Be Silenced!'

(<[https://www.facebook.com/events/289437029268960/?context=%7B%22event_action_history%22%3A\[%7B%22surface%22%3A%22page%22%7D\]%7D](https://www.facebook.com/events/289437029268960/?context=%7B%22event_action_history%22%3A[%7B%22surface%22%3A%22page%22%7D]%7D)> accessed 27 October 2021.

⁶⁶ Sisters Uncut, 'PRESS RELEASE: We will not be silenced, we will not ask permission, we will not be told what to do by violent men' (n 63).

Henry, and sharing the images in a WhatsApp group.⁶⁷ SU further noted the pervasiveness of police officers involvement in domestic and sexual violence, their repeated arrest of survivors of domestic violence, and noting that only 1.4% of sexual violence cases are prosecuted.⁶⁸ These communications thus further contextualise the vigil as a protest, noting the instruction from the police 'to stay at home' demonstrates the lack of progress in police responses since the Yorkshire Ripper and the *Reclaim the Night* marches of the 1970s.⁶⁹ As the SU statement summarised: 'Women and gender non-conforming people aren't safe in our homes, and we aren't safe on the streets. We have a right to protest this violence.'⁷⁰

The vigil attracted thousands of attendees throughout the day. Whilst initial policing was reportedly non-confrontational, at 7.05pm SU tweeted that police had stormed the bandstand.⁷¹ In this tweet they further noted that 'We do NOT answer to violent men' and provided advice regarding rights and how to engage with the police.⁷² SU tweets from the vigil noted how the police were manhandling women, threatening and intimidating those in the crowd.⁷³ RTS' tweets throughout the day repeatedly discouraged people from attending the Clapham vigil in person and did not discuss the ongoing demonstrations.⁷⁴ However, at

⁶⁷ 'Wembley Park Murders: PCs "Took Selfies next to Sisters" Dead Bodies', *BBC News* (26 June 2020) <<https://www.bbc.com/news/uk-england-london-53198702>> accessed 13 October 2021.

⁶⁸ Sisters Uncut, 'PRESS RELEASE: We will not be silenced, we will not ask permission, we will not be told what to do by violent men' (n 63).

⁶⁹ 'Sisters Reclaiming These Streets! We will not be silenced!' (n 65).

⁷⁰ Sisters Uncut, 'Women and gender non-conforming people aren't safe in our homes, and we aren't safe on the streets. We have a right to protest this violence.' (@SistersUncut, 13 March 2021) <<https://twitter.com/SistersUncut/status/1370726384922980360>> accessed 27 October 2021.

⁷¹ Sisters Uncut, 'As soon as the sun went down, police stormed the bandstand. We do not answer to violent men. Stay safe. Know your rights: -"no comment" if cops talk to you. - if police ask you to do anything, ask "am I legally obliged to?" - if they say yes, ask "under what power?"' (@SistersUncut, 13 March 2021) <<https://twitter.com/SistersUncut/status/1370813368420995082>> accessed 26 October 2021.

⁷² *ibid.*

⁷³ Sisters Uncut, 'Tonight, thousands of women came to clapham common to grieve the death of a woman - allegedly murdered by a male police officer. Tonight, metropolitan police officers waited for the sun to set before they started grabbing and manhandling women in the crowd.' (@SistersUncut, 13 March 2021) <<https://twitter.com/SistersUncut/status/1370866731762221059>> accessed 27 October 2021.

⁷⁴ Reclaim These Streets, 'As the event has now been cancelled we would strongly encourage people not to gather on Clapham Common this evening. We hope people will instead shine a light to remember Sarah eEverard and all women lost to violence on their doorsteps at 9.30pm tonight. #ReclaimTheseStreets <https://t.co/8uiIMjv43F>' (@ReclaimTS, 13 March 2021) <<https://twitter.com/ReclaimTS/status/1370785570209857538>> accessed 27 October 2021.

23.11 pm, they released a statement which acknowledged that alternative demonstrations did take place and noted:

“We and women across the country are deeply saddened and angered by the scenes of police officers physically manhandling women at a vigil against male violence.”⁷⁵

The remainder of this statement notes the failure of the Metropolitan Police to collaborate with RTS to enable them to organise the vigil. They state that ‘they [the Metropolitan Police] created a risky and unsafe situation... they could’ve been working with us to ensure the vigil went ahead in a safe way... They had an opportunity – and a responsibility to work with us safely and within the law’⁷⁶

The visibility of police violence at the event was widely reported on in the news media.

Despite not attending the Clapham vigil, RTS were extensively engaged in the media coverage that followed and frequently cited as the sole representatives of the campaign.⁷⁷ Co-founder of RTS, Anna Birley, appeared in front of the Clapham Common bandstand the following morning to the vigil, providing an interview to *Good Morning Britain*. Birley noted that it was ‘incredibly disappointing that all of those women attending the vigil that we’d cancelled on Saturday were put at risk because the Met Police were unwilling to work with us to find a safe way to hold an event.’⁷⁸ Asked whether she thought the Metropolitan Police Commissioner, Cressida Dick, should resign as a result, Birley responded:

⁷⁵ Reclaim These Streets, ‘Breaking: Statement from Reclaim These Streets on Tonight’s Vigil in Clapham’ (*Reclaim These Streets*, 13 March 2021) <<https://reclaimthesestreets.com/2021/03/breaking-statement-from-reclaim-these-streets-on-tonights-vigil-in-clapham/>> accessed 27 October 2021.

⁷⁶ *ibid.*

⁷⁷ A review of 70 news articles from 14 and 15 March, reveal that Reclaim These Streets were referenced in 27% of news articles covering the events. This was almost five times as frequently as Sisters Uncut (6%).

⁷⁸ Good Morning Britain, ‘Vigil Organiser Anna Birley Tells @CharlotteHawkins of Her Disappointment over the Met Police’s ‘unwillingness to Work with Them to Hold the Event. Amid Calls for Metropolitan Police Commissioner Dame Cressida Dick to Resign, Anna Says She Doesn’t Believe She Should Step down’ (*gmb*, 15 March 2021) <<https://twitter.com/gmb/status/1371349048192552960>> accessed 27 October 2021.

‘No, we’ve not called on commissioner Dick to resign. We are a movement of women seeking to support and empower other women. And as one of the most senior women in British policing history, we do not want to sort of add to the pile on.’⁷⁹

The following day, another co-founder of RTS, Jamie Klinger reiterated the groups’ objective was not ‘putting a head on a stake’ and stated ‘I genuinely envisioned that police officers would be standing side-by-side with us having been devastated by last week’s news.’⁸⁰ On March 16 2021, Klinger reversed her opinion on this matter following a meeting between RTS with Cressida Dick.⁸¹ During the period of this research, RTS subsequently issued two communications calling for Dick to resign, first on August 3 2021, following reports of hundreds of Metropolitan Police officers being accused of sexual misconduct,⁸² and second on September 9 2021, following news of the likely extension of Dick’s tenure as commissioner.⁸³

In the aftermath of the vigil, SU went on to expressly connect the abuse of policing powers to the then proposed *Police, Crime, Sentencing and Courts Bill* (the Policing Bill 2021), contending that this legislation would extend state violence against women.⁸⁴ They also called for Dick’s

⁷⁹ *ibid*

⁸⁰ George Martin, ‘Sarah Everard Vigil Group Say Cressida Dick’s Resignation Would Not Alter “Systemic Misogyny”’, *Inews.co.uk* (15 March 2021) <<https://inews.co.uk/news/uk/sarah-everard-vigil-cressida-dick-resignation-systemic-misogyny-met-police-914002>> accessed 1 October 2021.

⁸¹ Tilly Armstrong, ‘“I Want Her out”: Sarah Everard Vigil Organiser Calls for Cressida Dick’s Resignation’, *Mail +* (16 March 2021) <<https://www.mailplus.co.uk/edition/news/crime/58986/i-want-her-out-sarah-everard-vigil-organiser-calls-for-cressida-dicks-resignation>> accessed 27 October 2021.

⁸² Reclaim These Streets, ‘This Makes for a Sickening Read. Cressida Dick Should Take Responsibility & Resign. On Her Watch Officers Shared Images of Bibaa & Nicole. On Her Watch an Officer Killed Sarah. On Her Watch 160 Officers Accused of Sexual Misconduct. This Toxic Culture Comes from the Top. Enough.’ (@ReclaimTS, 8 March 2021) <<https://twitter.com/ReclaimTS/status/1422482328383787008>> accessed 27 October 2021.

⁸³ Reclaim These Streets, ‘Ngozi Fulani from @Sistah_Space Hit the Nail on the Head on Newsnight - It’s Time for Cressida Dick to Step down. Anything Less is a Betrayal to Women and Families Who Have Been Impacted by Police Misconduct’ (@ReclaimTS, 10 September 2021)

<<https://twitter.com/ReclaimTS/status/1436102439661457410>> accessed 27 October 2021.

⁸⁴ Sisters Uncut, ‘The Police Abuse the Powers They Already Have - and yet the Government Plans to Give Them Even More Powers in the Police, Crime, Sentencing and Courts Bill. This is Dangerous. This Will Lead to Even More State Violence against Women. This Bill MUST Be Stopped.’ (@SistersUncut, 13 March 2021) <<https://twitter.com/SistersUncut/status/1370884213516406785>> accessed 27 October 2021

immediate resignation:

“Cressida Dick represents a particular type of authoritarian policing, which we can see most recently in the actions of the police under her orders this weekend and as far back as 2005 when she headed the operation which led to the fatal shooting of Jean Charles de Menezes, and so her resignation now is essential.”⁸⁵

SU proceeded to organise and co-organise several protests over the following days that linked these events and the need to contest the extension of police powers. These protest events included ‘No More Police Powers - vigil at New Scotland Yard’,⁸⁶ and ‘#KillTheBill - Online Meeting’ to encourage further collaboration in protest efforts.⁸⁷ Speakers at the events included the sex-worker led organisation SWARM (Sex Worker Advocacy and Resistance Movement), once again emphasising a recognition of the disparate ways in which police and gender-based violence affect different groups.

Following the vigil RTS directed their complaint towards the leadership of the Metropolitan Police. In an open letter to Cressida Dick, RTS expressed that they were ‘exceedingly disappointed’ following the Met’s decision to issue a statement without ‘speaking with or meeting organisers at Reclaim These Streets’.⁸⁸ In this correspondence, RTS reiterates the appropriateness of its own behaviour, noting the organisers proactive efforts to reach out to the police and that they had ‘only ever sought to be constructive, and to work with your force’.⁸⁹ RTS retain a sympathetic tone, acknowledging the ‘unprecedented challenges for the

⁸⁵ Martin (n 80).

⁸⁶ Sisters Uncut, 'No More Police Powers - Vigil at New Scotland Yard' (14 March 2021) <https://www.facebook.com/events/278831997208048/?acontext=%7B%22event_action_history%22%3A%7B%22surface%22%3A%22page%22%7D%7D> accessed 27 October 2021.

⁸⁷ Sisters Uncut, '#KillTheBill - Online Meeting' (18 March 2021) <https://www.facebook.com/events/264952468571536/?acontext=%7B%22event_action_history%22%3A%7B%22surface%22%3A%22page%22%7D%7D> accessed 27 October 2021.

⁸⁸ Reclaim These Streets, 'An Open Letter to Cressida Dick' (*Reclaim These Streets*, 14 March 2021) <<https://reclaimthesestreets.com/2021/03/an-open-letter-to-cressida-dick/>> accessed 27 October 2021.

⁸⁹ *ibid.*

police’ during the pandemic and lack of clarity offered from government.⁹⁰ During the Home Affairs Committee inquiry into ‘Policing and organisation of vigils relating to the safety of women in public places’, Anna Birley confirmed that RTS had ‘a good relationship with our local [Lambeth] police’.⁹¹ Birley suggested that issues emerged when ‘it clearly went up a rung in the hierarchy of the Met Police’.⁹² Birley went on to note that RTS were involved in ongoing and regular meetings with police representatives ‘to discuss how we champion women’s safety going forwards and address some of that loss of trust.’⁹³

On the 16 March 2021, RTS articulated an advocacy position, which they delivered as a list of ‘key asks’ to the Mayor of London:

- ‘ I. A Violence Against Women and Girls strategy for London that is co-owned by the Metropolitan Police, with meaningful funding behind it and a commitment to record misogyny as a hate crime.
- II. A ring-fenced fund for specialist domestic and sexual violence organisations led by Women of Colour, to enable them to access the money they need to protect all women in the capital.
- III. For the Mayor to back calls to criminalise street sexual harassment.
- IV. To demand Commissioner Cressida Dick commit to training for every police officer in the Metropolitan Police on misogyny, sexism and meaningful anti-racism training delivered locally.’⁹⁴

With respect to the then proposed Policing Bill 2021, RTS describe its potential effects as

⁹⁰ *ibid.*

⁹¹ *Policing and organisation of vigils relating to the safety of women in public places* (n 25) Q1.

⁹² *Good Morning Britain* (n 78).

⁹³ *Policing and organisation of vigils relating to the safety of women in public places* (n 25).

⁹⁴ Reclaim These Streets, ‘Met Commissioner Cressida Dick and Mayor of London Meet Reclaim These Streets’ (*Reclaim These Streets*, 16 March 2021) <<https://reclaimthesestreets.com/2021/03/met-commissioner-cressida-dick-and-mayor-of-london-meet-reclaim-these-streets/>> accessed 27 October 2021.

‘troubling’ but issued few expressions about it as part of their advocacy.⁹⁵ RTS tweeted once to encourage to their followers to sign a petition organised by Liberty ‘to scrap damaging proposals’ contained within the Policing Bill 2021.⁹⁶ They also made reference to the Policing Bill 2021 in their announcement that they would continue to pursue litigation against the Met’s decision to forbid the vigil.⁹⁷ They suggest that this would set a ‘compelling precedent for protest rights at a time when they are under attack’ and expressly link this to the proposed extension of police powers to the Policing Bill 2021.⁹⁸

In contrast, RTS has also encouraged its followers to support amendments to the Policing Bill 2021 proposed by the MP Harriet Harman.⁹⁹ These amendments do not concern the right to assemble or the conduct of protest, but instead sought to criminalise ‘harassment in a public place’ and ‘kerb-crawling’.¹⁰⁰ Public communications about the need for these amendments were repeatedly connected to Sarah Everard’s case. However, despite Wayne Couzens connections to the police, the proposed measures against harassment expressly contain measures that would offer potential protection for police officers from its provisions.¹⁰¹ For example, the kerb-crawling provisions criminalise conduct which amounts to harassment in such manner or in such circumstances as likely to cause ‘annoyance, alarm,

⁹⁵ Reclaim These Streets, ‘This Amendment is Part of the Policing Bill Which Contains Deeply Troubling Proposals to Curb Protest Rights and Give Police More Powers. We Strongly Believe in the Right to Protest, Which is Why We’re Taking the Police to Court to Set Legal Precedents that Help Protect It’ (@ReclaimTS, 22 June 2021) <<https://twitter.com/ReclaimTS/status/1407306454751535106>> accessed 27 October 2021.

⁹⁶ Reclaim These Streets, ‘And Why We’re Also Encouraging People to Sign @libertyhq’s Petition Calling on the Home Secretary to Scrap Damaging Proposals in the Police Crime Sentencing and Courts Bill Including Those Which Threaten Freedom of Expression and Assembly <https://t.co/2NqOd3DMGQ>’ (@ReclaimTS, 22 June 2021) <<https://twitter.com/ReclaimTS/status/1407306456915976195>> accessed 27 October 2021.

⁹⁷ Reclaim These Streets, ‘Defending Our Right to Protest’ (*Reclaim These Streets*, 30 May 2021) <<https://reclaimthesestreets.com/2021/05/defending-our-right-to-protest/>> accessed 27 October 2021

⁹⁸ Reclaim These Streets, ‘Defending Our Right to Protest and Reclaim These Streets’ (*CrowdJustice*, 9 July 2021) <<https://www.crowdjustice.com/case/defending-our-right-to-protest/>> accessed 27 October 2021.

⁹⁹ ‘Help Change the Law to Make Harassment of Women and Kerb Crawling Illegal’ (*Reclaim These Streets*, 22 June 2021) <<https://reclaimthesestreets.com/endstreetharassment/>> accessed 27 October 2021 .

¹⁰⁰ Harriet Harman and others, ‘Police, Crime, Sentencing and Courts Bill, As Amended (House of Commons, Amendment Paper)’ (2 July 2021) NC1 - NC2, Harman also supported other amendments to this bill that would have introduced the Nordic Model into effect (NC44-NC48). These amendments did not pass the third reading.

¹⁰¹ *ibid* NC1 (4).

distress, or nuisance to any other person.¹⁰² Commentary that surrounded the need for the new offense, consistently juxtaposed the disparate situations of sex-workers and school children under current legislation.¹⁰³ For instance, Harman speaking in the context of Sarah Everard's murder and the police's response to the vigil, repeatedly evokes the image of the 'schoolgirl':

'I mean it is odd isn't it that if a man kerb-crawls because he's looking to buy sex, if he's kerb-crawling for prostitution and interferes with the neighbourhood, that is a criminal offence, but if a man is kerb crawling a schoolgirl and leering at her, and calling her to get into his car, that is not an offence and that should change... If a girl was able to take a picture of a number plate on her phone when she was being kerb crawled... kerb crawling a schoolgirl, it would stop.'¹⁰⁴

RTS repeats this line in its call for support to the amendments stating:

'It is only an offence if a man is seeking a prostitute, seeking to buy sex, but not, for example, to kerb-crawl a girl home from school. That is terrifying...'¹⁰⁵

The amendments failed to pass readings in the House of Commons, and despite Lord Falconer of Thoroton's efforts to reintroduce it as an amendment during the bill's committee stage in the House of Lords,¹⁰⁶ does not form part of the Police, Crime, Sentencing and Courts Act 2022.

¹⁰² *ibid* NC2 (1).

¹⁰³ Hansard, UK Parliament, 'Police, Crime, Sentencing and Court Bill' (5 July 2021) <<https://hansard.parliament.uk/Commons/2021-07-05/debates/AEACEFEC-B63D-4102-86AC-E05A32CA8396/PoliceCrimeSentencingAndCourtBill>> accessed 27 October 2021.

¹⁰⁴ 'This Morning, 'How Can the Government Make Women Safer in the Wake of #ReclaimTheseStreets?' (15 March 2021) <<https://www.youtube.com/watch?v=h0raLrZ8a3M>> accessed 27 October 2021.

¹⁰⁵ 'Help change the law to make harassment of women and kerb crawling illegal' (n 99).

¹⁰⁶ The amendment 284 was withdrawn (HL Deb The Police, Crime, Sentencing and Courts HC Bill, 20 October 2021 815).

6.3 Counter-Conducts of The Government of Gender

This section analyses the responses of SU and RTS, as outlined above, as examples of *counter-conduct*. Recalling briefly, counter-conduct was summarised in Chapter Two as a ‘wanting to be conducted differently’.¹⁰⁷ It is a refusal of the premise for the need of conduct elicited through governmentality, as well as an identification of how one could conduct oneself and others differently.¹⁰⁸ Counter-conduct often appears as an apparent questioning of: ‘By whom do we consent to be directed or conducted? How do we want to be conducted? Towards what do we want to be led?’¹⁰⁹ Counter-conduct is a specific dimension of struggle, one which targets the processes implemented for conducting others. This distinguishes its form and objective to other types of resistance, such as struggles against the exercise of power as sovereignty or economic exploitation. Nevertheless, counter-conduct is ‘never autonomous’ and remains connected to these other problems.¹¹⁰

Analysing RTS and SU as counter-conduct, focuses this analysis on the ways the respective organisations understand contemporary government to operate, as well as their own alternative rationalisations that inform the ways that they seek to be governed differently.¹¹¹ From an overview, we can already notice certain similarities in the responses outlined above, with both RTS and SU involving an objection to the way in which women’s conduct is performed, experienced, and expected. They both, for example, reject the manner by which such conduct is elicited, particularly through the gendered responsabilisation of one’s security.

¹⁰⁷ M Foucault, ‘1 March 1978’ in Arnold I Davidson (ed), Graham Burchell (tr), *Security, Territory, Population* (2009 ed. edition, Palgrave Macmillan 2007) 194.

¹⁰⁸ *ibid* 194-195.

¹⁰⁹ *ibid* 197.

¹¹⁰ *ibid*. Foucault also explicitly states here that this includes the problem of the status of women in society.

¹¹¹ For more on counter-conduct in projects and expressions of contemporary resistance, see Louiza Odysseos and others, ‘Interrogating Michel Foucault’s Counter-Conduct: Theorising the Subjects and Practices of Resistance in Global Politics’ (2016) 30 *Global Society* 151.

The organisations express a clear understanding that their struggle is against a form of patriarchal power that seeks to affect behaviours through governing experiences of precarisation and gendered performances. However, despite this apparent congruence, there are notable differences in the way in which RTS and SU envision ‘the problem’ of how this gendered conduct of insecurity is secured and what role the law plays in its facilitation or resistance.

This disparity does not mean that one should be held up as an example of counter-conduct and the other expelled. A diversity of responses can fall under the description of counter-conduct and this is wholly consistent with Foucault’s description of the term as one which houses an ‘immense family’.¹¹² He makes room for seemingly contradictory efforts of some forms of counter-conduct that function to reproduce society as it already exists.¹¹³ These forms of counter-conduct can appear to demand different kinds of order and methods of conduction, but existing modes of order can ‘channel revolts of conduct, take them over, and control them’ to maintain the status quo.¹¹⁴ Foucault further rejects the term ‘dissidence’ as a descriptor of counter-conduct, partially because it would tempt a reading that would bestow a status of sanctification on the persons involved.¹¹⁵ In doing so it would prevent the analysis of the field of power relations that involve conduct and counter-conduct in its generality.¹¹⁶ In addition, when describing *community* as a genre of counter-conduct to the pastorate’s demand for *obedience* he notes the wide range of tactical forms it takes.¹¹⁷ He describes how community can involve a limited refusal of obedience, the absolute refusal of any kind of obedience, or radically alternative engagement with obedience that is an ‘ironic exaggeration to the pure and

¹¹² Foucault (n 107) 202.

¹¹³ *ibid* 199.

¹¹⁴ *ibid*.

¹¹⁵ *ibid* 200-201.

¹¹⁶ *ibid* 201.

¹¹⁷ *ibid* 208-212.

simple rule...a carnival aspect, overturning social relations and hierarchy' all within its description.¹¹⁸

These disparate counter-conducts do, however, reveal very different understandings of the practices of feminist activism. They display diverse recognitions of how current methods of governing public space as problematic, what human rights exist and come to function with respect to the state, and what role law can have in being governed differently in the future. In the subsequent analysis, I find that the mode of counter-conduct that RTS engages with quickly results in its assimilation into current modes of governmental precarisation. I note, for example, how several of the organisers have since expressed a level of despondence towards the political possibilities of public protest and come to desire legal reform as material change. In contrast, SU display a type of counter-conduct that seems closer to an ethics of prefiguration; one that seeks feminist-revolutionary practices by constructing alternatives, in which 'a future radiates backwards on its past'.¹¹⁹ I contend this makes it less compatible with the techniques of governmental order through precarisation.

6.3.1 The Problem of Governing

As RTS states on its vigil event page, 'We believe that streets should be safe for all women'.¹²⁰ These appeals to protect 'all women' are frequently made in the text and this term is noted to explicitly include trans women and that 'ALL women, femmes, non-binary people and GNC people deserve to be safe.'¹²¹ The appeal largely focuses its attention on the experience of the walk home and the types of behaviours governed through fear that occur on such journeys. It notes for instance how women are elicited to 'clutch our keys...take detours to avoid

¹¹⁸ *ibid* 211-212.

¹¹⁹ Uri Gordon, 'Prefigurative Politics between Ethical Practice and Absent Promise' [2017] Political Studies Sage UK: London, England.

¹²⁰ Reclaim These Streets, 'Reclaim These Streets' (n 17).

¹²¹ *ibid*.

showing where we live... alert our friends that we're home'.¹²² However, in attempting to appeal to this experience as universal, RTS presents a limited depiction of how gendered behaviour is governed through exposure to precariousness.

RTS consider this type of governed behaviour as incited through two separate mechanisms. The first, locates its instigation with the threat of a masculinised stranger who follows the lone women to her residence. This image presents a limited understanding of where gendered danger comes from and conveys that experiences of safety are presumed to be located within the home. In turn, the threat that is present within the known is obfuscated. This leaves the precariousness that women are exposed to from figures of institutional safety, such as police, partners and the family outside of the purview of the vigil. The second mechanism RTS locate as instigating this behaviour is contained with the police's instructions to 'not go out at night'.¹²³ RTS reject the legitimacy of such instructions on the basis that they are unfair and ineffective, with the authors noting that 'Let's be clear: Women are not the problem.'¹²⁴ However, the rejection of being governed in this manner does not cognate the police as a potentially problematic source of governance in and of itself. It is rather an expression of concern with an 'excessive government', that the state is overstepping its otherwise legitimate function because it will not produce positive effects through its intervention.¹²⁵ RTS does not extend its critique of policing, initially at least, to a wider understanding of the systematic nature of violence against women. This also meant treating Wayne Couzens' role as a police office as a coincidence of the particular case, not as connected to the wider issues at stake.¹²⁶

¹²² *ibid.*

¹²³ *ibid.*

¹²⁴ *ibid.*

¹²⁵ Michel Foucault, '10 January 1979' in Burchell Graham (tr), *The Birth of Biopolitics - Lectures at the Collège de France, 1978-1979* (Palgrave Macmillan 2008) 13.

¹²⁶ The lack of engagement with Couzens prior to his verdict may have been informed by RTS desire not to be held in contempt of court or to prejudice legal proceedings, but this point regarding the absence of analysis of policing in violence against women remains pertinent.

In contrast, SU explicitly acknowledges the diverse ways in which women, nonbinary, agender and gender variant persons experience violence and precariousness in their vigil announcement.¹²⁷ They further explicitly recognise that ‘gendered violence’ includes both ‘police, state and interpersonal’ activities in this communication.¹²⁸ In this respect, it is perhaps not surprising that SU regularly recognise the disproportionate impact that gendered-violence can have on the lives of sex-workers.¹²⁹ This intersectional understanding of violence situates a very different account, with respect to how public and gendered conduct is secured through policing. Firstly, SU directly implicates the police as systematically and directly creating experiences of terror through precariousness, albeit in ways that, on the basis of identity, result in differential and disproportionate experiences. This renders fear as not an experience solely envisioned to stem from a masculinised stranger, but expanded to include figures empowered by the state to commit such violence. SU therefore contests the rationality that necessitates policing and connects it to security, arguing that violence is an essential part of its function as part of a wider patriarchal system. In turn, Couzens’ identity as a police officer becomes an important component in their vigil activities and something that marks its protest as connected to wider issues of gendered violence.

Like RTS, SU also expressly contest the police order to ‘stay at home’ within their communications. However, SU locate their rejection of the order with its intended effects, noting that it would ‘divide our movement by pitting us against each other with “innocent victim” narratives’.¹³⁰ As a result, SU does not refuse this governmental order due to its lack of efficiency in securing safety or because it oversteps a liberal state functioning. Instead, the rationality of the order is rejected because it inherently hierarchises safety, encouraging those

¹²⁷ ‘Sisters Reclaiming These Streets! We will not be silenced!’ (n 65).

¹²⁸ *ibid.*

¹²⁹ *ibid.*

¹³⁰ *ibid.*

who follow orders to feel safer, and suggesting that those who refuse are less deserving of their safety. SU as a result do not appeal to the narrative of the journey home, as a universal upsetting experience of precariousness, but instead locate ‘the streets’ as a space that ‘should be safe for everyone’ regardless of how they use it.¹³¹

These two responses show how a different comprehension about how the law functions, in turn directs the counter-conduct instigated by both RTS and SU. RTS situate the gender-based violence as primarily disconnected to the extant law. It is something which occurs, in part, through the absence of law. Their primary rejection of police governmental activities is located on a level of it being an extra-judicial exercise of state power. This locates their refusal to one that proposes no more *inefficient* policing. In contrast, SU immediately situate the police within a wider institutional understanding of violence which they participate in. This interconnected outlook on violence is legitimated through the law and plays an important part of contemporary governmental regulation through precarisation. The counter-conduct of SU is therefore a refusal to be governed through the spectre of deserving violence and the false promise of state security. As considered in the section below, these general orientations towards the use of law come to further regulate how the respective organisations respond to subsequent police efforts to cancel the vigil.

6.3.2 Attitudes and Conditions for Enjoying Human Rights

Static demonstrations, such as the vigil for Sarah Everard, are forms of assembly that typically do not require organisers to notify the police or other authorities in advanced¹³² However, the *Health Protection Regulations 2020* placed restrictions on the number of persons who could

¹³¹ *ibid.*

¹³² Public Order Act 1986 Human Rights Act 1998.

gather in public, unless they had a ‘reasonable excuse’.¹³³ Article 11 of the *Human Rights Act 1998*, permits restrictions of freedom of assembly that are necessary in a democratic society, expressly including public health as a legitimate grounds for restrictions, but requires they be expressly stated in law.¹³⁴ The European Court of Human Rights and the Supreme Court further qualify that for such restrictions to meet the grounds of necessity a proportionality assessment of their impact is required.¹³⁵ As a result, to what degree the proposed vigil could expect judicial protection was uncertain. Within this penumbra of uncertainty, RTS and SU both reveal distinct opinions about the way in which human rights operate. Without a clear legal precedent, these activities are produced by the respective organisations’ own expectations, namely, their rationalisations about how rights and responsibilities *should* exist. As outlined below, this produces examples of self-government, whereby the organisations regulate themselves through their own ethical-political decisions to delimit their conduct, as well as seeking to shape the possibilities of both their and others’ future actions.¹³⁶

RTS demonstrates an understanding that the belief in one’s rights is insufficient grounds upon which to act. It instead operates in acceptance that one should secure permission from state authorities. This attitude is demonstrated by RTS consistently seeking to notify and secure the permission of the police prior to holding the vigil.¹³⁷ As organiser Anna Birley states, the group ‘consistently’ asked the Metropolitan Police ‘to tell us what would be a safe way to exercise our right’.¹³⁸ RTS cancelled the protest because it was unable to secure such

¹³³ The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020, sch 3 A.

¹³⁴ Human Rights Act 1998, sch 1 art 11.

¹³⁵ *Bank Mellat v Her Majesty’s Treasury (No 2)* [2013] 4 All England Law Reports 533 (Supreme Court) See Lord Reed at [67-76] on this point.

¹³⁶ As discussed in previous chapters, self-government refers to both the governor and the governed being two aspects of a singular actor, see Mitchell Dean, *Governmentality: Power and Rule in Modern Society* (Second edition, SAGE Publications 2009) 19.

¹³⁷ Jamie Klingler, ‘@LauraWright1000 I Have Reached out to Lambeth Council and Clapham Police for Permits and Permission, but Yes, It Should Go Ahead.’ (@jamiengklingler, 3 October 2021)

<<https://twitter.com/jamiengklingler/status/1369739088283246592>> accessed 29 October 2021.

¹³⁸ *Policing and organisation of vigils relating to the safety of women in public places* (n 25) 1.

permission and thereby felt liable to be fined, going as far as to actively dissuade others from attending in their absence.¹³⁹ The organisation's statements further make clear that they sought 'suggestions' from the police as to how to act appropriately during the vigil.¹⁴⁰ RTS' legal proceedings further confirm this point. In their court case, RTS argue the belief that their right of assembly remains guaranteed by the *Human Rights Act 1998*¹⁴¹ and that the *All Tiers Regulations 2020* did not provide the legal justification for a blanket revocation of this right.¹⁴² Throughout the period of this research, RTS insist that this understanding is the correct interpretation of the law and the police failed to conduct an appropriate proportionality assessment of the vigil.¹⁴³ However, despite this and as subsequently confirmed in their legal proceedings, they felt unable to act and hold the vigil, without the police confirming they were behaving lawfully.¹⁴⁴

RTS' decision not to act involves a self-government, based on the understanding that the right to assembly requires organisers to act in a responsible way and in turn manage possible risks. This is made clear in several of the RTS' communications where the organisers state that, without police permission, they would be exposed to fines and arrests.¹⁴⁵ The importance of these risks to RTS are further evidenced by reports that they were unwilling to go ahead with the vigil in the absence of securing immunity from prosecution.¹⁴⁶ RTS do not primarily express these risks in terms of fear of violent repercussions upon attendees or incarceration by the police. Instead, these risks are largely deliberated upon in terms of their economic cost. For instance, when announcing the cancellation of the vigil, RTS outlines a

¹³⁹ Reclaim These Streets, 'Update' (n 47).

¹⁴⁰ Reclaim These Streets, 'An open letter to Cressida Dick' (n 88).

¹⁴¹ RTS advanced that under the Human Rights Act, their right to assembly under Article 11(1) and their right to now have their rights unlawfully restricted by a public body Article 6. Were affected. *Leigh & Ors v The Commissioner of the Police of The Metropolis* (n 19) [8].

¹⁴² *ibid.*

¹⁴³ Reclaim These Streets, 'Defending our right to protest and reclaim these streets' (n 98).

¹⁴⁴ *Leigh and Others v The Commissioner of Police of The Metropolis*[2022] EWHC 527(Admin).

¹⁴⁵ Reclaim These Streets, 'Urgent update' (n 28).

¹⁴⁶ Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (n 55).

calculation of these risks in economic terms; imagining the value of the event going ahead against the potential donations from supporters required to cover fines.¹⁴⁷ Whilst RTS states the belief that it would be able to cover these costs with the help of its supporters, it views this as a potential opportunity loss, believing money used to cover fines would prevent it being allocated towards other acts of philanthropy, that might better help women.¹⁴⁸ The organisers thus considered that going ahead with the protest would require the hypothetical use of money to cover fines in a way that would be tantamount to rewarding the state and punishing women.¹⁴⁹ When RTS conclude that ‘Women’s rights are too important’, it is through this calculation; one that has reified the value of a right to assembly against the economic risks of opportunity loss.¹⁵⁰

This economic calculation of the vigil is seemingly performed without instigation. It is a voluntary imposition that RTS place upon themselves. This can be interpreted as being the result of a self-government based on the rationality that they, as organisers, owe a responsibility to attune their behaviour in ways which anticipate the response of the police and are mindful of the economic consequences of such actions. It involves an assumption that it is the authority of the organiser to carry out this kind of calculation. In contrast, one can imagine how other attitudes towards protest might confer greater value to the freedom of potential attendees or speculative ‘donors’ to make decisions about how such events could proceed. RTS defaults, instead, to an understanding that the event is its property and that it has the authority/responsibility to determine how decisions regarding it are to be made. This attitude is further displayed in the aftermath of the vigil, when RTS lean into the role of being the conduit for the media to discuss the event and thus continue to convey an attitude of

¹⁴⁷ Reclaim These Streets, ‘Update’ (n 47).

¹⁴⁸ *ibid.*

¹⁴⁹ *ibid.*

¹⁵⁰ *ibid.*

ownership over its existence (despite their own nonattendance).¹⁵¹

In contrast, SU seek to exercise their right to assembly in active defiance of the police.¹⁵²

Their actions are carried out in full awareness of the risk of state consequences, that the vigil has been declared an unlawful gathering. Their persistence demonstrates an understanding that the existence of human rights is not determined through the affirmation of the state. Further, SU comprehend the state's actions, designating the vigil as unlawful and attempting to deter people from attending through arrests and fines, as fundamentally the same as governing activities which prompted the vigil-protest in the first place. Through these actions, the police were once again threatening women with the prospect of violence in an effort to secure their conduct, for them stay at home. Thus, SU state: 'We will not be silenced. We will not be intimidated by violent men - whether they're uniformed or not.'¹⁵³ The police's efforts to deter are reinterpreted by SU as encouragement. They confirm the importance of the vigil as an opportunity to disrupt the rationality of this mode of governmentality, one implicated and maintained through the threat of gendered violence. SU also demonstrate a different attitude towards the ownership of the vigil. Whilst SU make efforts to facilitate the gathering in the absence of RTS, they never express ownership over the event or declare themselves its organisers. They announce they will attend, will stand together, and that they refuse to obey orders.¹⁵⁴ They provide safety and legal advice for those attending.¹⁵⁵ But unlike RTS, they do not express an attitude that marks themselves as responsible for the conduct of participants,

¹⁵¹ Good Morning Britain (n 78).

¹⁵² Sisters Uncut, '@ReclaimTS To all those still thinking of heading to Clapham Common at 6pm tonight: we will be there! Please bring your sadness and your rage' (n 61).

¹⁵³ Sisters Uncut, 'We Will Not Be Silenced. We Will Not Be Intimidated by Violent Men - Whether They're Uniformed or Not. We Have a Right to Gather. To Grieve. To Cry. To Rage. To Collectively Acknowledge the Fact that Sarah Everard Could Have Been Any One of Us. #ReclaimTheseStreets <https://t.co/VDtX6kZUv>' (@SistersUncut, 14 March 2021) <<https://twitter.com/SistersUncut/status/1371139299547185154>> accessed 31 October 2021.

¹⁵⁴ 'Sisters Reclaiming These Streets! We will not be silenced!' (n 65).

¹⁵⁵ Sisters Uncut, 'SAFETY: Arrive & leave with a friend Follow @GBCLegal's 5 key messages, and importantly: don't speak with the police! They will be trying to gather information on attendees You do NOT need to give personal details, legal observers will be around to inform you on your rights' (n 60).

nor do they seek to confer ownership of the event as their property. As such, they mark themselves as unwilling to accept the type of legal-responsibilisation that RTS was willing to assume.

Contrasting these engagements with rights and responsibilities, demonstrates how RTS' counter-conduct becomes entangled with a self-government that requires public displays of servility. In response to exposure to state insecurity, the organisers attempted to receive suggestions as to how to display their protest appropriately, sought permission to exercise their rights, and modulated their activities to be economically calculable. Following their failure to achieve the promise of security from the state, they chose to change course and to act in compliance. This clearly aligns their response to those features of contemporary governmental precarisation described in Chapter Five.¹⁵⁶ SU activities are similarly instigated by the threat of exposure to state insecurity. However, rather than attempt to appease state forces through displays of compatibility or servility, their awareness of this state endorsed exposure to vulnerability intensifies the need for the protest. SU's understanding of rights is therefore, that they are actionable now, regardless of the state's affirmation or interpretation.

The court proceedings reveal more details about RTS' mode of self-government through its relationship to rights and responsibilities. Within the proceedings, RTS sought a declaration that persons who exercise their right to protest in a 'reasonable manner' should have 'a reasonable excuse' within the pandemic regulations.¹⁵⁷ The inclusion of this need to conduct oneself in 'a reasonable manner' for protest to be lawful and fit within the paradigms of 'reasonable excuse' does not cite statute or case law precedent. As such, it can be contrasted to other legal arguments that would have been equally possible for the legal team to advance,

¹⁵⁶ Lorey (n 1).

¹⁵⁷ *Leigh & Ors v The Commissioner of the Police of The Metropolis* (n 19) [18].

for example, that the right to protest is by itself a sufficient ‘reasonable excuse’.¹⁵⁸ The way in which RTS’ legal team instead envision the right of assembly to be restricted, once again reflects a self-imposed restriction. It is a comprehension that stems from the organisers and their legal team’s own assumptions and rationalisation about how the right to protest would most likely operate within the conditions of a pandemic.

Whilst Justice Holgate dismissed this argument in his ruling as erroneous, this rationalisation nevertheless reveals the activities of RTS’ self-government, whereby its practices are regulated in accordance with its understanding that the right to assembly involves self-imposed restrictions. RTS behave in a way that appears to be an effort to comply with this reasonable manner. Throughout its communications, for example, RTS regularly defends its right to assembly by pointing to the ways it has consistently sought the permission of the police; was going to secure audio equipment, volunteers, and specialist mental health support; and its organisers’ experiences in running other public events.¹⁵⁹ Indeed, following the police violence at the vigil, RTS express their disappointment at the police because they missed the opportunity to work with an organiser who could secure these safeguards and therefore host a lawful vigil.¹⁶⁰ In doing so, they implicitly position themselves as better suited as organisers than SU and as more likely to be exhibiting the lawful conduct required from reasonableness.¹⁶¹

RTS’ legal argument can be analysed as an example of feminist activism engaging in respectability politics. Recalling my earlier citation of Iris Marion Young in Chapter Three, norms of respectability often involve the ‘repression of the body’s physicality and

¹⁵⁸ The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020, sch 3A 1(1).

¹⁵⁹ Reclaim These Streets, ‘Update’ (n 47).

¹⁶⁰ Good Morning Britain (n 78).

¹⁶¹ Reclaim These Streets, ‘An open letter to Cressida Dick’ (n 88).

expressiveness' in public space, in order to signify the 'rationality' of its adherents.¹⁶² RTS' engagement extends these respectability norms in ways which intersect with feminist expertise; advancing an argument that a 'reasonable excuse' requires the involvement of those equipped to govern due to their possession of specialised knowledge, experience, connections. RTS, in leveraging their privileged position to establish their respectability as organisers, establish a high threshold for what constitutes acting in a reasonable manner. For example, the organisers state their ability to access equipment and a support network of professional volunteers as evidence, but in doing so implicitly create significant material and social resource requirements for the right to assemble. This effectively restricts the enjoyment of this human right to a privileged few in the conditions of a pandemic. RTS also point to their familial and pre-existing relationships with the local council and police, in part facilitated by several of the organisers' occupations in local government and events.¹⁶³ However, their expectation that the state will engage collegially and in a way that will facilitate their actions is not a position many in the United Kingdom presume to enjoy. Individuals and communities who have disproportionate or systemic experiences of police hostility, for example, may be more hesitant, if not completely averse, to engaging with the police in such a fashion. Similarly, this engagement may also be antithetical to the objective and purpose of other protests, such as police abolitionist demonstrations.

The 'reasonable manner' argument advanced by RTS is also further contextualised within an active discourse of disdain towards the conduct of protestors in the United Kingdom. The Black Lives Matter (BLM) protests, particularly those held during the summer of 2020, continue to receive the ire of racialised and hostile responses from state and media commentators. Priti Patel, the former Home Secretary, reflected:

¹⁶² Iris Marion Young, *Justice and the Politics of Difference* (Princeton University Press 1990).

¹⁶³ *Policing and organisation of vigils relating to the safety of women in public places* (n 25) Q1.

‘There are other ways in which people can express their opinions, protesting in the way that people did last summer was not the right way at all ... I didn’t support the protests. Those protests were dreadful.’¹⁶⁴

The BLM protests, in turn, were cited to justify the Policing Bill 2021.¹⁶⁵ Cressida Dick remarked that these new laws were necessary ‘to deal with protests where people are not primarily violent or seriously disorderly but do cause disruption.’¹⁶⁶ The accompanying papers to the Policing Bill 2021, explicitly describe the proposed law as an effort to provide ‘clear notice of what conduct is forbidden.’¹⁶⁷ The papers further seek to establish a distinction between lawful and unlawful protests based on the inconvenience they cause; framing themselves as protecting the ‘hardworking majority seeking to go about their everyday lives’.¹⁶⁸ They further measure the value of protests in economic terms, noting that they have the capacity to be ‘a drain on public funds’.¹⁶⁹

The self-imposition of the restriction to behave in a reasonable manner, thus aligns with the discursive respectability paradigm endorsed by the state. It demands the self-act towards a notion of responsibility that is founded on uncritiqued notions of politeness, deference, and frugality.¹⁷⁰ RTS demonstrate a belief that this responsabilisation and need to behave is already a legal requirement in a pandemic, albeit unstated, through seeking the endorsement of their argument through the judiciary. If RTS were successful during their court case and secured

¹⁶⁴ ‘Priti Patel Describes Black Lives Matter Protests as “Dreadful”’ (*the Guardian*, 12 February 2021) <<http://www.theguardian.com/politics/2021/feb/12/priti-patel-hits-out-at-dreadful-black-lives-matters-protests>> accessed 30 September 2022.

¹⁶⁵ ‘Police, Crime, Sentencing and Courts Bill 2021: Protest Powers Factsheet’ (*Home Office*, 7 July 2021) <<https://www.gov.uk/government/publications/police-crime-sentencing-and-courts-bill-2021-factsheets/police-crime-sentencing-and-courts-bill-2021-protest-powers-factsheet>> accessed 29 September 2021.

¹⁶⁶ ‘Met Chief: Update Public Nuisance Law to Tackle Extinction Rebellion’ (*the Guardian*, 2 May 2020) <<http://www.theguardian.com/uk-news/2020/feb/05/met-chief-update-public-nuisance-law-tackle-extinction-rebellion>> accessed 29 September 2021.

¹⁶⁷ ‘Police, Crime, Sentencing and Courts Bill 2021’ (n 168).

¹⁶⁸ *ibid.*

¹⁶⁹ *ibid.*

¹⁷⁰ For an example of such a critique see: Vicky Osterweil, *In Defense of Looting: A Riotous History of Uncivil Action* (Bold Type Books 2020).

this aspect of their declaration, they may have potentially established a legal precedent that would affect the way other protests would be able to be conducted and restrict the rights of other movements.¹⁷¹ The case thus demonstrates RTS' willingness to display its compatibility with the state and assist in the governance of others, who it implicitly contends exhibit an excess of behaviour.

In contrast, SU engage with rights in the belief that they exist in excess of what is provided for in legislation and case law. When SU state, 'We have a right to gather', they immediately connect it to '[a right] To grieve. [a right] To cry. [a right] To rage.'¹⁷² In doing so, they extend the notion of rights to entitle one not only to collective expression but to feeling together that is denied through state action.¹⁷³ Rights are configured as useful because they are able to articulate fundamental entitlements beyond the contingency of an individual's behaviour or their provision through the state. One enjoys these rights when one participates in assembly, irrespective of whether this is done in direct disobedience to state order or beyond the contours of statute or convention. When SU engage with statutory rights, such as 'Know your rights', they are offered as a useful tool that can help limit interactions with the police and to defend protestors from exposure to criminal liability.¹⁷⁴ Rights are spoken of to provide guidance and protection, not as something that requires the individual to adhere to

¹⁷¹ In RTS subsequent legal proceedings the equivalence of reasonable manner with reasonable excuse was not substantiated in the ruling itself, and recalled Justice Holgate's ex tempore judgement, noting 'It would also be wrong to declare in advance that those protesting in a reasonable manner would have a reasonable excuse. That would be misleading because all would depend on the facts'. *Leigh v Commissioner of the Police*, 2022 WL 58. This project's interest is primarily on the legal rationalisations of RTS, but it should be noted that there is interesting opportunity for more critical legal research available to explore how *Dolan* endorses a respectability political restriction of the right to assembly.

¹⁷² Sisters Uncut, 'We will not be silenced We will not be intimidated by violent men - whether they're uniformed or not We have a right to gather To grieve To cry To rage To collectively acknowledge the fact that Sarah Everard could have been any one of us #ReclaimTheseStreets' (n 154).

¹⁷³ For similar arguments, on rights being deployed and related to in new ways beyond legal limitations see Karen Zivi, *Making Rights Claims: A Practice of Democratic Citizenship* (Oxford University Press, USA 2012); see also Sokhi-Bulley's arguments situating 'counter-conduct' as right and as ethics, Bal Sokhi-Bulley, *Governing (Through) Rights* (Hart Publishing 2016).

¹⁷⁴ Sisters Uncut, 'As soon as the sun went down, police stormed the bandstand We do NOT answer to violent men Stay safe Know your rights: -"NO COMMENT" if cops talk to you - If police ask you to do anything, ask "am I legally obliged to?" - if they say yes, ask "under what power?"' (n 71).

respectability norms to enjoy.

6.3.3 The Role of Law in the Future

Following the events of the Clapham Vigil, RTS organiser, Jamie Klinger, wrote an article in which she expressed the opinion that vigils are of limited use.¹⁷⁵

‘Vigils are important, especially for the immediate community, but they are not enough. They are not stopping men from murdering and raping us... Vigils give the media something to cover, they give politicians a place to show that they are with their constituents, but if there isn't follow up afterwards then real change does not occur.’¹⁷⁶

Throughout the article, Klinger argues in similar language to that previously used by SU prior to Sarah Everard’s vigil. She emphasises the importance of community, how assembly is deeply tied to the right to emotion to feel sadness and rage with others, and that police orders will not stop women gathering, shouting, or making their demand for safety heard.¹⁷⁷ Klinger remarks on being taught about activism and ‘the strength of bringing women together’ by Mina Smallman, the mother of murdered sisters Bibaa Henry and Nicole Smallman for whom RTS helped organise a vigil a year after their deaths.¹⁷⁸ However, despite Klinger’s apparent change in tactical outlook, the lessons she has learnt, and RTS’s explicit efforts to remedy the lack of media attention for violence experienced by women of colour, the way she envisions the future and the possibility of change remains tethered to existing legal order.

RTS previously link ‘hard work’ to the future of ‘tomorrow’¹⁷⁹ which Klinger further

¹⁷⁵ ‘Why Sabina Nessa’s Vigil Made Me Realise Vigils Alone Are Not Enough’ (*Grazia*, 28 September 2021) <<https://graziadaily.co.uk/life/in-the-news/sabina-nessa-vigils-nothing-changed/>> accessed 1 November 2021.

¹⁷⁶ *ibid.*

¹⁷⁷ *ibid.*

¹⁷⁸ *ibid* RTS held a vigil for Bibaa Henry and Nicole Smallman in August 2021, following their murder in June 2020.

¹⁷⁹ Reclaim These Streets, ‘If You Came to Fryent Park Tonight, Thank You. If You Lit a Candle on Your Doorstep, Thank You. If You Said Their Names, Thank You. Tonight We Listened. Tomorrow the Hard Work Begins #BibaaAndNicole’ (@ReclaimTS, 3 August 2021) <<https://twitter.com/ReclaimTS/status/1422662549607272455>> accessed 1 November 2021.

describes as ‘work that takes place after the cameras go away is the work that will influence legislative change and ongoing community action.’¹⁸⁰ When Klinger states ‘nothing has materially changed since March’ she primarily evidences this opinion with reference to the lack of a ‘Violence Against Women and Girls Act’.¹⁸¹ She clearly sees this legislative change taking place through laws that maintain and extend police powers. Of the four ‘key asks’ submitted to the Mayor of London, following the vigil, three directly stated the need for additional police funding, criminalisation, and training of police officers.¹⁸² RTS’ limited engagement with the then Policing Bill 2021, further evidences the lack of strategic danger they place in an extension of police powers. In advocating for amendments to the Policing Bill 2021, RTS prioritised the need to establish new offenses for ‘public street harassment’ and ‘kerb-crawling’ based on justifications that heavily utilise discursive tropes of innocent and fallen women.¹⁸³

Similar to the expressions analysed in Chapter Five, these efforts to criminalise do not imagine new regimes of order, but instead seek to iterate again existing offenses that they contend are under-policed. These efforts to criminalise never question the necessity of the police or whether state power can ever be feminist. Instead, the police are primarily problematised because the institution has failed to exert itself enough into this domain of gendered-conduct. The police are thus rationalised as lacking appropriate training or institutional procedures. They are still not apprehended as being fundamentally involved in tactics of governing through violence or as meaningfully affecting gendered conduct.¹⁸⁴

¹⁸⁰ ‘Why Sabina Nessa’s Vigil Made Me Realise Vigils Alone Are Not Enough’ (n 178) .

¹⁸¹ *ibid.*

¹⁸² Reclaim These Streets, ‘Met Commissioner Cressida Dick and Mayor of London meet Reclaim These Streets’ (n 94)

¹⁸³ ‘Help change the law to make harassment of women and kerb crawling illegal’ (n 99).

¹⁸⁴ Judith Butler, *The Force of Nonviolence: An Ethico-Political Bind* (2021).

SU in contrast extends the activities of its counter-conduct to organise additional protests against the governmental rationality of policing. SU collaborated in the campaign to ‘Kill the Bill’, resulting in the delay of the passage of the Policing Bill 2021 through the House of Commons.¹⁸⁵ The collective have further continued to organise additional protests, including an initiative to formally ‘withdraw consent’ from policing, countering the messaging often deployed by the Metropolitan Police that they exist due to the public’s consent.¹⁸⁶ Sarah Everard’s murder remains linked to its additional initiatives such as organising *Cop Watch* that facilitates the establishment of community groups to counter local-police violence.¹⁸⁷ During the protest at Wayne Couzens’ sentencing SU stated: ‘We will never know what might have happened if somebody had stopped to film or intervene with Couzens when he ‘arrested’ Sarah.’¹⁸⁸ This initiative has involved trainings which encourage its participants to intervene in police activities if they see another person at risk of police violence.¹⁸⁹

Knowing one’s rights and the limitations of police powers are clearly comprehended as useful in these activities. These relationships with the use of law feature an instrumental reclaiming, specific tactics of being aware of one’s right to film the police in public spaces, the specific procedural requirements of stop and search. All are sought to rebuff the violence of legal institutions. However, this knowledge of the law is explicitly a partial and limited feature. It is not imagined to be capable of preventing precariousness; but is instead a tactic that might

¹⁸⁵ ‘Kill the Bill Protests: Activists Continue Fight to Delay Bill Passing’ (*The Independent*, 13 April 2021) <<https://www.independent.co.uk/news/uk/policing-protests-sheffield-kill-the-bill-b1830525.html>> accessed 1 November 2021.

¹⁸⁶ ‘Policing with Consent’ (*London City Hall*, 22 October 2020) <<https://www.london.gov.uk/node/59395>> accessed 1 November 2021.

¹⁸⁷ Sisters Uncut, ‘Today We’re Announcing a Police Intervention Training, Which Will Launch CopWatch Patrol Groups across the Country. The Police Don’t Keep Us Safe: We Keep Us Safe. We Will Intervene in Every Stop and Search, Every Arrest, Every Kidnapping. Sign up: <https://t.co/ZM66OVh8wh>’ (@sistersuncut, 29 September 2021) <<https://twitter.com/sistersuncut/status/1443191808167710725>> accessed 1 November 2021.

¹⁸⁸ Sisters Uncut, ‘Sisters Uncut Protest Wayne Couzens Sentencing, Say “Police Don’t Keep Us Safe”’ (*Sisters Uncut*, 29 September 2021) <<https://www.sistersuncut.org/2021/09/29/sisters-uncut-protest-wayne-couzens-sentencing-say-police-dont-keep-us-safe/>> accessed 1 November 2021.

¹⁸⁹ Jasmine Norden, ‘Sisters Uncut Launch CopWatch Patrols after Sarah Everard’s Murder’ (*The Canary*, 4 October 2021) <<https://www.thecanary.co/uk/news/2021/10/04/sisters-uncut-launch-copwatch-patrols-after-sarah-everards-murder/>> accessed 1 November 2021.

allow one to resist being governed *that way*. The desire to be governed differently is reflected in support that extends and is prioritised beyond just the law, such as the demand that during a protest all should care for one another and 'keep each other safe'.¹⁹⁰

6.4 Conclusion

The responses of RTS and SU to the murder of Sarah Everard reveal differential understandings of the use of law. The chapter contended that RTS' vigil was a gesture of counter-conduct, an effort to refuse gendered government through experiences of fear. The organisation's messaging around the event focused on the unacceptability of the masculinised violence of strangers and a shared fear of 'the walk home'. However, this focus meant that the organisation demonstrated a limited comprehension of other sources of violence or recognition of intersectional experiences of public space. They held a clear assumption that the criminal law is both compatible with feminist activism and ultimately useful for making 'all women' safe from violence. This led to the objectives of the organisation to remain isolated from other concurrent legal movements, such as the 'Kill the Bill' protests. RTS's comprehension of the law was also argued to be closely connected to their own self-regulation. Their initial actions when organising the vigil demonstrated a belief that they needed to seek permission of the police to conduct themselves responsibly. Their understanding of human rights law repeatedly emphasised that the organisers needed to behave in a way that was 'reasonable'. In doing so, the organisation made use of the law to demonstrate their self-governed compatibility with wider respectability norms. Their decision to not go ahead with the vigil, without the assurances of the police that their activities would not be unlawful, further demonstrated a desire to be economically responsible.

¹⁹⁰ *ibid.*

SU in contrast were demonstrated to have a more intersectional outlook on the conduct that was being protested. This informed their outlook on the police as deeply implicated in the use of violence for securing servile conduct. As a result, rather than seeking permission from the police, SU from the outset positioned themselves as resisting the demands of the state through the spectre of criminalisation. I documented that SU still engaged with human rights language and emphasised the importance of legal knowledge in their communications. However, these deployments of the law were part of a wider strategy of not expecting the hostile state to make them secure – but a necessary component to have a tactical relationship with a wider fight against systems of oppression. SU thus demonstrate an understanding of rights beyond the state assurances and legal instruments - towards a demand for emotive recognition, the transformation of society, supported services, and new prefigurative domains. In doing so, they found a way to integrate the use of law with their wider and more significant demands for a society organised around a right to live in safety.

Conclusion

This thesis is an investigation and critique of how relationships with the use of law regulate the possibilities of feminist activism. It takes a governmentality perspective to reveal how ‘use’ is an important and diverse dimension of relationships with the law, that organises and governs the practices of feminist activism. In doing so, this thesis has provided a contribution towards legal scholarship by providing a nuanced recognition of feminist legal relationality, whereby the law is not simply an anodyne instrumental object or a source of corruptive governmental-patriarchal contamination, but an object weaved into everyday experiences of feminist life.

In Chapter One, I introduced (neo)abolitionism as an example of contemporary feminist activism and scholarship that positions *the Nordic Model* as a radical feminist response. This chapter outlined how (neo)abolitionists rationalise such a regime of law as ‘useful’, noticing their arguments about law’s capacity to normalise and deter specific behaviours. A review of the critiques of (neo)abolitionist approaches emphasised how it was involved in a problematic oversimplification of both transactional sex and the law. The chapter noted that existing governmentality critiques of (neo)abolitionism present it as a form of feminism that is legally naïve and prone to co-option by systemic forces. I argued that, whilst these critiques were helpful, they were often overly macroscopic due to their fixation on the law’s role in securing contemporary relations of hegemonic and global order. This resulted in a reduced understanding of both feminist agency and the importance of the law in tactics of contemporary governmentality. This thesis was proposed to fill this gap in existing research, by investigating the various ways the law has been conveyed to be useful by feminist activism and if this connected to the regulation of everyday experiences of feminist activism.

Chapter Two provided details of my methodological framework. The chapter provided a

detailed account of *governmentality* as a methodological means of reflecting on how a domain of strategic power relations are rationalised. It argued that Sara Ahmed's following of the word *use* and its various instrumental, affective, and distributive dimensions, contributes to an understanding of the law as a relational object that can contribute to organising effects of governmental relations. The chapter further outlined my decision to investigate feminist activist writing as a primary source of data and introduced my selection of case studies.

Chapter Three examined the thesis' first case study, the *Spare Rib Collective*. It showed how writing from *Spare Rib* about the staff's decision to organise as a feminist-collective, revealed an organisation motivated by a 'counter-conduct' - a refusal to be governed by the rationality that inscribed conventional modes of organising. The organisational architecture was stated to be guided by a repulsion from utilising conventional tools in pursuit of distinctly feminist experiences and feminist truth. I followed the organisational decisions taken in this pursuit and documented how 'negative' experiences of activism were given usage in practices of asceticism. These governed expectations of forming knowledges, modes of feminist conduct, and *directed Spare Rib's* activism towards the objective of feminist self-transformation. I argued that this, ironically, resulted in *Spare Rib's* collective architecture requiring greater individualised responsibility and empowering individuals with social-authority based on their capacity to know feminist truths.

Chapter Four continued the analysis of *Spare Rib*, providing an examination of the magazine's published writing on the topic of prostitution and the law. Through this investigation, I argued that the law was initially avoided in discussions about prostitution, an attitude I understood as congruent with *Spare Rib's* repulsion towards the law as an instrument of the conventional. This analysis further revealed that sex workers intervened in the magazine's outputs, introducing demands for sex worker representation and recognition for differential

experiences of legal power as feminist objectives. *Spare Rib*'s editorial team was evidenced to have appropriated the narrative role of writing about the problems of the prostitution laws in the articles they authored for the magazine. This stemmed from a growing attitude of feminist expertise, whereby members of the collective sought exclusive capacity to diagnosis legal problems to assert their 'know-how'. This empowerment of feminist experts, however, was notably achieved through delimiting the narrative contributions of sex workers. I contended that as a result, despite initially supporting decriminalisation, a new comprehension of the use of law became attached to the objectives of equitable legal treatment.

Chapter Five discusses contemporary feminist activist relationships with the use of law. Using examples of feminist writing about sex work sourced through an analysis of feminist Twitter communities, I chart how online communities regularly use the criminal law in their expressions that call for women to be made secure. Drawing on Isabel Lorey's work on governmental precarisation, I argue that these online communities utilise the law in displays of servility - public demonstrations of one's willingness to be governed and assessed compatible with normalised standards of gendered and sexual performance. As such, I argue that a growing sense of precarisation has thus come to inhabit this contemporary form of feminist activism. Chapter Six then moves to consider if other recent feminist activist engagements with the law offer hope for alternative futures. It examines the use of human rights law in responses to the murder of Sarah Everard. I contend that this murder remains placed within the wider discourse of security/public space/the role of policing, that are interconnected to feminist problematisations of transactional sex and the law, engaged with throughout this thesis.

This analysis has advanced my thesis hypothesis; that relationships with the use of law play an important, varied, and under-recognised role in governing the subjectivities, practices, and

political objectives of feminist activism. The shifts in the way the law is rationalised and deployed in the practices of feminist activism, have changed the ways of feminist analysing and knowing, and ultimately ontologise being a feminist in very different terms. As a result, the reflections of critique noted in Chapter One of feminism as a 'naïve' participant in a wider societal project of governmentality seem misplaced. There is no easy escape from the legal power relations, as they are deeply imbricated in the feminist project from the start. But, we can see that there are differential relationships, which encourage and facilitate other modes of global power, such as (neo)liberal governmental precarisation or the empowerment of experts, but also resist through a counter-conduct – that will not end domination, gender inequality, sexual violence – but recognise the conditions of our shared precariousness in the contemporary in order to advance an ethic of care and recognition.

Bibliography

Legal Documents

Human Rights Act 1998.

Public Order Act 1986.

HL The Police, Crime, Sentencing and Courts HC Bill (2019-2021, 2021-22).

Kvinnofrid (Government proposal, Violence against Women) Prop: 1997/98:55 (Sweden 1998).

The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020.

United Nations General Assembly, 'Protocol to Prevent, Suppress and Punish Trafficking in Persons' (first published 2000, United Nations Convention against Transnational Organized Crime, 2003).

Bank Mellat v Her Majesty's Treasury (No 2) [2013] 4 All England Law Reports 533 (Supreme Court).

Leigh & Ors v The Commissioner of the Police of The Metropolis [2021] EWHC 661 (EWHC).

Policing and organisation of vigils relating to the safety of women in public places: Hearing before the Home Affairs Committee (UK England and Wales 2021).

Reports and Debates

Farley M, Bindel J, and Golding JM, 'Men Who Buy Sex Who They Buy and What They Know', EAVES, Prostitution Research & Education (2009).

Hansard, UK Parliament, 'Police, Crime, Sentencing and Court Bill' (5 July 2021)
<<https://hansard.parliament.uk/Commons/2021-07-05/debates/AEACEFEC-B63D-4102-86AC-E05A32CA8396/PoliceCrimeSentencingAndCourtBill>> accessed 27 October 2021.

Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services, 'The Sarah Everard Vigil - An Inspection of the Metropolitan Police Service's Policing of a Vigil Held in Commemoration of Sarah Everard on Clapham Common on Saturday 13 March 2021' (30 March 2021).

Books

Agustín LM, *Sex at the Margins: Migration, Labour Markets and the Rescue Industry* (Zed Books 2007).

Ahmed S, *The Cultural Politics of Emotion* (Routledge 2007).

Ahmed S, *What's the Use?: On the Uses of Use* (Duke University Press 2019).

Allen A, *Politics of Our Selves: Power, Autonomy, and Gender in Contemporary Critical Theory* (Columbia University Press 2007).

Andrea. Dworkin, *Woman Hating* (Dutton 1974).

- Angel K, *Tomorrow Sex Will Be Good Again: Women and Desire in the Age of Consent* (Verso 2021).
- Banyard K, *Pimp State: Sex, Money and the Future of Equality* (Faber & Fabe 2016).
- Barry K, *Female Sexual Slavery* (NYU Press 1984).
- Barry KL, *The Prostitution of Sexuality* (NYU Press 1996).
- Bell S, *Reading, Writing, and Rewriting the Prostitute Body* (Indiana University Press 1994).
- Bernstein E, *Brokered Subjects: Sex, Trafficking, and the Politics of Freedom* (University of Chicago Press 2019).
- Bey M, *Black Trans Feminism* (Duke University Press 2022).
- Bindel J, *Feminism for Women: The Real Route to Liberation* (2021).
- Bindel J, *The Pimping of Prostitution: Abolishing the Sex Work Myth* (Palgrave Macmillan 2017).
- Boycott R, *A Nice Girl Like Me* (Pocket Books 2009).
- Bröckling U, Krasmann S, and Lemke T, *Governmentality: Current Issues and Future Challenges* (Routledge 2010).
- Brown W, *Edgework : Critical Essays on Knowledge and Politics* (Princeton University Press 2005).
- Brown W, *States of Injury* (Princeton University Press 1995).
- Brownmiller S, *In Our Time: Memoir of a Revolution* (Delta Group 2000).
- Bruinus H, *Better for All the World: The Secret History of Forced Sterilization and America's Quest for Racial Purity* (Vintage Books 2007).
- Brunon-Enrst A, *Utilitarian Biopolitics: Bentham, Foucault and Modern Power* (Routledge 2015).
- G Burchell (tr), '18 January 1778' in *Security, Territory, Population* (2009 ed. edition, Palgrave Macmillan 2007).
- Butler J, *The Force of Nonviolence: An Ethico-Political Bind* (2021).
- Catalano T and Waugh LR, 'Introduction to Critical Discourse Analysis (CDA), Critical Discourse Studies (CDS), and Beyond' in T Catalano and LR Waugh (eds), *Critical Discourse Analysis, Critical Discourse Studies and Beyond* (Springer International Publishing 2020).
- Charmaz K, *Constructing Grounded Theory: A Practical Guide through Qualitative Analysis* (SAGE Publications Ltd 2006).
- Chen GM, Pain P, and Barner B, "'Hashtag Feminism': Activism or Slacktivism?" in D Harp, J Loke, and I Bachmann (eds), *Feminist Approaches to Media Theory and Research* (Comparative Feminist Studies, Springer International Publishing 2018).
- Cherven K, *Mastering Gephi Network Visualization* (Pack Publishing 2015).

- Chiesi AM, 'Network Analysis' in NJ Smelser and PB Baltes (eds), *International Encyclopedia of the Social & Behavioral Sciences* (Pergamon 2001).
- Davidson AI, 'Introduction' in AI Davidson (ed), G Burchell (tr), *Security, Territory, Population* (Palgrave Macmillan 2007).
- Davis A, *Women, Race & Class* (Random House 1981).
- Dean M, *Governmentality: Power and Rule in Modern Society* (Second edition, SAGE Publications 2009).
- Doezema J, 'Abolitionism' in MH Ditmore (ed), *Encyclopedia of Prostitution and Sex Work: A-N Vol 1* (Greenwood Publishing Group 2006).
- Doezema J, *Sex Slaves and Discourse Masters: The Construction of Trafficking* (Zed Books 2010).
- Dreyfus HL and Rabinow P, *Michel Foucault: Beyond Structuralism and Hermeneutics* (Second Edition, Routledge 1983).
- Ebbs T, 'The Use of Law in Feminist Activism - Tweet Dataset' (PhD thesis, University of Sussex 2022), PhD thesis.
- Ekman KE, *Being and Being Bought: Prostitution, Surrogacy & the Split Self* (Spinifex Press 2013).
- Esterberg KG, *Qualitative Methods in Social Research* (McGraw-Hill Humanities 2001).
- Fairclough N, *Analysing Discourse: Textual Analysis for Social Research* (Psychology Press 2003).
- Federici S, *Revolution at Point Zero* (PM Press 2012).
- Flowerdew J, 'Critical Discourse Analysis and Strategies of Resistance' in VK Bhatia, J Flowerdew, and RH Jones (eds), *Advances in Discourse Studies* (Routledge Press 2008).
- Foucault M, '1 February 1978' in AI Davidson (ed), G Burchell (tr), *Security, Territory, Population* (Palgrave Macmillan 2007).
- Foucault M, '1 March 1978' in AI Davidson (ed), G Burchell (tr), *Security, Territory, Population* (2009 ed. edition, Palgrave Macmillan 2007).
- Foucault M, '10 January 1979' in B Graham (tr), *The Birth of Biopolitics - Lectures at the Collège de France, 1978-1979* (Palgrave Macmillan 2008).
- Foucault M, *Archaeology of Knowledge* (Routledge Classics 2002).
- Foucault M, 'Clarifications on the Question of Power' in S Lotringer (ed), J Cascaito (tr), *Foucault Live: Collected Interviews, 1961-1984* (1996).
- Foucault M, 'End of the Monarchy of Sex' in DM Marchi and S Lotringer (trs), *Foucault Live: Collected Interviews, 1961-1984* (1996).
- Foucault M, 'Impossible Prison' in S Lotringer (ed), C Gordon (tr), *Foucault Live: Collected Interviews, 1961-1984* (1996).

- Foucault M, 'Lecture One - 11 January 1978' in AI Davidson (ed), G Burchell (tr), *Security, Territory, Population* (2009 ed. edition, Palgrave Macmillan 2007).
- Foucault M, 'Power Affects the Body' in S Lotringer (ed), C Gordon (tr), *Foucault Live: Collected Interviews, 1961–1984* (1996).
- Foucault M, 'Power and Strategies' in G Colin (ed), *Power/Knowledge: Selected Interviews & Other Writings- 1972-1977* (Pantheon 1980).
- Foucault M, *Security, Territory, Population* (AI Davidson ed, G Burchell tr, Palgrave Macmillan 2007).
- Foucault M, 'Sex, Power and the Politics of Identity' in S Lotringer (ed), *Foucault Live: Collected Interviews, 1961–1984* (1996).
- Foucault M, *Society Must Be Defended: Lectures at the Collège de France, 1975-76* (A Fontana and M Bertani eds, D Macey tr, Penguin 2004).
- Foucault M, *The Birth of Biopolitics - Lectures at the Collège de France, 1978-1979* (B Graham tr, Palgrave Macmillan 2008).
- Foucault M, *The History of Sexuality. Volume I: The Will to Knowledge* (R Hurley tr, Pantheon 1978).
- Foucault M, *The Order of Things: An Archaeology of the Human Sciences* (Routledge Classics 2001).
- Foucault M, 'The Subject and Power' in JD Faubion (ed), R Hurley (tr), *Power: The Essential Works of Michel Foucault 1954-1984: Essential Works of Michel Foucault 1954-1984 v 3* (Third edition, Penguin 2002).
- Foucault M, 'What Calls for Punishment' in S Lotringer (ed), J Johnston (tr), *Foucault Live: Collected Interviews, 1961–1984* (1996).
- Foucault M, Davidson AI, and Burchell G, *The Government of Self and Others: Lectures at the Collège de France 1982–1983* (Palgrave Macmillan 2010).
- Friedan B, *The Feminine Mystique* (Penguin Classics 2010).
- Gayatri Chakravorty Spivak, 'Can the Subaltern Speak?' in C Nelson and L Grossberg (eds), *Marxism and the Interpretation of Culture* (Macmillan Education 1988).
- Golder B, *Foucault and the Politics of Rights* (Stanford University Press 2015).
- Golder B and Fitzpatrick P, *Foucault's Law* (Routledge-Cavendish 2009).
- Gordon C, 'Governmental Rationality: An Introduction' in G Burchell, C Gordon, and P Miller (eds), *The Foucault effect : studies in governmentality* (Chicago, Ill : University of Chicago Press 1991).
- Grant MG, *Playing the Whore: The Work of Sex Work* (Verso 2014).
- Halley J, Kotiswaran P, Rebouché R, and Shamir H, *Governance Feminism: An Introduction* (University of Minnesota Press 2018).

- Haraway D, *Staying with the Trouble: Making Kin in the Chthulucene* (Duke University Press 2016).
- Hartsock NCM, *Money, Sex and Power: Towards a Feminist Historical Materialism* (Northeastern University Press 1985).
- Heaney E, *The New Woman: Literary Modernism, Queer Theory, and the Trans Feminine Allegory* (Northwestern University Press 2017).
- Higginbotham EB, *Righteous Discontent: The Women's Movement in the Black Baptist Church, 1880-1920* (Harvard University Press 1994).
- Hoefinger H, *Sex, Love and Money in Cambodia: Professional Girlfriends and Transactional Relationships* (Routledge 2013).
- hooks bell, *Teaching to Transgress: Education as the Practice of Freedom* (Routledge 1994).
- Jaggard AM, *Feminist Politics and Human Nature* (Rowman & Littlefield 1983).
- Jeffreys S, *Gender Hurts: A Feminist Analysis of the Politics of Transgenderism* (Routledge 2014).
- Jeffreys S, *The Idea of Prostitution* (Spinifex Press 1997).
- Kapur R, *Erotic Justice: Law and the New Politics of Postcolonialism* (Routledge 2005).
- Millett K, *Sexual Politics* (Hart-Davis 1971).
- Kempadoo K and Doezema J, *Global Sex Workers: Rights, Resistance, and Redefinition* (Psychology Press 1998).
- Kotiswaran P, *Dangerous Sex, Invisible Labor: Sex Work and the Law in India* (Princeton University Press 2011).
- Lauretis T de, *Alice Doesn't: Feminism, Semiotics, Cinema* (New ed edition, The Macmillan Press Ltd 1984).
- Leeuwen T van, *Discourse and Practice: New Tools for Critical Discourse Analysis* (Oxford University Press 2008).
- Levy J, *Criminalising the Purchase of Sex: Lessons from Sweden* (Routledge 2014).
- Lorey I, *State of Insecurity: Government of the Precarious* (Verso Books 2015).
- MacKinnon CA, *Butterfly Politics: Changing the World for Women* (The Belknap Press of Harvard University Press 2017).
- Mackinnon CA, 'On Sex and Violence: Introducing the Antipornography Civil Rights Law in Sweden' in *Are Women Human?: And Other International Dialogues* (Harvard University Press 2007).
- Mackinnon CA, *Toward a Feminist Theory of the State* (Harvard University Press 1991).
- Miller-Young M, *A Taste for Brown Sugar: Black Women in Pornography* (Duke University Press Books 2014).

- Molony B and Nelson J, *Women's Activism and 'Second Wave' Feminism: Transnational Histories* (Bloomsbury Academic 2017).
- Moon O, *Japanese Tourists in Korea: Colonial and Post-Colonial Encounters* (Routledge 2008).
- O'Brien E, *Challenging the Human Trafficking Narrative : Victims, Villains and Heroes* (Routledge 2018).
- Osterweil V, *In Defense of Looting: A Riotous History of Uncivil Action* (Bold Type Books 2020).
- J Outshoorn (ed), *The Politics of Prostitution: Women's Movements, Democratic States and the Globalisation of Sex Commerce* (Cambridge University Press 2004).
- Perry BL, Pescosolido BA, and Borgatti SP, *Egocentric Network Analysis: Foundations, Methods, and Models* (Structural Analysis in the Social Sciences, Cambridge University Press 2018).
- Phipps A, *Me, Not You: The Trouble with Mainstream Feminism* (Manchester University Press 2020).
- Phipps A, *Me, Not You: The Trouble with Mainstream Feminism* (Manchester University Press 2020).
- Raymond JG, *Not a Choice, Not a Job: Exposing the Myths about Prostitution and the Global Sex Trade* (2013).
- Raymond JG, *The Transsexual Empire: The Making of the She-Male* (Teachers' College Press 1994).
- Redstockings, 'The Redstockings Manifesto (1969)' in B Fahs (ed), *Burn it Down! Feminist Manifestos for the Revolution* (2020).
- Rose N, *Inventing Our Selves: Psychology, Power, and Personhood* (Revised ed. edition, Cambridge University Press 1998).
- Rose N, *Powers of Freedom: Reframing Political Thought* (Cambridge University Press 1999).
- Scoular J, *The Subject of Prostitution: Sex Work, Law and Social Theory* (Routledge 2017).
- Serisier T, *Speaking Out: Feminism, Rape and Narrative Politics* (Palgrave Macmillan 2018).
- Simplican SC, *The Capacity Contract: Intellectual Disability and the Question of Citizenship* (University of Minnesota Press 2015).
- A Smith (ed), *Re-Reading Spare Rib* (Palgrave Macmillan 2017).
- Smith M and Mac J, *Revolting Prostitutes: The Fight for Sex Workers' Rights* (Verso Books 2018).
- Sokhi-Bulley B, *Governing (Through) Rights* (Hart Publishing 2016).
- Svanström Y, 'Criminalising the John – a Swedish Gender Model?' in J Outshoorn (ed), *The Politics of Prostitution: Women's Movements, Democratic States and the Globalisation of Sex Commerce* (Cambridge University Press 2004).
- Telling K, 'Real Feminists and Fake Feminists' in R Cobb (ed), *The Paradox of Authenticity in a Globalized World* (Palgrave Macmillan US 2014).

- Waring CM, 'Visual Activism and Marginalized Communities in Online Spaces' in K Deepwell (ed), *Feminist Art Activisms and Artivisms* (Anagram Books 2020).
- Weeks K, *The Problem with Work: Feminism, Marxism, Antiwork Politics, and Postwork Imaginaries* (Duke University Press Books 2011).
- Winn D, *Prostitutes* (Hutchinson and Co 1974).
- R Wodak and M Meyer (eds), *Methods of Critical Discourse Studies* (Third edition, SAGE 2016).
- Wood R, 'Look Good, Feel Good: Sexiness and Sexual Pleasure in Neoliberalism' in AS Elias, R Gill, and C Scharff (eds), *Aesthetic Labour: Rethinking Beauty Politics in Neoliberalism* (2017).
- Young IM, *Justice and the Politics of Difference* (Princeton University Press 1990).
- Young S, *Changing the Wor(l)d: Discourse, Politics, and the Feminist Movement* (Psychology Press 1997).
- Zivi K, *Making Rights Claims: A Practice of Democratic Citizenship* (Oxford University Press, USA 2012).
- Zuboff S, *The Age of Surveillance Capitalism: The Fight for a Human Future at the New Frontier of Power* (Profile Books 2019).

Journal Articles

- Adams N, 'Prostitute Women, Justice and the Law' (1993) 4 Women: A Cultural Review 295.
- Agustín L, 'Sex and the Limits of Enlightenment: The Irrationality of Legal Regimes to Control Prostitution' (2008) 5 Sex Res Soc Policy 73.
- Alcoff L and Gray L, 'Survivor Discourse: Transgression or Recuperation?' (1993) 18 Signs 260.
- Baškarada S, 'Qualitative Case Study Guidelines' [2014] The Qualitative Report, 1.
- Beloso BM, 'Sex, Work, and the Feminist Erasure of Class' (2012) 38 Signs: Journal of Women in Culture and Society 47.
- Bernstein E, 'Carceral Politics as Gender Justice? The "Traffic in Women" and Neoliberal Circuits of Crime, Sex, and Rights' (2012) 41 Theory and Society 233.
- Bernstein E, 'The Sexual Politics of the "New Abolitionism"' (2007) 18 differences 128.
- Bracke MA, 'Women's Rights, Family Planning, and Population Control: The Emergence of Reproductive Rights in the United Nations (1960s–70s)' (2022) 44 The International History Review 751.
- Castillo-de-Mesa J and Méndez-Domínguez P, 'Homophily, Echo Chamber, Affective Polarization and Radicalization against the Migration: Case Study #Openarms on Twitter' [2020].
- Cesnulyte E, "'I Do Not Work: I Do Commercial Sex Work". Ambiguities in the Discourse and Practice of Selling Sex in Mombasa, Kenya' (2015) 46 Development and Change.

- Colleoni E, Rozza A, and Arvidsson A, 'Echo Chamber or Public Sphere? Predicting Political Orientation and Measuring Political Homophily in Twitter Using Big Data' (2014) 64 J Commun 317.
- Crossley AD, 'Facebook Feminism: Social Media, Blogs, and New Technologies of Contemporary U.S. Feminism' (2015) 20 Mobilization: An International Quarterly 253.
- Dijk TA van, 'Principles of Critical Discourse Analysis' (1993) 4 Discourse & Society 249.
- Ekberg G, 'The Swedish Law that Prohibits the Purchase of Sexual Services: Best Practices for Prevention of Prostitution and Trafficking in Human Beings' (2004) 10 Violence Against Women 1187.
- Farley M, "'Bad for the Body, Bad for the Heart": Prostitution Harms Women Even If Legalized or Decriminalized' (2004) 10 Violence Against Women 1087.
- Ferguson A, 'Sex War: The Debate between Radical and Libertarian Feminists' (1984) 10 Signs: Journal of Women in Culture and Society 106.
- Fiesler C and Proferes N, "'Participant" Perceptions of Twitter Research Ethics' (2018) 4 Social Media + Society 1.
- Fletcher HB, 'Three Stories of Prostitution in the West: Prostitutes' Groups, Law and Feminist "Truth"' (1994) 4 Columbia Journal of Gender and Law 26.
- Fruchterman TMJ and Reingold EM, 'Graph Drawing by Force-Directed Placement' (1991) 21 Software: Practice and Experience 1129.
- Gleason KD, Baker CK, and Maynard A, 'Discursive Context and Language as Action: A Demonstration Using Critical Discourse Analysis to Examine Discussions about Human Trafficking in Hawai'i' (2018) 46 Journal of Community Psychology 293.
- Gordon U, 'Prefigurative Politics between Ethical Practice and Absent Promise' [2017] Political Studies.
- Halley J, Kotiswaran P, Shamir H, and Thomas C, 'From the International to the Local in Feminist Legal Responses to Rape, Prostitution/Sex Work, and Sex Trafficking: Four Studies in Contemporary Governance Feminism' (2006) 29 Harv JL & Gender 335.
- Hartsock NCM, 'Comment on Hekman's "Truth and Method: Feminist Standpoint Theory Revisited": Truth or Justice?' (1997) 22 Signs 367.
- Hoefinger H, 'Neoliberal Sexual Humanitarianism and Story-Telling: The Case of Somaly Mam' [2016] ATR 7, 56.
- Jacomy M, Venturini T, Heymann S, and Bastian M, 'ForceAtlas2, a Continuous Graph Layout Algorithm for Handy Network Visualization Designed for the Gephi Software' (2014) 9 PLOS ONE e98679.
- Lutz S and Schneider FM, 'Is Receiving Dislikes in Social Media Still Better than Being Ignored? The Effects of Ostracism and Rejection on Need Threat and Coping Responses Online' [2020] Media Psychology 1.

- Mbembé A, 'Necropolitics' (2003) 15 *Public Culture* 11.
- McPherson L, 'Communication Techniques of the Women's Liberation Front' (1973) 21 *Today's Speech* 33.
- McPherson M, Smith-Lovin L, and Cook JM, 'Birds of a Feather: Homophily in Social Networks' (2001) 27 *Annual Review of Sociology* 415.
- Mitropoulos A, 'Precari-Us?' [2005] *precariat, transversal texts*.
- Munro E, 'Feminism: A Fourth Wave?' (2013) 4 *Political Insight* 22.
- Noack A, 'Modularity Clustering is Force-Directed Layout' (2009) 79 *Phys Rev E* 026102.
- Odysseos L, Death C, and Malmvig H, 'Interrogating Michel Foucault's Counter-Conduct: Theorising the Subjects and Practices of Resistance in Global Politics' (2016) 30 *Global Society* 151.
- Pearce R, Erikainen S, and Vincent B, 'TERF Wars: An Introduction' (2020) 68 *The Sociological Review* 677.
- Phipps A, 'Whose Personal is More Political? Experience in Contemporary Feminist Politics' (2016) 17 *Feminist Theory* 303.
- Platt L, Grenfell P, Meiksin R, Elmes J, Sherman SG, Sanders T, Mwangi P, and Crago A-L, 'Associations between Sex Work Laws and Sex Workers' Health: A Systematic Review and Meta-Analysis of Quantitative and Qualitative Studies' (2018) 15 *PLOS Medicine* e1002680.
- Raymond J, 'Prostitution on Demand: Legalizing the Buyers as Sexual Consumers' [2004] *Violence Against Women*.
- Rose N, 'Government, Authority and Expertise in Advanced Liberalism' (1993) 22 *Economy and Society* 283.
- Sandy L, 'Just Choices: Representations of Choice and Coercion in Sex Work in Cambodia' (2007) 18 *The Australian Journal of Anthropology* 194.
- Scoular J, 'What's Law Got To Do With It? How and Why Law Matters in the Regulation of Sex Work' (2010) 37 *Journal of Law and Society* 12.
- Sokhi-Bulley B, 'Alternative Methodologies: Learning Critique as a Skill' (2013) 3 *Law and Method* 6.
- Styler R, 'Josephine Butler's Serial Auto/Biography: Writing the Changing Self through the Lives of Others' (2017) 14 *Life Writing* 171.
- Thompson B, 'Multiracial Feminism: Recasting the Chronology of Second Wave Feminism' (2002) 28 *Feminist Studies* 337.
- Waters M, '"Yours in Struggle": Bad Feelings and Revolutionary Politics in Spare Rib' (2016) 27 *Women: A Cultural Review* 446.

Weitzer R, 'New Directions in Research on Prostitution' (2005) 43 Crime, Law and Social Change 211.

Weitzer R, 'The Social Construction of Sex Trafficking: Ideology and Institutionalization of a Moral Crusade' (2007) 35 Politics & Society 447.

Williams M and Moser T, 'The Art of Coding and Thematic Exploration in Qualitative Research' (2019) 15 International Management Review 45.

Magazine Articles

Arati, 'The London Programme, New Prostitution' [1983] (126) Spare Rib.

Armstrong T, "I Want Her out": Sarah Everard Vigil Organiser Calls for Cressida Dick's Resignation', *Mail* + (16 March 2021)
<<https://www.mailplus.co.uk/edition/news/crime/58986/i-want-her-out-sarah-everard-vigil-organiser-calls-for-cressida-dicks-resignation>> accessed 27 October 2021.

Bernice, 'Strip Shows' [1983] (137) Spare Rib.

Buxton R, 'China' [1973] (9) Spare Rib 8.

Crowther F, 'Prostitution and the Law' [1975] (34) Spare Rib.

Doggett A, 'India' [1974] (27) Spare Rib 24.

Ferber A, 'Judith Butler on the Culture Wars, JK Rowling and Living in "Anti-Intellectual Times"', *New Statesman* (22 September 2020).

Green V, 'Gerrie Moore Interview' [1976] (47) Spare Rib.

Green V, 'Prostitutes Organise' [1977] (56) Spare Rib 17.

Green V, 'The Sensitive Kerb-Crawler and the Common Prostitute' [1976] (52) Spare Rib 22.

Joanne Gleeson J and Doyle-Griffiths K, 'Kinderkommunismus: A Feminist Analysis of the 21st Century Family and a Communist Proposal for Its Abolition' [2015] Ritual.

Lopez-Jones N, 'Kerbcrawling Bill: A New Sus Law?' [1985] (152) Spare Rib.

Lopez-Jones N, 'Sexual Offences Bill: Protection for Women?' [1985] (153) Spare Rib.

Martin G, 'Sarah Everard Vigil Group Say Cressida Dick's Resignation Would Not Alter "Systemic Misogyny"', *Inews.co.uk* (15 March 2021)
<<https://inews.co.uk/news/uk/sarah-everard-vigil-cressida-dick-resignation-systemic-misogyny-met-police-914002>> accessed 1 October 2021.

Miller S, 'Catering For All Tastes' [1977] (60) Spare Rib 4.

Moore G, 'Outside Society' [1975] (37) Spare Rib 5.

Moore G, 'Outside Society' [1975] (39) Spare Rib 4.

Morell C, 'Prostitutes by Denise Winn Hutchinson' [1974] (24) Spare Rib 41.

- O'Sullivan S, 'Women Cross at Kings X Cops' [1983] (128) Spare Rib.
- Parker R, '7 Years On', [1979] (84) Spare Rib.
- Rowe M, 'Why Do We Work Collectively? How Does It Feel?', [1975] (32) *Spare Rib*
- Russell H, 'It's Their Business' [1977] (62) Spare Rib 4.
- Scarry E, 'The Privilege Pyramid' [2020] Washington Examiner.
- Scott A, 'Prostitution in South Korea: "To Seoul to Sell My Body"' [1976] (47) Spare Rib.
- Sebestyen A, 'Radical Discontent' [1979] (79) Spare Rib.
- Sebestyen A, 'Two Women from Two Worlds' [1985] (155) Spare Rib.
- Spare Rib, 'Credits' [1973] (8) Spare Rib.
- Spare Rib, 'Credits' [1973] (13) Spare Rib.
- Spare Rib, 'Editorial' [1983] (135) Spare Rib.
- Spare Rib Collective, 'Spare Rib - We Don't Quite Reveal All', [1983] (131) *Spare Rib*
- Tugendhat T, 'Human Rights Lawyers Now Present a Real Threat to British Troops at War', *The Telegraph* (19 September 2016)
 <<https://www.telegraph.co.uk/news/2016/09/19/human-rights-lawyers-now-present-a-real-threat-to-british-troops/>> accessed 30 September 2022.
- Walby S, 'Women, Crime and Criminology: A Feminist Critique by Carol Smart' [1977] (55) Spare Rib 39.
- Ward S, 'Selling Ourselves' [1977] (58) Spare Rib 38.
- Women Against Violence Against Women (WAVAW), 'Taking the Porn Industry By Storm' [1983] (130) Spare Rib.
- Women in Indochina Study Group, 'Interview with Mme Phan Thi Minh' [1975] (37) Spare Rib 19.
- 'For the Love of Money' [1972] (2) Spare Rib 13.
- 'Home Secretary Priti Patel: I Want Criminals to Feel Terror', *BBC News* (8 March 2019)
 <<https://www.bbc.com/news/uk-49213743>> accessed 11 November 2021.
- 'Honourable Thai Women Boxers' [1973] (17) Spare Rib 26.
- 'Hookers of the World Unite!' [1973] (14) Spare Rib 17.
- 'Mark Muller, Bridget Jones' Real Mr Darcy', *The Guardian* (11 April 2001)
 <<https://www.theguardian.com/film/interview/interviewpages/0,6737,471825,00.html>> accessed 30 September 2022.
- 'Prostitutes Protest' [1983] (127) Spare Rib.

‘Prostitution with a Catholic Face’ [1972] (2) Spare Rib 12.

‘Sarah Everard: How Wayne Couzens Planned Her Murder’, *BBC News* (30 September 2021) <<https://www.bbc.com/news/uk-58746108>> accessed 30 September 2022.

‘Spare Rib’, [1972] (1) Spare Rib.

‘USA: Criminal Clients’ [1972] (74) Spare Rib 12.

‘Wembley Park Murders: PCs “Took Selfies next to Sisters” Dead Bodies’, *BBC News* (26 June 2020) <<https://www.bbc.com/news/uk-england-london-53198702>> accessed 13 October 2021.

‘Women’s Safety: Smartphone Tips Shared Online’, *BBC News* (3 December 2021) <<https://www.bbc.com/news/technology-56373292>> accessed 30 September 2022.

Online Articles

All-Party Parliamentary Group (APPG) on Commercial Sexual Exploitation, ‘Publications’ <<https://www.appg-cse.uk/publications/>> accessed 30 September 2022.

Amnesty International, ‘Amnesty International Publishes Policy and Research on Protection of Sex Workers’ Rights’ (24 May 2016) <<https://www.amnesty.org/en/latest/news/2016/05/amnesty-international-publishes-policy-and-research-on-protection-of-sex-workers-rights/>> accessed 29 April 2021.

Bannister MJ, Eppstein D, Goodrich MT, and Trott L, ‘Force-Directed Graph Drawing Using Social Gravity and Scaling’ in *Graph Drawing* (Lecture Notes in Computer Science, Berlin, Heidelberg, W Didimo and M Patrignani eds, Springer 2013).

Barr A, ‘Why Lawyers Are Boring at Parties’ (*The Law Society*, 17 December 2015) <<https://www.lawsociety.org.uk/topics/blogs/why-lawyers-are-boring-at-parties>> accessed 30 September 2022.

BBC Sounds, ‘The Reunion - Spare Rib’ (BBC Sounds, 15 September 2013) <<https://www.bbc.co.uk/sounds/play/b039yz4x>> accessed 20 September 2022.

Beyond The Streets, ‘Why Help?’ <<https://beyondthestreets.org.uk/why-help/>> accessed 3 July 2022.

Bindel J, ‘Thought It Was Just Men Who Flew Abroad for Squalid Sexual Kicks? Meet the Middle-Aged, Middle-Class Women Who Are Britain’s Female Sex Tourists’ (*Mail Online*, 26 August 2013) <<https://www.dailymail.co.uk/femail/article-2401788/Sex-tourism-Meet-middle-aged-middle-class-women-Britains-female-sex-tourists.html>> accessed 23 December 2021.

Bows H, ‘Sarah Everard: Why Women Shouldn’t Have to Risk Trading Their Freedom for Safety’ (*The Conversation*, 16 March 2021) <<http://theconversation.com/sarah-everard-why-women-shouldnt-have-to-risk-trading-their-freedom-for-safety-157029>> accessed 30 September 2022.

- Boyd R, 'Race, Place and Class: Who's Speaking for Who?' (*The British Library*) <<https://www.bl.uk/spare-rib/articles/race-place-and-class-whos-speaking-for-who>> accessed 30 September 2022.
- The British Library, 'About the Spare Rib Digitisation Project' (*The British Library*) <<https://www.bl.uk/spare-rib/about-the-project>> accessed 30 September 2022.
- Campbell L, 'Women Tell Men How to Make Them Feel Safe after Sarah Everard Disappearance' (*the Guardian*, 10 March 2021) <<http://www.theguardian.com/uk-news/2021/mar/10/women-tell-men-how-to-make-them-feel-safe-after-sarah-everard-disappearance>> accessed 30 September 2022.
- Chua A, 'How America's Identity Politics Went from Inclusion to Division' (*the Guardian*, 1 March 2018) <<http://www.theguardian.com/society/2018/mar/01/how-americas-identity-politics-went-from-inclusion-to-division>> accessed 21 June 2021.
- Cochrane K, 'The Fourth Wave of Feminism: Meet the Rebel Women' (*the Guardian*, 10 December 2013) <<http://www.theguardian.com/world/2013/dec/10/fourth-wave-feminism-rebel-women>> accessed 4 December 2020.
- Docker Inc, 'Docker' (5 October 2022) <<https://www.docker.com/>> accessed 30 September 2022.
- Dodd V, 'PC Wayne Couzens Pleads Guilty to Kidnap and Rape of Sarah Everard' (*the Guardian*, 8 June 2021) <<http://www.theguardian.com/uk-news/2021/jun/08/pc-wayne-couzens-pleads-guilty-to-kidnap-and-of-sarah-everard>> accessed 30 September 2022.
- V Dodd and H Siddique, 'Wayne Couzens "Used Police ID and Handcuffs to Kidnap Sarah Everard"' (*the Guardian*, 29 September 2021) <<https://www.theguardian.com/uk-news/2021/sep/29/wayne-couzens-used-police-id-to-kidnap-sarah-everard-court-told>> accessed 30 September 2022.
- Exodus Cry, 'The Problem' (*Exodus Cry*) <<https://exoduscry.com/theproblem/>> accessed 14 June 2021.
- Gephi, 'Gephi - The Open Graph Viz Platform' <<https://gephi.org/>> accessed 13 September 2022.
- Good Morning Britain, 'Vigil Organiser Anna Birley Tells @CharlotteHawkins of Her Disappointment over the Met Police's 'unwillingness to Work with Them to Hold the Event. Amid Calls for Metropolitan Police Commissioner Dame Cressida Dick to Resign, Anna Says She Doesn't Believe She Should Step down' (@gmb, 15 March 2021) <<https://twitter.com/gmb/status/1371349048192552960>> accessed 27 October 2021.
- Grady C, 'The Waves of Feminism, and Why People Keep Fighting over Them, Explained - Vox' (20 July 2018) <<https://www.vox.com/2018/3/20/16955588/feminism-waves-explained-first-second-third-fourth>> accessed 5 October 2020.
- Greater London Authority, 'Policing with Consent' (22 October 2020) <<https://www.london.gov.uk/node/59395>> accessed 1 November 2021.
- Grierson J, 'Met Chief: Update Public Nuisance Law to Tackle Extinction Rebellion' (*the Guardian*, 5 Feb 2020) <<http://www.theguardian.com/uk-news/2020/feb/05/met>>

- chief-update-public-nuisance-law-tackle-extinction-rebellion> accessed 29 September 2021.
- Hanisch C, Scarbrough K, Atkinson T-G, and Sarachild K, 'Forbidden Discourse: The Silencing of Feminist Criticism of "Gender"' (12 August 2013).
- Harman H, Nokes C, Bottomley SP, Hobhouse W, Lucas C, Roberts LS, Creasy S, and others, 'Police, Crime, Sentencing and Courts Bill, As Amended (House of Commons, Amendment Paper)' (2 July 2021).
- Holt V, 'VAW Seminar Series: "The Contentious Relationship between Sex Workers and Researchers"' (December 2020)
<<https://www.youtube.com/watch?v=nZ8wTm55paU>> accessed 30 September 2022.
- The Home Office, 'Police, Crime, Sentencing and Courts Bill 2021: Protest Powers Factsheet' (*Home Office*, 7 July 2021) <<https://www.gov.uk/government/publications/police-crime-sentencing-and-courts-bill-2021-factsheets/police-crime-sentencing-and-courts-bill-2021-protest-powers-factsheet>> accessed 29 September 2021.
- Horgan A, 'Feminism: What's in a Name?' (*Versobooks.com*, 13 March 2020)
<<https://www.versobooks.com/blogs/4594-feminism-what-s-in-a-name>> accessed 30 September 2022.
- Klingler J, '@LauraWright1000 I Have Reached out to Lambeth Council and Clapham Police for Permits and Permission, but Yes, It Should Go Ahead.' (@jamiengklingler, 10 March 2021)
<<https://twitter.com/jamiengklingler/status/1369739088283246592>> accessed 29 October 2021.
- Klingler J, 'Why Sabina Nessa's Vigil Made Me Realise Vigils Alone Are Not Enough' (*Grazia*, 28 September 2021) <<https://graziadaily.co.uk/life/in-the-news/sabina-nessa-vigils-nothing-changed/>> accessed 1 November 2021.
- Laud G, 'Reclaim These Streets Cancelled: Why Has Sarah Everard Vigil Been Cancelled?' (*Express.co.uk*, 13 March 2021) <<https://www.express.co.uk/news/uk/1409346/reclaim-these-streets-cancelled-clapham-why-sarah-everard-vigil-cancelled-evg>> accessed 27 October 2021.
- Lewis S, 'SERF "n" TERF: Notes on Some Bad Materialisms' (*Salvage*, 2 June 2017)
<<https://salvage.zone/in-print/serf-n-terf-notes-on-some-bad-materialisms/>> accessed 30 September 2022.
- Lorey I, 'Governmental Precarization' (*transversal texts*, A Derieg tr, 2011)
<<https://transversal.at/transversal/0811/lorey/en>> accessed 30 September 2022.
- Lorey I, 'Virtuosos of Freedom' (*transversal texts*, M O'Neill tr, 2008)
<<https://transversal.at/transversal/0207/lorey/en>> accessed 30 September 2022.
- Norden J, 'Sisters Uncut Launch CopWatch Patrols after Sarah Everard's Murder' (*The Canary*, 4 October 2021) <<https://www.thecanary.co/uk/news/2021/10/04/sisters-uncut-launch-copwatch-patrols-after-sarah-everards-murder/>> accessed 1 November 2021.
- Nordic Model Now, 'Nordic Model Now! (@nordicmodelnow' (*Twitter*)
<<https://twitter.com/nordicmodelnow>> accessed 20 October 2020.

- Nordic Model Now, 'What is the Nordic Model?' (*Nordic Model Now!*, 27 March 2016) <<https://nordicmodelnow.org/what-is-the-nordic-model/>> accessed 30 September 2022.
- Parveen N, 'Priti Patel Describes Black Lives Matter Protests as "Dreadful"' (*the Guardian*, 12 February 2021) <<http://www.theguardian.com/politics/2021/feb/12/priti-patel-hits-out-at-dreadful-black-lives-matters-protests>> accessed 30 September 2022.
- Petrie R, 'A Day in the Life of Spare Rib' (*The British Library*) <<https://www.bl.uk/spare-rib/articles/a-day-in-the-life-of-spare-rib>> accessed 30 September 2022.
- Phillips J, 'Sarah Everard Missing: Women in Clapham Area "told to Be Careful and Not Go out Alone" - MyLondon' (8 March 2021) <<https://www.mylondon.news/news/south-london-news/sarah-everard-missing-women-clapham-19992681>> accessed 30 September 2022.
- Porterfield C, 'How Sarah Everard's Disappearance Sparked A Social Media Movement' (*Forbes*, 11 March 2021) <<https://www.forbes.com/sites/carlieporterfield/2021/03/11/how-sarah-everards-disappearance-sparked-a-social-media-movement/>> accessed 25 October 2021.
- Prostitutes EC of, 'Successful Private Prosecution of Serial Rapist – R v Davies' (*English Collective of Prostitutes*, 1 January 1996) <<https://prostitutescollective.net/private-prosecution/>> accessed 21 September 2022.
- Rane A, 'Kill the Bill Protests: Activists Continue Fight to Delay Bill Passing' (*The Independent*, 13 April 2021) <<https://www.independent.co.uk/news/uk/policing-protests-sheffield-kill-the-bill-b1830525.html>> accessed 1 November 2021.
- Reclaim These Streets, '@AdamWagner1 Adam, Can You Follow Back so We Can DM? Thanks!' (@ReclaimTS, 11 March 2021) <<https://twitter.com/ReclaimTS/status/1369954000464994307>> accessed 27 October 2021.
- Reclaim These Streets, 'And Why We're Also Encouraging People to Sign @libertyhq's Petition Calling on the Home Secretary to Scrap Damaging Proposals in the Police Crime Sentencing and Courts Bill Including Those Which Threaten Freedom of Expression and Assembly <https://t.co/2NqOd3DMGQ>' (@ReclaimTS, 22 June 2021) <<https://twitter.com/ReclaimTS/status/1407306456915976195>> accessed 27 October 2021.
- Reclaim These Streets, 'As the Event Has Now Been Cancelled We Would Strongly Encourage People Not to Gather on Clapham Common this Evening. We Hope People Will Instead Shine a Light to Remember Sarah Everard and All Women Lost to Violence on Their Doorsteps at 9.30pm Tonight. #ReclaimTheseStreets <https://t.co/8uiIMjv43F>' (@ReclaimTS, 13 March 2021) <<https://twitter.com/ReclaimTS/status/1370785570209857538>> accessed 27 October 2021.
- Reclaim These Streets, 'Defending Our Right to Protest and Reclaim These Streets' (*CrowdJustice*, 9 July 2021) <<https://www.crowdjustice.com/case/defending-our-right-to-protest/>> accessed 27 October 2021.

Reclaim These Streets, 'If You Came to Fryent Park Tonight, Thank You. If You Lit a Candle on Your Doorstep, Thank You. If You Said Their Names, Thank You. Tonight We Listened. Tomorrow the Hard Work Begins #BibaaAndNicole <https://t.co/PZkonubDz2>' (@ReclaimTS, 3 August 2021) <<https://twitter.com/ReclaimTS/status/1422662549607272455>> accessed 1 November 2021.

Reclaim These Streets, 'Ngozi Fulani from @Sistah_Space Hit the Nail on the Head on Newsnight - It's Time for Cressida Dick to Step down. Anything Less is a Betrayal to Women and Families Who Have Been Impacted by Police Misconduct' (@ReclaimTS, 10 September 2021) <<https://twitter.com/ReclaimTS/status/1436102439661457410>> accessed 27 October 2021.

Reclaim These Streets, 'Reclaim These Streets' (11 March 2021) <<https://web.archive.org/web/20210311182731/https://www.facebook.com/events/338249534275512/>> accessed 30 September 2022.

Reclaim These Streets, 'This Amendment is Part of the Policing Bill Which Contains Deeply Troubling Proposals to Curb Protest Rights and Give Police More Powers. We Strongly Believe in the Right to Protest, Which is Why We're Taking the Police to Court to Set Legal Precedents that Help Protect It' (@ReclaimTS, 22 June 2021) <<https://twitter.com/ReclaimTS/status/1407306454751535106>> accessed 27 October 2021.

Reclaim These Streets, 'This Evening at 9:30pm We Will Be Joining People around the Country in a Doorstep Vigil, Standing on Our Doorsteps and Shining a Light – a Candle, a Torch, a Phone – to Remember Sarah Everard and All Women Affected by and Lost to Violence. #ReclaimTheseStreets <https://t.co/C7BoBuQttZ>' (@ReclaimTS, 13 March 2021) <<https://twitter.com/ReclaimTS/status/1370689530081214465>> accessed 27 October 2021.

Reclaim These Streets, 'This Makes for a Sickening Read. Cressida Dick Should Take Responsibility & Resign. On Her Watch Officers Shared Images of Bibaa & Nicole. On Her Watch an Officer Killed Sarah. On Her Watch 160 Officers Accused of Sexual Misconduct. This Toxic Culture Comes from the Top. Enough.' (@ReclaimTS, 8 March 2021) <<https://twitter.com/ReclaimTS/status/1422482328383787008>> accessed 27 October 2021.

Reclaim These Streets, 'We Are Really Pleased with the Outcome from this Judgment. The Met Conceded We Are Right on the Law and Protest is Not Banned per Se. We Are Now in Discussions with the Met to Confirm How the Event Can Proceed in a Way that is Proportionate and Safe - Our Number 1 Priority' (@ReclaimTS, 12 March 2021) <<https://twitter.com/ReclaimTS/status/1370458551362187272>> accessed 27 October 2021.

Reclaim These Streets, 'We Will Be Joining Feminists of London's Virtual Event at 6:00pm this Evening, Livestreamed Online to Our YouTube Channel. The Event Will Feature Speakers @sanditoksvig, @BellRibeiroAddy, @DeborahFW, @ManduReid, @jamiengklinger with Readings and Contributions from the Community.' (@ReclaimTS, 13 March 2021) <<https://twitter.com/ReclaimTS/status/1370764134728470530>> accessed 27 October 2021.

- Reclaim These Streets, 'An Open Letter to Cressida Dick' (*Reclaim These Streets*, 14 March 2021) <<https://reclaimthesestreets.com/2021/03/an-open-letter-to-cressida-dick/>> accessed 27 October 2021.
- Reclaim These Streets, 'Breaking: Statement from Reclaim These Streets on Tonight's Vigil in Clapham' (*Reclaim These Streets*, 13 March 2021) <<https://reclaimthesestreets.com/2021/03/breaking-statement-from-reclaim-these-streets-on-tonights-vigil-in-clapham/>> accessed 27 October 2021.
- Reclaim These Streets, 'Defending Our Right to Protest' (*Reclaim These Streets*, 30 May 2021) <<https://reclaimthesestreets.com/2021/05/defending-our-right-to-protest/>> accessed 27 October 2021.
- Reclaim These Streets, 'Met Commissioner Cressida Dick and Mayor of London Meet Reclaim These Streets' (*Reclaim These Streets*, 16 March 2021) <<https://reclaimthesestreets.com/2021/03/met-commissioner-cressida-dick-and-mayor-of-london-meet-reclaim-these-streets/>> accessed 27 October 2021.
- Reclaim These Streets, 'ReclaimTheseStreets Judgment Now in: Ruling Confirms Law Does Not Prevent Protest in All Circumstances' (*Reclaim These Streets*, 12 March 2021) <<https://reclaimthesestreets.com/2021/03/reclaimthesestreets-judgment-now-in-ruling-confirms-law-does-not-prevent-protest-in-all-circumstances/>> accessed 27 October 2021.
- Reclaim These Streets, 'Update: Clapham Vigil Cancelled and Fundraising for Women's Causes' (*Reclaim These Streets*, 13 March 2021) <<https://reclaimthesestreets.com/2021/03/update-clapham-vigil-cancelled-and-fundraising-for-womens-causes/>> accessed 27 October 2021.
- Reclaim These Streets, 'Urgent Update: Police Want to Pull the Vigil' (*Reclaim These Streets*, 11 March 2021) <<https://reclaimthesestreets.com/2021/03/urgent-update-police-want-to-pull-the-vigil/>> accessed 27 October 2021.
- Reclaim These Streets, 'Help Change the Law to Make Harassment of Women and Kerb Crawling Illegal' (*Reclaim These Streets*, 22 June 2021) <<https://reclaimthesestreets.com/endstreetharassment/>> accessed 27 October 2021.
- Rice J, 'But, How Do You Really Feel?' (*Twitter Blog*, 6 November 2019) <https://blog.twitter.com/en_us/topics/insights/2019/but-how-do-you-really-feel.html> accessed 23 February 2021.
- Richards V, 'Opinion: Sarah Everard's Disappearance Strikes a Chord with Every Woman' (*The Independent*, 11 March 2021) <<https://www.independent.co.uk/voices/sarah-everard-death-women-safety-night-b1815608.html>> accessed 30 September 2022.
- Rowe M, 'Spare Rib and the Underground Press' (*The British Library*) <<https://www.bl.uk/spare-rib/articles/spare-rib-and-the-underground-press>> accessed 30 September 2022.
- Serisier T, 'Complex Back Stories: Feminism, Survivor Politics and Trans Rights' (*Critical Legal Thinking*, 15 June 2020) <<https://criticallegalthinking.com/2020/06/15/complex-back-stories-feminism-survivor-politics-and-trans-rights/>> accessed 30 September 2022.

- Siddique H, 'Wayne Couzens Timeline: Footage Shows Movements before Murdering Sarah Everard' (*the Guardian*, 29 September 2021) <<https://www.theguardian.com/uk-news/2021/sep/29/wayne-couzens-timeline-footage-shows-movements-before-murdering-sarah-everard>> accessed 30 September 2022.
- Singh, A 'Government Asks Women To Share Experiences Of Harassment And Abuse' (*HuffPost UK*, 12 March 2021) <https://www.huffingtonpost.co.uk/entry/sarah-everard-women-harassment-government_uk_604ba44ac5b65bed87da52bf> accessed 30 September 2022.
- Sisters Uncut, 'As Soon as the Sun Went down, Police Stormed the Bandstand. We Do NOT Answer to Violent Men. Stay Safe. Know Your Rights: -"NO COMMENT" If Cops Talk to You. - If Police Ask You to Do Anything, Ask "Am I Legally Obligated to?" - If They Say Yes, Ask "under What Power?"' (@SistersUncut, 13 March 2021) <<https://twitter.com/SistersUncut/status/1370813368420995082>> accessed 26 October 2021.
- Sisters Uncut, 'Every 3 Days, a Woman is Killed by a Partner or Ex-Partner. The Police and Prisons Are Individually and Systemically Violent to All People, Especially Women and Gender Non-Conforming People.' (@SistersUncut, 13 March 2021) <<https://twitter.com/SistersUncut/status/1370726383610167297>> accessed 27 October 2021.
- Sisters Uncut, '#KillTheBill - Online Meeting' (18 March 2021) <[https://www.facebook.com/events/264952468571536/?acontext=%7B%22event_action_history%22%3A\[%7B%22surface%22%3A%22page%22%7D\]%7D](https://www.facebook.com/events/264952468571536/?acontext=%7B%22event_action_history%22%3A[%7B%22surface%22%3A%22page%22%7D]%7D)> accessed 27 October 2021.
- Sisters Uncut, 'No More Police Powers - Vigil at New Scotland Yard' (14 March 2021) <[https://www.facebook.com/events/278831997208048/?acontext=%7B%22event_action_history%22%3A\[%7B%22surface%22%3A%22page%22%7D\]%7D](https://www.facebook.com/events/278831997208048/?acontext=%7B%22event_action_history%22%3A[%7B%22surface%22%3A%22page%22%7D]%7D)> accessed 27 October 2021.
- Sisters Uncut, 'PRESS RELEASE: We Will Not Be Silenced, We Will Not Ask Permission, We Will Not Be Told What to Do by Violent Men. <https://t.co/3iYq9c0KfS>' (@SistersUncut, 13 March 2021) <<https://twitter.com/SistersUncut/status/1370726043884093440>> accessed 27 October 2021.
- Sisters Uncut, '@ReclaimTS To All Those Still Thinking of Heading to Clapham Common at 6pm Tonight: We Will Be There! Please Bring Your Sadness and Your Rage.' (@SistersUncut, 13 March 2021) <<https://twitter.com/SistersUncut/status/1370661314880811010>> accessed 27 October 2021.
- Sisters Uncut, 'SAFETY: Arrive & Leave with a Friend. Follow @GBCLegal's 5 Key Messages, and Importantly: Don't Speak with the Police! They Will Be Trying to Gather Information on Attendees. You Do NOT Need to Give Personal Details, Legal Observers Will Be around to Inform You on Your Rights.' (@SistersUncut, 13 March 2021) <<https://twitter.com/SistersUncut/status/1370752552413892610>> accessed 27 October 2021.

- Sisters Uncut, 'Sisters Reclaiming These Streets! We Will Not Be Silenced!' <[https://www.facebook.com/events/289437029268960/?acontext=%7B%22event_action_history%22%3A\[%7B%22surface%22%3A%22page%22%7D\]%7D](https://www.facebook.com/events/289437029268960/?acontext=%7B%22event_action_history%22%3A[%7B%22surface%22%3A%22page%22%7D]%7D)> accessed 27 October 2021.
- Sisters Uncut, 'Sisters Uncut Protest Wayne Couzens Sentencing, Say "Police Don't Keep Us Safe"' (*Sisters Uncut*, 29 September 2021) <<https://www.sistersuncut.org/2021/09/29/sisters-uncut-protest-wayne-couzens-sentencing-say-police-dont-keep-women-safe/>> accessed 1 November 2021.
- Sisters Uncut, 'The Police Abuse the Powers They Already Have - and yet the Government Plans to Give Them Even More Powers in the Police, Crime, Sentencing and Courts Bill. This is Dangerous. This Will Lead to Even More State Violence against Women. This Bill MUST Be Stopped.' (@*SistersUncut*, 13 March 2021) <<https://twitter.com/SistersUncut/status/1370884213516406785>> accessed 27 October 2021.
- Sisters Uncut, 'Today We're Announcing a Police Intervention Training, Which Will Launch CopWatch Patrol Groups across the Country. The Police Don't Keep Us Safe: We Keep Us Safe. We Will Intervene in Every Stop and Search, Every Arrest, Every Kidnapping. Sign up: <https://t.co/ZM66OVh8wh>' (@*sistersuncut*, 29 September 2021) <<https://twitter.com/sistersuncut/status/1443191808167710725>> accessed 1 November 2021.
- Sisters Uncut, 'Tonight, Thousands of Women Came to Clapham Common to Grieve the Death of a Woman - Allegedly Murdered by a Male Police Officer. Tonight, Metropolitan Police Officers Waited for the Sun to Set before They Started Grabbing and Manhandling Women in the Crowd.' (@*SistersUncut*, 13 March 2021) <<https://twitter.com/SistersUncut/status/1370866731762221059>> accessed 27 October 2021.
- Sisters Uncut, 'We Are Angry. We Will Not Be Controlled. We Will Not Be Silenced. See You in Clapham at 6. #ReclaimTheseStreets' (@*SistersUncut*, 13 March 2021) <<https://twitter.com/SistersUncut/status/1370663466101530627>> accessed 27 October 2021.
- Sisters Uncut, 'We Will Not Be Silenced. We Will Not Be Intimidated by Violent Men - Whether They're Uniformed or Not. We Have a Right to Gather. To Grieve. To Cry. To Rage. To Collectively Acknowledge the Fact that Sarah Everard Could Have Been Any One of Us. #ReclaimTheseStreets <https://t.co/VDtX6kZUv>' (@*SistersUncut*, 14 March 2021) <<https://twitter.com/SistersUncut/status/1371139299547185154>> accessed 31 October 2021.
- Sisters Uncut, 'We Will Still Be Attending Tonight's Event in Memory of #SarahEverard and All Those Killed by Gendered and State Violence. We Hope You Do Too. See You at Clapham Common at 6pm. #ReclaimTheseStreets' (@*SistersUncut*, 13 March 2021) <<https://twitter.com/SistersUncut/status/1370659626241376256>> accessed 27 October 2021.
- Sisters Uncut, 'Women and Gender Non-Conforming People Aren't Safe in Our Homes, and We Aren't Safe on the Streets. We Have a Right to Protest this Violence.' (@*SistersUncut*,

13 March 2021) <<https://twitter.com/SistersUncut/status/1370726384922980360>> accessed 27 October 2021.

Smythe V, 'I'm Credited with Having Coined the Word "Terf". Here's How It Happened' (*the Guardian*, 28 November 2018)
<<http://www.theguardian.com/commentisfree/2018/nov/29/im-credited-with-having-coined-the-acronym-terf-heres-how-it-happened>> accessed 30 September 2022.

This Morning, 'How Can the Government Make Women Safer in the Wake of #ReclaimTheseStreets?' (15 March 2021)
<<https://www.youtube.com/watch?v=h0raLrZ8a3M>> accessed 27 October 2021.

Tweepy, 'Tweepy/Tweepy: Twitter for Python!' (*GitHub*)
<<https://github.com/tweepy/tweepy>> accessed 30 September 2022.

Twint, 'Twintproject/Twint: An Advanced Twitter Scraping & OSINT Tool Written in Python'
<<https://github.com/twintproject/twint>> accessed 30 September 2022.

Wagner A, 'Have to Log out but this is the Point: At 3pm Today Every Police Force in England Was Saying Protest Could Never Be Lawful under Covid Regs. The Position Now, Because of the Ruling, is Protest Can in Principle Be Lawful and It is up to the Police to Assess the Proportionality' (@AdamWagner1, 12 March 2021)
<<https://twitter.com/AdamWagner1/status/1370450075449708544>> accessed 27 October 2021.

Wagner A, 'Interested to See How the @metpoliceuk Police this. In the Current Lockdown They Seem to Have Been Treating Protest as Essentially Banned. I Think that is Legally Wrong. Outdoor Socially Distanced Protest Should Be Permitted under the Covid Regulations.' (@AdamWagner1, 11 March 2021)
<<https://twitter.com/AdamWagner1/status/1369917786936516614>> accessed 27 October 2021.

Wagner A, 'That Socially Distanced Outdoor Protest (Does Not Pose Significant Risk in Public Health Terms) is Lawful as It Would Be a "Reasonable Excuse" and Therefore a Defence to Breaking the Gathering Rule. Regulations Here - this is Not Legal Advice! <https://t.co/2fqxxQAwEV> (3/3)' (@AdamWagner1, 11 March 2021)
<<https://twitter.com/AdamWagner1/status/1369925042566541313>> accessed 27 October 2021.

We are Plan C, 'C is for Consciousness Raising!' (*We are Plan C*, 31 May 2015)
<<https://www.weareplanc.org/blog/c-is-for-consciousness-raising/>> accessed 7 June 2021.

Zerbisias A, 'Feminisms Fourth Wave is the Shitlist' (*NOW Magazine*, 16 September 2015)
<<https://nowtoronto.com/feminisms-fourth-wave-is-the-shitlist>> accessed 4 December 2020.

Zola A, 'What is Hashing and How Does It Work?' (*SearchDataManagement*, June 2021)
<<https://www.techtarget.com/searchdatamanagement/definition/hashing>> accessed 30 September 2022.

Appendices

Appendix A – Code Book Categories and Descriptions

Code Name / Special Interests Categories	Description of Category
1. Participants	Who is expressly mentioned by the text? Who is implicitly involved (for example, the unreferenced author or reader). What roles do they occupy?
<i>1.1 Feminist Participants</i>	<i>The express/implicit mention of feminist activist identity</i>
<i>1.2 Sex Workers Participants</i>	<i>Person involved in transactional sex acts as understood or implied by the text</i>
2. Actions	Activities described or referred to in the text. Close attention paid to the possibility of other actions or relative agency of participants is an important feature of such observations.
<i>2.1 Speech</i>	<i>Is quoted or able to express themselves in first person narratives with the body of the text</i>
<i>2.3 Diagnosis</i>	<i>Statements that assert what events are, warn, state the problem, suggest viable solutions, or advise participants actions. Particular attention paid to the existence of 'know-how', a distinct capacity to diagnosis problems and possession of technical efficacy.</i>
<i>2.4 Legal</i>	<i>Actions expressly or commonly associated with juridical thought and apparatus. This is broadly interpreted and includes references to litigation, appeals to notions such as justice, contracts, property, rights, statutes and interventions of the state or intergovernmental organisations.</i>
3. Performance Modes	What descriptions are attached to the actions that detail the manner they are taken in. For example, does the text suggest that actions are rushed or does it encourage more diligent

	approaches.
<i>3.1 Usefulness and Utility</i>	<i>Following Sara Ahmed discussion of use (outlined in Methodology) noting when persons, things, spaces and events are considered with respect to their utility. Specific focus on noting instrumental, affective, and distributive dimensions.</i>
<i>3.2 Affective experiences</i>	<i>Wider noting of specific feelings and emotions connected to experiences.</i>
4. Eligibility Conditions	What conditions accompany participation in various actions, e.g. what characteristics, materials or temporal requirements must be met for a participant to be involved in actions undertaken.
<i>4.1 Feminist Inclusion / Exclusion</i>	<i>Conditions that accompany something being 'feminist'</i>
<i>4.2 Activism Inclusion / Exclusion</i>	<i>Conditions that accompany something being 'activism'</i>

Appendix B – Dataframe Processing

Order	Category	Number	Network%	Colour	Keywords
1	RadFem	561	9.37%	Green	'radical', 'rad', 'radfem', 'radical feminist', 'TERF', 'SWERF'. ¹
2	Gender Critical	423	7.06%	Orange	'GC', 'gender critical', '#istandwithjkrowling', '#adulthumanfemale', '#istandwithmaya', 'pronouns', 'sex is real', 'adult human female', 'adult human', 'XX', 'sex not gender', '#IStandWithWomen', 'biology', 'Genderfree', 'Rowling', 'chromosomes', 'sex is female'
3	(Neo)Abolitionist	150	2.50%	Red	'abolition', 'abolitionist', 'Nordic Model', 'buyer law', 'Abolicionistas', 'aboliconista', 'abolitionniste', 'FOSTA', 'SESTA'
4	Gender Based Violence	203	3.34%	Dark Green	'sexual abuse', 'harassment', 'femicide', 'killed by men', 'VAW', 'violence', 'sexual harassment'
5	Generic Feminist	554	9.25%	Blue	'feminist', 'feminism', 'femin', 'women's liberation', 'sexist', 'sexism', 'pankhurst', 'suffrage', 'feministe'
	Total	1,891	31.57%		

¹ Note that the terms "TERF" and "SWERF" (Trans and Sex Worker Exclusionary Radical Feminist, respectively) are often contended to be a slur by some feminists, whilst a helpful description by others. In the case of many of the 'RadFem' users in the network these terms were used as part of an ironic appropriation – with the R of this acronym standing for Radical.