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OUTSIDE, HIDDEN AND IN BETWEEN: LOCATING THE MIGRANT EXOTIC DANCER IN CANADIAN LEGAL DISCOURSE AND REGULATORY PRACTICE

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Keywords: commercial sex, Canada, economic, immigration policy, immigrant women, exotic women, exotic dancer, regulatory practice, regulation

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Outside, Hidden and in Between: Locating the Migrant Exotic Dancer in Canadian Legal Discourse and Regulatory Practice

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"In regulating desire, the social purity movement was often more concerned with nation-building and racial formation than with sexual conduct."

Mariana Valverde, *The Age of Light, Soap and Water: Moral Reform in English Canada, 1885-1925*, 2nd ed. (2008)

Legal liberalism's regulation of sex has always been spatial and accomplished primarily through drawing and policing the boundaries of the public and private.[1] Indeed the public and the private are conceived, regulated and produced as both discursive and material spaces in law. An historicized account, however, reveals that the borders between the realms are porous, movable and the sites themselves contested.[2]

This article examines how objections against commercial sex, re-positioned from religious and moral to secular and modernist stances, converge with Canada's broader economic and immigration policies. It focuses specifically on immigrant women in exotic dancing and on the exotic dancer visa alongside other temporary work permits issued to women in the "dirty, dangerous and difficult" or "3-D" sectors. This intervention in feminist legal theory draws upon spatial analysis to provide a more profound engagement of the law's discursive power beyond the rhetorical and symbolic by drawing attention to how law creates and shapes spaces in material terms.

The challenge is partly to bridge the discussion between the substantial amount of feminist work on local exotic dancers/exotic dancing (which overlaps with the movements pushing for

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[1] Nicholas Blomely, "Law Property, and the Geography of Violence: The Frontier, the Survey and the Grid," *Annals of the Association of American Geographers*, 93 (1), at 123.Blomley describes liberal law as primarily concerned with the drawing and policing of boundaries, citing C. Visman, "Starting from Scratch: Concepts of Order in No-Man's Land, *War," Violence and the Modern Condition*, B. Huppauf (Ed), Berlin: Walter de Gruyter, 45-65 and M. Walzer, Liberalism and the art of separation, *Political Theory* 12 (3), 1994, 315-330.

[2] Margaret Thornton, *Public and Private: Feminist Legal Debates*, (Melbourne: Oxford University Press, 1995).

decriminalization in Canada) on the one hand, and a myriad of broader feminist engagements of issues around immigrant labour and sexual exploitation in the global economy on the other. What does spatial analysis/theory contribute or lend to the project? Three concrete contributions are proposed: (1) Spatial analysis facilitates a methodological critique because spatial analysis is attentive to simultaneity and to the idea that race/gender/class are co-constitutive concepts. It necessarily interrupts the narrative of modernity which encompasses debates about sexuality in general and commercial sex in particular. (2) Second, spatial analysis enables a far-reaching critique of the emergent forms and exercises of state power as well as private (commercial) power over the bodies of exotic dancers, including temporary immigrant workers in exotic dancing. (3) And third, spatial theory facilitates a challenge to identity-based feminist reflexivity with its tendency to hold back feminist political engagement in the first world context and to inhibit the feminist capacity to "talk across worlds" which are separated in social, geopolitical and material terms.[3]

The article is divided into two parts. The first revisits the narrative of secular modernity which pervades accounts of sex regulation in Canadian legal history. This section disrupts the conventional account of Western liberal permissiveness in the light of Mariana Valverde's analysis that the regulation of desire is elemental (rather than exceptional) to the notion of progress. Going back to the historically racist and colonialist origins of striptease in the context of bourgeoisie and white settler subject-formation, the discussion recalls the case of Saartjie Baartman, the former slave who earned wages by being put on public display, to introduce challenges to pro sex-worker feminist positions which assume that the market is uniformly autonomy-enhancing and unproblematic. Without attempting to equate the situation of immigrant temporary workers in exotic dancing with the exhibition of the "Hotentot Venus," Saartjie Baartman, the discussion invites a closer scrutiny of the key assumptions of rationality behind notions like wage work, markets and monetary exchanges. The second part of the paper employs a spatial analysis of the legal and commercial regulation of stripping, focusing on how strippers' bodies are the subject of hyper-regulation yet are both nominal and central to liberal legal discourse of social harm and protection. Proceeding from Audrey Macklin's insight that the macro-geographical shift in source countries for strippers coincided with a micro-geographic shift in the Canadian job site, from stage to table, onto men's laps, this section analyzes the competing voices in the economic discourse of sex work (including stripping) in Canada, namely those of the adult entertainment industry, pro sex workers' rights groups and private/bourgeois interests which are usually articulated and presented as the community interest. The paper ends with the conclusion that immigrant exotic dancers in Canada are on the fringes of social citizenship, caught in between contradicting and complementing discursive currents of economics, morality and human rights.

[3] Richa Nagar, Footloose Researchers, 'Travelling' Theories and the Politics of Transnational Feminist Praxis, *Gender, Place and Culture*, Vol. 9 (2), (2002) at 182.

I. RELOCATING HISTORIES: REVISITING CANADIAN MORAL REGULATION

Numerous accounts of the history of sexual regulation in Canadian law, including public nudity, nude shows and exhibitions, and striptease or exotic dancing in strip clubs, couch sexual regulation policy discourse within a conventional narrative that outlines the displacement of religiously-based and Victorian moral panics by an emergent liberal permissiveness.[4] The period of the late 1960s is regularly invoked as the dawn of a new era of progress – that of Canadian liberalism. As the story goes, apart from the promise of a more equitable division of social rewards, the era ushered in libertarian views on sexuality and thereby ended (at least in legal terms) the prudery that characterized previous debates over moral reform. The ethos of this historic moment is often re-captured through Prime Minister Pierre Elliot Trudeau's famous statement: "The state has no place in the bedrooms of the nation."[5]

Budding social movements (not the least of which was the women's liberation movement) played a significant role in renegotiating the boundaries of acceptable sexual behaviours through the notion of equality. Indeed, these popular movements exerted pressure on the Canadian state, forcing it to take a step back from the criminal regulation of sex-related practices such as birth control, abortion and homosexuality.[6] Following this logic, subsequent Canadian Supreme Court rulings such as *R v Hutt*[7] (which raised the evidentiary standards for solicitation) and *R v Pelletier*[8] (which ruled that touching a dancer's breasts and buttocks in a private cubicle in a bar does not constitute an indecent performance), cases widely interpreted to have further liberalized state policy towards the commercial sex sector, fit in quite seamlessly – or so it seems. But chronicling the history of Canadian law regulating commercial sex in this way not only oversimplifies the notion of regulatory forms and practices, it also unproblematically entrenches the discussion of Western libertarian views on sexuality within a linear narrative of progress and modernity.[9] Such a version of history tends to waylay the significance of recurring periods of moral panic, as well as of specific pockets of hyper-regulated sexual activity (such as stripping), by portraying them as exceptions to the rule. Mariana Valverde points out that the regulation of sex/desire is elemental rather than exceptional to the

[4] Deborah R. Brock, *Making Work, Making Trouble: Prostitution as a Social Problem* (University of Toronto Press, 1998), 26.

[5] Ibid, 26.

[6] Ibid, 26.

[7] *R v Hutt*, (1978), 82 D.L.R. (3d) 95 (S.C.C.)

[8] *R v Pelletier*, [1999] 3 S.C.R. 863

[9] Michel Foucault, "The Archaeology of Knowledge," *Social Science Information,* Vol 9, Issue No. 1, 1970 at 175-185

very notion of progress and civilization.[10] Nonetheless, the regulation of commercial sex in Canada, particularly stripping, has been anything but consistent. Audrey Macklin notes that "lap dancing and related practices occupy a grey zone in the Canadian legal landscape."[11] Lisa E Sanchez' observation on the American setting also rings true here: "The enactment and enforcement of laws regulating commercial sex are a fluctuating form of regulatory governance."[12]

Feminists have grappled with the problem of acknowledging the complexities of sex regulation in a variety of ways. Deborah R. Brock examined how particular forms of prostitution in Canada were produced as visible social problems, and therefore as legitimately subject to regulation, from the 1970s through the 90s. Brock challenged previously conventional views of the monolithic state as possessing a unified structure and purpose, arguing that the ways criminal legislation is implemented in each locale within a given period varies according to police interpretations of the law[13] as well as the means available to them to enforce it.[14] She portrays the 1960s as a short-lived "permissive moment" followed by the rise of expert discourses around prostitution which eventually classified it as a "social problem." For this paper's focus on strippers and exotic dancers, Brock's valuable insight about the production of the police during this period as "experts" on prostitution facilitates a better understanding of decision-making in the courts vis-à-vis public nudity and lap-dancing.[15] Chris Bruckert's ethnographic work with strippers from the 1980s to the 1990s mapped feminist sex-work discourse onto the

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[10] Mariana Valverde, *The Age of Light, Soap & Water: Moral Reform in English Canada*, *1885-1925*, (2nd Edition) (University of Toronto Press, 2008) at 105.

[11] Audrey Macklin, "Dancing Across Borders: Exotic Dancers, Trafficking, and Canadian Immigration Policy," 37 *IMR* No. 2, (Summer, 2003) at 468.

[12] Lisa E. Sanchez, "Enclosure Acts and Exclusionary Practices, Neighborhood Associations, Community Police and the Expulsion of the Sexual Outlaw," in *In Between Law and Culture: Relocating Legal Studies,* David Theo Goldberg, Michael Musheno and Lisa Bower,(Eds), (Minneapolis: University of Minnesota Press, 2001) at 123.

[13] Nick E. Larsen, "Urban Politics and Prostitution Control: A Qualitative Analysis of a Controversial Urban Problem (Bill C-49 & Toronto)," *Canadian Journal of Urban Research*, Vol. 8, Issue 1, June 1999. Larsen's study looks more closely into the problem of how police exercise their influence in local urban politics and prostitution control, leading him to posit that from 1990-1995 the Metropolitan Toronto Police had a clear political agenda that differed from their ostensible role of controlling prostitution in the public interest and in response to directions from local governments.

[14] Brock, Above n 4 at 4-10

[15] Deborah Brock's ethnographic study focuses on prostitution (specifically street prostitution) but in the Canadian Supreme Court cases of *R. v Mara and East* and *R v Pelletier* (n 6 and n 7, regarding lap dancing) the testimony of police officers as "experts" was also key to the dismissals and the judicial exercise of boundary setting. See also: Jaqueline Lewis, "Controlling Lap Dancing: Law, Morality and Sex Work," *Sex for Sale*, Ronald John Weitzer (Ed). (New York, Routledge, 2000) at 203. Lewis suggests that a blurring of boundaries between exotic dancing and prostitution has taken place in the commercial sex practice of the lap dance.

discussion of macroeconomic restructuring and the reduction of welfare in the 1990s, pointing out that that strip clubs do not operate outside the broader Canadian economy. While attentive to the dangers of economic determinism, Bruckert's work offers profound insight into the shift that took place in the business of stripping/strip clubs in the nineties — namely the advent and proliferation of the "lap dance." By theorizing the de-professionalization and de-skilling of exotic dancing within the larger framework of an expanding market in services,[16] she manages to re-align micro-level analyses of policy-making processes, institutional politics, business strategies, class culture and ultimately regulatory practices alongside changing material conditions. And while both Brock and Bruckert clearly support feminist positions on decriminalization, their work cannot be labelled as exclusively feminist libertarian or feminist socialist, the categories that Laurie Schrage distinguished in her work on feminist approaches on to prostitution.[17] Moreover, while Bruckert's study falls short of engaging racial and ethnic stratifications within broader Canadian society, her theory of de-professionalization in exotic dancing as well as her description of the heightened levels of regulation and surveillance to which exotic dances are subject under municipal bylaws[18] are noteworthy. She points out that notwithstanding the Supreme Court decisions which barred attempts to regulate/legislate morality over the previous twenty years, the authority of the judiciary has been challenged and the Federal courts have been displaced as the guardians of morality by community groups, municipal politicians and to some extent, provincial officials, who have all sought to assert their authority over space, labour and health to contain and regulate the exotic entertainment industry and its workers.[19]

Relocating the history of sexual regulation in Canadian law, particularly that of public nudity, nude shows and exhibitions, striptease and exotic dancing in strip clubs, disturbs the conventional narrative of liberal permissiveness and maps that history onto the broader discourse of nation-building and racial formation. This approach follows the work of Sherene

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[16] Chris Bruckert, *Taking it Off, Putting it On: Women in the Strip-Trade*, (United Kingdom, Women's Press, 2002) at 96; 153.

[17] Laurie Shrage, "Comment on Overall's 'What's Wrong with Prostitution? Evaluating Sex Work,"" 19 *Signs* 277 (1997).

[18] Many bylaws impose exorbitant annual license fees of between $300-$500 on strippers. Applications and renewals for stripping licenses are also conditional on the lack or absence of prior criminal records. See also: Suzzane Bouclin, "Dancers Empowering (Some) Dancers: The Intersection of Race, Class and Gender in Organizing Erotic Labourers," *Race Gender & Class*, Jean Belkhir, (Ed), Vol 13, (2006). Bouclin makes similar observations about the hyper-regulation of exotic dancers, in her case study involving Ottawa-based strippers. See also Emily van der Meulen and Elya Maria Durisin, "Why Decriminalize? How Canada's Municipal and Federal Regulations Increase Sex Workers' Vulnerability," 20 *CWJL/RFD* 2, 2008 at 289-311. Similar observations about hyper-regulation have been made in regard to massage parlour workers.

[19] Bruckert, above n 15 at 51-52.

Razack[20] and Mariana Valverde[21] who situate sexual and social purity as elemental in the construction of the white settler Canadian subject.

A spatial approach facilitates a timely critique of some pro sex-worker feminist positions, which assume that the market is uniformly autonomy-enhancing and unproblematic, thereby oversimplifying sex workers' accounts of agency, autonomy and sexual expression. Sex work compounds the criminality of undocumented migrant women's status in multiple spaces and is fraught with irregularity. Debates about migrant women and sex work tend to be highly polarized, treating prostitution either as exploitation or as labour, thus confining forms of organized resistance to the identities of either "prostitute/victim" or "sex worker." While pro sex-worker positions support migrant women's mobility and promote respect for their choices**,** depictions of stripping (especially lap dancing) as unproblematic or normal remain disputed since many migrant women in sex work are loath to draw attention to themselves, let alone to identify/organize as sex workers.[22] In the Canadian context, where sex work itself is not illegal, migrants' claims contrast with those of local sex workers because migrants muddle the claim for autonomy when they are trafficked. Many migrant women in sex work also focus on accumulating as much money as possible in the short term and seem less keen than other sex workers to professionalize the industry. In her case study, Suzane Bouclin outlines the duality of political representation and visibility for exotic dancers:

> Though the dancers' affiliation has created a space in which women can feel empowered and has been instrumental in crafting municipal by-laws regulating the industry, it overlooks other relationships of privilege that further complicate individual women's decision to engage in certain labour practices. Namely, women's location around varying axes of disadvantage may hinder their ability to make more meaningful choices within constraining work environments. Correspondingly it may temper the relevance of dancers' affiliations to their everyday working lives.[23]

[20] Sherene Razack, "Race, Space and Prostitution: The Making of the Bourgeois Subject," 10 Can. J. *Women and Law* 338 (1998)

[21] Valverde, above n 10; See also: Mariana Valverde and Lorna Weir, "The struggles of the immoral: Preliminary remarks on moral regulation," *Resources for Feminist Research*, Vol. 17, No. 3, (1988)

[22] Laura Maria Agustin, *Sex at the Margins: Migration, Labour Markets and the Rescue Industry* (New York: Zed Books, 2007).

[23] Bouclin, Above n 18.

A. CARNIVAL, BURLESQUE, STRIPPING, AND EXOTIC DANCING

Becki Ross observes that the historically racist and colonial trappings of the business of striptease are hardly accidental. She points out that "gawking at dancers of colour and white women who impersonated the 'Other,' assured white consumers of their own normality and cultural dominance."[24] Indeed, most historians note that striptease and girl shows were staples of touring circuses and carnivals all over North America in the 1860s,[25] but there is perhaps no case as famous as the one of Saartjie Baartman (a.k.a. the Hotentot Venus), the West African woman who was sold to slavery in Holland and later exhibited in the nude all over England and Europe by a French animal trainer. Baartman was displayed as a wild freak of nature from 1810 to 1815 – over three years after the supposed abolition of slavery in England. The plaster models of Baartman's brains and her preserved buttocks and vagina created by French scientist Georges Cuvier were displayed at the Musée de l'Homme until 1974 and were kept in France despite repeated appeals since the 1940s for her remains to be buried in Africa.[26] Fields points out that until the Hotentot Venus exhibition, the display of black female bodies for commercial purposes had primarily taken place in public slave auctions which in themselves already had sexual overtones, due in part to widely held beliefs in Western society about the lascivious sexuality of native African women. For her trouble, and since this was after abolition, Baartman reportedly received wages while touring England with the French animal trainer.[27] Save for the legal nomenclature distinguishing pre/post abolition periods, the public display of female bodies on sale (in slavery) as well as the public exhibition of Baartman's body to paying white audiences[28] were suffused with the colonial tropes of racialized difference and hierarchy, which were also fundamental to the construction of bourgeois respectability. If we consider Sherene Razack's point that middle-class respectability has depended on white women as guardians of morality who do not participate as social actors in the public sphere, and that for women regulated by such discourses subversion principally takes the form of public presence and participation,[29] Saartjie Baartman's overwhelmingly prominent public presence during her time,

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[24] Becki L. Ross, "Bumping and Grinding On the Line: Making Nudity Pay," *Labour/Le Travail*, 46 Fall 2000 at 238

[25] A.W. Stencel, *Girl Show: Into the Canvass World of Bump and Grind*, (Toronto: ECW Press, 1998).

[26] JILL FIELDS, *THE MEANING OF BLACK LINGERIE, AN INTIMATE AFFAIR: WOMEN, LINGERIE, AND SEXUALITY*, (UNIVERSITY OF CALIFORNIA PRESS, 2007) AT 117-120. IN 1994 NELSON MANDELA REPEATED THE REQUEST TO SHIP BARTMAN'S REMAINS HOME AFTER WINNING THE SOUTH AFRICAN ELECTIONS BUT IT TOOK THE FRENCH PARLIAMENT EIGHT MORE YEARS TO FINALLY HONOUR THE REQUEST.

[27] Ibid at 117.

[28] Fields, above n 26 at 118. In addition to charging audience fees for the exhibition of Bartman, Fields adds that for an extra fee, audiences were allowed to poke Baartman's buttocks, which were her "main attraction." Her appearances reportedly inspired newspaper accounts, bawdy songs and lewd caricatures, including a one-act vaudeville comedy about her, as well as print of her image for sale.

[29] Razack, above n 20 at 345-346.

even as a wage earner, raises profound questions around the assumptions of rationality behind sex work argumentation, in particular the assumption that the receipt of wages (or even desiring to earn wages) automatically embodies consent and that a contractual relationship can be read unproblematically into in all types of commercial sex transactions. Some feminists have approached this complexity (and ambiguity) by adopting somewhat of a relativist stance. Becki L. Ross notes that:

> The precise conditions of commercialized sex-related services have been contingent on a nexus of socio-economic factors such as the gendered, classed and racialized relations between producers and consumers that constitute the nature of the exchange, at any given moment, in specific political economies.[30]

Indeed, while Ross' and similar feminist accounts take an important step towards facilitating an understanding of commercial sex activities (specifically stripping and exotic dancing) in proper historical and cultural perspective, such approaches have been unfortunately adopted with an almost exclusive focus on the least marginalized strippers/exotic dancers — professional, self-employed, highly-paid, and often academically accomplished white women. What is more, the technique employs a hollowed out methodological application of intersectionality, one which Kimberly Crenshaw has criticized for obscuring the claims of marginalized women whose subordination does not result from discrete categories of discrimination.[31] Spatial theory facilitates an alternative methodological application of intersectionality beyond analytical terms[32] in that it enables conceptions of race, gender and class as co-constitutive and fluid categories.

Clearly, the women on public display (both slaves and the purportedly emancipated and wage earning Baartman) were well beyond the realm of the rational, outside the categories of both public and private, in what Nicholas Blomely describes as the violent realm of "non law" which is also deemed pre-political, pre-property and immoral.[33] For these same reasons, Baartman's enforced public nudity (and her subsequent submission to physical examination by French scientists)[34] was neither subject to regulation for her protection – privacy was a claim that was

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[30] Ross, above n 24 at 221.

[31] Jennifer C. Nash, "Re-thinking Intersectionality," 89 *Feminist Review*, 2008 at 6-7, citing Kimberly Crenshaw, "Demarginalizing the intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics," 1989 *University of Chicago Legal Forum*, at 139.

[32] Prof. Marieme Lo offers an analysis of Jennifer C. Nash's review of intersectionality in feminist theory and critical race theory by describing her work as an attempt to move 'intersectionality" from simply an analytic tool to a methodological approach. *Feminist Methodologies and Epistemologies*, (Notes, Fall 10 November 2009)

[33] Blomley, Above n 1 at 124.

[34] Rachel Holmes, "Flesh Made Fantasy," *The Guardian*, 31 March 2007. Baartman was usually dressed in a figure-hugging body stocking, beadwork, feathers and face-paint; she danced, sang and played African and European folk

unavailable to her – nor was it in the interest of the public (which excluded her) to prohibit. Legally speaking, as we noted, Baartman was no longer a slave but a wage earner. She certainly had a formal place in the economy but was not by any means a citizen and subject of law — a description which brings to mind Audrey Macklin's characterization of Canada's temporary workers, including immigrant women in exotic dancing: "Temporary workers have a place in the economy but not the nation."[35]

This is not to suggest that the situation of immigrant temporary workers in exotic dancing should be considered identical to the post-abolition exhibition of the Hotentot Venus, Saartjie Baartman.[36] The comparison here is not intended to make a linear, let alone a causal, connection but is rather a heuristic strategy to invite a closer scrutiny of the key assumptions of rationality behind notions like wage work, markets and monetary exchanges, which will enable a deeper engagement with pro sex-work positions.

Spatial theory makes it possible to challenge the unquestioned rationality of the "free market" through a more rigorous engagement of the public/private dichotomy in legal, theoretical, rhetorical, and symbolic as well as material terms. Acknowledging that the location of activities can affect the way in which they are socially policed[37] sheds some light on the persistence (if not the amplification) of the regulation of sexual activities and the bodies of subjects who symbolize these acts/spaces within a liberal society which claims to have "privatized" and de-regulated sexual morality. Thus, in coming to grips with the legal regulation of the sexual, equating the question of public/private with a discussion about having "more or less" state regulation, is misleading. Instead, I submit, the more productive questions worth asking would be: (1) what are the forms of regulation (and policing) in both public and private spaces? (2) Which are the bodies subject to policing? And (3) what does regulation accomplish?

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songs on her ramkie, forerunner to the tin-can guitar. See also Fields, n 26 and 28. According to the *London Times* Baartman's dress was contrived to exhibit the entire frame of her body.

[35] Macklin, above n 11 at 466 and 481. This point merits some clarification. Macklin explains that the exclusion of temporary workers from national membership (citizenship) is not inherently problematic but its significance depends on the relative heft of social citizenships available to the worker in her country of origin as well as the strength of her bargaining power in the global market.

[36] It is also worth noting that a fuller account of Baartman's exhibition and its impact on notions of aesthetics in the West reveals differences in terms of influence (and reception) within Western societies, especially when we take into account certain intellectual movements which gained popularity in the 1890s and 1930s, led by "cultural Modernists" committed to "primitivism" or Western notions/fantasies of the authentic/native/primitive. See also: Nathaniel Berman, "Modernism, Nationalism and the Rhetoric of Reconstruction," *Yale Journal of Law & Humanities*, Vol. 4, 1992 at 351-380.

[37] Blomley, Above n 1 and n 33 at 123.

B. WHITE FEMININITY, BLACK EROTICA AND RACIAL MASQUERADE

Strip-tease and peep shows became staple features of carnivals across North America after the Chicago Columbia Exhibition of 1893[38] and historians record that burlesque or strip-tease came to Canada by way of the carnival, big-tent peep shows and girlie shows showcased at the Pacific National Exhibition (PNE) in Vancouver.[39] Scholars (including feminists) have noted how World Fairs and Exhibitions were integral to the rationalization of Colonial expansion or "Manifest Destiny" and the subjugation of tribal and peoples. The exhibition of "primitive" peoples – usually unclothed or in various states of undress in contrast to the fully-clothed, white subjects of Victorian societies – was an underlying facet of national/identity subject formation in the Western colonizing states. The Chicago Columbia Exhibition of 1893, for instance, was particularly significant for the United States as a rising colonial power and rival to the British Empire. Ross observes that the PNE showcased both ideal bourgeois femininity through bake sales and beauty pageants, and a seamier side of femininity by featuring female strippers on carnival stages. The construction of the bourgeois ideal of white femininity and purity was accomplished largely by the production of black women's bodies as deviant as well as overtly and overly sexualized.[40] Fields adds:

> Views that positioned Africans next to animals on a "chain of being" and placed Europeans at the top also linked black people with less-than-human sexual behaviour. The same views worked in complex ways to shore-up white/male structures of domination like allowing male slave masters to sexually assault enslaved women with impunity.[41]

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[38] See: Encyclopedia of Chicago, available online at: http://www.encyclopedia.chicagohistory.org/pages/1386.html; Bibliography on the Louisiana Purchase Exhibition of 1904, available online at: < http://www.mohistory.org/Fair/WF/HTML/Educators/page5.html>; Bonnie McElhinny, Colonial Exhibitions and the Re-Exhibition of Artifacts from the 1904 World's Fair in Louisiana, abstract available online at: < http://anthropology.utoronto.ca/news-amp-events/anthropology-weekly-newsletters-1/october-2009-newsletters/Oct.%208-%202009.pdf>

[39] Ross, n 24 and n 30 at 238-242. Ross notes that the existence of burlesque shows is not always officially documented. See also: Official Website of the Pacific National Exhibition (PNE), available online at: < http://www.pne.ca/about/history/history_of_the_pne.htm>. In 1889 a 114-acre site was granted in trust by the Province of British Columbia to the City of Vancouver, but it wasn't until 1907 that a group of Vancouver businessmen got together and decided to develop a fair for the city. The Vancouver Exhibition Association was born and the first fair was held three years later in 1910. The Fair was dubbed "The Industrial Exhibition," and focused on promoting Vancouver's industrial and resource potential.

[40] Fields, above n 26 -28 at 114. Fields also cites Winthrop Jordan's work, *White Over Black: American Attitudes Towards the Negro*, 1550-1812 (University of North Carolina Press, 1968).

[41] Ibid, n 26-28 and n 39 at 116-117.

But while these separate spheres were racially constructed — certainly only white women inhabited turn of the century bake sales and beauty pageants — the "blackness" of early strip-tease did not necessarily mean that only black/coloured female bodies were displayed for viewing. However, the presence and placement of black/coloured female bodies either alongside white female bodies, or accompanying them in the background, or as a presence invoked by costume, mimicry or parody (e.g. blackface, wearing "tribal/primitive dress") was critical in enabling white women to express sexuality and eroticism with their bodies. Whether in mimetic play or in symbolism, the use of blackness as a device to sexualize or the rendering of black as pathologically sexual has been the subject of analysis by scholars as an artistic handle, a literary device,[42] and as a prevalent stereotype with historic origins in racialized, turn of the century medical studies.[43] While many scholars cite Manet's famous painting, Olympia,[44] to illustrate this juxtaposition of white women's sexuality and black women's essentially sexual presence, even early peep show (stereo-view) images featured exotic foreign women and white women alongside topless or nearly naked African women in their tribal finery.[45] Ross also describes a "Black Tent Show" and a "White Tent Show" side-by-side at the PNE fairgrounds in the 1950s, where the main attraction was the "African Queen." Ross goes on to list a number of black/coloured women who became popular burlesque performers, such as Josephine Baker (a former slave from America who performed in France and Canada) and Princess Do May ("the Cherokee half-breed"). These performers were often counterposed to Lily St. Cyr, an American born woman of Nordic heritage, [46] a blonde bombshell whose image to this date typifies the stripper ideal.

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[42] Fields, above n 26- 28 and n 39-40 at 113-173. In her study of the symbolism of black lingerie, Fields posits that white women at the turn-of-the century claimed new forms of sexual expressiveness by drawing upon the style and practices, real and imagined, of African women. Fields suggests that wearing black lingerie became a form of racial masquerade.

[43] Sander L. Gillman, *Difference and Pathology: Stereotypes of Sexuality, Race and Madness* (Cornell University Press, 1985). Gillman's work outlines how the bodies of all prostitutes were depicted as having the same physical (and therefore the same pathological) traits as black women by nineteenth century doctors. One of the renowned "medical authorities" was Benedict Augustin Morel, a French psychiatrist who wrote *Treatise on Degeneracy* (1857).

[44] Charles Bernheimer, "Manet's Olympia: The Figuration of Scandal," *Figures of Ill Repute: Representing Prostitution in 19th Century France*, (Durham: Duke University Press, 1997) at 89-128. Manet's painting (1865) was said to have outraged the bourgeoisie although Manet was himself bourgeois. The nude painting of a courtesan directly gazing at the spectator (alongside a black slave woman) was compared by critics to the Hotentot Venus and her body likened her to a dead, decomposing corpse.

[45] A collection of some of the artefacts from the Chicago World Fair of 1893 which includes stereo-view peep show images is available on-line courtesy of the Danton Borroughs family archive. Available online at: < http://www.erbzine.com/mag12/peep/>

[46] Ross, n 24, n 30 and n 39 at 238-242.

II. THE SPACES OF STRIPPING AND EXOTIC DANCING: CONTINUITY & DISRUPTION

As mentioned earlier, more often than not the discussion of the legal regulation of sexual activity (in this case stripping) gets side-tracked when the focus is on the extent of state regulation. The modern, rational and liberal state continues to cast a long shadow over contemporary de-regulation, decriminalization and privacy discourse. One way to avoid this exclusive focus on the state and its agencies is to approach legal regulation as spatial control. Here we can heed Kay Andersen's words: "Spatial control is not simply a reaction to divisions and social pathologies in the urban population but is constitutive of them."[47] Focusing on spatial control directs our attention to both the links and breaks occurring in between law, politics and culture at given spatial and temporal moments instead of singling out the state as the source of regulation as well as the sole source of violence/control. According to Blomely, "legal discursive space cannot be isolated from material practice,"[48] and in this section of the paper the discussion will cover three elements of the space which produces that which is regulated[49] in stripping/exotic dancing: (1) the hyper-regulated female strippers' bodies; (2) legal/medical/social science expert sources, and (3) property owners (including both the business side of the adult entertainment industry and communities which claim that the presence of sex workers damages their property values).

A. THE WORKING BODIES OF STRIPPERS: PRODUCING THE STRIP-CLUB

Perhaps more than any other group of working women (save for stage actors), most strippers develop a heightened spatial awareness – simply because they have to. An analysis of Chris Bruckert's ethnographic work involving strippers reveals two aspects of this spatial awareness: (1) strippers' skills with the use and manipulation of their bodies and bodily movement; (2) a keen sense for non-verbal cues and an on-the-job alertness for surveillance (either by management, co-workers, police or all of them), for luring and negotiating terms with customers, and for keeping an eye on their valuables and spotting potentially violent encounters.[50]

While Bruckert does not directly engage the issue of race and racial stratification in her work, she does acknowledge that the industry standard of beauty is the idealized image of a white

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[47] Kay Anderson, *Vancouver's Chinatown: Racial Discourse in Canada 1875-1980* (Montreal: McGill-Queen's University Press, 1991).

[48] Blomley, Above n 1 and n 33, n 37, at 135.

[49] Brock, Above n 4-6 and n 14 at 9.

[50] Bruckert, above n 16 and n 19 at 69-98

woman: tall, blond, and well-endowed with tan-lines and no visible tattoos[51] – in other words, a current-day Lily St. Cyr. The existence of the ideal, however, does not mean that there are few black/coloured women in stripping or that none of these women can end up as highly paid strippers.[52] Nonetheless Bruckert herself acknowledges that the capacity of strippers to be selective about their employers is directly determined by their appearance and past behaviour.[53] Likewise, despite the preference of club owners for Lily St. Cyr types, strippers who have good interpersonal skills can sometimes make more money than others. On the surface, strippers' manipulation of their physical appearance/movement constitutes the skill required to work and make money. Yet a closer scrutiny of the terms and conditions of work, the place of work and the industry as a whole, provides a more complicated picture.

The proliferation/presence of scantily-clad women in a strip-club sets it apart from other bars.[54] It also produces the strip-club as a male space so that women who venture into these spaces for leisure are suspect.[55] This fact has even broader implications when we consider that, in recent years, industry owners have been bemoaning a scarcity of workers in Canada – in the words of Mendel Green, legal counsel for strip-club owners, "Canadian women won't take the job."[56] After all, without strippers on the floor and on-stage, their business is just another pub with too much lighting equipment. To put it simply and in marketing terms: strippers' bodies are what draw patrons to strip clubs. But just like other bars, most strip-clubs also profit from the sale of alcohol,[57] food and, albeit rarely, cover charges. And this is where business practices

[51] Ibid at 33-34

[52] Becki L. Ross, "Troublemakers in Tassles and G-Strings, Strip-Tease Dancers and the Union Question in Vancouver, 1965-1980," 43 *CRSA/RCSA* 3, 2006 at 334. Ross' study mentions popular African American strippers in the 1970s but also acknowledges that racist practices were prevalent from the imposition of a white standard of beauty to race-based pay scales.

[53] Bruckert acknowledges that the North American ethnocentric ideals of "beauty" reproduce and reflect social stratification. "Past behaviour" relates to the legal/licensing requirements of stripping. Above n 16.

[54] Municipal and Provincial Zoning Laws determine where strip-clubs may be operated but they also regulate the look and presentation of the club according to geographic location. Bars located in the city generally stick to neon signs and sexy (albeit not nude) pictures of dancers while bars in rural and industrial areas tend to be more explicit in their promotional billboards. Regulatory bylaws may differ from province to province and between municipalities.

[55] Bruckert, above n 16, n 19, n 51, n 53, -n 55 at 39. Bruckert adds that sometimes the exclusionary processes are not very subtle and unaccompanied women may be asked to leave the establishment.

[56] Macklin, n 11 and n 35 at 476, citing E. Oziewicz, "Ottawa Eyes Curb on Entry of Strippers," *The Globe and Mail* at 1, February 7, 1997.

[57] An informal source (a male friend who has frequented strip clubs) reports that more often than not the price of alcohol in strip-clubs is much higher than in regular pubs. While this needs to be further studied, a variety of nightclubs are known to mark up their prices and are able to entice customers with feature presentations and marketing ploys (e.g. trendy clubs can usually mark up their prices and market 'exclusivity' by purposely limiting

get murky. Terms of employment vary widely between individual strippers and employers/bar owners but the prevalent industry practice is to charge strippers to work on the floor and onstage. This means that most if not all of the money the strippers earn is from private/lap-dances and tips. Since the 1980s bars have adopted the practice of hiring freelancers while maintaining a few house girls. The number of shifts undertaken differ between house girls and freelancers but they both have to pay a bar fine which can be anywhere from 10-20 dollars as well as a separate fee for the disc jockey (who does not get paid by the club), each time they take the floor. In other words, strippers whose very presence constitutes the strip-club and whose bodies on display are actually the selling point of the establishment, have to pay fees to work in a strip-club. Most strippers work a minimum four hour shift per day and get 35-40 dollars per shift. On the other hand, the disc jockey usually exercises "managerial/supervisory" authority over strippers and directly monitors what happens in private VIP/Champagne rooms. Both Ross' and Bruckert's data reveal that the industry adopted compensation per shift arrangements over regular wages for strippers in the 1980s. On top of the fees arrangement, strippers' behaviour and moral conduct is subject to management's control through an elaborate system of fines and disciplinary measures which can include withholding pay. Some of the women in Bruckert's study complained that bar-owners constantly change the rules without warning. Some of those rules are quite bizarre, such as prohibitions against walking bare foot on the floor and wearing cut-off jeans.[58] There remains, however, considerable debate about the fairness of bar fees. Bruckert, for instance, likens the labour of strippers to other sub-contracting arrangements such as those of electricians who furnish and are responsible for their own tools of the trade. And despite her insights about the vital bodily and emotional skills of strippers, here she enumerates music, costumes and transportation as the stripper's tools to make an analogy:

> In exchange for the dancer's labour, fees and compliance with the expectations of the club, the bar provides the labour site – a physical space, bars, chairs, champagne rooms and other coordinated but necessary labour by disc jockeys, bartenders, servers and doormen. This setting is of course crucial. Without it, a dancer cannot solicit dances to make her money.[59]

The abstract representation of stripping/exotic dancing as sub-contracting work on one level invests the occupation with a sense of independence and indeed, for a particular group of strippers who perform in theatres, take pride in their work, enjoy artistic freedom and are

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access). There is, however, reasonable basis to link the willingness of customers to pay something 'extra' to the presence of strippers in a strip-club, whether they actually pay for a lap-dance or not.

[58] Bruckert, above n 16, n 19, n 50-51, n 53 and n 55 at 64. Girls are fined for their violations and some of the strippers in Bruckert's study claim that they get cheated out of their pay. In her study Bruckert notes that many of the industry workers take these conditions for granted. She adds that perhaps on the margins, labour relations are shaped by the expectation that they are exploitative.

[59] Ibid, n 16, n 19, n 50-51, n 53 and , n 55 and n 58 at 61.

compensated well for their efforts, the arrangement is ideal and comparable to the terms that other performance artists enjoy.[60] However, what makes the analogy between stripping and other forms of sub-contracting work difficult is that, as we have just noted, the occupation of stripping for regular wages is a thing of the past. Before the trend towards contractual service jobs, part-time work was generally distinguished from full-time/regular positions by means of hours, wages and the necessity of the position to the business. This much is obvious – there can be no strip-clubs without strippers. Indeed, apart from their status as on-schedule performers and some degree of exclusive availability to the club, "house girls" are in reality also freelancers and receive no direct compensation from the club. The supposed "fair deal" of providing the "labour site" and other accompanying labour to strippers, which might also include bouncers or other security personnel, certainly merits deeper engagement. Unlike other full-time or part-time workers, strippers shoulder the wages of the one (the disc jockey) who has managerial authority over them. In other work environments, workers do not need to pay the employer a fee to enjoy a guarantee of safety and security in the workplace. Finally, the fairness of strippers' terms of work needs to be assessed in the light of conditions unique to stripping. Whether by the state or their employers, strippers are subject to extreme policing/regulatory measures, though the rules are not always specified or laid out. The ambiguity of these rules locates the stripper on the margins of social citizenship and reinforces the power of both management and state over her body.[61]

Stripping is penalized under the Canadian Criminal Code, under section 169 as "immoral theatre performance;" under section 174 as "public nudity without lawful excuse" and under section 170 as an "offense against public decency and order."[62] Since the 1950s, raids have been conducted in big-tents, theatres, cabarets, dance-halls, strip-clubs, and with the advent of the private dance/lap dance, in "VIP or champagne rooms" inside strip-clubs. But as Brock points out, the ways in which criminal legislation is implemented vary widely according to time and place and depend hugely on politics and police discretion. When strip-clubs began offering "lap-dances" in the 1990s,[63] police operations and raids led to arrests and a handful of cases reached

[60] Bruckert notes that high-paid strippers working as "Burlesque" performers earn much higher than the average stripper in a bar. She mentions an "elite" class of strippers who make as high as $15,000 a week and others who earn between $1000-2000 a week.

[61] Macklin, Above n 11, n 35, n 56 at 481.

[62] Canadian Criminal Code, R.S.C. 1985, c. C-46, online: Department of Justice Canada. < http://laws.justice.gc.ca>

[63] In a lap-dance, the dancer actually sits on the customer's lap and rubs herself on his groin, simulating sex. This may or may not lead to actual masturbation and sex depending on the club practice. While the origin of the lap-dance is not clear, the work of other scholars raises interesting issues around the changes which occurred in stripping and which led to more exposure for the dancers. See: Ross, n 52 at 335. Ross recalls that in the 1970s many dancers resisted the new management imperative of "spreading" (opening the legs to display the genitalia) which was also called "showing the pink." Her study indicates that this practice emerged alongside the popularity of Hustler, Penthouse and video pornography.

the Supreme Court. [64] Two of the more prominently cited cases dealing with lap-dancing are those of *R v Mara and East* (1997)[65] and *R v Pelletier* (1999).[66] In *R v Mara and East*, police charged the owners of strip-clubs where lap-dances were taking place under the statute on "indecent performances." The Court upheld a finding of indecency focusing on the evidence of touching between the dancer and customer which included contact of the genitalia. In the more recent case of *R v Pelletier*, the Court upheld a lower court's acquittal of the defendant and sustained a finding of "no social harm." As many scholars have pointed out, the rulings appear to be inconsistent in that both cases involved lap-dancing.[67] However, a closer scrutiny demonstrates that the liberal court was merely doing as it has always done – that is, zealously guarding the boundary of public and private. According to the court, the lap-dances in *R v Mara and East* occurred in public because they took place in a tavern while those in *R v Pelletier* were in "private curtain covered cubicles" in a club. Likewise, the evidence in *Pelletier* did not demonstrate genital contact or exposure. The undercover police officer touched the dancer's breasts and buttocks. Here it is worth noting that the presence of the dancer/stripper in these cases is nominal and central at the same time. It is nominal not only because the cases did not involve them directly as parties but also because the discourse of "social harm" which refers to women in the abstract excludes them.[68] In fact it is their performance (and arguably existence) which denigrates these abstract women. Likewise, their presence is central in the boundary setting task of the liberal court. By their presence, however, I do not mean to say as actual persons but as female body parts which also have to be policed according to their "public" and "private" areas.[69]

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[64] *R. v. Tremblay*, [1993] 2 S.C.R. 932 The case of Tremblay was also about private dancing in a cubicle but the factual allegations and evidence included police testimony about masturbation by the clients while watching the performance. The police brought charges under Sec. 201 (1) [previously Sec. 193 (1)] of the Criminal Code for "keeping a bawdy house for the purpose of practising indecent acts." The Supreme Court allowed the appeal and the defendants were eventually acquitted.

[65] *R v Mara and East*, [1997] 2 S.C.R. 630

[66] *R v Pelletier,* Above, n 7.

[67] Scholars observe that both law enforcers and adult industry owners tend to interpret the most recent ruling as a relaxing of the law/regulation of lap-dancing even if the statutes which theoretically do prohibit them (and have been interpreted to prohibit them) are still in place. See: Macklin, n 11, n 35, n 56, and n 61 at 468. Macklin considers lap-dancing and related practices a grey-zone in the Canadian legal landscape.

[68] Macklin, Above n 11, n 35, n 56, n 61, n 67 at 469.

[69] Brock, Above n 4-6, n 14-15 and n 49 at 33-34. Brock notes that the body of the sex-worker has been identified as a site of offence against public decency and therefore a site of regulation. The Report of the Special Committee on Places of Amusement (a Committee which included members of the Toronto City Council, Chief of Police and legal council) in February 1977 defined "specified sexual areas" as human genitals, pubic region, buttocks, and female breasts below a point immediately above the top of the areola.

B. PRODUCING THE IMMIGRANT EXOTIC DANCER: BODIES OUT OF PLACE

There is currently very limited feminist research on immigrant women workers in the exotic dancing or stripping businesses in Canada. Since the early 1990s the source region for exotic dancers has shifted from the United States to Asia and Eastern Europe. As we noted Macklin adds that the macro-geographical shift in source countries for strippers coincided with a micro-geographic shift in the Canadian job site: from stage to table, onto men's laps.[70] A former stripper who campaigned against the practice of lap dancing complained that newly arrived Thai women were willing to work for just $1 a dance while $9 of their $10 fees went straight to the club-owners.[71] Bouclin's case study did not focus specifically on immigrant women in stripping but noted how women's location around varying axes of disadvantage, namely class, race and gender, limited their ability to make choices within their constrained working environment.[72] Macklin situates her analysis of the Canadian exotic dancer visa program through what she considers the discursive lenses which produce the female labour migrant in Canadian popular discourse, namely (1) the economic discourse which posits the migrant as worker; (2) the morality discourse which situates the migrant as a potential agent of physical, cultural or legal corruption, and (3) the human rights discourse which posits the migrant as a bearer of rights derived from personhood rather than status.[73] She also notes that immigration policy toward exotic dancers remains incoherent precisely because of these alternately contradicting and complementing discursive currents.[74] Macklin's analysis is noteworthy because despite the present need for more feminist research on the experiences and voices of immigrant women in exotic dancing, the overlapping and often competing discursive lenses Macklin mentions are already at play and directly condition the situation of the women. They lead to policy outcomes and have direct material consequences. Likewise, Macklin's insight can

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[70] Macklin Above n 11, n 35, n 56, n 61, and n 67-68 at 467; See also Ross, n 52 , n 62 at 338. Ross notes that majority of her respondents in a study interviewing strippers working in Vancouver between 1965 and the 1980s were Canadian citizens, but she also interviewed a handful of immigrant women with expired visas and illegal status, observing that their constant fear of deportation was similar to that of other immigrant workers in Canada in the '60s and '70s.

[71] Joe Chidley, "A No to dirty dancing," *McLean's*, Toronto: Jul 17, 1995. Vol. 108, Iss. 29 at 34-35.

[72] Bouclin, above n 18 and n 23.

[73] Macklin, Above n 11, n 54, n 56, n 61, n 67-68 and n 70 at 475.

[74] Ibid, at 495. The Canadian Temporary Work Permit Visa for Exotic Dancers traces its origins to the cross-border movement of American women engaging in an "informal stripper exchange program" in Canada and, as Macklin notes, was founded on reciprocity. These permits were usually available to be issued on the spot once the stripper was able to demonstrate that she had a job offer from a Canadian employer. The visa program gained notoriety in the 1990s when media reported that the state had a facilitative role in the trafficking of women for the sex trade into Canada. The temporary visa also belongs to a class of temporary work permits issued to address "chronic labour shortages."

be pursued further by asking where feminist theory and politics figure within the same discursive strategies.

III. THE STRIPPING BODY POLITIC: EXPERTS & COMPETING ECONOMIC INTERESTS

Our bodies and our lives are not hopelessly determined by patriarchal oppression – but neither are they capable of complete individual autonomy.

A. MARIANA VALVERDE, *SEX, POWER AND PLEASURE*, TORONTO WOMEN'S PRESS, 1985

The adult entertainment industry in Canada considers immigrant exotic dancers as foreign pools of labour necessary to service the needs of their lawful businesses and has repeatedly engaged the state to push their economic interests, but pro sex-worker feminist positions (sometimes in direct opposition to the industry/management interests) also make a significant contribution to the "economic discourse" of sex work.[75] Ross, Bruckert and Bouclin acknowledge that competing class positions, racial and even gender differences, coupled with the competitive and hyper-regulated conditions of exotic dancing, can make it difficult for women to form alliances.[76] The third but by no means least influential voice within economic discourse represents private/bourgeois interests which are usually articulated and presented as the community interest. Like the adult entertainment owners, this group is composed of property owners. Unlike the strip-club owners, however, they are able to deploy the language of public welfare and public interest (with state/police backing) alongside their panic about declining property values. Indeed the expanding rights of the affluent to determine the character of the city and its public places[77] constitute new regulatory techniques and modalities of urban governance. While heavy-handed and police-led strategies are still available to the state and continue to be employed on the hyper-regulated bodies in sex work, the quintessential community clean-up occurs where the collective logistics of community align with the individualized ethos of neoliberal politics and produce the socially identified citizen who above all associates with a single integrated national society[78] and, more importantly, holds and owns property. This is modern-day citizenship in liberal democracy. Sanchez concludes:

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[75] The contributions of feminist theory, scholarship and activism on sex work discourse cover a broad range of themes (e.g. union/labour organizing for better terms of employment, human rights, sexual expression etc.)

[76] Ross, Above n 52, n 63, n 70, 329-344. Ross' study about unionization in Vancouver discusses this problem. Bruckert and Bouclin also acknowledge that these difficulties exist.

[77] Samira Kawash, "The Homeless Body," *Public Culture*, Vol. 10, No. 2, 1998 at 319-339.

[78] Nikolas Rose, The Death of the Social? Refiguring the Territory of Government, *Globalization and Welfare, A Critical Reader,* Ritu Vij (Ed), London: Palgrave Macmillan, 2007, at 195-211.

> Masking their power and moral/exclusionary content behind the sterile rhetoric of science and technology, governmental regimes extend the possibilities of social regulation by reaching further into the lived spaces of the social world and by encouraging the ordinary citizen to monitor and police the moral and spatial boundaries of community.[79]

The search for the invisible immigrant exotic dancer has led us back to the paradox of modern day social and democratic citizenship — a paradox which Linda Bosniak has deplored as "an unfortunate linguistic turn of events."[80] She notes that the profusion of aspirational citizenship talk in political and legal theory has been confusing and politically dangerous in that it can undermine the claims and interests of status non-citizens. But whether deployed as progressive political rhetoric or debated as status membership, interrogating citizenship also has to mean interrogating our notions of freedom and autonomy – including the question of who can and ought to be free.

[79] Sanchez, Above n 12 at 27.

[80] Linda Bosniak, Borders, "Domestic Work and the Ambiguities of Citizenship," *The Citizen, and the Alien: Dilemmas of Contemporary Membership*.(Princeton University Press, 2006) at 119.