Alternative pornographies, regulatory fantasies and resistance politics

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Alternative Pornographies, Regulatory Fantasies and Resistance Politics

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Contents

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Alternative pornographies position themselves as contributing to a revolutionary and democratising social and political movement, with the capacity to change our relationships to sex via interventions in the representational and production practices of porn. Meanwhile, current trends in regulation focus upon preventing minors' 'exposure' to pornography, prohibiting 'extreme pornography', and making condom use compulsory. Australia has a world-renowned queer and feminist porn movement, but onerous criminal, classification and customs legislation restrict its production, screening and sale.

In this study, I investigated the aspirations and limitations of alternative pornographies in the current regulatory framework and explored whether they could inform a better approach. I took a four-pronged methodology involving: 35 qualitative interviews with Australian porn performers, producers and stakeholders to speak back to legal and policy frameworks; auto-ethnography (performing in and producing pornography) to enrich the interviews and highlight recurring themes; review of legislation and case law to understand the overarching regulatory climate; and archival research at the Eros Foundation Archives and the Australian Lesbian and Gay Archives to provide the historical context.

I found that alternative pornographies practice a prefigurative politics, pioneering ethical processes that emphasise performer-centred care, informed consent, collaborative decision-making, transparency, accountability, and joint ownership. However, they are complicated by a heteronormative legal framework that criminalises non-normative intimacies, engineering specific bodies and practices that can be viewed; an economic environment that co-opts sexual subcultures, encouraging unpaid labour whilst centralising profits in the hands of distributors; and a technological context whereby private platforms arbitrate community standards, incentivising the performance of safe, sanitised and risk-averse representations of sex.

Alternative pornographies make provocations to regulators: they challenge the sequestration of sex as exceptional, the positioning of sex as without redeeming value, the pathologisation of kink practices, and the decision-making criteria for acceptable content. But further, their internal dialogues reveal provocations for social movements more generally: the limits of strategies for visibility and inclusivity, the risks of employing a politics of respectability, the pitfalls of investing in law reform, the importance of listening to the most marginalised, and the value of imagining alternatives beyond the existing terms of reference.

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Abstract

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In this study, I investigated the aspirations and limitations of alternative pornographies in the current regulatory framework and explored whether they could inform a better approach. I took a four-pronged methodology involving: 35 qualitative interviews with Australian porn performers, producers and stakeholders to speak back to legal and policy frameworks; auto-ethnography (performing in and producing pornography) to enrich the interviews and highlight recurring themes; review of legislation and case law to understand the overarching regulatory climate; and archival research at the Eros Foundation Archives and the Australian Lesbian and Gay Archives to provide the historical context.

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Acknowledgements

This thesis was written on Gadigal Land of the Eora Nation, land which was stolen and, 240 years after invasion, has never been ceded. I pay respect to the Traditional Owners and ongoing custodians of the land, and to Elders past, present and emerging, and recognise that I continue to benefit from living off land that has been colonised through murder, theft and genocide.

No piece of work can ever be attributed to one person alone. This thesis found its way together from many late-night tête-à-têtes over herbal tea, deliberations over vegan dinners and conversations on porn sets. It was written from windowsills, Air BnBs, mountain cottages and aeroplanes; from fragments of thoughts and scribbles on post-it notes that accumulated in desk drawers and the bottom of bags over many years. It formulated and gestated across continents and stewed around in my head in circular rumination before it found any articulate form on paper. The semblance of thoughts finally came together in my rainbow home over endless cups of chai surrounded by a library of open books.

I owe so much gratitude to the participants who shared their insights, expertise and critical minds with me. Knowledge is not discovered – this text draws from the collective wisdom of the whores, queers and feminists who came before me. It builds on the research, writing, autobiography and art-making of sex workers over the last four decades. I am grateful for Scarlet Alliance for consulting with me throughout the research process to ensure my ideas remained connected to practice on-the-ground. In particular, thank you to Jules Kim, Janelle Fawkes and Gala Vanting.

It has been a privilege to spend four years researching pornographic subcultures, but with privilege comes responsibility and accountability. My attempt in the text ahead has been to capture a movement that is vibrant and shifting, and subjects whose ideas, lives and experiences continue beyond its pages. My challenge has been to offer critique of its complexity and contradictions, knowing we are all part of it together, acknowledging that such an account is always curated and incomplete.

This thesis would not have been possible without the unconditional support of my supervisors. To Kath Albury, for your frequent pep talks, encouragement, and help in allowing me to find the difference between my academic, polemic and policy voices. To Daniel Joyce, for your comprehensive handwritten notes and your kindness, diplomacy and generosity in discussing ideas for hours. I can't tell you how much I learned from our conversations. To Ramaswami Harindranath, I'm so grateful to have your expertise and guidance to help me find my argument and to turn something so unwieldy into something cohesive. And to my reader, Ben Golder, for your invaluable feedback and renewing

Relevant Publications and Presentations Arising from this Research

Journal Articles

Zahra Stardust (2016), 'Performer-centred Pornography as Sex Worker Rights: Developing Labour Standards in a Criminal Context', Research for Sex Work, Issue 15: Resistance and Resilience, Global Network of Sex Work Projects.

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Zahra Stardust, Louise Boon Kuo, Nicholas Apoifis, Paul Simpson and Annie Madden, 'Sex, Drugs and Molotovs: Research, Ethics and Criminalised Activities', Critical Criminology and Social Justice Conference, UNSW Centre for Crime, Law and Justice, 27 September 2018.

Zahra Stardust, Bridget Haire, Paul Simpson and Jules Kim, 'Queer Sex and the Law: Criminal Intimacies, Social Exclusion and (in)Justice in Australia', Queer(y)ing Justice in the Global South, University of Sydney, 11-13 July 2018.

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Zahra Stardust, 'Queer and Feminist Pornography as a Social Movement', American Association of Geographers, San Francisco, March 2016.

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Zahra Stardust, 'Human Rights Impacts of Criminalising Pornography: Implications for a Sexual Rights Agenda', 22nd Congress of the World Association for Sexual Health, Singapore, July 2015.

Zahra Stardust, 'Criminal Intimacies, Queer Sexualities and Feminist Porn in the Australian Legal Context', Feminist Porn Conference, University of Toronto, 5-6 April 2014.

Vignette: Cinematic Intimacies

TORONTO

It's 2am and I am filming a threesome scene in a hotel suite in downtown Toronto in front of a BBC news journalist. The hotel is abuzz with an influx of professional purveyors of pornography from around the world – performers, producers, pioneers – all in town for the ninth annual Feminist Porn Awards. This is the last of three shoots I've done to take advantage of the unusual scenario of having a wealth of performers and producers all in one central location. The Awards themselves are a spectacle: chandeliers, champagne, evening gowns, burlesque shows, a VIP party and even a hair and make-up artist offered to nominees. One could be forgiven for thinking we were at the Oscars, only the names of the categories are somewhat sassier (including the Golden Beaver Award, Smutty School Teacher Award, Hottest Dyke Film and Best Boygasm), and the trophies are shaped like various types of butt plugs. I am awarded Heart Throb of the Year, and to celebrate am shooting a film with James Darling and Wolf Hudson, porn performers from San Francisco and Los Angeles. James and Wolf are either side of me, each with one of my feet in their mouths, and the BBC journalist sits in the corner studiously taking notes. He is so quiet I forget he is there until I am editing the footage later and catch a glimpse of his feet.

*   *   *

It's six degrees and we are lined up outside the Bloor Hot Docs cinema in a queue that seems to go for miles. I have travelled approximately 30 hours from Sydney to attend a screening of Public Provocative Porn: The Year's Best in Feminist Film. I am showing a short called The One on the Bottom, filmed and edited with a former lover. The title was drawn from a 2011 episode of Australian current affairs program QandA in which anti-porn feminists remarked that in gay pornography, it was "the one on the bottom" who was oppressed. In a literal "fuck you", our film combined this political commentary alongside home-recorded queer sex showcasing the pleasure of bottoming. Coming from a country with significant restrictions on the public screenings of explicit material, it feels surreal to experience Hot Docs as an out, public, advertised and ticketed event at a "proper" cinema. It is like a trip back to the seventies "golden era" of porn. There is tiered seating, a mezzanine level, surround sound, a giant screen – even popcorn. Despite the nostalgic ambience of the cinema, the production processes have shifted due to significant technological advances. While our piece is shot on a 35mm reel, most are shot with digital cameras and one is even recorded entirely on an iPhone.

*   *   *

The foyer is full of vibrant flyers for feminist, queer and independent content. Madison Young is selling her framed anus prints, Siouxsie Q is conducting interviews for her Whorecast podcast, and participants are lining up for the opening keynote by historian Lisa Duggan. It's the Feminist Porn Conference at the University of Toronto and the space is abuzz with performers, directors, producers, academics, techs and sponsors coming together for some industry real talk. I am on a panel titled Feminist/Porn Battlegrounds, and the program itself suggests that this conceptual space is rife with contest and movement. There are practical workshops on self-care and allyship for sex workers; business track sessions on website development and affiliate programs; and informative sessions on the archiving of feminist pornography as part of special historical collections. But at the heart of the conference are the ongoing conversations: an interrogation of the focus of feminist porn upon authenticity; women of colour's engagement with sexual consumption and labour; and the politics of access for people with disability. A central conversation is a definitional one – who decides whether porn is feminist? Is it enough for producers to label their work as feminist, for audiences to interpret it as feminist, or should we require testimonials about the experiences of performers on set? There is no consensus, but the question prompts ongoing dialogue about the direction of the movement. The Feminist Porn Awards run for a final (and 10th) year and in 2016 announce their indefinite closure.

BERLIN

The jetlag is overwhelming, but somehow I have found the stamina to make it to the opening night of the Berlin Porn Film Festival. The festival boasts seven days of content running from 10am to 2am with concurrent workshops, panels, lectures and exhibitions, including an opening midnight screening of The Rocky Horror Picture Show. Running since 2006, PFF is an alternative, independent film festival in Kreuzberg at the oldest cinema in Germany, Moviemento. Amateurs and artists around the world are invited to submit and each year the festival screens an average of 100 films to around 8,000 viewers, 50% of whom are international visitors. The walls are plastered with flyers, graffiti and ticket stubs, and in my peripheral vision I catch María Bala's bright yellow stickers, "Support Your Local Pornographer."

The program, in German and English, features a mix of categories, including fetish porn, gay porn, lesbian porn, queer and trans porn, as well as "sex work shorts", "political porn" and "experimental porn." One of the most entertaining categories is "fun porn", which includes fisting porn with sock puppets, a musical-horror-drama centred on philosopher George Bataille's Story of the Eye, and a pious interpretation of the Bible, Fuck Me In the Ass 'Cause I love Jesus. The films are irreverent and playful, but also tender and moving. This category includes a film called Technical Difficulties of Intimacy

featuring trans performers Buck Angel and Marianna Marroquin arguing over their sex life in a humorous and touching deconstruction of heteronormativity.

The breadth and diversity of content is spectacular, from short films to feature films to documentaries. There are biographical films charting the lives of key figures such as the "grandfather of gay porn"; historical films documenting the development of the hanky code; and subversive takes on old fairy tales: in Wes Hurley's Zolushka, a gay adaptation of Cinderella meets Tom of Finland, the protagonist loses his boot and the potential suitors line up to offer him rim jobs. This year the festival has a focus on sex and disability, featuring films such as Yes, We Fuck and Don't Pray for Us, challenging stereotypes of infantilisation and portraying people with functional diversity as desirous and desiring.

I have been invited to be on the jury for the kurzfilmwettbewerb, the short film competition. We nominate Pandora Blake for Houseboy, a film about a queer submissive in a kinky household. Blake has just had their website Dreams of Spanking shut down by the British Authority for Television on Demand (ATVOD) pursuant to new Audiovisual Media Services Regulations (AVMS) which prohibit the depiction of BDSM activities in online video-on-demand services and has been fighting a public battle to have it reinstated.

Many of the films are community collaborations, and a new genre called 'docuporn' explores the lives and stories of queer communities in urban centres in Germany, Sweden and the United States. Australian producers are also represented: Morgana Muses' film It's My Birthday and I'll Fly If I Want To sees her elevated in rope bondage by artist Garth Knight for her fiftieth birthday; Gala Vanting's film Chrysalis features a rebirth experience by the sea as Magnolia is sewn with needles and feathers; Ms Naughty's Perversion for (Feminist Fun and) Profit offers a humorous take on anti-porn morality.

Much of this work is festival release only: a rare opportunity to see experimental, low-budget film, with aesthetics, bodies and practices that otherwise may not be sold or screened on commercial platforms. The atmospheric pleasure of the cinema is far removed from the supposedly isolated experiences of porn viewership imagined in the home or couple: I can hear around me gasps, laughs, groans, murmurs, heckling and affectionate giggles, and viewers ask critical questions of the filmmakers in the Q and As that follows each session. Conversations continue in the hallways, bar, stairwell, pavement and the queue for the gender-neutral bathrooms.

AMSTERDAM

It's official Pride month in Amsterdam, and the city is alive for summer. Coined 'Venice of the North', legs dangle from houseboats that line the city's 165 canals. Parade floats whizz past playing Lady Gaga's Born This Way. I cycle past the Homomonument, three pink triangles of granite, a memorial to commemorate gay men and lesbians who have been persecuted. I visit the iconic bronze statue of Belle, in the Oudekerksplein – the Old Church's Square – erected in honour of sex workers. I drop in for tea with Mariska Majoor, founder of the Prostitute Information Centre, an educational centre open to students, visitors and sex workers, which houses a mini museum of sex work.

I am in town for a month undertaking a postgraduate summer program on Sexuality, Culture and Society at the University of Amsterdam. I've found find time to squeeze in some porn projects funded by the city's Pride committee. Gala Vanting and I are presenting a squirting workshop called Get a Handjob in leather bar The Eagle, and I am screening six of my films at the independent Filmhuis Cavia cinema for a sold-out session called Queer Sex Down Under. The cinema has been running non-profit special films for more than 30 years at the old Princess Beatrix Schippersinternaat and was founded in 1983 by a squatters' movement from the Staatsliedenbuurt. The cinema sports only 39 seats, a number that has stayed historically low so it could technically operate as a sex cinema and screen non-classified hardcore films. Despite screening their films wherever possible on 16 and 35mm reel, Filmhuis Cavia is the first cinema in the Netherlands where you can pay for drinks and tickets using Bitcoin.

Despite narratives of progressive, enlightened policies, sex workers in Amsterdam are protesting gentrification, the closure of red-light windows and a sex work licensing system that requires mandatory registration and criminalises undocumented migrants. Back at home in Australia, my colleagues are preparing for the International AIDS Conference in Melbourne, calling for an end to criminalisation of sex work. Many of my fellow students at the Summer Institute have sexual health colleagues travelling out to Australia on the same flight I was scheduled to fly home on 1 week later. It is Malaysian Airlines flight MH17, and it is shot down whilst flying over eastern Ukraine.

In Amsterdam, a queer collective is staging a protest against official Pride by paddling in between the floats in small dingy to object to the corporatisation of Pride in light of the Netherland's anti-immigration policies and the Islamophobic vitriol of right-wing gay politician Geert Wilders. At the weekly queer night at the Vrankrijk, an autonomous political café, the collective has painted a mural appropriating corporate pride. Instead of reading 'Canal Pride' it reads 'Anal Pride' with a painting of a giant mohawked dyke, standing in the middle of the canals, holding up a miniature man in a suit and wiping her arse with the letter 'C'.

Chapter 1: Introduction: Pornographic Interventions

Alternative pornographies seek to make interventions into the production and representational practices of sex on screen. Over the last ten years, a vibrant movement has flourished across Australia, the United Kingdom, the United States and Western Europe, pioneering pornography that has been labelled as Do-It-Yourself, indie, feminist, ethical, queer, fair trade, artisanal, cruelty-free and even organic. International porn film festival circuits have emerged in Berlin, Toronto, New York, San Francisco, Albuquerque, London, Vienna, Paris, Lyon, Amsterdam and Copenhagen. Alternative pornographies are increasingly using discourses of radical politics in their marketing, with feminist pornographies being described as both "a genre and a political vision" (Taormino et al., 2013, 18) and DIY pornographies being heralded as a "socio-political movement" (Young, 2016, p.11). Film titles themselves make claim to a revolutionary politics from Courtney Trouble's *Indie Porn Revolution* to *Sensate Films*' *Slow Porn Revolution.* As production technologies are becoming increasingly affordable and intuitive, producers are taking up the charge of feminist porn pioneer Candida Royalle, who insisted that to ensure their voices were heard, women must take control of the reins of production (Comella, 2016, p.96). They are following Annie Sprinkle's famous insistence that "[t]he answer to bad porn isn't no porn. It's better porn" (Sprinkle and Harlot, 2002). Individuals are being urged to "make the porn you want to see!" and to "change the world, one orgasm at a time" (Young, 2016).

I offer the above vignettes to demonstrate the richness of alternative pornographies – their participatory cultures, their local grounding, their international influence and their resistance politics. These festivals have brought together artists, technology professionals, film connoisseurs and academics working as producers, performers and volunteers in sites where the production and consumption practices of alternative pornographies are closely connected. But the manifestation of alternative pornographies is intricately bound to regulatory trends. These cultures exist within a regulatory space with very different narratives about the value and effects of sexual representations. Pornography producers and performers frequently clash with regulators. In 2014, hundreds attended an infamous face sit-in outside the Palace of Westminster in London, holding signs like "squirt doesn't hurt" as part of a mass demonstration against legislation they considered "sexist" (Press Association, 2014, n.p), following the prohibition of the depiction of female ejaculation, watersports, spanking, facesitting and fisting from video-on-demand content (Petley, 2014).[1] In 2016, performers protested Proposition 60 in the Californian Senate, which sought to make condoms mandatory in all

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[1] Since 2018, lawful content is now permitted to be depicted, however what is lawful at common law may still exclude a range of consensual BDSM practices. For example, see the House of Lords decision in *R v Brown* [1993] UKHL 19.

pornographic scenes. Performers, who marched down Sunset Boulevard chanting "our bodies, our choice", pointed out that the Bill would allow private citizens and consumers to sue producers (including sole-trading performers) where condoms were not visible, meaning their legal names and home addresses could be made public, increasing risk of stalking and harassment (Calvert, 2017).

Working as a porn performer, a policy advisor and a law reform advocate at the intersection of these debates, I became interested in this divergence between the experiences of industry and the concerns of regulators. I had witnessed unparalleled recognition of Australian pornographic artists on the international festival circuit: Australian producers and performers were winning international awards, featuring in film festivals, contributing to literature, advocating in national media, and running for parliament as "out" porn stars (Naughty, 2013a; Gay News Network, 2013; MisKnickers, 2015; Morgans, 2015; Vanting, 2015). And yet Australia was renowned for a regulatory model that has been described as "draconian" with classification and criminal prohibitions on the production, possession, sale and screening of explicit content (Electronic Frontiers Australia, 2006). Governments had proposed a mandatory Internet filter which experts argued would inadvertently block harm reduction and sex education material (Hartley, Lumby and Green, 2009, 2010). In response, feminist porn producers were using pornography as a vehicle to make political aesthetic and regulatory challenges to classification and criminal laws (Sargeant, 2015). It struck me that these actors were practising a kind of resistance politics – resisting government regulation as well as dominant representations of sex – and that they would have unique insights into both regulatory techniques and the building of social movements.

1.1 Research design

This thesis explores independent, feminist, queer and ethical approaches to pornography (under the umbrella of 'alternative pornographies') vis-à-vis the regulatory framework and asks two key questions: What are the aspirations and limitations of alternative pornographies? Can these movements expose the shortfalls of the regulatory framework and inform a better approach? I chose an Australian focus for this research because that is the geopolitical context in which I live and work, and because Australia provides a unique example to consider how social movements interact with, navigate and resist regulatory structures. While literature on pornography is dominated by United States (US)-centric texts, Australia's alternative pornographers are producing films in a very different legal milieu.

My interest could be divided into three parts. Firstly, I wanted to know what producers meant when they claimed that their work was revolutionary and alternative: what systems of ethics were they

describing, what kind of feminist politics underpinned their approach, and was it their content or processes that were queer? When producers called their work 'DIY' and 'independent', what did they mean? What were these pornographies *alternative to*? Secondly, I wanted to find out what investments existed within the regulatory space. What prompted law reform, what was the relationship between media and law enforcement, how were decisions being made about community standards? Did the conceptions of pornography in the popular imaginary fit the reality, or did regulators themselves project a *fantasy* of how pornography is produced and consumed? Thirdly, I wanted to find out how these movements interacted and informed one another. What did producers think of the regulatory structures that governed them, and what strategies did producers use to navigate or resist it? Did they have a united ideal they were working towards, or were there differing political projects in tension?

I took a four-pronged approach to the methodology. My primary method involved 35 qualitative interviews with porn performers, producers and stakeholders, providing a space for movement actors to present their own narratives and layered understandings of the field. I chose three supplementary methods in order to explore additional dimensions of the movement and enrich the accounts of participants. I used auto-ethnography, performing in and producing pornography in Australia and internationally over the course of the six-year research project. The vignettes at the commencement of each section draw out recurring themes and patterns that arise in both the theory and interviews. This stylistic innovation sets the scene but also illustrates my own entanglement, investments and imbrication with regulation that each chapter attempts to critique. Thirdly, to understand the overarching regulatory climate in which pornography was being produced in Australia, I conducted a regulatory review of state and federal classification and criminal legislation and case law relating to pornography. Finally, to understand the development of the regulatory framework and history of pornography production I conducted archival research into correspondence and campaigns at the Eros Foundation Archives at Flinders University in Adelaide and at the Australian Lesbian and Gay Archives at the Victorian AIDS Council (VAC) (now Thorne Harbour Health) in Melbourne. The use of mixed-methods and multiple data sources allowed me to explore production from a range of perspectives (from performers and producers to lobbyists and regulators), to better understand both the provocations pornographers make to regulators, and the ways that their interventions in turn are shaped by the regulatory environment.

1.2 Social movements

Social movement theorists have deliberated over how social movements generate and sustain themselves, and since the mid-90s have moved away from Marxist understandings of class

consciousness to focus predominantly on the formation of collective identity and its role leading to collective action (Melucci, 1995). In speaking of 'alternative pornographies' I am not simply speaking of the genre commonly known as 'alt-porn', which is iconic for its punk, goth and raver aesthetics. While alternative pornographies are also texts and genres, here I am speaking about an active political space, fuelled by philosophical and ethical drivers, that seeks to use the medium of pornography as a vehicle for broader social change. This movement is unified by the impetus to imagine and create alternative ways of representing, producing, distributing and consuming sexually explicit content than currently exist in 'mainstream' models. In doing so, many of the movement's collective actions pose challenges to existing regimes of power.

While these movement actors identify themselves or their work as part of a broader movement towards 'alternative pornographies' and may work together towards collective actions, it does not necessarily follow that they share the same motivations, ideologies, strategies or goals (Fominaya, 2010, p.395). I use 'alternative pornographies' as an overarching category to describe a collection of movements, actors and projects. Under this umbrella I include feminist pornographies that foreground women's agentic desires and subjectivity (Liberman, 2015, p.174), queer pornographies that are "unbounded by gender binaries and sexual essentialism" (Lipton, 2012, p.205), ethical pornographies which emphasise fair payment and workplace conditions (Mondin, 2014) and DIY/ indie pornographies which encourage decentralised and independent production using new technologies (Coopersmith, 2008). Where they sit within these political and ethical approaches, I include kink pornographies, which are rendered marginal primarily because of their criminalised status. I also consider how these movements differ from and overlap with the movement for 'post-pornography' which contests regimes of sexual representation altogether (Stűttgen, 2013). Because the movement is comprised of diverse and distinct projects, I take care not to conflate, collapse or interchange these terms. I use pornograph*ies* in its plural form to emphasise that 'pornography' is not one homogenous, unified 'thing', and I use specific terms to describe the relevant approach depending on context.

At other times, there is considerable overlap between the producers' identities and stakes, and these categories may have significant cohesion and crossover. The connections between queer and feminist pornographies reflect the "tangled" enmeshment between queer theory and feminist theory (Jagose, 2009, p.157). I follow Nancy Whittier's definition of social movements that views them not as unified cohesive groups with a fixed identifiable membership but as "shifting clusters of organizations, networks, communities, and activist individuals, connected by participation" (Whittier, 2002, p.289). Social movements, argues Whittier, are "neither fixed nor narrowly bounded in space, time or membership" (p.289) and are constantly renegotiating their boundaries. Sometimes these movement

actors are bound together by their participation in the sex industry (as producers, performers or other workers); by their involvement in porn cultures (film festivals, public discussions or cultural media); by their status as outsiders to the law and their claim for rights (sex workers, businesses and retailers); or by their ethical approaches to sex and consent (feminists, queers and kink practitioners). Some of these communities have well established sexual politics, values, norms and processes, especially around public sex (Califia, 2000), kinky sex (Bauer, 2014) and commercial sex (Nagle, 1997). On the periphery of these movements are producers who might be less engaged in community politics but whose work is driven by a sense of corporate social responsibility. These individuals are drawn together through repeated interactions, conversations, and participation in this active political space.

Social movement theorists have argued that scholars should avoid treating collective action as if it is empirically unified or endorsed. Instead, they argue, we ought to engage with 'hidden/less visible' conversations within movements rather than simply their visible public-facing acts (Melucci, 1996). In the thesis, while I do consider pornographies themselves (their texts, products and representations), public campaigns of the movement (for example, the Pay for Your Porn campaign), new social enterprises (such as the Ethical Porn Partnership) and parliamentary engagement (including running for the Australian Sex Party), I position these kinds of advocacy and initiatives as only one part of the movement. While these public collective actions are telling about the popularity and traction of alternative pornographies (especially in media), I am more interested in the less visible internal debates occurring within the movement. As such, I subject these public acts to vigorous critique from performers and view the unfolding conflicts and tensions as part of a reflective, dynamic and constructive process of collective identity formation that gives life to the movement (Melucci 1996, p.79).

1.3 Porn studies

Porn studies is an interdisciplinary field, and by extension my study interweaves scholarship from media studies, sociology, criminology, gender and sexuality studies, political science and law. Pornography has been positioned as not only a film genre but an object of serious academic inquiry since Linda Williams' analysis of the history of moving-image as part of contemporary discourse on sexuality (Williams, 1989). Her work followed decades of political and cultural debates about sexual expression, sexual cultures, feminist representation and censorship which heightened during the 70s and peaked in the 80s as what is recognised as the "sex wars" (Duggan and Hunter, 2006). Throughout the 90s, porn performers and scholars united to write about queer and feminist sexual cultures represented in hardcopy magazines, cinema and VCR porn (Gibson & Gibson, 1993) and to critique

the impulse and alliances of the Christian right and second-wave feminists to control women through crackdowns on civil liberties of gay men, lesbians and sex workers (Ellis et al., 1992).

In the late 1990s and 2000s, Internet pornography brought new publication, distribution and regulation frameworks, prompting a new academic focus on 'netporn' (Attwood, 2010). Online pornographies brought opportunities to examine classification systems, labour markets, taste cultures the role of pornography as a leisure and social practice. Academics began examining what Lynn Comella calls "contemporary porn cultures": the culturally specific aspects of its conditions of production, practices of distribution and sites of consumption (Comella, 2014, p.64). As porn performers themselves became more vocal, visible and organised, making public demands for safety and industrial rights, anti-pornography feminisms shifted their focus from the victimhood and injury of performers (Mackinnon and Dworkin, 1997) and towards what they perceived as the deleterious and addictive effects of pornography upon its consumers (Dines, 2010; Tankard Reist and Bray, 2011).

In recent years there has been a "resurgence" in anti-pornography feminisms, replete with "emotional truths and thrilling slide shows" which assert that pornography is pervasive, that acts are more extreme than ever, that pornography is flooding the Internet, and that it is hurting our children (Smith and Attwood, 2013, p.41). These approaches dismiss alternative pornographies as too marginal to warrant serious engagement, reflecting Andrea Dworkin's infamous statement that "the new pornography is a vast graveyard where the Left has gone to die. The Left cannot have its whores and its politics too" (Dworkin, 1981, p.209). Their lack of engagement with alternative pornographies has been a frequent critique, given that they "constitute a sizeable share of the market" (Weitzer, 2015, p.259). In anti-pornography feminisms, heterosexuality is assumed and ubiquitous: "it provides the basic framework for all pornography, even that which is produced by and for queers" (Thompson, 2015, p.750-751). I do not follow these readings that collapse disparate pornographies into one monolithic category and eclipse more nuanced understandings of sexual cultures and media engagement.

Instead, I follow Linda William's 'Afterthoughts/Second thoughts' on her 1989 book, where she reflects that rather than containing deviance into a single chapter on sadomasochism, "the more useful political move would have been to map the remarkable decentring effects of proliferating sexual representations" (Williams, 2004, p.171). I therefore turn to the burgeoning literature within porn studies focused upon understanding alternative pornographies. Research into queer and feminist pornographies has considered the transnationalism of feminist pornographies (Sabo, 2012) the emergence of a women's market and consumer base (Smith, 2007) and the popularity of gay male pornography among women audiences (Neville, 2018). Research into queer porn has emphasised its

value for queer audiences and its capacity to provide "affirmation, recognition and validation" (Ryberg, 2015, p.171). Smith, Attwood and Barker assert that queer porn "make[s] visible those identities, bodies and sexualities of people/individuals/communities that are marginalised by more mainstream representations" (2015, p.186). Others have considered the role of queer and feminist pornographies – in particular, the circulation of porn eroticising safer sex during the HIV epidemic – as educational and community resources for sexual literacy, feminist consciousness-raising and health promotion (Comella, 2017) and as "political contributions" to civil rights movements, extending from "the personally empowering, to the community-building, to the lifesaving" (Strub, 2015, p.147, p.160).

Within this literature that recognises the value of queer and feminist pornographies, authors have also recognised its limitations. Cherie Seise argues that before we look to queer porn as utopia, we need to look more closely and "be honest about who is involved and who is missing" (2010, p.27). The emphasis upon visibility in alternative pornographies may have a different significance for communities that have been historically fetishised or depicted as 'freakish' (Shakespeare et al., 1996; Mollow and McRuer, 2012, p.1), who have legacies of sexual trauma (Cruz, 2016), who already live with 'hypervisibility' because of their disability (Erickson, 2015, p.224), or who have been hypersexualised and racialised as "repetitive caricatures" (Parreñas Shimizu and Lee, 2004, p.1386). Spaces that profess sex-positivity can still act to reproduce racialised inequality and consumerism (Weiss, 2011). Jennifer Nash has written extensively about the complex relationship between black feminism and pornography (Nash, 2014). I follow Seise's argument that to posit representation as the forefront of queer politics without discussion of material inequalities promotes a narrow concept of a liberated queer sexuality. Alternative pornographies themselves are stratified: Tobi Hill-Meyer notes that the inclusion of trans women in feminist pornographies has been slow (Hill-Meyer, 2013, p.158) and Mireille Miller-Young writes that for women of colour, "gaining access to the means of production often involves a set of barriers and exploitations that do not exist for others" (2014, p.110).

As such, I do not situate sex (or pornography) itself as an inherently radical practice. While some participants in my research were invested in the radical potential of sex on screen, Yasmin Nair reminds us that "the mere fact of unconventional sex has nothing to do with radical political disruptions" if we don't "have an actual plan for destroying systems of oppression and exploitation" (Nair, 2015, n.p.). In this thesis, I think outside frameworks of pornography as liberating, empowering, dangerous or oppressive and outside the nomenclature of pro/anti (Smith and Attwood, 2014). Instead I think critically about industry, business and gendered labour, while thinking appreciatively about struggles for sex worker rights, the value of subcultural art practices and the significance of explicit materials to community building.

1.4 Internet studies

In contrast to the literature on queer and feminist pornography, the literature on 'alternative' and 'amateur' pornographies has approached claims of revolution and democratisation with much more caution. In a key anthology, *Porn After Porn: Contemporary Alternative Pornographies*, Enrico Biasin, Giovanna Maina and Federico Zecca argue that the use of 'alternative' as an oppositional status to the mainstream "brings some problematic issues to the fore" (Biasin, Maina, & Zecca, 2014, p.15). The claimed opposition to mainstream pornographies – whether in aesthetics, identities or practices – can obscure the substantial overlap and entanglement between these categories. Susanna Paasonen reminds us that "the commercial and the non-commercial, the mainstream and the alternative, continue to function as tools of categorization and evaluation in discussions on porn at the very moment when their boundaries are increasingly elastic" (Paasonen, 2010, p. 1300). With performers and producers cutting across genres and industries, working in both independent and corporate productions, divides between mainstream and alternative can be ambiguous.

Media studies literature demonstrates the need to remain attuned to the ways in which commercial and regulatory structures influence social movements and representations. Based on her fieldwork in the San Francisco technology scene, Alice Marwick argues that the architecture of social media requires people to edit themselves into a safe-for-work, apolitical, un-opinionated, non-offensive version of themselves (Marwick, 2013, p.163). Terri Senft's ethnography on webcamming supports this claim. Senft found that the production of 'the self' online involved "the generation of celebrity, building of self as brand" (Senft, 2008, p.8). Subsequently, Senft questions the value of maintaining that 'personal is political' in the current context of 'confessional culture' where women are expected to perform particular narratives of intimacy through memoir and 'reality' genres, concerned that they are "less likely to alienate men than to titillate them" (p.3). These findings are directly relevant to alternative porn movements, especially to those producers claiming to represent real, revolutionary content: In her analysis of independent and 'altporn' websites, Katrien Jacobs argues that despite the "promise of radical obscenities", ultimately "the generic web architecture of indie pornography creates a flattening of alternative sexuality instead of fostering the potential for creative rebellion" (Jacobs, 2014, p.127). The potential for co-optation and dilution is ever-present for alternative pornographies as they navigate through market systems and multinational online platforms.

The tensions between the agency afforded to Internet users and the broader structure governing online platforms provides cause to rethink the rhetoric of 'democratisation' that appears repeatedly in the language of alternative pornographers. In this thesis, I understand the claim that 'pornography is being democratised' as being fundamentally about *participation in* and *decentralisation of* porn

production and distribution, resulting in the subsequent diversification of porn content and more equal access to its profits. While I share some enthusiasm for the advent of user-generated material enabled by technologies to disrupt centralised production (Coopersmith, 2008), I also recognise what Stephen Maddison refers to as "an over-investment in the possibility of technological democratisation" (2013, p.115). In this cultural, economic and legal context, existing research causes us to be critical of whether the promise of DIY pornographies is merely a *fantasy* of democracy. Political scientist Jodi Dean describes our current cross point between a new economy and participatory democracy as "communicative capitalism", where networked communications technologies engender an *illusion* of participation. Rather than a celebratory, revolutionary, radical movement of democratic participation, could we have instead, in Dean's words, a "fantasy of participation" whereby we believe DIY pornographies can change the world, but instead the "form of our involvement ultimately empowers those it is supposed to resist"? (Dean, 2005, p.61) In this thesis I argue that claims of democratisation are primarily borne out in content production practices rather in the re-distribution of wealth, because the distribution platforms (and therefore the profits) still remain largely centralised.

Theorists of cultural production remind us that media workers operate as both "creators of popular culture and as functionaries in the service of capitalism" (Mayer, Banks, Caldwell, 2009, p.2). I do not wish to position alternative pornographies as outside capitalism. However, I do follow Eleanor Wilkinson's argument that instead of employing "paranoid" readings of pornography as "always capitalistic" (2017, p.982) we ought to follow Eve Sedgewick's call for "reparative" readings to appreciate the "diverse economies" that have emerged with Web 2.0, which allow for the hosting and dissemination of post-capitalist, non-capitalist, anti-capitalist, or "only slightly capitalist" pornographies (2017, p.982). Indeed, some of the pornographic interventions that I detail in Chapter 3 aim to either opt out from or reduce their participation in capitalism via collective ownership of film products. My study focuses upon producers' strategic navigation of legal and economic systems in order to illustrate, in Dean Spade's words, "the complexities involved in practicing resistance politics in an age of cooptation and incorporation" (Spade, 2015, p. xv).

1.5 Regulatory trends

Feona Attwood argues that while pornography research is "more diverse than ever before… public debate continues to draw on a relatively limited approach" centred on narratives of sexualisation and extremism (2011, p.13). The framing of pornography in public debate has shifted invariably from narratives of obscenity and indecency, harm and injury, public health and addiction to restriction and access. Even the European Union Parliament proposed a resolution to ban all forms of pornography

in the media (European Parliament, 2012, action 17). Both Australia and the UK have held parliamentary inquiries into using age verification software as a means to restrict access to pornographic content. However, porn performers have expressed concern for the privacy implications, arguing that by requiring consumers to register or upload identification, companies could build databases of porn consumer profiles that are open to sale, tracking and misuse (Blake, 2019). Clinical psychologists and scientists have critiqued the invention of 'sex addiction' and 'porn addiction' as having no scientific basis, arguing that individuals reporting 'addictive' use could be better conceptualised by considering internal and external conflicts influenced by religiosity and desire discrepancy (Ley, Prause & Finn, 2014). They have also made a suspicious note of the large, lucrative treatment industry that has conveniently boomed with this new 'addiction'. Trends to criminalise 'extreme' pornography in the UK, where the focus is upon acts that are likely to result in "serious injury to a person's anus, breasts or genitals" capture consensual BDSM activities in their definitions of extremity (Petley, 2009; Attwood and Smith, 2010).[2]

Some of the key scholarship on the regulation of alternative pornographies comes from Canada, where high-profile cases involving gay, lesbian and queer pornographies have prompted in-depth analysis about the assumptions of judiciary, legal strategies of parties and the formation of legal advocacy. Cossman et al.'s *Bad Attitudes on Trial* critiques a Canadian landmark case and challenges its assumption that pornography reflects domination and victimises women, by considering the provocations of gay, lesbian and BDSM and sexual 'Others' (Cossman et al., 1997). Lara Karaian's further analysis into the strategies and arguments used in this case prompt reflections on how critical legal scholarship can interact with left legal method to (re)produce identity categories (2013). I am persuaded by Ummni Khan's argument that the law's constant focus on taboo sexuality and the positioning of S/M in the socio-legal imaginary itself constitutes a "vicarious kink" (Khan, 2014).

These texts sit within a broader literature that takes a queer lens to law. Resounding critiques have emerged from legal and sexualities scholars about mainstream gay and lesbian agendas and their narrow law reform agendas that eclipse the vast array of legal issues continuing to affect the most marginalised members of these communities (Adler, 2018). While movements for gay and lesbian rights have mainstreamed and adopted a focus on marriage equality, a homonormative legal subject has emerged (Puar, 2007; Ashford, 2011). The focus represents an assimilationist tendency, seeking legal protection for sexualities that resemble heterosexuality (monogamy, shared assets, cohabitation) by distancing themselves from the 'bad queer' (Stychin, 1995) and 'undesirable' sexual intimacies such as public sex, kink, polyamory and pornography. Scholarship has examined the

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[2] BDSM refers to bondage and discipline, dominance and submission, and sadism and masochism.

effective removal of pornographies from public spaces through zoning practices – both geographical and virtual (Comella and Tarrant, 2015). Jin Haritaworn writes (2008, n.p.):

> Sex worker rights' activists are clearly working in a different temporality from gay rights' activists. While homosexuality has been largely decriminalized, the criminalization of sex-work related practices is far from over, and on the increase even, including seeking commercial sex, or migrating or aiding migration for the purposes of selling sex.

Some scholarship has turned to discourse on human rights and sexual citizenship to consider the legal positioning of pornography. The current sexual rights agenda emerged from "community activism to secure the rights of women, gay men, and other marginalized groups" (Parker, 2007). While international principles have emerged to protect people on the basis of sexual orientation, gender identity and sex characteristics (Gross, 2008), jurisprudence is emerging on human rights and sexual citizenship in relation to BDSM practices (Bronnitt, 1995; Langdridge, 2006; Bennett, 2013; Bennett 2018). Legal scholars have questioned the sex/gender dualism in international human rights law and the limits of 'sexual orientation' as a category to fully capture human sexuality (Gross, 2007; Otto, 2013). Human rights challenges to anti-pornography laws generally fall under the right to privacy or freedom of expression (Johnson, 2014), however the reliance on privacy and expression can still hierarchise sexual content (protecting sexually explicit material only when it is seen to have 'artistic merit' or political content) and to relegate pornography to the private sphere as something that should not be viewed in public or communal contexts (Johnson, 2014; Nowlin, 2002). Some scholars have turned to the question of whether pornography should be available in public libraries as important sites for free access to information (Bowles Eagle, 2015, p.402).

1.6 Australian research

The overwhelming majority of research on pornography in Australia focuses upon its effects on porn consumers. In particular, studies have examined pornography's impact upon young people, its assumed role as default sex education, and its impact upon relationships (Flood, 2009; Crabbe & Corlett, 2011). There is little research on the production of pornography in Australia, and no major Australian research has been conducted by porn performers from inside the industry. *Understanding Pornography in Australia* was the first comprehensive examination of the production and consumption of pornography, surveying over 1000 porn consumers and interviewing producers and distributors of pornographic texts (McKee, Albury & Lumby, 2008). This study contributed rich empirical material on feminist, DIY and amateur and ethical approaches to pornography that will be

expanded upon in this thesis. However, this data is now over ten years old and the regulatory environment has shifted substantially with current producers using new models of online distribution.

Sex workers themselves have made important contributions to literature via anthologies or biographies and some have continued on to complete PhDs. There have been small-scale student studies conducted by Australian porn performers themselves, including Angela White's qualitative interviews with female performers as part of her honours thesis in Gender Studies at the University of Melbourne (White, 2011), demonstrating that pornography can have queer effects on sexual orientation and identity, and Katie Blakey's criminology honours thesis at Monash University on the prohibition of X18+ films in Victorian classification law (Blakey, 2011), interrogating the classification enforcement scheme and calling for law reform.[3] This research project will build upon these peer-led studies.

Some academic work has examined the regulation of pornography in Australia. Barbara Sullivan has detailed the treatment of pornography in public debate from its description as salacious and deviant, to its place in discussions on sexual freedom, to its expansion as a result of censorship law reform, and later its use to justify extension of government powers (Sullivan, 1998). Sullivan foreshadows many issues now emerging with Internet governance. Kath Albury has continued to produce literature engaging with the ethics of pornography on the Internet (Albury, 2004). Alan McKee, Brian McNair and Anne Watson have considered how geographical understandings of community standards have given way to virtual community standards in Internet regulation (McKee, McNair and Watson, 2015). Terry Flew has written about classification in an age of convergent media and contemporary challenges for content regulation and governance (Flew, 2012). And a comparative media classification project is being led by Catherine Driscoll examining historical and current approaches to classification, particularly age restrictions and the classification of 'adulthood' (Cole, Discoll & Grealy, 2018). Hilary Caldwell's research into women who buy sex in Australia, including as consumers of pornography, has potential to disrupt gendered debates about the sex industry (Caldwell & de Wit, 2018).

There have been a handful of important non-academic investigative pieces on the Australian classification system. Former editor of Australian Women's Forum, Helen Vnuk published *Snatched: Sex and Censorship in Australia* which explored prohibitions on dirty talk and fetish, prompted by restrictions on depicting vulvas in category classified magazines (Vnuk, 2003). Jeff Sparrow documented the hypocrisies of the regulatory system in *Money Shot: A Journey into Porn and*

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[3] Cited with permission from the authors.

Censorship, where he critiqued both top-down blanket bans as well as libertarian approaches to freedom and the market (Sparrow, 2012). Robert Cettl's *Offensive to a Reasonable Adult: Film Censorship in Australia* provided close detail of the parliamentary debates about censorship between the religious right and civil libertarians based on parliamentary Hansard and the Eros Association archives (Cettl, 2014). This thesis expands upon these pieces by providing contemporary experiences of performers and producers and exploring how social movements interact with and strategise against regulatory norms.

Insufficient research has examined the production practices of alternative pornographies. While there is considerable public debate over what constitutes 'ethical' production, there is less academic analysis of what systems of ethics this resembles. In particular, there is a paucity of literature critically examining the marketing of porn as 'fair trade' and 'organic'. Georgina Voss notes that despite the "surge of interest around pornography", much of this has focused on pornography's "outputs" and there remains a "notable gap" in research that examines the industry itself (Voss, 2015, p.5). Her own work has sought to bridge this gap by examining how stigma shapes the business aspects of pornography. Rachael A. Liberman and Heather Berg's qualitative interviews with US-based directors and performers of feminist pornography have elicited data about labour conditions, income streams and workplace trends to provide a feminist analyses of porn production (Liberman, 2015; Berg, 2014). This thesis will expand upon these US studies by providing an Australian context to production practices specific to alternative pornographies.

1.7 Conceptual framework

This thesis sits against a backdrop of Internet studies scholarship that has taken a critical approach to claims of democratisation and techno-utopia by closer examination of labour trends. These theories have taken a gendered lens to critique promises of equality and reconsidered how the digital divide manifests in new forms of affective, emotional or relational labour (Baym, 2018; Duffy, 2017). Literature on platform governance in a networked society demonstrates how regulatory techniques continue to shape public discourse and the distribution of knowledge, wealth and power (Gillespie, 2010; Suzor, 2010). This body of work lays the foundation for thinking about how economic and regulatory structures continue to fashion sexual practices, identities and representations of the self in modern Western societies. In addition, literature also reveals the affordances offered by these technologies to users to network, mobilise and contest (Cossman, 2013).

The thesis is informed by a Foucauldian approach to the history of sexuality that sees the emergence of pornography as part of a "steady proliferation of discourses concerned with sex" in the 19th century

(Foucault, 1998, p.18). Foucault argues that despite the myth of Victorian repression, this era saw sex emerge as a fundamental organising principle of society. In the architectural layout and disciplinary practices of secondary schools, in the production of "nervous disorders" in medicine and "sexual perversions" in psychiatry, and in the development of "crimes against nature" in criminal justice, sex was "ever-present": a "constant preoccupation" (1991, p.310). In its quest for "maximum visibility", pornography served to function as a *scientia sexualis*, "eliciting the confession of the scientific truths of sex" (Williams, 2004, p.3; Kurylo, 2017).

Although I do not consider Foucault's writing in detail, his scholarship informs many of the theorists I employ throughout. The focus on how certain sexualities are encouraged, incentivised and put to use for profit, while other practices become abject, illegal or invisible is a recurring theme of the thesis. The taxonomies of sexual perversion that developed during the 19th century through disciplines of psychiatry and sexology remain replicated in current classification categories. The complex regulatory web around pornography reflects that "[t]he state, in short, has a sexual agenda" (Bernstein and Schaffner, 2005, p. xiii).

A Foucauldian approach invites us to examine these "regimes of truth" and techniques for producing knowledge and discourse. This study contributes to the emerging discipline of queer criminology in its investigation of the use of the criminal justice system as a tool of oppression, to question its aims, objectives and instruments and expose its underlying heteronormativity (Dwyer, Ball and Crofts, 2016; Buist and Lenning, 2016). Similarly, it takes up the call of critical legal scholars to challenge structures, institutions, assumptions in a way that, as Di Otto argues, makes visible the heterosexual ordering of law (Otto, 2007, p.120). I take Joshua Gamson's point that a more useful approach is to change the focus from individual subjects to institutions and their operation of power (Gamson, 2000, p.358).

While there are chapters that examine particular legislative models, it would be remiss to think of regulation solely in terms of government or legislative power or to limit my analysis to the legal framework. As Foucault writes (1980, p.158):

> One impoverishes the question of power if one poses it solely in terms of legislation and constitution, in terms solely of the state and the state apparatus. Power is quite different from and more complicated, dense and pervasive than a set of laws or state apparatus.

Bernstein and Schaffner note that sexuality is regulated ("governed, directed, and made more uniform") not only through law but through media, NGOs, helping professions and municipal zoning (Bernstein and Schaffner, 2005, p. xv). Foucault reminds us that power operates horizontally as "machinery that no one owns" (Foucault, 1980, p.156).

Throughout the thesis, I examine stigma and shame as regulatory discourses that affect both what alternative pornographies look like and how movements invest in reform. I am influenced by Gayle Rubin's writing on systems of "sexual stratification and erotic persecution" (Rubin, 2011, p.159) and Michael Warner's work on shame and assimilation politics within queer cultures (Warner, 2000) in providing a framework through which I examine how disciplinary power manifests within alternative porn movements. I use Georgina Voss's argument that "stigma is unevenly distributed across the pornography industry" (Voss, 2015, p.126) to trace how stigma operates to produce 'whorearchical' structures and hierarchies of value.

Lastly, despite the need for pornography law reform, I follow critical legal theorists who are sceptical of the use of formal legal mechanisms as the central strategy to pursue a more just society. Feminist and critical race theorists have long interrogated the law (its texts, jurisprudence, enforcement) and its claims to objectivity and truth (Naffine, 1987; Minow, 1992; Crenshaw et al., 1995). The resounding critiques of the trajectory of gay and lesbian politics towards avenues of law reform, recognition, inclusion and assimilation that "have caused it to be incorporated into the neoliberal agenda", remind us that social movements need to think outside the law, and that "legal declarations of 'equality' are often tools for maintaining stratifying social and economic arrangements" (Spade, 2015, p. xv). I use this to frame the discussion of how movements for alternative pornographies can advocate for change outside the terms of reference afforded to us by the law or the state.

1.8 Schematic outline

The chapters that follow are presented thematically. The overarching structure moves from the promises of DIY pornographies, through its external and internal challenges, to offer provocations from within the movement. Following a discussion of the methodological nuances of studying sex in Chapter 2, my substantive analysis begins in Chapter 3 with the motivations, aspirations and interventions of alternative pornographies in Australia, exploring the aims and goals of producers to use pornography as a medium for self-expression, to challenge stereotypes, represent diversity, document intimacies and to role-model safer sex and consent. In Chapter 3, I outline their investments in independence, their accountabilities to communities, and the cinematic tools and practices used to shift the ways sex is envisaged and portrayed. I situate the emergence of these provocations within a wider Australian history of queer and feminist performance and a culture of home-made, amateur and DIY content, which has largely arisen in response to the criminal legal framework.

In Chapter 4, I examine the legal framework in closer detail, exploring the web of classification, criminal and broadcasting laws that impact where, how and what kind of pornography is produced

and disseminated. I explore how obscenity legislation has seeped into classification categories to produce limited types of bodies and sexual practices that can be legally represented. I investigate how criminal prohibitions on screening and advertising keep sexual content out of public space. This Chapter demonstrates the productive power of prohibition in inviting its own transgression and producing new investments and pleasures in criminal intimacies.

Chapter 5 then explores how alternative producers have pioneered their own innovative systems of ethics. In the absence of codified government or industry workplace health and safety standards (WHS), producers are creating their own blueprints for best practice. I frame these within the tradition of sex worker rights and a feminist ethics of care and show how they involve a devolving of power from producer to performer, increased transparency for the purposes of informed consent, care for emotional health and wellbeing, and accountability practices involving responsiveness to feedback. These kinds of reflexive and adaptive ethics extend beyond the WHS concerns expected by government, which historically govern sex work within frameworks of liability and risk.

Having set out the promises of the movement, in Chapter 6 I turn to challenges faced by producers in the context of a broader regulatory shift from national classification to online content regulation. With the increasing privatisation of online space, pornographic content is now largely regulated by payment processors, hosting services and streaming platforms. Producer experiences of the disproportionate and arbitrary removal of women's body fluids and queer sexualities from online space poses new challenges for demanding transparency in decision-making about what constitutes 'community standards,' and provides an incentive to create content that is safe, sanitised and risk-averse. Meanwhile, financial and administrative barriers to selling pornography online (in addition to blanket bans on sexual content and expression) perpetuates an environment where tube sites monopolise the market by giving away pirated content and selling porn becomes unviable for independent producers, resulting in the erasure of sexual cultures from online space.

In the following two chapters (Chapters 7 and 8), I consider how alternative pornographies have responded to this regulatory environment, in pitching their work as documentary, authentic, fair trade and artisanal, in framing their motivations in terms of community-building and in commencing partnerships with a view to codifying and certifying 'ethical porn'. These initiatives have emerged as a political response to centralised production in mainstream studios, but they have also emerged as a survival method to differentiate their products and capture a market niche in the context of widespread practices of film piracy and discrimination against adult businesses. These chapters explore some of the unintended consequences of these responses and show how they themselves produce hierarchies.

In Chapter 7, I use interviews with performers to illustrate how the investments of alternative pornographies in documentary, real and authentic content have been constructed in relation to an imagined 'natural' sex and in turn act to produce similar formulaic and conventionalised tropes of 'real dyke sex' or 'real orgasms' in ways that audiences will recognise as authentic. This investment has led to dubious commercial practices (such as staff being expected to identify fake orgasms). Further, the imperative to emphasise the identarian, confessional and personally fulfilling aspects of this work (doing what one loves) can be a means by which to extract more labour from performers and produce greater entitlement among audiences for free content. A focus upon community-building aspects can also obscure conventional labour dynamics in operation. I position these findings within broader theories about work and the self under late capitalism, including the dissolution of boundaries between work and identity, and the rise of emotional, relational and aspirational labour in a 'gig' economy.

In Chapter 8, I move from the experience of performers to the narratives of producers, examining how pornography is marketed and branded to consumers using descriptors that reference other quality certification or labelling processes for food, clothing, agriculture and consumables. While this practice reflects a broader trend towards ethical consumption across a broad range of industries, it also reflects an attempt for political currency, economic survival and legal recognition in the context of proliferating piracy and economic downturn. Proposals to codify and certify ethical porn, in seeking to professionalise the industry, also represent tensions between the interests of workers and businesses and can create hierarchies based on legality and aesthetics. These acts raise questions about the movement's direction based on respectability and recognition or resistance and decentralisation.

Chapter 9 then goes further to reflect on how the movement navigates political projects with different and sometimes conflicting strategies. I explore the pitfalls of law reform processes, from inadequate consultation to polarised public debate to political compromise, examining the collapsing of nuanced issues into framings of speech and harm. I consider the ways in which law reform diverts the energy of the movement from its imagined alternatives and into narrow, palatable and plausible 'solutions' that, while they represent 'wins' for some, represent 'losses' for others. I argue for coalition-building with other movements as a necessary strategy to think beyond sex and to contest relationships to power.

Finally, Chapter 10 (the conclusion) returns to the question of whether alternative pornographies can expose the shortfalls of the regulatory system and inform a better approach. I argue that they can and do, and that policy makers would be wise to listen to the pioneering approaches that already exist among producers. However, I also argue that in holding onto an oppositional politics, alternative

pornographies can become invested in their own maintenance and forget to constantly reassess and re-examine their own power and disciplinary functions. Reflecting on the ways in which economic, technological and legal environments have shaped the manifestation of alternative pornographies, I argue that we need to retain humility about our revolutionary claims, lest they become mere fantasies in themselves.

1.9 Significance

While research often focuses on the content of pornography and its effects upon consumers, less data is available about the specifics of production and the political strategies of social movement actors. Existing research in porn studies has largely centred upon producers over performers, because performers are often inaccessible or a 'hard to reach' population for non-peer researchers. Meanwhile, legal critiques of pornography regulation have had a doctrinal focus, examining relevant case law and centring mostly on the UK, Canada and the US, which have different regulatory environments than Australia, particularly because of Australia's lack of constitutionally enshrined rights (Williams, 2000). I use my unique position as a porn performer, law graduate and policy advisor to examine this issue from angles that have not previously been taken.

I do not wish to repeat the well-versed feminist debates about pornography which too often fall into polarised camps of censorship versus civil liberties, or harm versus empowerment. Pornography matters, and it speaks to issues outside censorship or violence. I am less interested in finding palatable policy solutions for regulating porn than I am in embarking on a more holistic and long-term project that considers how stigmatised social movements interact with criminal regulatory frameworks. This project addresses the gap in research by examining production ethics and political strategies in an environment that is heavily criminalised. I seek to examine what challenges these movements make to the underlying logics of regulators, and, where their ethics are in conflict, what strategies they employ to navigate them. In doing so, I am interested in what this can tell us about both regulatory environments and social movement organising.

The discursive framing of pornography in academia is shifting from a lens of cinematic representation and towards a focus on pornography's production and distribution networks in a globalised marketplace. In their book, Alan McKee and Rebecca Sullivan explore how industrialisation, labour migration and technological advancements are changing the face of pornography and document some of the challenges the "new generation of feminist and queer performers and educators" are making towards anti-pornography activists (McKee and Sullivan, 2015). By focusing upon performers who produce user-generated pornographies, this study takes a sex worker lens to examine industry

practice. By providing an opportunity for performers to speak back to regulators, and by listening to the people at the forefront of this movement, we are offered a richer view of how sex is regulated – legally, economically, politically, culturally and socially. In this thesis, I use my insider status to ask critical questions about 'fair trade' and 'ethical' pornography that have not been asked by existing studies.

The tensions and debates within this movement reveal that alternative pornographies are about more than just the representation of sex. They traverse issues of privatisation, regulation and commodification. What is at stake is more than simply women's visibility on film, but a re-evaluation of the very ways in which we organise and stratify sex. We cannot simply 'add queers and stir' and expect that pornography will be democratised. Through their imbrication in commercial systems, their contestation of regulatory norms, and their internal politics and debates, alternative pornographies hold lessons for other political interventions. The critical conversations explored in this thesis demonstrate the value in a politics from below led by the most marginalised; the importance of listening to history and being humble about our revolutionary claims; the benefits in building communities through pre-figurative and generative practices of world-making; the importance of remembering long-term revolutionary goals instead of being sated by reformism; the necessity of letting go of identity categories; and the value of taking an anti-hierarchical, intersectional and critical approach that embraces dignity in shame over respectability.

Vignette: Sex and the Academy

"It is difficult, goodness knows, to find a new angle on anniversaries like International Women's Day, but it was startling to find on The Conversation a plea on behalf of female porn directors for fairer access to the market… I suppose that Zahra Zsuzsanna Stardust, the Australian PhD student (and former parliamentary candidate for the Australian Sex Party) who wrote the piece titled "Women in the porn industry need rights and proper pay, not token gestures", displayed a certain academic rigour in that her research into the dark corners of female porn seems quite extensive. Being involved in the business herself must help. As for flair, one would have to credit her with a bit of that, too, for passing it off as a plea for social justice rather than the promotion of a degrading subculture that it is. […]

Z Z Stardust's exposure of the monopolistic features of the industry that nurture such effrontery is a marvel of Marxist analysis. If the subject matter were not so putrid, it would be hilarious… Stardust, one should add, did not have to fund her own research – she got an Australian Postgraduate Award on the taxpayer. If she gets a PhD for it, so much the worse for Australia; so much the worse for women." (Moynihan, 2016).

SHAME

I am working as a Postgraduate Teaching Fellow when I receive an email from the Associate Dean of Arts and Social Sciences to come in to campus for a meeting. I am in a fixed-term position for a year and have been placed in criminology – a fit to employ the knowledge I have acquired from policy and advocacy roles in criminal law, public health and human rights. I am the Senior Tutor and Guest Lecturer for the first-year gateway course and am assisting with course development and curriculum mapping.

In the meeting I am told that a father of one of our students, an alumnus of the Law Faculty, has discovered that I am indeed a known and notorious porn star and has expressed his concern by informing the Dean of the Law Faculty. The detail of the email is not shared with me but there is concern over whether the university can employ an academic who is also a sex worker. The university is seeking legal advice about their position and I am shown a series of screen shots from my personal Facebook page.

DIVERSITY

Fast forward two years, and my face is on an enlarged poster in the John Goodsell building, where I now work at the Centre for Social Research in Health (ironically, on a national research project to measure sex work stigma). It reads 'Policy Advisor, HIV/LGBTIQ Health' above a short statement about my research philosophy. It's the launch of a UNSW campaign, a portrait series to display a broader range of role models and thought leaders from diverse backgrounds to tackle inequality. My statement expressly states what I have learned 'in my experience as a queer femme and sex worker'. My sex work background is out in the open and on display, alongside other alumni who are now politicians, CEOs and even the former national Disability Discrimination Commissioner. The series is being launched by the Faculty Dean. We celebrate the occasion by sipping champagne and eating canapés. My colleague and sex researcher Denton Callander, who is also featured, is giving a speech about how he will use his portrait as his new Grindr profile pic.

RISK

I am invited to present a public seminar with Associate Professor Lynn Comella from the University of Nevada who is launching her book Vibrator Nation on an Australian tour. I suggest we record the event and upload it to YouTube, envisaging that our conversation, which we have called The Future of Porn, could reach a broader audience. But Lynn is concerned about the political climate in the United States and the exposure to risk. She apologises for sounding paranoid but explains that as a progressive academic in Trump's America (porn star Stormy Daniels had recently been arrested in a sting operation at a club in Ohio after suing the President), the risk of repercussion is very real.

I am reminded of another occasion at a conference in New Zealand, where I am chatting with Constance Penley over lunch, who tells me about the time her Porn 101 course at the Department of Film Studies at University of California, Santa Barbara, was subpoenaed when she was called as an expert witness in the trial of U.S. v John Stagliano. I have started making an outline for a potential Porn Studies course but a colleague deters me – all it takes is one news headline about a porn star teaching sex to create a media scandal. Throughout the research, my participants echo the same thing: "all it takes is one complaint".

PRIDE

I am at Clifford Chance, a multinational law firm, for their 2018 Annual Pride Art Exhibition. The Sydney exhibition, partnered with investment banking company J.P. Morgan, is called Beyond the Rainbow, 'A celebration of marriage equality in Australia and a reflection on issues still facing the LGBTIQ

community.' We are offered hors d'oeuvres and champagne as speeches are delivered on workplace diversity strategies and inclusivity benchmarks. A giant gold balloon reads 'PRIDE'.

Sex worker artist Nada De Cat has painted a traditional oil painting of me with the theme 'is justice blind?' I am in lingerie holding the scales of justice, unevenly tipped, with my blindfold in one and a stack of feminist legal theory books in the other. In her speech, Nada argues that the rights and needs of the most privileged are foremost addressed at the cost of the most marginalised. She reminds us that in New South Wales, people who use drugs and street-based sex workers played a pivotal role in Australia's response to HIV as leaders distributing condoms and clean needles whilst risking arrest.

Despite this, Nada warns starkly that "the least privileged amongst us are often told to wait for our rights only to learn that such a time never arrives." Nada leaves us with the sober proposition that "even as progressives, radicals and leftists", without "careful introspection" we will forge a path that is normative and oppressive. Nada and I leave and go for pizza. A female partner of a top-tier law firm buys Nada's painting.

CONTROVERSY

I am standing in front of a projection of the Sydney Harbour Bridge at the SBS World News desk with an ear piece through which I can hear the hosts of The Feed on SBS Viceland. I am here to 'debate' anti-sex work journalist Julie Bindel, who is promoting her new book The Pimping of Prostitution – Abolishing the Sex Work Myth. The discussion is pitched as a 'debate', with the provocative title 'Is All Sex Work Exploitation?'

Four decades on from when Carol Leigh coined the term 'sex work', Bindel is still speaking of 'prostituted women' reduced to the 'renting' out of our genitals and wombs. Listing death and rape as 'occupational hazards', she is advocating the criminalisation of the purchase of sex in order to deter 'pimps and johns'. Mounting research from France, Canada, Sweden and Northern Ireland demonstrates that this model hinders sex workers' abilities to screen clients for safety or access police when in danger.

Academics in a sex work research hub I belong to are discussing the problems with responding on Bindel's terms, the perils of remaining silent, the risks of affording her airtime and the complicity of engaging at all. In the adversarial structure of clickbait media, nuance makes way for polarisation.

On camera I speak to the Wood Royal Commission findings of police corruption as the catalyst for decriminalisation, the subsequent development of occupational health and safety standards, the

systems for outreach and service delivery that have resulted in low rates of STIs/HIV, and the funding of a sex worker legal clinic offering free legal advice. None of it makes the final 6-minute cut.

The same day, sex workers from dozens of countries are gathered at the 22nd International AIDS Conference in Amsterdam calling for decriminalisation. After the interview screens, my Facebook feed is littered with sex workers encouraging me to take self-care steps. I go home and take two Nurofen.

Chapter 2: Studying Sex: Methodology

The majority of texts about pornography have been written by people who do not watch or create pornography, and as McKee, Albury and Lumby write, this is often the "first qualification" to gain a public platform to speak on it (2008, p.25). This need to distance oneself from pornography can be seen in the opening chapters of many popular books on the sex industry, where the author deliberately divorces themselves from the topic in order to appear 'neutral'. Constance Penley refers to this kind of tactic as the "elitist manoeuvre", used to avoid tainting one's reputation (Penley, 2015, n.p.). Alan McKee argues that porn consumers are frequently "Othered" in debates about pornography (McKee, 2017). Legislators proclaim to not watch pornography, be repulsed by pornography, or are opposed to pornography.

Studying sex is often considered, as Feona Attwood argues, "dirty work" (Attwood, 2010, p.178). Despite recent decades in which scholars have treated sexuality as a matter of serious inquiry, sex is at once ever-present and cast outside the academy. Sex researchers describe the reception of their work via narratives of disgust, titillation and trivialisation – either it is considered unworthy of in-depth examination or the explicit nature of the subject itself overshadows its intellectual analysis. Georgina Voss writes that "the heightened tone of debate and stigma associated with pornography has shaped academic examination of the phenomenon" (Voss, 2015, p.4). Sex – the study of it, the doing of it, the teaching of it – attracts institutional and professional risks (McNair, 2009). As Henry Jenkins notes, academics have had "their reputations destroyed, lost their jobs, and faced legal sanctions for teaching or researching porn" (Attwood, 2010, p.178). Sometimes the possibility of negative publicity or media scandal poses too great a risk: Attwood and Hunter suggest "it might be inadvisable to teach porn without tenure" (Attwood and Hunter, 2009).

If porn consumers are Othered, and sex researchers report vicarious stigma, sex workers themselves who work in academia are often seen as 'too close', biased, or are expected to identify as 'former' or 'ex-' sex workers to be heard. In her interviews with current and former sex workers in academia, Jennifer Heineman found that sex workers either practice fragmented embodiment, consciously separating erotic and intellectual work, or confluent embodiment (making erotic and intellectual work more confluent) (Heineman, 2016). Porn performers have spoken at universities to share their experiences of adult industry work (Maxxine and Hidalgo, 2015, p.279), although in some cases have had their events cancelled, protested or faced backlash (Comella, 2015, p.283; Lee, 2015, p.272). Despite this, porn studies remains a field of highly engaged research, with participation and collaboration between academics and practitioners.

In this chapter, I outline my methodology for exploring Australian pornography, including the rationale for a qualitative approach and the benefits (and limitations) of insider research. I outline my interview topic areas, data collection processes, coding practices and ethical considerations posed by the study of marginalised, stigmatised and criminalised populations. In particular, I reflect upon calls by sex worker organisations around the world for best practice ethics, the value of partnership, consultation and engagement for research validity and accuracy, and the importance of conducting research that gives back to the community.

2.1 Looking behind-the-scenes

Ronald Weitzer writes that "In no area of the social sciences has ideology contaminated knowledge more pervasively than in writings on the sex industry" (Weitzer, 2005, p.934). In his analysis of prominent anti-pornography literature, he finds serious methodological flaws, sweeping generalisations and a lack of evidence (Weitzer, 2011). In their writing on research with marginalised communities, Marian Pitts and Anthony Smith report a tension between researched communities and those who fund the research: most research on sex work focuses on preventing people from entering or assisting them to leave, or locates risk within the work itself, while sex workers often raise questions about occupational health and safety (Pitts and Smith, 2007, p.19).

Sex workers face substantial research exhaustion and express a distrust in researchers, concerned that findings can be deployed towards poor public policy and greater law enforcement efforts, exacerbating stigma and putting them further at risk. Some have also critiqued academics who study sex work as careerists or tourists, profiting from sex workers to produce 'edgy' research or 'tragedy porn' without actually advocating for the rights of sex workers in policy or legal debates. Sex workers in Australia argue that when non-sex workers speak for them, represent them, and exclude them from research, it contributes to stigma, fuels harmful laws, and prevents sex workers from participating in processes to determine their own futures (Scarlet Alliance, 2013, p.129).

In comparison, insider research aims to avoid reproducing hierarchies between the researcher and the researched; who is seen to *have* knowledge and who is seen as an *object* of study. While the natural sciences prioritise a researcher's 'objectivity' and detachment from their subject, feminist researchers have long dismantled the guise of objectivity that has acted as a means to merely perpetuate the status quo, interrogating how (and whose) knowledge is produced and who is missing or invisible (Olsen, 2000). This research sits within a tradition of feminist inquiry that seeks to make more transparent the assumptions, knowledges and conceptual frameworks that impact research design and methodology to make space for other forms of situated knowledges (Haraway, 2003). The

research takes a constructivist approach, viewing knowledge as socially constructed rather than value-free (Harding, 2004; 2016). In the tradition of standpoint feminism, I foreground the experiential knowledge of porn performers as the point of departure from which to understand broader trends in pornography regulation.

Sex workers are already producing politically astute academic analysis and commentary within communities about sex, representation, capitalism and regulation. Sex workers have illustrated how backstage peer-only spaces can provide for nuanced and informed feminist discussion, various kinds of "feminist conscious raising" and "camaraderie" (Dudash, 1997, p.111-112) and sharing of strategies around safer sex, labour rights, and boundaries (Stardust, 2015). My thesis seeks to expand upon the in-depth conversations that porn performers are already having within-industry about queer, feminist and resistance politics. This is in the spirit of Jill Nagle's book *Whores and Other Feminists,* in which she argues that "incorporating sex worker feminisms results in richer analyses of gender oppression" (Nagle, 1997, p.1).

Research among migrant sex workers in Australia shows that having sex workers involved at every step of the research has a number of benefits. It provides a holistic perspective to account for a range of aspects and offers unparalleled access to workers and workplaces, including those working unlawfully; it brings an understanding of issues and anticipation of effective solutions and draws upon existing networks and relationships, including from trust within the community built over many years of peer camaraderie. As a result of all of this, the researchers found an integrity of responses, meaning that sex workers were more likely to answer honestly (Kim and Jeffreys, 2013). I had existing relationships with participants that I had built over many years and a public profile in the community that meant many participants were already familiar with my work, both of which engendered a degree of trust in my research. I had worked in a range of different spaces, so had networks among community, industry organisations and individuals. I had a broad understanding and experience of the key issues facing producers and performers from having worked in pornography as a performer-producer, which drew my attention to the value of participants' time and expertise.

The experience of producing pornography meant that my interviewees and I shared some commonality vis-à-vis the Australian legal framework. Everyone producing in Australia had the experience of producing in a largely criminal environment that necessitated being attuned to the risks of identification from law enforcement, resulting in a level of anxiety and uncertainty. However, people's risks and ability to comply differed. Like me, my interviewees had experiences of discrimination and stigma because of our work, although this operated to different degrees.

Despite the benefits of peer-based research, researchers must also remain alert to ways in which our experiences and identities may differ to our participants. The rigour of insider research is based upon the idea that a sex worker interviewing a sex worker will have "access to understandings, attitudes and experiences that an 'outsider' may not". However, Gordon Waitt warns that the notion of insider/outsider can create a "credibility fallacy" because it occurs by "privileging a particular aspect of the researchers' subjectivity" (Gorman-Murray, Johnston & Waitt, 2010, p.100-101). Shared experiences in pornography production do not necessarily erase differences between producers and performers, the size of business, amount of capital, citizenship status, gender or HIV status. As such, I take a peer approach in the spirit of 'nothing about us without us' with the caveat that 'us' is actually a heterogeneous alliance, often with divergent experiences, investments and stakes. Alternative porn producers are not a homogenous collapsible group but have come together in the spirit of finding affinities and solidarities for the purpose of political struggle.

2.2 Speaking back to the law

Looking behind-the-scenes warranted a mixed method approach that allowed me to analyse the complexity of my data sets from multiple vantage points. My research problem – the conflict between policy and practice, industry and regulators – required an examination of both production and regulation. I chose a qualitative approach because my intentions were exploratory, seeking to develop rather than test a theory: I sought to collect stories from within the industry, explore their meanings and explain their ethical processes in order to better understand the phenomenon of alternative pornographies. My primary data came from 35 formally recorded qualitative interviews with 20 porn performers and producers, 6 classification stakeholders, 4 community organisations, and 5 relevant academics. My sample size allowed for rich, in-depth interviews (lasting between 60 and 90 minutes) and provided a space for movement actors to present their own understandings of the field.

In their article exploring ethical research into marginalised communities, Mary L. O'Brien and Annie Madden argue that "Researchers need to consider the moral and political effects of the types of stories they tell" (O'Brien and Madden, 2007, p.57). Research, they write, "does not merely report on a world that exists *a priori*, rather it actively constructs that world through defining objects of interest, asking particular questions and adopting particular methodological approaches" (p.59). As such, my interview questions were based on key themes arising from a documentary titled *Independent Pornography in Australia* produced by local partnership *Sensate Films* and presented at the Berlin Porn Film Festival in 2012, in which producers discussed the key issues affecting them. I then fine-tuned my questions in consultation with three groups: speakers on the 2013 Australian Feminist Porn Panel at the Perv Queerotic Film Festival (a mix of performers and producers, chaired by porn scholar Kath

Albury); the peak national organisational body that represents sex workers (Scarlet Alliance, Australian Sex Workers Association); and the national body representing adult businesses (Eros Association). The initial consultation gave those groups (performers, producers and retailers) an input in creating interview questions that were meaningful and setting a research agenda that would contribute to knowledge useful to them. In addition to these community consultation processes, my methodology was approved by UNSW's Human Research Ethics Committee (Ref: # HC14269).

The interviews resembled feminist approaches to qualitative research in that they were a two-way conversation between peers rather than a one-way transfer of information. I offered my own experiences as a way to share something personal with the participants, and invited conversation on my own interpretations in order to seek feedback and counter-responses. Writing on intimacy and sociality in qualitative research, Jamie Heckert writes that sharing stories "creates space for new possibilities to emerge" and that for this to happen, "the interviewee must have the opportunity to speak about what is important to them as well as what is important to the interviewer" (Heckert, 2010, p.52). For this reason, I chose semi-structured interviews, to allow space for participants to deviate from the formal line of questioning. Participants sometimes wanted information and clarity on the legal situation, and I could offer information that was valuable to them but otherwise inaccessible. Some questions were open-ended (what were your goals?), but some others reflected shared insider understandings or shorthand expressions about the subject area (for example, about authenticity in feminist porn). Our interviews digressed on tangents, I invited further comment at the end, and I listened to what was important outside the bounds of my questions to hear issues I hadn't identified.

Producers were eligible to participate in the interviews if they (a) produced pornography (explicit sexual material) in any format (film, photography, print or other); and (b) their material was for sale; and (c) their content is Australian (run from Australia, by an Australian resident, or using Australian models); and (d) who identified themselves and/or their work as queer, feminist, ethical, alternative or kinky. I posted an email advertisement on the Scarlet Alliance sex worker-only e-list and the Eros Association newsletter, aiming to capture both performers as well as producers. In addition, I identified participants who were potentially eligible due to their participation in public forums and film festivals and contacted them directly via email with an invitation to participate in an interview. To avoid people feeling pressured to participate by virtue of being a personal acquaintance of mine, I contacted potential participants through their publicly available online presence (and did not use their personal contacts) and sought participants only by indirect means such as email. Where participants were recruited via one of the organisational mailing lists, I provided a contact email address so that

the onus was on them to contact me should they wish to be involved. Participants were asked to pass on the invitation through their own networks to any other producers who may be eligible.

The Australian porn community is very small. Pitts and Smith note that "One of the characteristics of hidden, marginal or hard-to-reach populations is that we cannot know their size with any certainty" (Pitts and Smith, 2007, p.24). Legal obstacles ensure Australian porn remains what Kath Albury identified as "produced by hobbyists or run as a kind of cottage industry" (2009, p.647). My focus was on people who perform in, produce *and* sell their own content. Retailers selling DVDs and webmasters/webmistresses selling licensed content were outside the scope of this project; however, Eros Association spoke to the experiences of their membership of adult businesses. Twenty of the interviews were with porn producers, 16 of whom (80%) were also performers, appearing either in film, photography or print. Of the 16 performer-producers, 11 operated as solo producers, 4 operated in a 2-person partnership, and 1 was a feature director for a company. Most of the sole-trader, performer-producers running their own sites and projects were women and non-binary people. While most produced on film, the participants included *Slit Magazine*, a "sex, culture, politics, porn" community print magazine that published 15 issues between 2001 and 2012.

While this is not a population sample and cannot be generalised to other countries or legal environments, my sample is consistent with other research that suggests that a large part of the Australian porn industry is performer-led. According to a 2017 survey by Eros Association, women and LGBTIQ people are major players in the Australian porn industry. Their survey of 29 producers, directors and performers found that 79% of producers were women and 50% of all survey participants identified as LGBTIQ (Eros Association, 2018). In addition, a third of participants switched between performer, producer and directing responsibilities. In my project, researching producers of various scales allowed for comparative analysis of specific obstacles faced by producers due to their different structures and sizes. During the research period, some of these projects closed and others commenced, reflecting the transient nature of porn work.

In addition, I interviewed spokespeople from four organisational bodies: Scarlet Alliance, the Australian Sex Workers Association, which is the peak national body representing sex workers, operating since 1989; Eros Association, the national adult industry lobby group, which has operated since 1992; Electronic Frontiers Australia, a non-profit digital rights organisation, operating since 1994; and the Australian Lesbian and Gay Archives, the biggest repository of historical materials about LGBTIQ experience in Australia, operating since 1978. These bodies offered historical contexts on, respectively, political strategies for sex worker rights, lobbying campaigns to legalise adult film sale,

government attempts to filter and regulate the Internet, and print/performance cultures of queer sexual representation.

I further interviewed six classification stakeholders: ACON's sexual health project for kinky and sexually adventurous women, which ran from 2012-2018 and used sexual imagery for health promotion; *Archer Magazine*, a print publication about sexuality, gender and identity established in 2014 whose second issue was removed from newsagent shelves deemed 'inappropriate for sale'; *Dirty Queer Magazine*, a queer print magazine featuring photographs an articles between 2010-2016; Melbourne Queer Film Festival, the largest and oldest queer film festival in Australia; Tilde, the Melbourne Trans and Gender Diverse Film Festival, which launched in 2014; and an anonymous queer porn film festival established in 2009 which screens sexually-themed films alongside panels and workshops. While these stakeholders did not all necessarily identify as porn producers, they all used sexual content for the purposes of community building, health promotion and subcultural formation and were subject to classification and criminal laws.

Finally, I interviewed five Australian academics in order to explore different conceptual approaches to sex, pleasure and regulation: Terry Flew, who writes on media regulation and acted as Chair of the Australian Law Reform Commission's National Classification Scheme Review; Alan McKee, an expert on entertainment and healthy sexual development and co-author of *The Porn Report* (McKee, Albury and Lumby; 2008); Brian McNair, a media sociologist and author of *Porno? Chic! How Pornography Changed the World and Made It a Better Place* (McNair, 2013); Jack Sargeant, a film scholar examining counter-culture, cult and underground cult cinema and author of *Naked Lens: Beat Cinema* (Sargeant, 2009) and *Flesh and Excess: On Underground Film* (Sargeant, 2015); and Dinesh Wadiwel, a political philosopher researching human rights and pleasure.

2.3 Ethical considerations

Sex worker organisations around the world are in active processes of developing ethical guidelines to share with researchers and academics who work and conduct research within sex work communities. Ethics in research is a significant topic of discussion: an issue of the Global Network of Sex Work Projects (NSWP) journal *Research for Sex Work* is devoted to this topic, which details instances of unethical research, including the testing of HIV medication tenofovir upon sex workers in Cambodia (Kao Tha et al. 2004; Wahab and Sloan, 2004). Ethical research conversations have predominantly centred upon the theme of participation (the self-deterministic slogan "nothing about us without us"), which prioritises sex worker-driven research (where sex workers identify research priorities, drive the agenda and are involved in every step of the research process, from conception to publication),

followed by research that partners with sex worker organisations (who represent subpopulations with a wider demographic than individual sex workers), and meaningful engagement (that constitutes more than merely fleeting or tokenistic consultation).

Sex workers have outlined steps for researchers to consider throughout their research design and execution to increase self-reflexivity, accountability and responsibility. Danielle Hidalgo and Cinnamon Maxxine list 10 steps for the sex industry researcher (2016, n.p.) These include reflecting on one's own motivations by considering whether it feeds into what Melissa Gira Grant has called "the prostitute imaginary"; giving sex workers the opportunity to read how they've been portrayed and ensuring it is not misconstrued; challenging the tired sex worker memoir narrative of confessionals; and shifting the focus to laws, police and abolitionists. Throughout this project, I engaged in consultation and feedback processes with sex worker organisations and my participants, particularly regarding research questions and methodological design (discussed above) and in the feedback sought from participants and sex worker organisations during the coding, analysis and writing stages (discussed below).

One particular ethical issue that repeatedly arises is payment of participants. At the International Sex Worker Think Tank on Research in Indonesia in 2009, sex workers developed a list of questions for researchers, including whether sex workers would be paid for sharing their information (Jeffreys, 2010). Although monetary compensation offered for interviews must not be sufficient to constitute a significant inducement to take part in the research or impair the voluntary nature of consenting or refusing to participate, paying participants for income foregone has been justified in the case of people working in the sex industry (Pitts and Smith, 2007, p.38). Scarlet Alliance recommends paying sex workers for their lost income and to reflect their expertise. Respect, the sex worker organisation in Queensland, approves research based on criteria of whether the researcher is a peer, whether sex worker participants are paid for their time, whether the sex work community is consulted, and whether the research topic is beneficial to sex workers.

Payments of sex workers for research participation have taken various forms. In the largest study on migrant sex workers in Australia, conducted by Scarlet Alliance in partnership with the Australian Institute of Criminology, sex workers were offered work-related gifts, including copies of Roberta Perkins and Frances Lovejoy's book *Call Girls* (UNSW Press) and international phone cards (Kim and Jeffreys, 2013, p.71). Some marginalised communities, in particular people who use drugs, report that researchers rarely offer cash payments, which may be reflective of a paternalistic aspect of the researcher-researched relationship. In this project, I paid participants who were producing pornography and classification stakeholders an honorarium of $150 for their involvement to value their time and expertise. The costs were partially funded by a faculty grant and partially self-funded

by my own sex work. Other interviewees (community organisations and academics) were not paid, except for Scarlet Alliance. The consultation cost for Scarlet Alliance reflects that sex worker peer organisations report research fatigue, underfunding, and have their own research priorities. They do not always receive funding to assist with external research programs, which are usually undertaken as extracurricular activities at the expense of advocacy or service delivery.

There was also a risk that my participants (porn producers and other classification stakeholders) could be involved in criminalised activities. This warranted a number of precautionary steps to protect participants from self-incrimination. Only participants over 18 years of age were interviewed. Participants received a copy of the participant information sheet, consent form and research questions for review prior to the interview. Participants were reminded that transcripts were not legally privileged and could be subpoenaed and were cautioned against personal disclosure or offering incriminating information. If self-incrimination occurred, I reminded the participant to discuss the issue in abstract or hypothetical terms and we edited the transcript accordingly. Participants could elect to review and edit their transcript to remove identifying information, make clarifications and have greater control over their data. Participants could select whether they would be identified anonymously, via a pseudonym, business or legal name. The option to provide a legal name reflected the fact that a number of participants were public spokespeople who used their legal name as their performer name (as a deliberate strategy of repudiating stigma) and who wished to be identified because engaging in research and advocacy formed part of their body of political work. Where interviewees wished to remain anonymous, other identifiers (such as the names of companies and websites) were also removed. I deleted the original audio files and filed the consent forms separately to approved transcripts so that they could not be cross-referenced. I also kept all contact details of participants separately so they could not be linked. The HREC required me to purchase a pre-paid sim card through which to contact participants, which I destroyed at the end of the project.

The edited transcripts were then uploaded into NVIVO for coding and thematic analysis. I used grounded theory, a theoretical approach developed by Glazer and Strauss (1967) where theory is "inductively derived from the study of the phenomenon it represents" (Corbin and Strauss, 1990, p.23). In this method, "[r]esearchers do not start with a full blown theory but facilitate the emergence of the theory from the data by categorisation and comparison of concepts" (Hall, 2008, 57). Coding was an ongoing process that required cycles, new attempts, re-visiting and reconfiguration. I initially identified codes according to the key topic areas, reflecting the questions asked during the interview, in order to compare responses among participants. In second-cycle coding, the existing codes were divided up with further nuance so they included subcodes ("specific, observable types of *realistic*

actions related to the codes") (Saldaña, 2013). For example, under the broader theme of 'motivations, aims and goals' I included subcodes such as: documenting subcultures, preserving archives, self-representation and expression, challenging stereotypes and increasing diversity. The codes were then allocated to broader categories that were "more *conceptual* and *abstract* in nature" (Saldaña, 2013, p.12). These conceptual categories included democratisation, protest, community and accountability. This was in order "to process this data in such a way that it becomes *information*… to make it interpretable" (Hall, 2008, 213). While there were many lines of inquiry that I could have pursued, the codes naturally fell into chapter headings that moved through the aspirations and promises of the movement to its tensions and divisions. Parallel to this were regulatory themes of law, technology and economics.

To maximise research validity, I provided the opportunity for participants to review draft chapters before they were published and invited them to provide feedback, particularly around accuracy, confidentiality and context. Participants were asked to comment on whether my use of quotations reflected the intention and spirit of their statements, whether they had different interpretations of events or analysis of situations, and whether they had further details or examples that provided additional layers of understanding. These processes reflect that writing is not a discovery of untapped material but rather a "contested site of knowledge production", or what Bain and Nash refer to as "negotiated text" (Detamore, 2010, p.179). My work draws upon the collective knowledge and broader ongoing dialogues within porn cultures, building on sex worker research, writing, autobiography and advocacy over the last four decades. The participants had expertise to comment on the analysis, validate or refute my interpretations, to encourage rigour and reduce bias, and provide on-the-ground insider information to interpret it in context.

The consultation process was not intended as a public relations exercise for participants to avoid critical engagement with the data. I took an affirmative action approach that prioritised the voices and experiences of performer-producers above the narratives of non-performing producers. This meant giving performers a chance to 'speak-back' to narratives by producers, and to weigh in about their experiences that might otherwise be obscured behind the marketing of the final product. This was intended to lessen the ability of the research to be a platform or soap-box for business promotion and to provide space for performers to offer insights into the behind-the-scenes labour process, including where the goals and visions of alternative pornographers were falling short. This process of inviting feedback and review was a time-consuming one, reflecting the real time involved in producing accountable peer-led research. Participants were not always responsive, or they had limited time and capacity for review. While it is important to afford participants this opportunity to reflect and give

feedback, it is also important to recognise that they are unpaid for these activities and should not bear the burden of responsibility for the research.

2.4 Auto-pornographic ethnography

My research is situated within a rich and long lineage of ethnography by activist researchers, where researchers are participants and practitioners in the field. I was already immersed in pornographic cultures before this research project was conceived. By the time I commenced my candidature, I had been working in the sex industry for a decade, I had completed an ethnographic study about striptease as part of my Master of Arts (Research) in Gender and Cultural Studies, and had worked for four years as a policy advisor for Australia's peak national body representing sex workers, writing submissions and doing public advocacy on sex industry law reform. With the addition of my background as a law graduate, I had developed unique insights into the intersections between law, policy and sexuality.

It made sense for my research methods to include auto-ethnography, because I was already deep in signature ethnographic methods such as immersion in community, participating daily in associated rituals, and developing close relationships. I wanted to situate my personal, individual and local experiences within broader cultural, social and structural frameworks. Auto-ethnography appealed to me as a method that offers room for reflexivity and voice, with the intention to "acknowledge the inextricable link between the personal and the cultural and to make room for non-traditional forms of inquiry and expression" (Wall, 2006, p.146). After all, Emerson, Fretz and Shaw note that "ethnographic immersion precludes conducting field research as a detached, passive observer" (2011, n.p.). In her auto-ethnographic account of her time as a sex worker in academia, Jennifer Heineman writes that "[u]sing autoethnography, then, allows for a more holistic, fleshy, and compelling examination… investigating my own embodiment practices with the same vigor in which I investigate my research subject's" (Heineman, 2016, p.38).

The local, intimate encounters I experienced throughout this project drew upon and illuminated wider, global phenomena. My involvement went beyond simple observation or participation. Like militant ethnographers, who "strive for participatory *and* politically informed involvement" (Apoifis, 2016, p.3), and whose involvement may include "organizing actions and events, facilitating meetings, staking out and supporting positions during discussions and debates" (Juris and Khasnabish, 2013, p.26), I was actively contributing to feminist porn movements, making interventions and leading discussions. I performed with alternative Australian erotica companies, independent producers, feminist producers and individual sex workers. We created products that were sold on websites and DVDs, licenced to overseas companies and screened at film festivals. I continued to perform in and

produce pornography throughout the duration of the research project, both in Australia and internationally, including performing in thirty films and shooting scenes with performers from Sydney, Melbourne, Canberra, San Francisco, Los Angeles and London. I won awards for both porn performance and production and screened films at festivals across North America and Europe. I collaborated on art projects related to pornography, including photo essays for queer women's health promotion, a durational window display, artist panels and sex education workshops. I hosted international porn performers and directors when they came to Australia, shared advice, skills and tips with other producers, and had hundreds of informal, on-the-job, behind-the-scenes conversations about porn, feminism, sex work and the future.

In this sense, my methods were more intimate, and more akin to the "auto-erotic ethnography" that Kristen C. Blinne describes (Blinne, 2012). In her auto-erotic ethnography of masturbation, Blinne writes that instead of omitting sexual practices and descriptions from discourse, "we must consider masturbation as a form of embodied, sexual becoming that speaks to our spatial, ontological selves" (2012, p.964). Inspired by Kenneth Plummer's work on the power of telling sexual stories and Audre Lorde's work on the erotic potential, Blinne positions auto-erotic ethnography as a deliberate attempt to "break taboos and stigmas surrounding self-pleasuring" (p.956) and to "make private practices both public and political" (p.957). She shares intimate experiences outside the boundaries, tropes and etiquettes by which sexuality is usually contained or evoked. Auto-erotic ethnography can be powerful in providing intimate stories, learning oneself, offering something vulnerable, connecting with the reader and positioning the author within larger political frameworks. My auto-ethnography, presented in vignettes and in my interpretation and application of participant voices, enriches the qualitative interviews by highlighting recurring themes, situating myself not as a detached observer but as an inside participant.

While qualitative research often requires the disavowal of sex or intimacy, some scholars have considered the ways in which desire and attraction influence fieldwork and the need to acknowledge what is often "unconscious" (Martin and Haller, 2018). Others have argued that fieldwork research into sexual interactions, networks and encounters (in particular, to understand social codes and conventions of cruising, hook-up cultures and anonymous sex) can be a "useful tool for gaining a better understanding of social reality" (Langarita Adiego, 2017). While recognising that this can raise complications and entanglements about choice, coercion or transparency, such accounts suggest it is possible to employ sex as a fieldwork technique "without… sacrificing scientific objectivity or professional ethics" (Langarita Adiego, 2017). My research did not involve personal sexual encounters

but rather work practices. I wrote about my own experiences rather than the participants' and focused my vignettes upon production aspects.

As such I extend Blinne's concept and call my method "auto-pornographic ethnography", a blend of Blinne's "auto-erotic ethnography" and Paul Preciado's reference to the "autopornographic body" (Preciado, 2013, p.38). The "autopornographic body" is a term Preciado uses to describe individuals who produce their sexual selves in an online commercial sex market. In sharing my experiences, I hope to explore the process of how we fashion and produce ourselves for commerce. Offering up excerpts from behind-the-scenes presents an opportunity to deconstruct a naturalised sexuality and explore how the pornographic self is manufactured. I want to demonstrate that studying pornography is not so different from other forms of media. The practice for me was, in fact, quite ordinary, and I wished to bring the reader to pornography in a more quotidian manner.

A function of auto-ethnography can be to "politicize", "motivate" and "mobilize" (Holman Jones and Adams, 2010, p.198). Throughout this thesis, my field notes are scattered as a series of vignettes, small peepholes into my life on set, at festivals, in forums and behind-the-scenes. I offer these first-person stories to the reader in the spirit of connection, to invite the reader into a shared experience. They reflect key themes and tensions emerging from discussions backstage, off-set and behind-the-scenes. I position myself alongside other artists who have used their bodies as canvasses and used pornography as a medium through which to explore art and education (such as Annie Sprinkle's Public Cervix Announcement, Betty Dodson's masturbation workshops and Madison Young's erotic film school). This experimental writing invites the reader into the pornographic set so that they can experience it *with* me, with the hope that it will resonate with readers and lead to new ways of understanding the labour of pornography.

2.5 Legal and archival review

Because activist research is open to claims of bias given that it involves "vigorous pursuit of, and dissemination of, partisan insights" (Apoifis, 2016, p.3), I employed various techniques to triangulate my data to increase its validity. In addition to seeking feedback from participants and comparing my personal experiences with interview data, I used legal and archival research to situate the data that I gathered in historical, legislative and policy contexts. In order to understand the overarching regulatory climate, I undertook a review of relevant state, territory and federal classification and criminal laws. This included analysis of Commonwealth laws such as the *Classification Act 1995*, its associated *National Classification Code* and *Classification Guidelines,* and the *Broadcasting Services Act 1992*, which govern the use of Australian servers in hosting explicit material. In addition, I analysed

state and territory classification and criminal laws, many of which contain provisions that criminalise the production, sale and screening of classified, indecent and objectionable material. In addition, I analysed a number of key cases where these laws had been used to prosecute producers and retailers.

Finally, I conducted archival research into correspondence and campaigns at the Eros Foundation Archives at Flinders University in Adelaide and at the Australian Lesbian and Gay Archives at the Victorian AIDS Council (VAC) in Melbourne. This involved reviewing communications and correspondence concerning the history of porn law reform. As part of this research, I examined draft Bills, Hansard, speeches, submissions, parliamentary records and explanatory memoranda from when classification and criminal laws were initially drafted. To better understand the history of pornography in Australia as it has developed from print into video and digital content, I visited the Australian Lesbian and Gay Archives to review their collections of Australian queer pornography dating back to the 1970s. In addition, I attended an exhibition called *X-Rated: The Sex Industry* in the ACT at the Canberra Museum and Galleries in 2015, which included Australian pornography from the 80s and 90s, posters, newspaper clippings and lobbying and campaign materials as well as copies of DVDs and display model releases.

This multi-pronged methodology allowed me to examine the production process (through the lens of performers and producers), the history of queer and feminist erotic media (through community publications), the sale and distribution challenges (through the lens of adult businesses), and the regulatory climate (through both official government sources and inside correspondence). These multiple angles provided the opportunity to look at the interactions between regulators and communities in historical context.

2.6 Giving back to community

In an environment in which research on sex work is regularly cherry picked or mis-used to support spurious claims, O'Brien and Madden note that what is at stake is the danger of increased law enforcement, funding for law enforcement initiatives, strengthening existing laws and harsher penalties – resulting in further harms (2007, p.58). Methodological literature emphasises the social responsibility of ensuring that one's findings are not misread, misused or misappropriated by including a 'legend of caution' diligently outlining how one's work should *not* be used (Fine et al. 2000, p.127). While I am critical of some industry practices or investments, in this thesis I still maintain the importance of sex worker self-determination and the value of queer and feminist cultural products. My participants' distrust of the law and their attempts to circumvent it should be understood as

speaking to the poor design of the regulation and a call for its reassessment, rather than being read as an impetus for stronger enforcement.

Activist research seeks to make contributions that have practical application and are distributed accessibly to community networks for organising and advocacy purposes rather than being siloed to ivory towers. Throughout my research project, I presented my preliminary research findings at a range of interdisciplinary academic venues, including international conferences and undergraduate courses. But it is important to note, as Laura Pulido does in her article on activism in academia, that the publishing of journal articles – rarely accessible to participants due to intellectual property restrictions – does not constitute a form of "reciprocity" (Pulido, 2008). During the research period, I presented in community settings for public discussions, community seminars and festival panels. I produced a substantial body of writing for community outlets, for industry journals, adult magazines, popular culture anthologies, sex advice columns, parliamentary inquiries, news media, legal working groups and community health organisations. I emailed updates to participants on the progress of the project with links to articles I had written and an open invitation for feedback. Participants could elect to receive a copy of the final thesis in addition to a one-page summary and/or poster that could be used in their workplaces or venues. Participants could also elect to have the findings presented to their workplace orally in an information session. Because I was undertaking the production of community knowledge in this project, participants often wrote to me asking for assistance or information. They asked for clarification about the legal framework, for academic references for articles they were writing or asked me to proof read their work. I happily assisted one participant to write her first individual submission to a Senate inquiry on porn law reform.

Deciding to participate in research is an "an exercise of trust", and one which cannot be taken lightly (Pitts and Smith, 2007, p.11). Studying one's own community is a privilege that attracts greater access and responsibility. All researchers share an ethical obligation to ask themselves what their participants collectively and individually get out of being involved. Peer-based research brings with it a further level of accountability. Living among my participants means I was hyper aware of confidentiality issues for them, the impact of potential misquoting or misunderstanding their statements, and the impact of the research findings on their lives and work. This research seeks to engage in a process of what queer femme-inist ethnographer Ulrika Dahl calls "making community" (2010, p.165).

I speak as someone intimately involved in queer, feminist, ethical and porn movements, not only as a writer and academic, but as a queer femme, a producer and a sex worker. I am part of this movement, beyond the confines of this PhD, and share responsibility with others in the field for how we have all navigated regulation, marketed our work, presented our stories in media, used space we were

afforded, fed back to community and responded to tensions in the movements; along with the gaps we have inevitably left, the silences we have been complicit in, and mistakes we have made. I write as someone who benefits from privilege (as well as from stigma), whose voice is treated as credible, whose decisions are construed as agentic, and who has a responsibility to make space for the voices and experiences of those in our communities who are most marginalised. I write as someone who has learned the value of peer-based research, the importance of accountability, the costs of not engaging, and the real-world impacts of research, through lived experience in queer and sex worker communities and the painful sting of stigma, criminalisation and discrimination. One of the ways I seek to give back to my participants is in inviting this movement to critically reflect on its politics and practices and imploring us to do better. I aspire to do this with love and a deep appreciation for the value of the movement.

Vignette: Trial and Error

I had zero experience in film production when I started making DIY porn. Everything I learned was by observation, skill-sharing and trial and error. Of the two main 'erotica' companies I'd shot with, one was shortly thereafter prosecuted and relocated to Amsterdam. I didn't have a camera, audio equipment or editing software, but I knew some people who did. DIY porn became a community exercise: I asked my fellow tutor in Gender Studies to film me masturbating with a handycam in my ex's garage. We borrowed a fucking machine from a couple I met at a rope workshop. I insisted my then-girlfriend break into an abandoned warehouse before it was bulldozed to film me fucking myself in the toilet cubicles. A pole dancing friend donated two boxes of Barbie Dolls from storage towards a photo set for local Slit Magazine, which involved us using Barbie as a dildo. I spent hours home alone with a borrowed camera, gleefully devising the best angle to film myself squirting, editing around blurry footage and searching for the cords to convert film to digital.

Somewhat tech illiterate, I needed help: tips on what size to export films for quicker buffering whilst maintaining reasonable resolution, how to export something to appear on a big festival screen, how to draft a model release, and where to file our forms to maintain the confidentiality of our co-performers. With her experience teaching tertiary film and media, Anna Brownfield sat with me to work out where on earth I'd saved my original Adobe Premiere files. I had Skype dates with tech nerd Aeryn Walker to talk me through affiliate programs, advertising, payouts and reviews and she helped me build my website. Others deliberated with me about the pros and cons of registering a company in the Netherlands or in Delaware, and how to keep ourselves safe in a legal environment that was grey at best.

Producing in Australia brought numerous restrictions. We couldn't sell our content lawfully here, either on DVD or on Australian servers, so we needed to run a subscription site using an overseas host or licence our content to international platforms in the US or Europe for a percentage fee. Independent producers started having meetings to work out how we could sell our products via existing online sites in San Francisco like Queer Porn TV, Pink Label TV and Indie Porn Revolution. We had conversations about what our licensing conditions would be, the kind of content we would need (and its restrictions: children and scat), how frequently we would need to provide updates, whether we could run our own channel or studio, who owned the copyright, how the income would be distributed, and whether we would provide free trailers, showreels or partial scenes for advertising. As our work moved off-shore, we had less control over its marketing and many films remained festival-use only.

In 2013, we held an informal meeting in Melbourne of independent feminist pornographers; we called it 'Pornocamp'. People were doing such disparate projects and we wanted an avenue to share tips, skills and resources. Everyone seemed to be on their own and making it up as they went along. We sat on the floor of an inner-city apartment, eating snacks and showing each other selected excerpts of our work on laptops. We had special guests: Fiona Patten, now a Member of the Victorian Legislative Council and co-founder of the Australian Sex Party (now Reason Party) Skyped in to answer our questions about national classification laws; Katie Blakey, who had written her Honours thesis in criminology about the porn legal framework in Victoria came along to give us an outline of the political and legal history of porn. Also on our agenda was what to do about a serial online stalker who was making public death threats against a number of feminist porn producers and one producer's child.

There were political decisions to make in porn production, especially during editing. What to leave in, what to remove, what to emphasise? Was it important to show performers putting on condoms, re-applying lube, asserting boundaries? These moments that might end up on the cutting room floor – moments some producers might consider unnecessary or unsexy, moments of mishap or 'failure' or miscommunication – could also be crucial for depicting a vocabulary for how to negotiate risks, limits, safety and pleasures. And what about the marketing? What was the criteria for calling one's porn 'feminist'? Was it enough that the producer identified as feminist, or brought their feminist politics to work? Did each film have to be overtly, unequivocally and intelligibly feminist? What would that look like? Why 'feminist porn' and not 'feminist nursing' or 'feminist teaching'? Did inserting 'feminist' in front of the word porn suggest that porn was otherwise unfeminist?

Only a couple of producers that I knew could live on their income from porn. I certainly couldn't rely on the income from my subscription website, in part because the only billing company available for Australian businesses, Zombaio, was going broke and had stopped paying people out. I had pieces trickling in – every six months or so I received an invoice from Petra Joy for £50 of royalties from Her Porn 5 DVD. I was being paid well as a performer (between $500-$800 for a girl-girl scene and $350 for a solo masturbation) but it was sporadic work that was only available every few months. Most of my income was made up from the bread-and-butter work of teaching pole dancing, buck's party strippergrams and policy writing at the national sex worker rights organisation. Among independent producers we traded content that we could sell on our individual sites and worked out ways to cross-promote. 'Diversify your income stream' was the advice that we all heeded.

Over time, a recurring issue became where to host, screen and share such material. As subscription sites were dying, producers moved to video-on-demand. As tube sites flooded the Internet with free content, producers moved to patronage and crowdfunding. But rapidly these options foreclosed –

Patreon and other crowdfunding sites stopped permitting adult content. Even Playboy had stopped printing nudes. Performers found other pools of income in ancillary activities – dancing, webcamming, escorting, selling dirty knickers or running workshops. Eventually, when the United States passed the Fight Online Sex Trafficking Act (FOSTA) in 2018, all websites hosted in the United States began removing content that was sexual in nature. Sex was increasingly being removed from public space.

These shifts in the regulatory space as well as changes in consumer demand were causing many of us to reassess the commercial viability of pornography. It left us with questions not only about sexual commerce but about the place of sexuality more generally in public life. It left us wondering what the future held – for porn in particular, and for sex more generally?

Chapter 3: World-Making Projects: Motivations, Interventions and Provocations

If one is to consider the relationship between regulatory systems and a social movement, then one must begin with an overview of that movement's aspirations. I begin this chapter by mapping the motivations, interventions and provocations made by Australian alternative porn producers. The chapter marks our first engagement with my interview material, where I offer producers' own accounts of the aims, goals and philosophies behind their work. While this chapter is largely descriptive, it forms the departure point from which I consider the movement vis-á-vis various regulatory forces – legal, technological and economic. It maps the movement and builds the foundation upon which I then explain clashes with regulatory structures in Chapters 4 and 6. It sets the scene for a broader examination of alternative production ethics in Chapter 5. It provides a preview of some of the internal conflicts and debates (around authenticity, labour and marketing) which are further extrapolated in Chapters 7 and 8.

I begin by describing the people involved in producing alternative pornographies and the ways in which they produce, arguing that Australian alternative pornographies are characterised by a DIY approach. I then turn to six key challenges that alternative producers make. Firstly, they aim to diversify the kinds of bodies, desires and practices visible on screen, via strategies of inclusion and self-representation. Secondly, they aim to speak to women and queer audiences via cinematic techniques that re-orient the camera gaze and re-write sexual scripts. Thirdly, they seek to convey emotion, chemistry and ambiance to viewers, often by displacing graphic depictions of genitals for more tactile, peripheral pleasures. Fourthly, they seek to improve the production practices of pornography (a theme that is discussed at length in Chapter 5) by interrogating the ways in which monetary value is afforded to specific practices and reframing the ways in which producers might value performers. Fifthly, they demonstrate the use-value of pornography over its commercial value as a market product, serving as a community archive of sexual subcultures. Lastly, they contribute to off-screen interventions, including health promotion projects, sex education and consent culture. These aspects reveal the political value of alternative pornographies.

In moving through these interventions, I illustrate that alternative producers have different and often divergent stakes in production that indicate a split between a politics of inclusion and a politics of resistance. This split becomes more apparent in Chapters 7 and 8. Male producers seeking to capitalise on a gap in the market had very different political approaches to producers who sought to document their community subcultures. Feminist producers seeking to create 'porn for women' had different

intentions to queer producers who sought to interrogate essentialised notions of gender and sexuality. Non-performer producers who wanted to capture diversity had different strategies to individual sex workers who sought to represent themselves. Different relationships to money also impacted the style and pace of production, from endeavours that were primarily business ventures to projects that were expressly anti-capitalist. These projects are not necessarily distinct. They often overlap. However, the different goals and stakes of Australian producers illustrate how alternative movements themselves can develop their own hierarchies, conventions and disciplines.

The underlying theme of this chapter (which we return to in the conclusion) is: Alternative to what? I argue that producers are posing challenges across multiple external and internal fronts. In their more conservative iterations, alternative pornographies differentiate themselves from 'mainstream' porn, positioning themselves as a more progressive alternative to pornographies that employ gendered stereotypes and commercial aesthetics or are produced in centralised studios. These producers are involved in a marketplace intervention, invested in creating greater variety of viable alternatives for consumers. But in their more politicised and radical iterations, alternative pornographies offer a more deconstructive critique. They speak back to classification categories, economic stratification and hierarchies within the movement itself. In some cases, they offer 'post-pornographic' interrogation that destabilises the category of pornography altogether.

3.1 Alt, indie, DIY porn

Like this Chapter's vignette reveals, producing pornography in Australia is characterised by a lack of infrastructure, threat of prosecution and experiences of isolation, which in turn has fostered cultures of community-building, skill-sharing and collaboration. Due to restrictive classification and criminal laws that regulate production and sale, pornography producers are largely hobbyists, small businesses and sole traders. Producers are overwhelmingly performers creating their own content, mostly working in informal partnerships with romantic partners, colleagues or friends. My participants were a mix of industry veterans and newcomers, although even the most recent producers had been working in the sex industry for over a decade, prior to embarking on porn. Some began working in pornography when they turned eighteen, while others had started in porn to supplement their income following long periods working as BDSM practitioners, escorts, masseuses, nude models and webcammers. Creating porn was often a mix of personal and professional pursuits, where individuals and couples leveraged their own content to make a modest income.

Australia's own alternative porn culture has developed in part from a vibrant history of print magazines, live sex performance and DIY production. Thanks to the liberalisation of censorship laws

from the 70s, gay porn featured largely in print magazines and newspapers in what Bill Calder has called a "golden era" (Calder, 2016). Since the 1980s, individuals and couples have produced independent pornography marketed as 'amateur', home-made' and 'made in Australia'. One shoot at the Old Canberra Brickworks was pitched as 'the world's first environmental porno shoot', advocating for environmental preservation and heritage protection. Throughout the 90s and 2000s, women and queers on the East Coast performed irreverent, original and iconoclastic striptease for one another at iconic events such as Wicked Women and queer strip club Gurlesque, which challenged ideas of which bodies were 'sexable' and paved the way for a sex-based print culture of magazines such as *Slit Magazine* and later *Dirty Queer* and *Archer* (see Crowley, 2008; Henderson, 2013; Drysdale, 2016).

Meanwhile, as the net boom during the late 90s facilitated the development of online porn, women began to buy and sell non-exclusive content on sites like *Pure Cunnilingus* and *For the Girls*. In the early 2000s male-run companies *Abby Winters* and *Feck* emerged to capitalise on what they saw as a gap in the market for amateur content, setting up before the Global Financial Crisis and the increasing availability of free online porn and establishing businesses with employed staff and loyal subscribers. Performers who had worked as staff for Abby Winters and Feck (as camera operators, producers and performers) moved on to make their own independent content and build their own sites, by themselves or as small sex worker collectives. As subscription sites dwindled and film festivals began to proliferate, independent producers began creating short screeners. In 2009, Anna Brownfield's feature film *The Band* brought home a Feminist Porn Award and Australian producers began producing short films for festival circuits across the United States, United Kingdom and Europe. In 2015, Vice magazine headlined "Australia's Thriving Art-Porn Industry is Run by Women" (Morgans, 2015, n.p.).

The small-scale and local nature of independent porn in Australia necessitates resource-sharing and a DIY approach. At the centre of DIY culture is "the idea that you can do for yourself the activities normally reserved for the realm of capitalist production" (Holzman, Hughes and Van Meter, 2007, p.44). Performer-producers often learn skills through observation in front of the camera that they can apply behind the camera. People borrow equipment, software, sets, costumes and knowledge and swap things of value such as performances in exchange for camerawork. In some cases, funding for printing, sound, lighting or fees is raised through community crowdfunding. Some participants, like Aeryn Walker, who runs her own geek porn site, reported doing everything herself, from filming, performing, editing, coding and marketing. Others, like Angela White, who had established a company overseas, hired contractors to assist with filming, editing and web development. Sometimes a camera person would collaborate with performers and licence content to overseas websites. Sometimes a group of friends would trade make-up, editing or set design. The locations varied between people's

homes, bush, backyards and set studios. Only two producers reported a company structure with employees, and these were run by cisgender heterosexual men. There was a distinct gap between the practices and philosophies of these producers compared with the other participants, who were heterosexual and queer women, trans and non-binary people, and gay and queer men.

Alternative producers share an investment in producing something different to 'mainstream' pornographies. However, when producers spoke of 'mainstream pornography' in my interviews, they described a multitude of different aspects they sought to resist. Some critiques related to cinematography and visual language. Producers described a prioritisation of male heterosexual fantasies, a focus upon fellatio at the expense of cunnilingus, and a failure to explore women's subjectivities. Others related to the idealisation of particular body types, narrow beauty norms, body hair trends and cosmetic surgeries. Some producers took issue with performative scripting, repetitive formulas and unrealistic scenarios, referring to mainstream pornography as "fake". On the other hand, others saw it as too real, concerned that it was increasingly degrading and "getting more and more violent". Some objections related to a producer's taste in production quality, including poor lighting or sets that looked "cheap" or "tacky". And some referred to mainstream content as "clinical" or missing "passion and anticipation". These sentiments reflect an Australian cultural ambivalence about glamour, commerce, celebrity culture and the exportation of American content as well as the influence of anti-pornography feminisms in understanding gender presentations and sexual trends.

While some producers had an investment in distinguishing themselves from 'mainstream pornography' and used this as a catch-all homogenous phrase, performer-producers were more critical of the term. Instead, performers spoke in more specific phrases about heteronormative porn" or companies with "large distribution networks". Performers were eager to emphasise the similarities rather than differences between mainstream and alternative pornographies. Angela White, who worked across a diverse range of spaces, called the distinction as "counterproductive" and pointed out that "just because it's a female director or producer doesn't necessarily make it feminist. And just because it's a male director or producer doesn't necessarily make it, you know, misogynistic or patriarchal." Performer critiques were more likely to relate to poor working conditions, labour exploitation or limited ability for contract negotiation.

Overall, alternative producers have a shared investment in representing a broader variety of bodies and practices on screen. Lucie Bee, an escort and performer-producer wanted to "capture passion and anticipation" and Angela White sought to capture "chemistry". Feminist producers were invested in exploring women's fantasies and voices and perspectives. Part of this was an investment in mainstreaming content so that, as one of Aeryn Walker's advertisements stated, "female pleasure

isn't a niche". Performer-producers were invested in increasing performer's control and agency, collaborative decision-making, fair compensation and good working conditions, aspects explored in detail in Chapter 5. Queer producers also veered away from the conventions of cisgendered gay male pornography and sought to represent different alignments of genders, sexualities and sexual practices, pitching their work to queer audiences. Nic Holas commented, "It's a basic act of queer rebellion in just putting those bodies into porn."

Most participants described their work as independent porn, however they had different definitions of what constituted independence, speaking invariably about creative control, political values, autonomous funding, the size of their business and their relationships with commercial parties. Sometimes, participants used 'independent' in the sense that one person did everything, operating as a kind of "one-woman-show". For others, independence was about self-funding to ensure that commercial incentives did not interfere with the integrity of the artistic or political vision. While they refused corporate advertising, some queer projects still made space for not-for-profit community groups to place their ads in the magazines for free. Producers who accepted some financial support maintained a distinction between financing and content so that investors did not impact their creative direction. To avoid reliance on outside parties, it was common for performers to use money from their other sex work activities such as stripping or escorting to fund porn production.

Iterations of independence were also shaped by the larger structural environment. While porn may be produced on a local scale, it is distributed and sold via international networks and companies, similar to other forms of DIY production (Holtzman, Hughes & van Meter, 2007, p.44). Producers, for example, sell their work at international festivals or license it to international companies to sell via video-on-demand. Some solo operators had established a company overseas simply in order to access billing services. Others had registered their business in Europe to avoid criminal laws around production but used distributors in the United States for broader exposure. Increasingly, queer and feminist performers were collaborating with and crossing over into mainstream environments and in turn, mainstream companies were purchasing alternative content.

Engaging with mainstream distribution entails a tension for alternative producers, offering mass distribution power and the financial resources to move content via circuits and channels and expose one's work to broader audiences, but also threatening to compromise the integrity of a project. With DIY production, a commodity still exists that has potential to become "rebellion commodified" (Holtzman, Hughes & van Meter, 2007, p.46). Mistress Tokyo, a professional dominatrix, pointed out in our interview that ethics "can become diluted as you get a larger and larger production scale." Gala Vanting, who produced short films with Aven Frey, questioned the possibility of maintaining the

integrity of the project when working with commercial distributors, investors or companies. In our interview she queried "whether that [feminist and pleasure-positive message] stays intact when there is a corporate interest at hand." For her partnership, *Sensate Films*, these "threats" provided an incentive to "stay in the corner and [have] less visibility". *Sensate Films* made a political decision not to produce in volume and instead to keep their business small, local and community-connected. Whether and how to engage in international distribution mechanisms was a recurring theme among participants, especially feminist producers, and is explored further in the *Pinkwashing Pornography* vignette.

3.2 Diversity, inclusion and representation

Producers spoke repeatedly about their interest in creating content with greater diversity of genders, sexualities, races, bodies, abilities and ages. This investment in inclusion and diversity reflects a 20th century focus upon identity politics, an emphasis upon visibility as a political strategy and a sentiment that "representation matters" (Sharkey, 2018, p.87). As part of this tactic, writes Lisa M. Walker, "participants often symbolize their demands for social justice by celebrating visible signifiers of difference that have historically targeted them for discrimination" (Walker, 1993, p.868). As a result, alternative pornographies, especially queer pornographies, are often invested in representing underrepresented or misrepresented identities to provide moments of affirmation and validation, and identity categories are a "major organising tool" in queer pornography (Sharkey, 2018, p.89).

My interviews suggest that investments in diversity, however, are sparked by different motivators. Women producers were concerned at the injustice of not seeing themselves represented appropriately on-screen. For example, Cat O'Nine Tails, who ran a website called *Shot with Desire*, described being "really dissatisfied with the porn and the adult material and the erotica out there". In contrast, Howard, who ran "socially responsible" porn sites, perceived a "gap in the market" and had a desire to create something valuable as well as a "good business" and new career path. Individual taste was sometimes a motivator – producers sometimes wanted to create porn that they themselves liked. Others were focused on rebutting stereotypes: Howard described how his sites sought to "challenge the stereotypes of what is beautiful". Performers were sometimes suspicious of being used for the purposes of diversity signalling.

The commercial motivators behind diversity and inclusion have been critiqued by critical race scholars, especially where they focus only on visual diversity rather than operational shifts. While the substitution of positive images for negative ones can form an attempt at "righting the balance", replacing dominant, abject and reductionist representations with more complex range of experiences,

we also need to consider whether, as cultural theorist Stuart Hall asks, such images "simply *appropriate* 'difference' into a spectacle in order to sell a product?" (Hall, 2013, p.263). In her examination of alt erotica site *Suicide Girls*, Shoshana Magnet argues that the company still prioritises profit rather than structural change, and that the limited representations of tattooed, punk women merely reflect that "content diversity is good for business" (2007, p.577). My participants made similar critiques. I explore these further in Chapter 8 where I interrogate the marketing of alternative pornographies from the perspective of performers. Performer-producers were less focused on tokenistic representations than they were upon self-deterministic representations. They were more likely to follow approaches from anti-inclusion, anti-assimilation movements that "places emphasis on listening to others rather than speaking for them or on their behalf" (Heckert and Cleminson, 2011, p.4).

Like many sex workers who feel stifled by management and turn to independent work, porn performers turn to independent production for increased agency and improved working conditions. Sometimes the catalyst arose from poor experiences on set and a desire to provide better working conditions for other performers. Luna described starting Trash Dolls because they were unhappy with the exploitative business practices at *Suicide Girls* and wanted an Australian alternative (Mies, 2006). Others sought avenues to represent themselves in ways that were not possible working for others. Angela White described, "because I produce my own content, I've been able to create a safe environment for me to explore things that I wouldn't have necessarily felt comfortable doing under another producer or director." While other companies had requirements for specific body types, being independent afforded her own vision and creative license to take a more body positive approach. Independence also allowed for greater control over the content. Sindy Skin, a solo performer-producer who created kink porn, said "I still have the absolute ability to take it down whenever I want," something that performers were rarely afforded when working for larger companies. Chapter 5 explores the impetus from performers to change production processes to devolve power from producers and share profits and decision-making more equitably.

For some performer-producers, a turn to independent production represents an opportunity for self-actualisation and self-expression. Positioning pornography as a site of experimentation and playfulness reflects the privilege of some producers, who do not share the vexed relationship with pornography that many more marginalised communities do. Performers described using porn as a medium for personal self-exploration and "firsts". Dick Savvy described, "I also wanted to experiment in front of the camera do things I've never done before but have been fantasies or thoughts of mine, to have that first experience in front of the camera and also break my boundaries." User-generated

production brought opportunities for authorship and agency through self-portraiture. Morgana Muses, for example, started producing her own porn after her divorce following a twelve-year period of celibacy. She sought to contest the representation of older women on screen: "I'm 50 years of age and trying to tackle ageism in porn in a more genuine and respectful depiction, and less clichéd and caricature like, than what appears to be the norm in porn." Performer-producers emphasised the importance of self-representation. The increased availability of digital equipment meant that individuals could create their content with more control over their representation.

Slit Magazine editors Meredith and Domino described how, for them, diverse representation meant being accountable to community, responding to criticism and justifying their decision-making. Meredith recalled:

> When we went to Camp Betty we got bailed up by a couple of people and they were like, "Your definition of the magazine is fucked – calling it a dyke sex magazine." My experience is that there has been a generational change in what people associate with the word 'dyke'. In the 1990s, the word "dyke" was symbolic of sex positive, BDSM friendly, gender non conformity, trans inclusive attitudes. And many trans men friends were attached to their dyke histories at that time. 'Dyke' signalled a different politic to lesbian and gay. But a couple of years into the magazine, that mood was changing within the community. So our Melbourne comrades explained, "That's fucked - you've got to add the word 'trans'." So, we changed the magazine's moniker to "dyke" and "trans" as a response to the discussions that were being had at this anarchist queer festival in Melbourne, and to communicate the magazine's intentions in being a space for sexuality and gender diversity. That was really instructive for us getting that kind of feedback saying, "Well, the labelling of the magazine is not representative of us." And then later, at the time we were making the last issue, the question of using words such as "dyke and trans" or "women and trans" was being debated strongly in the community – whether having events that invited people in this way potentially outed trans people who attended or else implied that "women" was exclusive of trans women.[4]

Recent editions of *Slit Magazine* now use the label "queer and feminist" in response to what Domino called "a changing way of communicating a politic". However, the process remains an adaptive one. Domino reflected:

> Even then we felt quite conflicted about the name change for the last issue – where did this leave our anti-racist politics which is central to what motivates both of us? And our anti-capitalist politics? But at the same time we didn't want a shopping list of words. And so we wrote an editorial that explained a bit of our thought processes and our feelings about the limitations of language and labels. The process

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[4] Camp Betty is a radical political festival on sex, sexuality and gender held in Sydney on the Queen's Birthday, featuring community panels, workshops, discussions, food, parties, art and dress-ups.

and practice of the magazine attempts to express these things, and simply adding a label that something is 'feminist' doesn't make it so.

In contrast to producers who use signifiers of diversity in their marketing without necessarily adjusting their processes, *Slit Magazine* here describe a politics that resembles collectivist anarchism, whereby individual freedom is not privileged at the expense of others, but where freedom is relational and inseparable from another's. Rather than empty promises of diversity, *Slit*, because of its close proximity to community, was engaged in an ongoing process of reflection and accountability.

3.3 Reorienting the gaze

Alternative pornographies do not necessarily assume a heterosexual male audience. Feminist producers I interviewed sought to interrogate the historical positioning in film studies of men as visual creatures and women as spectacle. Some producers explicitly sought to reorient the "male gaze", a concept coined by Laura Mulvey, who argued that "[t]he determining male gaze projects its phantasy onto the female form which is styled accordingly" (Mulvey, 1975, p.11). In many cases, the impetus to provide 'a woman's perspective' responded to John Berger's argument that "men act, and women appear" and that "Men look at women. Women watch themselves being looked at" (1973, p.47). Producers of 'porn for women' were concerned with reorienting this gaze, disrupting formulaic representations of women's sexuality for male consumption, creating new lenses and sexual scripts through which to showcase women's points-of-view, and prioritising a 'female gaze' that recognises women as consumers (not just subjects) of erotic media. Cat O'Nine Tails said, "there's not many women shooting any erotica out there, particularly naked heterosexual men for women to look at." Another producer said, "I want to show women's pleasure, I want to show women's agency… So much mainstream porn is focused on male desire, male fantasy." For her, a feminist approach meant "putting women at the forefront of my filmmaking." Her voiceover series includes written pieces by women about their personal fantasies, interests and preoccupations overlaid to their masturbation videos. In these investments we can see producers creating new visual languages, what Anne Sabo has called a "gender democratic gaze of devoted mutuality as opposed to the objectifying gaze" (Sabo, 2012, p.53).

Although film theory has moved on from the 70s to consider more dynamic ways in which images are produced, shared, interpreted and interacted with, Mulvey's conception of the 'male gaze' continues to be a dominant (and blunt) frame for understanding gender on film, particularly by anti-pornography feminists. Mulvey herself has since argued that "the male third person closed off avenues of inquiry that should be followed up" (1989, p.69). This in turn means that, despite new ways of interacting

with cameras and media (particularly with the advent of user-generated content), producers of 'porn for women' still refer back to the paradigm of the ubiquitous male gaze and, in response, frame their 'alternative' content through practices of inversion. Anna Brownfield, who produced feature films with explicit content, used the strategy of reversing gendered and sexual scripts with the intent of exposing them. Her work involves the sexualised depiction of heterosexual men, featuring extended scenes and close ups of men masturbating, being expected to ingest their own body fluids and having anally receptive strap-on sex with cisgender women. Other producers sought to represent practices where women were in assertive positions in order to counter the sheer volume of images depicting women as submissive. Cat O'Nine Tails similarly describes her intention to subvert stereotypical roles and appeal to "the female viewer" by "trying to play around with roles [so] it's not always the same old submissive woman, master dominant man."

These practices of inversion are common cinematic techniques. However, Stuart Hall reminds us that "[t]o reverse the stereotype is not necessarily to overturn or subvert it" (Hall, 2013, p.261). These counter-strategies for contesting the dominant regimes of representation can still be reactionary and remain within the confines of binary structures (active/passive, top/bottom, male/female). In fact, feminist performer-producers I interviewed had begun to distinguish their work from 'porn for women', because it relied upon fixed assumptions about the category of womanhood. Helen Betty Corday expressed her rejection of a monolithic category of women's experience:

> I find it very interesting when people say they're making porn for women because it does seem to play into this stereotype often of what women would want to see. I think it generalises women as heterosexual women for a start and also fairly vanilla… I like rough sex and I think that's not often depicted in porn for women.

These endeavours can fall into the trap of presenting only what Grace Sharkey calls the "*right* kind of woman" (Sharkey, 2018, p.114), acting to flatten out and eclipse the diversity of women's desires on screen into one-dimensional tropes. Among feminist pornographers, critical discussions have veered away from representing stereotypical tropes of what women want, epitomised by the use of narratives, cunnilingus and soft lighting, towards ethical ways to represent broader desires among women, including fantasies of non-consensual scenarios (Moorman, 2017, p.695). The emergence of user-generated and DIY pornographies continues to prompt a shift away from imagined, essentialised categories of womanhood and towards more complex readings of sex and desire.

Foregrounding women's pleasures could fall into a similar trap. Linda Williams describes how pornography has developed conventions that seek to show "maximum visibility" and "visual evidence

of the mechanical 'truth' of bodily pleasure" (Williams, 2004, p.94 and p.101). Anna Brownfield described this in her definition of mainstream pornography: "it's about getting those penetration shots and the performers being open so that you can see everything that's going on". In this quest to discover the 'truth' of sex, the spectacle of male ejaculation has emerged as demonstrable, visible proof of the body's involuntary confessions. And yet the 'money shot' only speaks to male sexual pleasure (Williams, 2004, p.119). Depicting proof of pleasure among women has been a more difficult exercise (Shamoon, 2004), but one which represents a point of resistance for feminist pornographers (Williams, 2004, p.57).

Some producers I interviewed sought to abandon the primacy of the male 'come shot' in favour of a focus on women's genuine pleasure. However, the techniques often used to showcase women's pleasure, if repeated, could themselves develop into catch-all signifiers. G-spot ejaculation, argues Ingrid Ryberg, has become a "something of a lesbian pornographic trope" itself, along with the dildo (2008, p.74). The depiction of g-spot ejaculation as an equivalent spectacle to penile ejaculation, with tags and search terms now available for squirting and gushing, can act to become *the* representation of women's pleasure, lesbian sexuality or real sex. Ryberg argues that depictions of g-spot ejaculation seek to prove women's pleasure, but still operate within the terms of reference of maximum visibility (2008, p.74). In these iterations, alternative pornographies may pioneer new sexual scripts and visual languages, but they do not necessarily escape the conventions of maximum visibility or the binary gaze.

3.4 Hardcore intimacies, displaced sex

Some producers I interviewed took a different approach that did not rely on the spectacle of visibility and instead evoked feeling among its audiences by decentralising the act of sex – and orgasm – itself. Instead of "going through the motions of a standardised repertoire of sexual practices and positions", Janssen argues that feminist, lesbian and queer pornographies have "[sought] to convey the tactile and visceral 'feel' of the sexual encounter" (2016, p.1). By focusing on touch, sensation and mood, with tactile images of flushed skin, heavy breathing or curled toes, these texts can problematise the need for explicit visibility in favour of eliciting feelings among viewers. By bringing viewers in cinematically to interact with the subject, with a focus not on *what* they show, but *how* they show it, these texts demonstrate a shift towards what Laura Helen Marks calls "haptic visuality", a focus on embodiment and affect, "a small, caressing gaze" (Marks, 2002, p.6), one which Janssen describes as "an alternative economy of looking" (Janssen, 2016, p.17). One producer described how her primary focus was not on body shots but on connection between the performers:

I think a lot of the tropes of mainstream porn, the way that it's filmed, takes away that intimacy. I mean there's the focus on the genitals, there's the fact that they guy's cut out of the frame. The methods of filming help to make it very much just about physicality and also you know very much focused on the female performer if we're talking straight porn. So whereas what I've found with my work is I'm really focusing on faces and if I can't get, if I can't see the person's face, I feel like I'm not getting a good shoot. If I can't see them looking at each other or see that person's reaction to the pleasure that they might be feeling.

In some cases, this has involved displacing explicit sex as the central feature. One site, albeit which didn't identify as feminist but sought to change representations of sex, featured videos of people masturbating whilst showing only their faces. This did not necessarily escape the positioning of pornography as an excavation of the 'truth' of sex – the shoot is accompanied by a ten-minute interview, literally called a "confession", in which the subject speaks about their first orgasm – but it could disrupt the convention of maximum visibility. The site producer explains:

> The aim was to show that something could be truly erotic without showing any sex or nudity whatsoever, and it's a video project where we show just the faces of people having an orgasm and how they have the orgasm is left to the viewer's imagination.

Similarly, the work of *Sensate Films* interrogates what constitutes 'explicit' material. Their films include power-exchanges and play piercing, and screen at porn film festivals as erotically charged, sexually-themed films, but without any sexually explicit content. While there are rarely close-up shots of genitals, Janssen writes that Sensate's work is "as hard core as they get" (2016, p.17). Gala Vanting described how her work complicates classification categories:

> If you were from the Classifications Board sitting and looking at our work I think you would have a hard time figuring out what to call this. Often our films don't feature explicit sex but sometimes they do. But that's not imperative to us. We're more interested in a philosophical and aesthetic engagement with sexuality as a whole, not necessarily sex as an act. So we are interested in exploring identity and fantasy and sometimes we even delve into deeper philosophical and political questions, and people watch a film like that and ask 'how is that porn?'

In displacing sex, these films reflect a broader context in which explicit sex is widely available and as a result has lost economic value, along with a queer approach that situates eroticism and desire as outside and beyond particular body parts or sexual practices. Such iterations resemble 'post-pornography', made famous by Annie Sprinkle in her live performance and book *Post-Porn Modernist* (Sprinkle, 1991). Instead of naturalising or reifying or sexual practices, post-pornographies blend sexually explicit material with performance art and provide a space in which to reflect, resist and

reconfigure how we imagine sex. In doing so, post-porn can deconstruct naturalising regimes of sexual representation and challenge the ways that bodies are categorised and valued.

The shift away from maximum visibility in cinematic techniques is also reflected in the production practices of some producers, who interrogate the value placed on particular bodies and sexualities in the marketplace. Standard practice among mainstream companies is to set particular rates for sexual activities. For example, companies may pay different amounts for solo masturbation scenes, girl/girl (G/G) scenes, boy/girl (B/G) scenes or anal scenes. Even one company paid an extra $50 per additional orgasm. Paying more for 'extras' is a common practice that allows a worker to demarcate their boundaries in a transparent way. Payment literally places a cash value on sexual activity: as Eva Pendleton writes, charging money for sex "reverses the terms under which men feel entitled to unlimited access to women's bodies" (Pendleton, 1997, p.79). However, the different value afforded to these acts is political. A B/G scene pays more than a G/G scene because it involves a penis and hence is considered 'real sex'. Anal pays more because of societal taboos associated with the anus, because fewer performers are willing to do it, and because of the labour involved in preparation. Some white performers in the US charge more for interracial scenes, reflecting the racial stratification of sexual labour and the devaluing of performers of colour (for more on racial stratification of the sex industry see Brooks, 2010).

Some alternative producers I interviewed did not wish to exploit or capitalise on these sexual hierarchies, and instead chose to compensate performers for their time rather than a particular sexual output. In the above examples, a performer's worth is determined by the rarity of the activity (shaped by heteronormativity and social stigmas about sodomy and race) and the market value of the scene itself (based on supply and demand). Alternative producers stated they wanted to value performers for whatever they brought to the scene (their experiences, desires, expression) regardless of its potential for monetisation. Helen Betty Corday, for example, who ran her own subscription site, paid a flat fee to performers with no expectation for orgasm, as part of a broader shift away from orgasm-centric scenes, and a reassessment of orgasm as the central pinnacle moment of sexual encounters. Her value for the performance does not reduce sexuality down to a set of pre-determined positions, routines or bodily outputs, and rejects explicit sex as somehow more special, vulnerable or personal than other intimacies. These cinematic shifts away from maximum spectacle and production shifts in payment represent a reassessment among alternative producers of how bodies and practices ought to be valued.

3.5 Community archives

Producing pornography is more than simply a business venture: queer producers describe a desire to document the wide variety of sexual practices and cultures they are immersed in. While screening of porn in cinemas during the 'golden age' created porn 'stars', the disintegration of DVD and advent of the Internet has diluted stardom. Porn performers are less often described as 'actresses' or 'actors' and increasingly described as sex documentarians and amateurs. Helen Betty Corday described the effects of increasingly available technologies in capturing a more diverse array of sexual connections:

> [Technology] is democratising the whole process and it does mean that you see some amazing films coming through short film festivals that have been shot on iPhones that are really high quality, and that's happening with porn as well and I actually think that's fantastic. I think user-based porn is going to transform this conversation about porn's impact on human sexuality into one that's much more positive because it is going to be a reflection of what we're really doing and wanting and desiring less so than a very small group of people producing a vast amount of content.

Producers were creating a new genre of 'docuporn', seeking to build an archive that recorded the sexual cultures, politics and practices happening in their communities. *Sensate Films* produced what they called a 'docu-portrait', referencing portraiture about BDSM and intimacy. Instead of fetishising kink or capitalising on its taboo, they present kink as an ordinary part of people's lives. On their website Gala Vanting and Aven Frey write:

> In its inquiry into the loves and lives of 5 subjects, it presents unique, articulate, and thoughtful perspectives on how kink can function in our lives – as a practice of art or intimacy, as a mode of expression or release, as an iteration or obliteration of self, as a way to play, a way to fuck, a way to love, a way to be ordinary.

A regular photographer of community events like Gurlesque and Hellfire, producer of erotica website *Shot With Desire* Cat O'Nine Tails described how her more explicit work was informed by subcultures of queer performance: "there was so much amazing underground things happening in Sydney in the noughties, it was kind of like a documentary thing, as well as capturing the expression of people's sexuality in an alternative way." Similarly, for *Slit Magazine*, the project was in part "inspired to produce" and "recreate" in the tradition of past iconic dyke magazine *Wicked Women*. Co-editor of *Slit* Meredith explores how the magazine was an attempt at archiving and capturing the vibrant sexual performance scene manifesting in the wake of queer strip club Gurlesque.

> [My] thing was always about creating cultural spaces for us to kind of be nourished by… It was a pretty amazing time, we were part of a sexual community that performed for each other… Gurlesque really

succeeded in creating and contributing to a sex and body positive community as well as creating and stimulating an amazing physical sexual performance culture unique to Sydney… I suppose for me being an amateur historian I just thought "All this stuff is going to disappear. No-one's going to know it ever happened." So for us, for me, I thought a lot of it was about archiving these queer subcultures that will just vanish.

While individual, feminist porn producers, and producers of 'porn for women' were more likely to create content that they personally liked and found attractive as women, centred on personal choice and taste, queer producers were more likely to produce something *by* and *for* the community. Rather than seeing porn as an individual pursuit, queer approaches saw freedom and expression as *relational* and the individual and community as mutually constitutive (Daring et al., 2012). Queer producers felt a level of accountability to ensure their work was bigger than the individual. As Xavier Moustache, co-founder of *Dirty Queer Magazine*, remarked to me, "I don't want it to just be a fucking self-promotion". There was a sense of contempt here for art and media products that promoted individuals, porn 'stars' or promoted careerism in the context of an attention economy rather than served a collective interest.

Domino reflected upon the process of capturing, documenting and archiving live performance alongside erotic photography and essays in a tangible form as a powerful driver:

When we first talked about it in that first issue, we talked about it as a history of the present, a photographic and text-based personal album for the community to retain for themselves about the extremely special things that were happening, that people were sharing with their bodies and their imaginations.

Slit Magazine is now archived at the Australian Lesbian and Gay Archives and the National Library of Australia. This is part of a wider international trend, with projects to archive feminist porn at various academic institutions in the US. Sometimes producer investments in documentation can reflect an investment in the camera as a vehicle for truth, despite "ample evidence of the ways in which both SLR and now digital photography can be manipulated and faked" (Dennis, 2009, p.5). Archives are not by any means a definitive record of history, nor a documentary exposé of truth. Both archives and documentaries are necessarily selected and *curated* within a process of mediation and storytelling. They are limited, partisan, incomplete impressions. This cultural investment in realness is explored later in Chapter 7 where I argue that authenticity itself can be disciplinary. But the imperative to collect and record this culture reflects a desire to create counter-public spaces, overshadowed knowledges outside those that are recorded and remembered as part of official histories. For queer producers, pornography was a process of documentation that aimed to contribute something towards

community memory. They aimed to participate in, create and preserve a queer counter-cultural history. Nic Holas remarked:

> [W]e need a pornography that reflects the kind of sex that we're having… [Bareback porn] is an authentic representation of the type of sex that gay men are already having. It is not an instruction manual, and it's certainly not an aspirational guide. It's a reflection of what's already happening. It's a mirror, not a prediction.

Pornographies can tell us about the preoccupations and investments of sexual subcultures, but they also play a role in *creating* as well as reflecting them. In the process of selecting and curating meaningful content, producers offer up alternative accounts of and different relationships to sex in order to preserve cultural experiences and minority voices.

3.6 Collective ownership

While anti-pornography advocates paint pornography producers as motivated primarily by profit (Tankard-Reist, 2012), my interview data demonstrates that producers have much more complex relationships with capitalism, often finding creative ways to resist it. Producers' different relationships with capital affects how they produce and what their content looks like. While a few women I interviewed were able to operate full-time, they each spoke about the difficulty of making a viable living whilst producing from Australia. Some producers were full-time sex workers who used porn to supplement their income, as part of diversifying their work skills, or to attract business for their sessions. Some producers were breaking even, and others had invested time and money, but the return was yet unknown. For some producer-performers, marketability and capital value of the product was important if only so they could afford to pay the workers appropriately and cover costs. Many porn projects were not considered by the producers to be financially viable but continued nonetheless because they were considered politically valuable. Aside from the two porn companies run by men who started the websites as for-profit business endeavours, no-one was in porn with grandiose expectations of wealth. Gala Vanting said:

> For me it was definitely politics first, then maybe capitalism. Money wasn't my primary motivator at the time I started making porn. I make things that I want to make before I make things I know I can sell.

Some projects were deliberately anti-capitalist in their intentions. In the editorial to their 15th issue, Domino and Meredith describe how no-one is paid to contribute to *Slit*, but no-one earns income from the product, and the focus is on "creating sex culture with the ambitious aim of trying to carve out some possibilities for a non-commodified sexuality." They refer to *Slit* as sitting outside of a paradigm

of consumption and instead as "a symbiotic relationship between voyeurs and exhibitionists, not buyers and sellers" (2012, p.3). In our interview, Domino extrapolated:

> We also framed it from the beginning in the kind of Deleuze and Guattari kind of way of trying to find cracks in the structure of capital, lines of flight towards liberation… the other side of that was thinking about this idea of, you know, the economy of desire, seeing the potential for the magazine to consider the possibilities of creating a dialogue of sex and sexuality which is non commodified, a space for sharing bodies, desires, creativities. So, a space where that kind of capital exchange is less relevant. And also one where our role as producers and editors did not create an employment style relationship, rather what we wanted from the start was a collaboration, where all contributors (which included ourselves) were (literally) in it together.

In its anti-capitalist approach *Slit* demonstrates the value of DIY porn, not only in creating a culture of self-sufficiency that doesn't rely on professionals, corporate infrastructure or expensive equipment, but in expanding the *use* rather than the *exchange* value of porn. This project illustrates that DIY porn is *useful* beyond the monetary value for which it will sell – it promotes community building, supports local skill-sharing, and *does* political work. Holzman et al. write (p.45):

> While DIY still takes place in a monetary economy, and all the vestigial elements of capital have not left its processes, commodities produced in DIY fashion have expanded their use-values in relation to their exchange-value. Exchange-value is no longer the predominant attribute of the community, and use-value – "worth", to its participants – is primary. DIY as a form of activity creates value outside of capitalism. While this is not noncapitalist activity, since a commodity still does exist, it is a first step in the process of going beyond capital.

Alternative pornographies, though they exist in a capitalist economy, have value beyond the market. Porn film festivals, panels, workshops and exhibitions continue to be important spaces for dialogue, connection, interaction and feedback. Contrary to regulatory assumptions (which we encounter in Chapter 4) that treat pornography as existing outside culture and without redeeming value, many of these projects persist despite lack of financial incentive and in the face of criminalisation, because they are politically, culturally and socially valuable.

Where producers are engaging more openly in a market system (for example, licensing content for international distribution), producers who operate with low budgets can still find non-monetary ways to exchange something meaningful and useful to performers. Jiz Lee argues that content-trades (trading performance for a copy of the film to sell) can provide long-term income through ongoing royalties, supporting new producers who do not have start-up capital, and offering "the potential for a more level playing field" (Lee, 2016, p.66). Other producers I interviewed offered options for shared

ownership and use of the product instead of a once-off performance fee. *Sensate Films*, for example, provide "choose-your-own-adventure"-style model releases to ensure all parties benefit in ways that are meaningful to them, including having a say over how and where the film is sold and marketed and how the profits are distributed. Micha Cárdenas suggests that the model of worker-owned co-operatives has potential to distribute profits more equally among communities. She writes, "If queer porn producers and performers want to move the genre forward as a postcapitalist possibility, then queer porn sites should be structured around collective ownership, decision-making and capital distribution" (Cárdenas, 2014, p.114).

Some commercial pornographic projects act as fundraisers for community projects. Gala Vanting donated her work to Holly Zwalf's performance *Engorged: Fucking (with) the Maternal*, a series of artists and parents documenting their journeys in queering motherhood, from which the profits were donated to Grandmothers Against Removals, protesting the ongoing removal of Aboriginal children from their families (Sperring and Stardust, 2019). Similar trends can be observed internationally. From San Francisco, Jiz Lee's Karma Pervs raised funds for human rights, health and community projects relating to reproductive and sexual health, LGBTIQ needs and sex worker rights. In the UK, Pandora Blake and Nimue Allen's 2015 caning fundraiser raised money for Backlash, an anti-censorship organisation advocating for freedom of expression.

In these iterations, DIY pornographies involve an awareness of labour inequalities, wealth accumulation and private ownership, and a commitment to foregrounding cooperation, collaboration and collective benefit, during both production *and* distribution. These investments in wealth redistribution exist predominantly among queer performer-producers. Production companies with the largest infrastructure and capital, run by cisgender heterosexual men, demonstrated the least investment in collective ownership. While one company did offer ongoing royalties to performers, royalties were dependent on the number of clicks (incentivising performers to engage regularly with consumers) and were conditional upon a performer speaking favourably about the company in public. Here we see a divergence between the deployment of narratives about diversity and democratisation. For performers, democratisation of pornography is not only about visible content but about democratising the process *and* the profits.

3.7 Professional sexperts

The interventions of alternative producers transcend beyond the screen. The queer and feminist producers that I spoke to further demonstrated an investment in sex education and were actively engaged with their audiences in cultural discussions about sexual health and consent. While a number

of authors have expressed concern about porn's prescriptive effect in supplying audiences with a narrow repertoire of sexual scripts, performers and producers were also in conversations about pornography's potential to educate viewers about body diversity, pleasure and safer sex (Albury, 2014). Porn projects were being pitched as educative projects, porn stars were leaders in community health promotion campaigns and performers were holding sex education workshops based on their experience as 'sexperts'. Performers were using their scenes to document negotiations of safer sex, the definition of which was changing with new technologies and treatments such as antiretroviral therapies (ARTs) and pre-exposure prophylaxis (PrEP). In Anna Brownfield's film *The Bedroom,* she features 'sex through the ages' with six sex scenes all set in one bedroom from the 60s through to the 2000s, tracing through the emergence of the contraceptive pill, the HIV epidemic, the boom in vibrators and the emergence of online sexual encounters.

This trend represents an extension of a long history of community engagement and peer-education as part of Australia's renowned partnership response to HIV throughout the 80s. Australia's unique partnership approach to HIV was led by sex workers, gay men and people who use drugs, and saw federal and state health departments funding local community organisations to engage in health promotion and outreach (Midwinter-Pitt, 2007). Sexually explicit material was used in the early 90s by the Victorian AIDS Council (now Thorne Harbour Health) and the AIDS Council of NSW (now ACON) in health promotion targeting gay men, and the eroticisation of safer sex became a hallmark of gay men's HIV prevention (Leonard and Mitchell, 2000). VAC issued postcards depicting gay sex where readers could scratch off a 'censored' notice to find health promotion messaging. In 2014, *Dirty Queer Magazine* partnered with *Dude Magazine* and PASH.tm (the Peer Advocacy Network for the Sexual Health of Trans Masculinities), to bring out US trans porn star Buck Angel for a series of screenings and workshops called Get Bucked Australia. Community-led health promotion initiatives used peer-based, practice-specific approaches based upon harm reduction and pleasure-positivity, employing culturally relevant terminology and imagery (Nous Group, 2016).

Funding for sexually explicit material targeting women did not occur until more recently, but when it did, porn performers were featured in health promotion material that combined art, health, sex and community. ACON's unique project for lesbian, bisexual and queer women, which ran from 2012 to 2018, used photography, video works, profiles and interviews with community porn performers. The project sought to meet the needs of what Chetuti et al. refer to as "preventative healthcare's forgotten women" (2013) – bisexual, bi-curious women, and women who have sex with women who are presumed heterosexual. The project targeted women engaged in group sex, blood sports, water sports and sexual practices with increased risk of STI or BBV prevention, by posting out safer sex, play piercing

and blood packs, running skill-sharing workshops, hosting film screenings and encouraging sexual health testing (Constable and May 2012; Albury, 2015). In our interview, ACON's Community Engagement Coordinator Viv McGregor described the erotic art and interview material as "the honey to bring people in, to provide this sort of sex-positive space to explore sexuality which then includes sexual health."

Porn performers in Australia are active in adult sex education, holding instructional workshops in adult stores, festivals and kink spaces. They also take educative work and media literacy with young people to deconstruct and analyse porn. In the absence of comprehensive sex and relationship education, where young people are turning to the Internet to fill in the gaps, being competent in mediated sexuality has been identified by Australian researchers as a crucial part of healthy sexual development (McKee et al., 2010). In 2015, Helen Betty Corday worked alongside Fitzroy High School to host five community forums, including 'Pornography and Teenagers: Developing Porn Literacy' (run twice due to high demand), where porn performers spoke alongside sexologists, family planning and psychologists.[5] Health professionals on the panel reported to Helen that "the presence of a porn performer… removed the scepticism the teenagers had toward community concern and lent credibility to the sexual health nurses in the eye of the teens." The same year, Clare Watson's sold out theatre piece *Gonzo* brought together four teenage boys in conversation with Helen and Gala Vanting. Instead of representing young boys as blank slates upon which media is projected, *Gonzo,* based on peer-led focus groups among teenage boys aged 12-18 in Melbourne, depicts teens as conscious and critical consumers. In a conversational, improvised scene with Gala and Helen, the teens asked questions about the labour conditions, whether they were having a good time and how they maintain romantic relationships. They wanted to know if the activities were consensual and paid attention to whether the performers were using lubricant (Stardust, 2016). The play explores the role of pornography as part of healthy sexual development where is it de-coded, not prescriptive, and where young people have the conceptual tools to navigate it (Fileborn, 2016).

The investment of porn performers and producers in health promotion does not suggest that pornography should be a substitute for comprehensive population level sex education. As Nic Holas said:

> To say that pornography doesn't have a role in sex education is being a bit wilfully ignorant, but I also believe that it shouldn't take the place of coherent sex education and holistic sex education from…

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[5] These sessions included 'Generation Sex', Fitzroy High School, 24 August 2015 and 'What's Missing in Sex Education', Fitzroy High School, 3 June 2014.

when we are charged with that responsibility as a way of disciplining us, that's problematic… [pornography] shouldn't be the primary text.

To minimise the risk that their work would become prescriptive, performers took steps to increase transparency in the filmmaking process. In her analysis of queer pornography, Grace Sharkey identifies key objects that reoccur within queer porn texts – including "the gloved hand", "the bottle of lube" and the Hitachi magic wand (Sharkey, p.139). Porn performers in my study described actively role-modelling consensual sexual negotiation, bodily autonomy and respect in their films and behind-the-scenes footage. *Sensate Films* let viewers know in advance whether the performers in a scene were an off-screen couple, particularly experienced, fluid bonded, or had negotiated certain activities in advance. Mistress Tokyo, an experienced dominatrix, said:

> I tell people when I negotiate with them before the scene starts in my professional sessions what my requirements are, as a person who can't know everything that the person is feeling. I can't speak for them, so I think that showing pre-scene negotiation and post-scene aftercare is a great thing. I think that mid-scene negotiation is really great as well. I think that for some people that will ruin the fantasy and you won't have those people buying your stuff. But I think that's a risk you have got to take.

Moments of requesting permission for physical contact "are at the core of queer pornography" (Sharkey, p.141) which "speaks to understood narratives about queer intimacy in which bodies may require subtle roadmaps" (p.142). These initiatives are part of a broader movement in which porn stars have also created public resources on sex and consent. After her public disclosure about experiencing sexual assault on set in 2014, US porn star Stoya published an article titled 'If You Don't Want To, Say No: A Porn Star's Guide to Sexual Consent' in the *New Statesman*. The article discusses the importance of safe words and retracting consent. Stoya's disclosure of sexual assault has led to important international conversations about pressure, coercion and non-consensual sex, and particularly the 'rape-ability' of sex workers. The practice of documenting the explicit negotiation of consent has become a core feminist intervention in pornography.

3.8 Post-pornographies

Producers of alternative pornographies in Australia describe a variety of different political projects. Some approaches (such as porn for women) work within the existing reference system by reversing or inverting gendered or sexual scripts and substituting the male gaze for a 'female' gaze. These strategies can be powerful in exposing (and rejecting) the male-centred frameworks that exist in much conventional porn and heterosexual culture and imagining different sexual scripts and narratives for how we negotiate sex. However, these approaches can still produce essentialist ideas of 'what women

want' and replace tropes of conventional porn (the male come shot, heterosexual sex, close-up graphics) with new ones (squirting, strap-ons, soft light).

In comparison, queer and feminist approaches to pornography aspire to value time, intimacy and experiences rather than specific sexual activities. They challenge the principle of 'maximum visibility' in pornography by decentring explicit sex as the core of eroticism and queering the taxonomy of sex locatable in the genitals. These approaches are confounding for regulators, because they do not sit neatly into existing categories for classification. In doing so, the approaches of some producers are *post-pornographic* in their interrogation of what constitutes both sex and explicitness, and in their interrogation of pornography as a category altogether (Gregory and Lorange, 2018).

The divergent aspirations, strategies and stakes of these producers indicate that alternative pornographies themselves are stratified into new rearrangements of power. Alternative producers are not simply collectively responding to 'mainstream' pornography – they are in conversation with one another. There is a significant gap between producers operating as a capitalist venture seeking market recognition and producers invested in challenging the practices of porn production. These divisions become relevant in later chapters as they impact how the movement engages in law reform processes (discussed in Chapter 9), how producers respond to the co-optation of alternative content by tube sites (Chapter 6 vignette) and whether the marketing of alternative pornographies matches the experiences of performers (Chapter 7 and 8).

What is evident in my interviews is that alternative pornographies have value beyond their position as a market product. The producers are engaged in world-making practices. The utility of these materials extends beyond their commercial value. Alternative porn producers are invested in changing the cultural scripts, narratives and languages used to discuss sex in both public and private spheres; they are invested in reflecting and affirming the diverse bodies and practices of their audiences, especially those that are under- or mis-represented; they are seeking to use pornography as a vehicle to intervene in public conversations about sexual health and consent; and they are archiving community subcultures and histories that might otherwise go unrecorded. These findings demonstrate that alternative pornographies are more than, as suggested by regulators in the following chapter, mere prurience or 'dirt for dirt's sake'.

Vignette: Non-Violent Erotica

I am lying on a sofa in a custom pink latex cincher. Madison Missina hovers above me in a polkadot trimmed two-piece. We are on the set of the 3D production Blonde, a collaboration between Madison and Pop Porn 3D as part of her #safesexissexy campaign. We are dressed in latex for the occasion to promote the use of condoms and dental dams on film. We request the cameraman take close ups as I drizzle saliva and lubricant across the translucent dam and Madison slides a condom over my glass strap-on cock with her mouth.

Madison and I have something in common: We are both squirters. We move through the scene in anticipation of how we can incorporate an extravaganza of double gushing into the shot. It's in-your-face visibility to the max, and the coordination and orchestration of it delights us. I feel her gloved fingers inside me and the texture of her thigh high PVC boots beside me as my climax builds. My heart rate quickens, I brace myself and squeeze — and squirt directly at the cameraman. Wow, I think, I can't wait to see what this looks like in 3D! Not long afterward I receive a copy of the DVD. Excited to see our scene, I watch it at home and wait for the finale. It doesn't come. In fact, neither of our ejaculations nor the two clitoral orgasms we had afterward were included in the final cut. We certainly enjoy ourselves, but where is the visual evidence of our orgasmic pleasure?

Classification is the answer. The editors had pre-emptively cut the squirting in fear of it being "refused classification" by the Australian Classification Board on the basis that it was either urination (a prohibited fetish) or merely 'revolting or abhorrent phenomena.' The clitoral orgasms were collateral damage, cut in the desire to keep one long sequence instead of editing the climaxes back in after cutting the squirting. The producers' concerns were not unfounded. In 2010 Australian Customs refused the import of films featuring G spot ejaculation. Pop Porn 3D would have had to pay the classification fees twice if it had to re-edit, so in this case they chose the safe and preventative path: self-censorship.

It wasn't the first time my body had been edited to conform to classification standards. In various issues of People and Picture magazines between 2010-2013, I opened copies at my local newsagent to find my inner labia digitally removed. To meet classification requirements that prohibit "indiscreet genital detail" in unrestricted magazines, editors had developed routine airbrushing practices for "indiscreet" vulvas in which they were – in industry terms – "healed to a single crease" (ABC, 2010). *The Classification Board also reportedly suggested that small breast size could imply models were "underdeveloped" and therefore underage, and therefore lead to publications and films being refused classification on that basis* (Patten, 2014).

*   *   *

How does one arrive in a context in which our bodies and bodily functions are prohibited from view? I have come to find out in the Special Collections section of the Flinders University Library. I am here to peruse the Eros Foundation archives. The university librarian has approved my application for access as a 'bona fide researcher'. The materials cannot be borrowed from the library but they can be viewed on site, and I have sent through a list in advance of materials, based on the online search page and an excel spreadsheet of restricted items that are not made public. I nestle in to the quiet, still, sequestered section of the library with archive boxes full of correspondence, submissions, posters, newspaper articles, DVDs, VCRs and tape cassettes.

The collection is a goldmine full of evocative and unconventional political moments since the birth of Eros Association. As early as the 1980s, lobbyist Robbie Swan brought porn star Ginger Lynn to appear at Australian Parliament House. Swan sent pornographic videos directly to Members of Parliament that were tailored to match their positions: The Treasurer received a film called Liquid Assets, and the Minister for Post and Telecommunications received a film titled Love Letters. The protest strategies were cheeky and irreverent, appealing to civil liberties against what they perceived as a 'nanny state'. One Eros Association poster encouraging citizens to join their free voter information service featured a nanny holding a large cream-colored dildo next to the query, "Ever wanted to… stick it up a politician?"

Australia's censorship history is replete with scandal. Christian Democrat Reverend Fred Nile, a politician responsible for the original campaign to ban X18+ content during the 1980s, later made the headlines when he ordered his staff to watch adult videos on parliamentary computers in the name of "research" (Jamal & Tatnell, 2010). The former deputy chief censor, David Haines, resigned from his public service role to actually become a pornographer. Haines produced Redstone Films' Buffy Down Under, which sold 5,000 copies in Australia—ten times the average—and reached No. 39 on the AVN charts. For a brief period, pornography producers even used Commonwealth Government money to fund adult productions. In the late 1980s, producer John Lark applied for funding through the Austrade Export Market Development Grant to subsidise his series Down Under. Under the scheme, the Australian Government paid 70 cents of every dollar over $10,000 spent on promoting Australian-made films to export markets. When Catholic Senator Brian Harradine found out, he successfully convinced the government to exclude businesses marketing X18+ films, concerned that the material "promotes sexually promiscuous AIDS high risk behaviour" and that "Australia's international image is at stake" (Harradine, 1989).

Facing the continued ban on the sale of X18+ content in the states with no shift in political will to overturn it, Eros Association devised a new strategy that would permit their members to sell explicit material. Throughout the 1990s, Eros campaigned to introduce a new federal category, 'Non Violent Erotica', through a Private Members Bill. 'NVE' was essentially a compromise presented to the Coalition government as a face-saving solution that would allow them to keep their policy to prohibit X but still respect the wishes of the Territories to continue as a hub for distribution. Eros hoped the introduction of a new national classification category could be adopted (and legalised) by the states without having to overturn their ban on X.

NVE did not represent a political vision for an ideal regulatory framework; it was an attempt to provide a palatable solution that would allow Eros members to conduct business legally. Its most contentious clause was the prohibition of fetishes:

> *No depiction of violence, sexual violence, sexualised violence or coercion is allowed in the category. It does not allow sexually assaultive language. Nor does it allow fetishes or depiction which purposefully demean anyone involved in that activity for the enjoyment of viewers. Some consensual practices, however, are not allowed in this category. These include consensual depictions or fetishistic behaviours such as body piercing, applications of substances such as candle wax, golden showers, bondage, spanking or fisting.*

The policy received backlash from BDSM and kink communities who felt sold out as part of a political compromise. Kath Albury gave evidence that NVE would "pave the way for government sanctioned discrimination against sexual minorities who are not breaking any laws" (Senate Legal and Constitutional Legislation Committee, 2000, p. 15). But despite community discontent, Eros continued to promote the proposal, and the Bill received multi-partisan support and passed through the House of Representatives on 15 February 2000.

However, on the eve of the Senate vote, Harradine held a parliamentary screening of his private collection of sex films. Harradine's collection included no less than Buck Angels' Transsexual Adventures, Max Hardcore's Going South and Black She-Men. No one questioned how an anti-abortion, anti-stem-cell-research, anti-marriage-equality politician came to be in possession of this collection of titles. But the screening served its purpose – Prime Minister John Howard reported being disgusted by the content, and as a result, the sale of X18+ content remained illegal in the states, but the X18+ category now attracted the additional criminalisation of fetish.

Eros complained that politicians themselves were breaking the law by screening potentially refused-classification (RC) pornography in Parliament House. The Attorney General was asked on notice

whether Members of Parliament were exempt from having custody of prohibited, unclassified or RC materials. There were scandalous news articles – the Canberra Times headlined "Police Inquiry Into MP's Porn Show" (Lawson, 2000) – but no politicians were charged. Parliamentary officials insisted the screening was covered by parliamentary privilege.

Fiona Patten, in a letter to Eros and Body Politics on the withdrawal of NVE and continuation of X, writes, "this has been a very disappointing outcome" (Patten, 2000). No doubt – Eros had pushed NVE for 5 years and won the unanimous support of state and territory governments, bi-partisan support in both houses of federal parliament, and in a Senate Inquiry report supporting NVE, and convinced the Liberal party to adopt it as policy (despite a previous 15-year policy to ban X). But the outcome was an example of the pitfalls involved in presenting palatable solutions to politicians that disenfranchise sexual minorities. In stark contrast to their early innovative work, Eros had placed trust in Parliament and it had backfired. In 2019, two decades later, Eros are still lobbying to remove the prohibition on fetish from the X18+ category.

Chapter 4: Criminal Intimacies: Regulatory Frameworks and Fantasies

The vibrancy of alternative pornographies sits in stark contrast to the framework that regulates the production and distribution. In this chapter, I explain this disjuncture by examining the origins of pornography as a regulatory concept, exploring its subsequent codification in obscenity, indecency and classification law, and investigating its enforcement via criminal prohibitions. There is a raft of laws that regulate pornography in Australia. Classification law classifies sexually explicit content according to community standards, while state criminal laws provide when and if that content can be produced, possessed, screened, advertised or sold. Telecommunications law provides restrictions on publishing online content on Australian servers. Customs law restricts material that can be imported or exported, and content can still fall under common law definitions of indecency, offensiveness, and obscenity.

In this chapter, I argue that regulatory responses to pornography consolidate its modern invention as a rhetorical category that lacks serious value. They solidify its position as something which ought to be sequestered into restricted zones that exist outside art, culture and society. Despite the ambiguity of the category itself, regulators approach pornography as something that is contagious and corruptive. The legacies of obscenity case law and its focus on dirt and prurience continue to manifest in deliberations over community standards and classification. I use Mary Douglas' theory on dirt as 'matter out of place' to consider how the current framework interprets sex as matter out of place that must be quarantined from public space. In addition, Julia Kristeva's theory of abjection assists us in understanding how certain fetish practices have become prohibited. This repudiation of kink intimacies as not belonging in public life obscures the way that heterosexual intimacies are ever-present. In effect, classification laws actively require and produce a heteronormative, vanilla sexuality.

At the same time, the regulatory framework provokes pleasures in criminal intimacies. The paradoxical state of affairs described in the above vignette can be understood through Linda Williams' concept of on/scenity. Representations of sex that were once obscene (off the public scene) are displayed by politicians in the very Parliament in which they will prohibit them. Politicians themselves become the "unwitting pornographer, pandering the very material [they] would censor" (Williams, 2004, p.3). In my interviews, producers were very aware of this paradox. They were vocal and exuberant in their opposition and critiques of the law, referring to it as antiquated and out-of-touch. The law was, at times, irrelevant to producers, and at others, it was an arbitrary rule that invited disobedience. These findings speak to the law's productive power, eliciting the generation of alternative ethics and

standards. Producers found pleasure in their contempt for unjust laws, their transgression of arbitrary prohibitions and their status as sexual outlaws.

4.1 A recent invention

If we look at the history of pornography, we can see that modern attempts to carve out and regulate a distinct category arose in response to a perceived threat of democratisation. Pornography, writes Lynn Hunt, is a relatively recent invention, emerging in Italy, France and England between the Renaissance and the French Revolution at the same time as the invention of the printing press that allowed for mass-distribution of texts and images. Print brought the possibility of sexual, irreverent or iconoclastic materials enjoying wide circulation, and thus a new category of 'pornography' emerged to contain this threat (Hunt, 1993, pp.9-10).

Although depictions of sexual and erotic practices can be traced back to ancient civilisations such as the sexually explicit frescoes of ancient Greece and Rome, they did not attract the same categorisation as pornography does in modernity. In *Porn Archives,* Tim Dean writes that the process of identifying and compartmentalising ancient artefacts as pornographic happened not in their original context but in the later process of archaeological extraction in the eighteenth century (Dean, Ruszczycky & Squires, 2014, p.2). This sequestering of explicit materials from other forms of art, literature and daily artefacts, its labelling with the Greek etymology *porni* (prostitute) and *graphein* (to write), and its designation to archive – "both a physical space for holding the sexually explicit and a conceptual system for grasping it" – was unique to modernity (Dean, Ruszczycky & Squires, 2014, p.2).

In *The Secret Museum: Pornography in Modern Culture*, Walter Kendrick conceptualises pornography as a regulatory category created, invented and determined by law and policy makers who have the power to classify what is 'obscene' or 'offensive' or 'harmful'. Tracing back a series of texts that were once pornographic and are no longer so (*Ulysses*, *Lady Chatterly's Lover*, *Tropic of Cancer*), Kendrick consistently uses quotation marks around the term 'pornography', to remind readers that "what is being talked about is not a thing but a concept" (1996, p.xiii). Current debates around whether key texts or images do indeed constitute pornography persist precisely because 'pornography' functions as a broad *rhetorical tool* that can be employed to serve various political purposes. Linda Williams writes that Kendrick's "history of pornography, then, is fundamentally the modern story of how those in power react to texts that seem to embody dangerous knowledge when in the hands of the 'other'" (Williams, 1999, pp.12-13).

Regulators have been concerned less with the content of pornography itself and more with its potential availability. In Japan when artist Rokudenashiko (Megumi Igarashi) was found guilty of obscenity for sharing the data from a 3D scan of her *manko* in 2016, it was not her art objects that were deemed obscene. Indeed, she had been using silicone moulds to produce dioramas and even an entire kayak in the shape of her vulva, which she paddled along the Tokyo river. Rokudenashiko was prosecuted for the *online availability of her digital data* – the 3D scan of her vulva. The primary concern of the obscenity charges was with the restriction of publication, dissemination and circulation of this data and its capacity for influence. Ironically, Mark McClelland points out, the only people who downloaded and reproduced the data were the police (McClelland, 2018).

In her book *Art/Porn: A History of Seeing and Touching*, art historian Kelly Dennis describes how during the 19th century, photography was posing a challenge to art: while traditional paintings sought to imitate the real, photography was "too successful, too real". While nude paintings were seen as "leaving room for the imagination", photography – and by extension, pornography – was seen as "too close", the "immediate materiality and mass availability" meant it threatened to corrupt the masses (Dennis, 2009, p.2). We see the same conceptual distinctions still debated in the twenty first century: social media and microblogging site Tumblr's 2018 ban on 'adult content' prohibits photos, videos, or GIFs of real-life genitals but still permits "artistic nudity" such as illustrations and sculptures (Stardust, 2018, n.p.). The categories of art and pornography have thus come to exist and solidify *in reference to* one another, pornography functioning as a pejorative term serving to preserve and maintain the status of art.

This concern with realism and how much explicitness a viewer can see (and by extension its potential for infection and corruption of the mind) has persisted as digital technologies developed into the 20th and 21st century, with various practices employed to diminish its effect (such as pixilation of genitals). With moving pictures, video cassette recorders, digital cameras and now virtual reality pornography, this fear remains of the capacity of technology to bring subjects closer to graphic reality. Dennis reminds us that digital technologies are interactive and participatory – digital images on portable devices "continue to invite touch" through practices of scrolling, selecting and keying (2009, p.2). The ability of viewers to *interact* with media has been a key differentiating factor in the classification of computer games compared with films, because in their active participation, viewers in fact become *users*. In Australia, R18+ computer games were not available until 2013, meaning that explicit content was often incorrectly classified as MA15+ (King and Delfabbro, 2010). New practices – such as virtual reality porn and 'deep fakes' (face-swapping porn) – are producing new kinds of regulatory challenges.

4.2 Dirt for dirt's sake

Despite Kendrick's assertion that any attempt at defining 'pornography' descends rapidly to "nonsense" (1996. p.xii) these debates have led to messy legal attempts across continents at a definition. What constitutes 'pornography' is largely dependent on the sensibilities of the viewer. The borders of the pornographic continue to be debated by actors with different stakes in its regulation: for example, national debates in Australia around Bill Henson's photography of adolescents led to the Prime Minister describing them as "disgusting" (Marr & Henson, 2008). Nadine Strossen notes that 'pornography' is "so vague, subjective, and expansive that it could apply to all sexually oriented speech" (Strossen, 2000).

Early case law on obscenity (under which pornography offences were regularly brought) positions pornography as at once dangerous (with potential to deprave, influence and corrupt) and at the same time empty and valueless (prurient, irredeemable, deficient). The common law offence of obscenity can be traced back to the *Obscene Publications Act* 1857 in England, which provided for the seizure of obscene and pornographic materials. In the case of *R v Hicklin* (1868), the Court of the Queen's Bench found that a publication may be obscene if it had the "tendency... to deprave and corrupt those whose minds are open to such immoral influences, and into whose hands a publication of this sort may fall." Obscenity law was adopted in the United States with the enactment of the *Comstock Act* 1873, which banned information about family planning, abortion, venereal disease and contraception. After adopting the Hicklin test, the US Supreme Court later redefined obscenity in *Miller v. California 413 US 15 (1973)*, with reference to whether a text "appeals to the prurient interest" and "lacks serious literary, artistic, political, or scientific value".[6] Regardless of its ability to elicit physical responses from its viewers – it's "carnal resonance", as Susanna Paasonen has called it, to *move* people, to laughter, to sadness, to arousal (2011) – pornography was situated as lacking social importance or merit. Its capacity to *touch* its viewers emotionally was not enough; pornography required external value to redeem its status into something socially productive. On its own, pornography was positioned as so base that it would not even be protected by US constitutional freedom of speech.

As courts across western democracies looked to international jurisprudence, definitions of obscenity travelled and adapted and began making reference to 'dirt'. Australia adopted the Hicklin test, and in 1948 in the case of *R v Close,* the High Court held that although the standard may vary from time to time, there does exist "a general instinctive sense of what is decent and what is indecent, of what is clean and what is dirty…" (at [465]). This reference to 'dirt' in determining obscenity was adopted by

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[6] See also the previous cases of *Rosen v. United States*, 161 U.S. 29 (1896); *Roth v. United States*, 354 U.S. 476 (1957).

the Canadian Supreme Court in *R v Brodie (1962) SCR 681*, where Judson J described obscenity as "dirt for dirt's sake, the leer of the sensualist, depravity in the mind of an author with an obsession for dirt, pornography, an appeal to a prurient interest" (p.704). Brenda Cossman argues that this language of 'dirt' in obscenity law sees "a clear distinction made between good and bad sex – a binary opposition between clean and dirty, decent and indecent. Bad sex is dirty sex" (1997, p.109). Although the Canadian Supreme Court moved away from dirt towards a test of harm in the decision of *R v Butler* (1992), the spectacle of dirt continues to inform obscenity and now classification law in Australia.

In her book *Purity and Danger,* anthropologist Mary Douglas develops a theory on 'dirt' in which she argues that dirt is a conceptual category that operates to organise and maintain order. Rather than relating to disease or cleanliness, dirt, writes Douglas, is "essentially disorder". It is "matter out of place" (Douglas, 1966, p.2). Although the regulation of pornography has moved away from obscenity offences to classifying content, with the relevant test becoming one of community standards, classification still reflects similar themes of dirt and disorder, and still treats sex as matter out of place. Subsequent to *Close*, the Australian High Court in *Crowe v Graham* (1968) moved to assess whether material is obscene in relation to community standards, and the manner and extent to which it "transgress[es] the generally accepted bounds of decency" (at [395]). In this case, Windeyer J distinguished between people working in pornography and ordinary, decent-minded people, placing people who sell sexual materials as outside the community. Windeyer J stated at [399] that:

> Contemporary standards are those currently accepted by the Australian community… and community standards are those which ordinarily decent-minded people accept. They are not what those who peddle obscenities and indecencies urge should be accepted.

In this iteration, porn consumers and producers are positioned as *outside* rather than part of communities – they are matter out of place.

If a language of dirt is used to maintain an order in which (public) sex is not a part, this order is also upheld by references to decency and modesty. In the Australian case regarding Andres Serrano's artwork 'Piss Christ', *Pell v National Gallery of Victoria* (1998), which featured a photograph of a plastic crucifix submerged in the artist's urine, Harper J referred to 'obscene', as something "unduly emphasizing matters of sex, crimes of violence, gross cruelty, or horror, so as to offend against the common sense of decency" (at [392] and [394]) and indecent as something "right-minded persons would consider to be contrary to community standards of decency" or "an affront to sexual modesty." These references to modesty, decency and right-minded people have been described by Butler and

Rodrick as comprising a test based on "society's manners" (1999, p.321). They uphold an order that positions sex (and body fluids) as belonging in private rather than public space.

Despite being persistently placed as 'outlaws', sex workers have interrogated the idea that they exist *outside* and separate to the community. While porn 'peddlers' continue to be cast as a threat to 'the community', population surveys suggest that looking at pornographic material appears to be reasonably common in Australia. The Second Australian Study of Health and Relationships interviewed 9,963 men and 10,131 women aged 16 to 69 years nation-wide and found that 84% of men and 54% of women had ever looked at pornographic material, and very few respondents reported pornography addiction or bad effects from using pornography (Rissel et al., 2017). In the next section, I consider how the moral sensibilities of regulators compare with the community standards of porn producers.

4.3 Is the reasonable person kinky?

Classification officially began in Australia in 1971, however films had been screened in the country since 1896, with a censorship board established under customs regulations in 1917 and categories of G (General) and A (Adults) used from 1930 (Cole, 2018). Debates over content at that time were concerned with the introduction of imported foreign films and their impact upon the Australian community (Jacka, 2002). The advent of national classification legislation in Australia in 1995 signalled an official movement away from morality-based obscenity and indecency laws towards community-standards controls on publications (Rolph, Vitins & Bannister, 2010, p.663). The Censorship Board changed its title to the Office of Film and Literature Classification and Catherine Driscoll and colleagues describe how the central media classification question became, "by whom or at what age should this cultural form or object be consumed?" (Driscoll, et al., 2019, n.p.).

However, classification law inherited many of the same moralities found in case law on obscenity and indecency. It retains language that prohibits or restricts material that contains "revolting or abhorrent phenomena", that is "gratuitous", will "demean" or is "offensive" to the standards of "morality, decency and propriety" generally accepted by "reasonable adults." In addition, many of the obscenity and indecency offences remain in other statutes: the laws on publicly selling, distributing and exhibiting obscene, offensive or indecent material have been described as a "complex web" and many of these offenses found in state summary offences acts and criminal codes still apply (Bronitt and McSherry, 2005, p.618). Simon Bronitt and Bernadette McSherry note that obscenity laws are far from removed, as they are now incorporated with "nebulous" depth into the classification scheme and law enforcement and "encourage a high degree of self-censorship by publishers and suppliers" (Rolph, Vitins and Bannister, 2010, pp.617-18).

The current classification system for pornographic material in Australia is legislated at a federal level by the *Commonwealth Classification (Publications, Films and Computer Games) Act 1995* (the Classification Act), which determines the process for labelling and classifying content. States and territories determine the level of prohibition and censorship, enforce what material can be created and sold, and apply penalties for contravention. The principles of the *National Classification Code 2005* (the Code) and the *Guidelines for the Classification of Films and Computer Games (2005)* (the Guidelines) take a libertarian approach seeking to maximise free choice among adults to read, hear and see what they want whilst protecting minors from material likely to harm them and protecting others from unsolicited material they find offensive. Content that falls outside classification codes (for example, sexual activity accompanied by fetishes) is technically 'refused classification' and cannot be sold, exhibited or possessed for the purposes of sale.

The application of classification law in practice has raised questions from stakeholders about what material should be considered offensive, abhorrent or disturbing and what constitutes community standards: depraved for whom? Feminist legal scholars have long critiqued the figure of the white, heterosexual, able-bodied man as the benchmark of reasonableness, neutrality and objectivity (Graycar & Morgan, 1990). In the interviews I conducted, producers believed that the laws did not reflect current community standards – both Aeryn Walker and Anna Brownfield described people's surprise and disbelief when they told them of the prohibitions. One producer who focuses on depicting women's pleasure remarked, "I don't think anything that I shoot is objectionable or offensive". Anna said that even for people who appeared sexually conservative, "once you have a little scratch under the surface you discover they're actually quite sexually open in terms of what they think is acceptable to see." Howard made a similar assessment, "I would estimate that probably half of Australians are having sex that we could not legally film and publish in Australia". Indeed, the Australian Study of Health and Relationships found that, compared to 10 years ago, Australians have a broader repertoire of sexual practices and more permissive attitudes towards homosexuality and premarital sex (de Visser et al., 2014; Richters et al., 2014).

Members of the Classification Board are required to be broadly representative of the Australian community, and to "have the capacity to assess, identify and represent community standards" (*Guidelines for the Selection of Members of the Classification Board*, 2008, s22). The Board must comprise of men and women from different geographical locations, ages, cultural backgrounds and parenting experience. There is no requirement for the Classification Board to include diverse sexualities or gender identities. In one review case, *Viva Erotica*, the Classification Board grappled with questions of whether four fingers constituted fisting, whether a man slapping his own penis

constituted spanking and whether toe licking constituted 'fetish'. They reported there was no definition of 'fisting' in the Macquarie Dictionary so instead turned to Wikipedia for clarification. The Board still found that an X18+-rated film would be offensive to a reasonable adult (Australian Classification Review Board, 2006).

Feminist porn producers in Australia, professional 'sexperts' with an everyday working knowledge of bodies, sexuality and politics, many of whom were performers, two of whom were sex therapists and another two of whom held gender studies degrees, were blunt in their reactions to the regulatory framework. Anna Brownfield referred to classification law as "out-dated". Another producer commented, "I think they are operating in a world that maybe existed forty years ago" and thought that Customs officers interpreting female ejaculation as urination showed "a blindness or a willingness to misunderstand." Similarly, Aeryn Walker felt, "People clearly don't understand what's going on in reality, or possibly basic science" and believed Classification Board and Customs officers were out of touch with women's anatomy. Xavier Moustache from *Dirty Queer* magazine said, "I just imagine those censorship boards being like a series of white bread sandwiches… just cookie cutter suburban."

Seasoned professionals with career histories in BDSM, sex work and lived experience in queer politics, many producers were sceptical of laws that pathologised deviance or perversion. As Gala Vanting put it, "this is deeply archaic shit." When we discussed criminal penalties for publishing indecent material, Sindy Skin laughed at the ambiguity of the term: "What's 'indecent'? For the recorder, I'm rolling my eyes ridiculously." Mistress Tokyo noted that the terminology in the Act was being used imprecisely because piercing was not technically a fetish in the Freudian sense. There was a sense that the experiences of policy-makers were wildly divorced from sexual cultures. In Cat O'Nine Tails' words "What a bunch of backwards old men really… Like seriously, have you ever made love to a woman? Do you actually know how her body works? Come on."

Behind this exasperation is serious concern among feminist and queer producers for matters of diverse representation, community consultation and ethical standards in sexually explicit imagery. Cat was concerned that Australia was behind international standards, since even the American Psychiatric Association's *Diagnostic and Statistical Manual of Mental Disorders* has now accepted that fetishes do not necessarily constitute mental illness. Gala Vanting said that the lack of comprehensive sex education in Australian public schools meant, "I don't actually trust these people to tell the difference between [ejaculation] and urination." A director of one queer porn film festival believed that the prohibitions on fisting and golden showers were "blatantly queerphobic, homophobic" because those practices were common in queer subcultures.

I feel like it's sort of blatantly queerphobic, homophobic, pervertphobic, everything. Golden showers for instance, I mean, are a really common practice, I mean definitely amongst gay men… I mean I think anyone who knows anything about gay culture, gay subcultures, knows about that… and of course fisting is a really common practice amongst gay men and queer women as well, but because it's not, you know, procreative sex, it's also [seen as] this really threatening practice.

For Gala, depicting S/M practices, fisting or g-spot ejaculation was important because "these are in my community. That's what happens. And that's how you fuck. Or it's one of a million ways in which you fuck." She believed it was important "to have those opportunities to see those things represented, to understand how they work, to feel in any way that they are normal." Xavier Moustache believed that the situation reflected the hypocrisy of male-dominated Australian politics where men believed they could best represent women's interests. "Look at our fucking Minister for Women!" he exclaimed, referencing former Prime Minister Tony Abbott's self-appointed previous role as Minister for Women. During his term in office, Abbott referred to abortion as "the easy way out", suggested Australia's first female Prime Minister "make an honest woman of herself" and publicly stated that women were physiologically unsuited for leadership (Badham, 2013). In this context, producers have little faith in elected representatives or their appointees to determine what content reflects community standards.

4.4 Public sex as matter out of place

Classification law in Australia codifies a definition of pornography that sets it outside culture. The Classification Act, Code and Guidelines provide mechanisms by which the context, impact, purpose and audience of a film must be considered. Classification categories involve an 'impact test', involving consideration of a film's themes, purpose, tone, stylisation and realism. However, films involving sexually explicit content will automatically fall into the X18+ category, where context and impact cannot be considered (Guidelines, Assessing Impact; X18+ Restricted). Some films are exempt from classification because they are 'professional', 'educational', a 'live artistic performance' or 'a documentary record of a community or cultural activity'. Exemptions can apply for films with special interest material, for communities or cultural groups, for limited distribution, or for documentary record. However, a film with explicit sex cannot be exempt if it is likely to be classified X18+ (Classification Act, 5B(3)(d); Film Festival Guidelines, s11; Classification (Waiver of Fees) Principles, s11).

One might envisage that, given the emphasis upon documenting subcultures and educating audiences, many DIY pornographic films could be considered professional, artistic, documentary or cultural.

These representations could be integrated into ordinary aspects of public life. However, the Classification Board is not afforded discretion to contextualise explicit material, and instead all explicit representations are sequestered off into a category that is – in most states – unlawful to sell or screen.[7] Sex becomes matter out of place, and classification becomes a means to uphold what Mary Douglas describes as "the ideal order of society [which] is guarded by dangers which threaten transgressors" (1966, p.3).

Australian classification decisions have historically demonstrated a "clash" between queer cinema and "the reasonable person" (Huntley, 1995; Kincaid, 1998). In 2013, Travis Matthew's *I Want Your Love* (which featured explicit homosexual sex) was refused classification to screen at Melbourne Queer Film Festival (MQFF), despite its screening at queer film festivals around the world (Hawker, 2013). In my interview with Stuart Richards about the festival, he recalled:

> …the feedback for *I Want Your Love* was that there wasn't enough narrative substance to require the explicit sexual scenes, which I think is very subjective. But I honestly don't think there was much difference between *I Want Your Love* and *Sexing the Transman*.

This need for narrative substance reflects Theodore Bennett's analysis that sex is regarded as "an unmeritorious pursuit that requires additional justification" (2013, p.89). Writing on classification decisions in relation to trans and gender diverse films, Accadia Ford notes that *Sexing the Transman* received an exemption presumably because of its documentary features, while *Community Action Centre* was also refused an exemption (Ford, 2016). Speaking about the exemption refusal for *I Want Your Love,* Richards reflected upon its implications for the filmmakers, festival organisers and communities. Due to the limited budget, minimal staff members and volunteer base of the non-profit MQFF, appealing the decision would have been beyond their labour capacity. But further, it foreclosed avenues for communities to financially support local queer filmmakers.

> I think it was also disappointing because that film was still accessible within Australia. It got all this free publicity. But that film was on a lot of free to access VOD sites – porn hub, X videos, that film was still floating around – so a lot of people were still watching this film, but it was through an alternative distribution method where the filmmaker didn't get any money.

During our interview, Viv McGregor, who coordinated the lesbian and same-sex attracted women's health project at ACON, noted the importance of visual representations of sexuality in building community and finding belonging. She argued that they were particularly important given the closing

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[7] Despite this, there have been a handful of inconsistent classification decisions where films with sexually explicit material have been granted waivers or classified as R instead of X18+. Films such as *Irreversible*, *Anatomie de L'Enfer*, *Romance* and *Shortbus* have been classified R18+ by the Classification Review Board despite containing explicit sexual activity.

down of physical spaces – bars, clubs, warehouses – that have historically been sanctuaries for lesbian, queer and bisexual women due to gentrification, the economic climate and women having less disposable income. This process of quarantining sex off from visible spaces has been documented in both physical and virtual geographies as a zoning practice, often with a "devastating" isolating impact upon sexual subcultures and a diminished capacity for politicised organising (Berlant and Warner, 1998, p.551). In contrast, the value of sex in public is not lost on the founder of the Berlin Porn Film Festival, Jürgen Brüning, who describes the festival name as a deliberate decision "to place pornography into bright daylight" (Meier, 2015, p.291). My interviewees reported that film festivals were spaces that fostered community building, critical conversations and collective identity. Stuart Richards explained:

> I think the queer film festival does two things. One is they provide exhibition of films that otherwise wouldn't be able to be screened… a lot of the queer films on Netflix for instance – they're very much standard dramas or standard comedies, mostly gay or lesbian characters – mostly gay – and a lot of the more alternate film forms and other identities in the queer community don't get that distribution outside the queer film festival.

> And on top of that is having that shared identity. And that's something that a lot of the promotions, directors statements and missions statements are all about, promoting that community space, where it's not just about the film you're watching – it's also about being in that space, the queue lining up, the festival bar, the MQFF does speed dating, and then panels, parties, and all these other events around the actual screening. So that is the primary purpose of the QFF – it's a community atmosphere.

A director I interviewed from a queer porn film festival stated that festivals were also important in encouraging emerging filmmakers, amateurs and community members to make films: "to plant a seed for people actually producing their own work locally." Other interviewees described the value of watching intimate material together in producing desire and communication. Jack Seargant, an academic who had curated underground, cult and experimental film festivals, described how sexually explicit material could be integrated with other subcultural content in programing:

> In my experience in the underground film world going to film festivals is there'll be like everything from a documentary about music to student films to films about sex to stoner comedies, horror films, there's no set genre.

The situating of sexually explicit material as content that exists *outside* all other film content, as something so distinct from general filmic representation and separate to everyday culture as to warrant not only its own category but attract a raft of special restrictions and penalties around its screening, acts to solidify this recent and contested category of 'pornography'. The positioning of

public sex as 'matter out of place' acts to reinforce the existing heteronormative order, whereby intimacies that are "less commonly recognized as part of sexual culture", such as "disposing of a corpse, carrying wallet photos, buying economy size" are normalised (Berlant and Warner, 1998, p.555). Intimacy becomes linked to coupledom, procreation and futurity, and public sex is positioned outside.

4.5 Fetish and abjection

Australia's X18+ category prohibits the depiction of both fetishes and violence. This means that if a film shows explicit sexual activity, it cannot contain either fetishes or violence. The prohibition on fetishes includes an express list of activities such as fisting, golden showers, piercing, bondage and candle wax. Violence – physical or verbal – is permitted in all classification categories (including the G category, available to minors) *except* the X18+ category. Even the R18+ category, where sex is simulated, violence, nudity and drug use are permitted, sexual violence may be implied and there are virtually no restrictions on language. For example, the Classification Board classified the film *Executions*, which involved 25 real life executions, as R18+. Yet in the X18+ category, films featuring explicit sex must be refused classification if they include violence (including dirty talk, rough sex and material that 'appears to debase'), even where the violence bears no relation to the sexual activity or appears unrealistic (such as the use of plastic swords). One of the world's highest grossing porn films, *Pirates*, was originally refused classification in Australia because it involved a scene with two skeletons fighting.

The law conflates kink and BDSM practices with violence and its blanket prohibition on fetish limits opportunities for health promotion in film. The inclusion of instructional, educative interviews or on-screen negotiations can actively model ways to navigate mutual pleasure and safe technique, reducing the tendency of viewers to read kink as non-consensual. And yet the prohibition creates an inconsistency between what is lawful in practice and unlawful on-screen. As Sindy Skin said to me in disbelief:

> I think that what blows me away is that as a dominatrix I have people coming to me and asking for this service and it's between two consenting adults. It's safe, sane, consensual as we like to say in BDSM. Yet does this mean if I was to film the session and then give it to the guy does that mean that I've done something illegal?

The law here is concerned with the representation of violence, regardless of whether negotiation and consent are evident in the scene itself. This effectively removes all consideration about performer experience, even though, as Cossman et al write, "Repressing the representation does nothing to

address the underlying material conditions under which these representations may have been produced" (1997, p.44). The exclusion of fetish (defined as involving "a non-sexual part of the body that gives sexual gratification") (Guidelines, 2005, List of Terms) reduces sexuality to the genitals and by extension to an orgasm-centric, heterosexual focus, regardless of which parts of the body feel sexual, reinforcing heteronormative and ableist models of sexual connectedness and experience. Many of the prohibited practices have long been documented among gay men, lesbians, queers and sex workers (Rubin 1991, p.232; Crozier, 2012). While pornography is frequently accused of being homogeneous and plastic, the regulatory framework itself restricts the kinds of practices that tangibly illustrate that the performers are human – that they bleed, ejaculate and urinate.

Many of these prohibited practices sit on the conceptual border French Bulgarian philosopher Julia Kristeva describes as being between life and death. In her book, *Powers of Horror: An Essay on Abjection*, Kristeva examines what gives rise to this kind of horror, disgust, fear and revulsion (1982). She argues that these visceral reactions are a response to a threatened breakdown in meaning caused by the loss of distinction between the self and Other. Giving examples of rotten food, corpses, sewerage and open wounds, she describes such states as existing on the border between life and death where "meaning collapses" (1982, p.2). These liminal, transitory spaces evoke concern because their ordinary context is disrupted, because they do not respect borders or rules (p.4). The abject, then, threatens our understandings of reality and prompts us to distance ourselves from it, in order to cement ourselves in the realm of the living.

Body piercing literally opens the flesh allowing for the letting of blood; golden showers open the bladder to let the inside out; fisting involves reaching in deep inside the body, knuckling up against internal organs. This is not to say that these practices are dangerous; they can be performed perfectly safely. Rather, they remind the viewer of the corporeality of the body: fisting is reminiscent of birth and yet the fist is reminiscent of violence; blood is both life force and yet its existence outside the body can signal injury; urine (despite being sterile) is seen as waste exiting the body. The remaining practices prohibited from depiction represent injury to the body: candle wax is capable of burning the skin; spanking can cause capillaries to burst and leave bruises or welts; bondage practices (for example asphyxiation) can test the thresholds of one's body. The exclusion of fetishes from representation is an example of how social order is "articulated by *negation"* (Kristeva, 1982, p.6). Judith Butler similarly writes that the abject is a "threatening spectre" to the subject, designating "unlivable" and "uninhabitable" zones of social life. The process of abjection is actually a process of producing subjects, who identify via this act of *repudiation* (Butler, 2011, p.3).

Sexual practices that legislation treats as 'degrading' or 'violent' may have an entirely different significance for those involved. As Michael Warner writes, "queer culture has long cultivated an alternative ethical culture that is almost never recognized by mainstream moralists as anything of the kind" (2000, p.viii). Authors such as Pamela Paul have criticised the sexual acts depicted in pornography for being about "shame, humiliation, solitude, coldness and degradation" rather than about "pleasure, intimacy and love" (2006). But for many in kink communities, BDSM and fetish practices represent relationships of trust, with a strong emphasis on boundaries, consent and communication. A number of texts discuss protocols of initiation, negotiation, consent, skills and safety in BDSM cultures (Thorne, 2012; Langdridge and Barker, 2013). Margot Weiss speaks of a "social, sexual and educational community" and "SM as a form of belonging" (2011, p.12). Many of these practices may be about sensation play, higher states of being, catharsis, subspace or testing emotional and physical thresholds. Margot Weiss describes the feeling resulting from flogging as being "like the relaxation of a deep tissue massage, the high of eating spicy food, or the cognitive release of meditation" (2011, p.x). Fisting, for example, potentially challenges heterosexism as a practice that is not phallocentric. It provides anal/vaginal/throat eroticism with "intensity and duration of feeling, not climax" and is linked to "expressions of subcultural development" (Halperin, 1995, p.101). Dinesh Wadiwel eloquently writes (2009, pp.495-496):

> The practice is by nature gentle and … requires care and skill on the part of its practitioners … fisting also involves an elaborate web of communication strategies, as well as the often painstaking process of 'coaxing' the body into a position of comfort where this practice may become possible … a connection and synergy between body organs.

Despite these embodied understandings, abject body fluids in classification law are viewed as waste, contaminate and pollutants, rather than evidence of life, hydration or pleasure. The gendered condition in which semen is acceptable (even where it is spilt and 'wasted' rather than procreative) while g-spot ejaculate and menstrual fluids are refused classification has been examined by Laura Helen Marks in her research on period porn. Marks suggests that, "Perhaps menstrual blood is too abject, too connotative of violence, of death, while semen connotes life, creation, and reassures the self" (2013, n.p.). However, not all semen is seen to connote life. Even where gay sperm has life affirming qualities, including the ability to literally "Fuck the Dead Back to Life" as advertised in the posters for Bruce La Bruce's *LA Zombie* (McGlotten, 2014; McGlotten & Vangundy, 2013), gay sperm can be seen as representative of death. When *LA Zombie*, in which a gay zombie is able to resurrect the dead by having sex with their wounds, was refused classification for the Melbourne International Film Festival in 2010, the director of the Melbourne Underground Film Festival advertised that they would screen the film instead. His house was raided by police (Sparrow, 2012, p.86). The media outcry

and cultural backlash against barebacking or 'raw sex' in response to Treasure Island Media films such as *Viral Loads* and *Teenage Truvada Whore*, which depict sexual cultures among serodiscordant gay men (As Nic Holas described it in our interview, "HIV meets youth. Scandal"), illustrate that HIV stigma (and discourses of infection and contagion) are still alive in porn regulation (Dean, 2009; Dean, 2015; Scott, 2015).

4.6 'We're going to destroy the whole thing'

Despite being legal to import and possess since 1983, most states prohibit the production, possession, sale and exhibition of pornography and customs legislation prohibits its importation and exportation. Police entry, search and seize powers under state classification legislation are incredibly broad and, in some cases, if a charge is proven (and even where a person is acquitted), the court may order that the film or publication is destroyed or forfeited to the Crown. In many states, X18+ films are illegal to produce and distribute. In Victoria, for example, the *Victorian Classification (Publications, Films and Computer Games) (Enforcement) Act 1995* prohibits making objectionable films for gain, with a penalty of 240 penalty units (over AUD$38,000) or two years imprisonment (s24). In some states, the law does not differentiate between making an X18+ film and making another film that would be RC, which provides little incentive to producers to actually classify films. In 2009, G Media, producer of Abby Winters ('happy, healthy and natural girls getting naked'), was raided and charged with making objectionable films for gain and possessing a commercial quantity of objectionable films. After pleading guilty, G Media was fined $6000 and agreed to re-locate to Amsterdam. Eros Association note in their submission to the Australian Law Reform Commission (ALRC) that, as part of the investigation, "police visited the performers [aged 18–25] many of whom lived at home with their parents, threatening to charge them as accessories to a crime" (Eros Association, 2011).

States also regulate the possession, custody or control of objectionable and indecent material, especially where it is for the purpose of sale or exhibition. In Victoria, possessing commercial quantities (50 or more copies) of RC films is an indictable offence that can incur penalties of up to 10 years imprisonment (s23A). In some parts of the Northern Territory, possession is prohibited even if it is for personal use rather than for sale. Pornography is prohibited in certain Aboriginal communities following the Northern Territory Emergency Response (NTER). The former Howard government, under the guise of addressing child abuse, sent the military into remote Aboriginal communities and initiated the quarantining of welfare benefits, compulsory government acquisition of land, removal of customary law and increased police presence, in part suspending the Commonwealth *Racial Discrimination Act 1975*. As part of the intervention, the possession, control or supply of X18+ materials became a federal offence with fines of up to AUD$11,000 and two years' imprisonment. The

NTER has been described as a "new war" on Indigenous people, a "novel form of racialized combat" that uses biopolitical population management to sustain neocolonial sovereignty (Tedmanson and Wadiwel, 2009).

The sale of X18+ films is prohibited in all states except the Australian Capital Territory (ACT) and prescribed areas of the Northern Territory. This means that, despite being non-violent, containing no fetish and featuring performers who appear to be over 18 years of age, it is still an offence to sell X18+ material in six states. In 2010, adult retailer Darryl Cohen was imprisoned for 3 months for selling unclassified and RC films in NSW. Of 4000 DVDs confiscated by police from the retail outlet on Oxford Street in Sydney's gay district, 38 films were subsequently rated X18+ and five were deemed RC because of homosexual bondage and S/M (Barnett, 2010). Eros Association report regular arrests and fines for adult retailers around Australia for selling X18+ films and argue that adult industry raids often coincide with electoral campaigns. They emphasise the financial costs for some retailers: "Some husband and wife adult shop teams have lost their homes and others have gone bankrupt" (2011, p.3). In their submission to the ALRC, Eros States (2011, p.3):

> Before many state elections the tabloid press will run headline stories about a 'crackdown on porn'. Indeed before the 2006 NSW state election, NSW police were ordered to raid every adult shop in Kings Cross and closed all of them down with lurid stories about searches for child porn. The only charges laid were for selling federally classified X rated films.

Print materials are not immune to criminalisation. Similar restrictions exist for category classified magazines. In the interviews that I conducted, *Archer* magazine, a 'journal of sexual diversity' described having their second issue, which featured a cover image with two topless boys, removed from the newsagent shelves after some retailers deemed it 'inappropriate for sale' and advised it should be wrapped in plastic. Although they were not engaging in any sexual activity, fears around homosexuality as predatory or associated with paedophilia were employed in the public response. In returning the issue, retailers tore off the front cover of the magazine, effectively destroying it, which editor Amy Middleton described as a "brutal" and "heartbreaking" practice (Middleton, 2014). In our interview, Amy described how this had led the magazine to narrow their distribution pathways:

> It was like this really barbaric process, and probably publishers like Fairfax don't really notice that cost but for us it's just not sustainable. So now we do very targeted distribution. We only sell a couple here and there for where we think they're going to sell, rather than risking them and the artworks.

Customs restrictions also make it difficult for Australian producers to sell, share and network internationally. Items that are classified RC, prohibited or objectionable cannot be imported or

exported, despite it being legal for someone to own or possess them (*Customs (Prohibited Imports) Regulations*, 1956, s4A). The Australian Customs and Border Protection Service may seize items considered to be 'objectionable goods'. 'Objectionable material' includes child pornography, bestiality and sexual violence, but also materials that "deal with matters of sex... in a way that offends against the standards of morality, decency and propriety generally accepted by reasonable adults" (*Customs (Prohibited Exports) Regulations*, 1958, s3).

In 2010, the Federal Government amended its customs arrival cards to require people arriving in Australia to declare any 'pornography' in their possession alongside firearms, weapons and illicit drugs (Australian Customs and Border Protection Service, 2014). The terminology was later changed to 'illegal pornography', with fines of up to $275,000 and 10 years' imprisonment for bringing in objectionable material (Ross, 2011). In our interview, Howard described how both his personal and professional material was confiscated at the border:

> So I had been in Europe making content, on holidays but also making content for our websites, and I backed all of my footage up and posted a hard drive home as a back-up and it didn't arrive back home and I thought that it was lost in the mail. Months later I got a letter from Customs saying that they've seized this hard drive and that they believe that it contains material which they believe is child exploitation material...

> So I rang them up and said well, "what's this about?" The only thing I could think of was that I had filmed a girl in the UK masturbating in a bed which was an antique cot. She'd made a bed out of an antique cot, and she was quite small in stature, and I thought perhaps that they'd perceived that we were trying to depict that she was a child or something. But that wasn't it at all. What they'd picked up was a series of photos of an American girl, and she'd actually emailed them to me for publication on one of our sites and it was just a series of photos of her naked and they weren't explicit. And they appear to have picked up on the shape of her breasts, shape of her nipples particularly.

> So once they described the pictures to me I said yes, I know who that is. I said "Well I have her ID on file, she's 23 years old, so can I just send you the ID and will you send back the hard drive?" and they said "No, it doesn't work that way". And this is just a customs officer so they're not trained, or they would have some minimum training in how they police this. And of course they're always going to err completely conservatively. So in their view if anything even could remotely fall under the classification of depicting a person that could be under 18 then they will just black ban it. And that's what they've done here, they've just looked at this girl and said "Oh, look, she's obviously over 18 but with those breasts, perhaps, you know, she could be construed as being young".

So they said, "Look, the only thing you can do is take us to court but we warn you, it will be a huge media event." And I said "Well on that drive are all my holiday photos. You know, most of what's on that drive's not even porn. Can I have a copy of that?" And the answer was "No, we're going to destroy the whole thing".

The confusion among customs officials (not to mention Australian residents or international visitors) about what constitutes 'illegal pornography' (whose breasts and what fluids meet the threshold) means that the material identified and captured is broader in scope. Howard felt confident that a court would have decided differently but was deterred by the expense and publicity of a court process. Criminalisation poses further barriers to producers utilising justice avenues. In some cases, police have not taken their claims seriously. When producer Anna Brownfield sought to make a police report about an individual who was stalking, harassing and making death threats against her, police said to her, "well, what do you expect in your industry?"

4.7 Costs of compliance

The heavy penalties and inconsistent enforcement of prohibitions on producing, selling and screening unclassified, RC or X18+-rated material leaves porn producers in a state of uncertainty and anxiety. The onerous requirements encourage non-compliance and create a group of people who are criminalised and vulnerable to police harassment and arrest. Compliance involves significant financial expense. Producers and retailers who sell DVDs face exorbitant licensing charges that provide a disincentive to compliance. Jeff Sparrow speaks to adult retailers in *Money Shot* who report (Sparrow, 2012, p.62):

> When [former Prime Minister John] Howard was talking about banning X federally, the ACT said they wanted to keep the X industry because it provides good income for the state. So they put up the fee to $10,000 a year for a licence to manufacture X-rated material, and $10,000 to sell X-rated material per premises, and for that money they went round and controlled and monitored and inspected. Those figures were linked to inflation. So it's $13,000 now … we were paying $13,000 to be inspected – harassed, if you liked – and charged $800 in classification fees. It was too expensive.

These fees do not reflect the labour involved in classification or issuing licences. Rather, they operate as a kind of punitive pornography tax, where governments can "discourage consumptions of what can't be legally banned" (Klein, 2006, p.126-8). The sex industry, unproductive as it is in providing population or reproductive capacity, becomes what Foucault referred to as a "place of tolerance" for governments (1991, p.292-3), something "economically useful and politically conservative" (p.317), whereby its shortcomings are made up for by its generation of profit.

The framework presumes that film producers are incorporated businesses rather than sole traders, and that retailers are selling someone else's content rather than their own. The costs of classification (up to $1,180 for 60 minutes of footage), the need to travel to the ACT and the limitations on sharing work internationally, combined with restrictions on where and what kind of content can be sold, are often unviable for the small businesses and individuals that make up the majority of those producing pornographic material. The entry cost of producing and selling pornography can deter individuals, independent operators, collaborators and co-operatives, discouraging diversity and favouring big production companies who often require a limited range of body shapes and aesthetics in the performers they recruit.

The laws mean content ends up being produced in hired premises or hotels, losing its intimate and unique properties. Angela White reported that because producers need to look elsewhere for location and talent, Australian pornography then ends up lacking cultural distinctiveness:

> [F]or the most part I can't use Australian talent unless they're overseas. It makes it very difficult to work with other Australian performers and there is something unique about Australia and Australian people. There's no denying that. So you do miss out on what kinds of things those performers bring to the table that maybe a US performer wouldn't. There's also the fact that I can't showcase beautiful Australian landscape. I can't give jobs to Australian people as a small company I have to take my money elsewhere so in terms of the economy I'm, you know, I'm putting my money overseas.

The prohibitive legal framework contributes to the dominance of US porn and the importing of a US brand of alternative pornographies, rather than developing localised iterations. Customs prohibitions on exporting material are a barrier to Australian producers sharing their work overseas. Anna Brownfield lamented the lack of opportunity to screen her films for Australian audiences:

> In terms of sale it means that my product goes overseas and it doesn't really get seen here at all by Australian audiences, except through various distribution channels online. So it limits my ability to reach my home grown market, which is a little bit sad.

Some producers had or were considering relocating offshore as a result. Howard reflected:

> We're considering going overseas to produce as well because there are places where we could happily produce things like BDSM, golden showers, power play, that sort of thing. But financially it's a huge burden.

The harsh legal framework for producing DVDs means that many producers only created content for the web. Selling content online allowed producers to avoid many (but not all) of the restrictions

around the classification, advertising and sale of pornographic material, although there remain limitations. The *Broadcasting Services Amendment (Online Services) Act 1992* makes it illegal for any Australian server to carry X18+-rated material. For this reason, Australian pornography must be hosted online by overseas hosting companies, and advertised and sold to international consumers. At the Berlin Porn Film Festival in 2012, Gala Vanting of *Sensate Films* discussed the implications of this model (Stardust, 2014, p.271):

> The main thing that affects the way we produce in Australia is the complicated laws. Your best way to make what you want to make, is to produce it for web. In our experience, producing for web is quite a rigid model. I think people sign up for websites online that cater to a very specific niche, fetish, body type, gender, etc. And our desire really is to explore intimacy in all formats, across all genders, in a very pansexual kind of style, and I think the web format makes that quite difficult or at least not commercially viable. Our desire is to be able to branch out into Video On Demand platforms, DVDs, print – we really enjoy making things that you can hold in your hand, we love the texture of those things and think that those elements are part of the erotic experience of consuming porn and erotic art … [we are] hoping to broaden the modalities of production that are available to us.

As we saw in Chapter 3, alternative producers aim to create material that is inclusive of and accessible to diverse people and to build community through processes of production. Yet to work around Australia's pornographic legal framework involves self-censorship (omitting sexual practices and compromising political vision), personal expense (travelling to/from the ACT or overseas, particularly if you live rurally; not being able to recruit or advertise locally; being restricted in the kind of content you can offer members), and working in isolation with limited opportunities for collaboration, networking and skill-sharing. Without a supportive legal structure, performers have less choice and autonomy in the kinds of work they do. In turn, this has meant that there are barriers to user-generated and self-representational pornography. Making pornography may require certain kinds of class, capital and residency in urban centres. Prohibiting certain populations from consuming and accessing material on the basis of race (as in the Northern Territory) has contributed to a porn community that is predominantly white with the underrepresentation and under-involvement of Indigenous people and people of colour (Gregory, 2017). The Australian queer, feminist and independent porn community is urban-centric, able-bodied and comprised predominantly of cis-gendered, middle-class, white women.

4.8 Disrespect for the law

The outdated and largely redundant nature of classification law raises broader legal and policy questions about its relevance in an age of convergent media. Xavier felt angered by repeated

government proposals to introduce a mandatory internet filter which would block educational and harm reduction material (Green, Lumby & Hartley, 2010). He exclaimed, "This is such a fucking antiquated way of dealing with media in a mass media digital society." These remarks are consistent with submissions to the ALRC in 2012 which described the Classification Act as "an analogue piece of legislation in a digital world" (Flew, 2012, p.9) and the Commission's report itself, which noted the "rapid pace of technological change" and desirability of "minimising the regulatory burden" (ALRC, 2012, Terms of Reference). Porn law reform presents just one example of legal attempts to keep up with technological change (Bennett Moses, 2013).

The Internet presents jurisdictional challenges for the law, as content may be produced, uploaded, sold and viewed across countries. As one feminist producer asked, "why should I follow Australian classification rules when the vast majority of my audience is actually American?" As I explore in Chapter 6, with the move to online distribution, the question becomes, as Alan McKee, Brian McNair and Anne Watson have asked, "whose community standards, and which communities should prevail in policy-making around the regulation of the Internet[?]" (2014, p.164). While the Internet has previously been governed according to geographical location, these authors argue that we now have virtual 'suburbs', whose membership is determined on shared values (sexual preference, fetishism or shared experience). Governments are now moving away from formal classification and towards hybrid forms of co-regulation between government and industry, whereby sexually explicit material need not be classified at all if reasonable steps are taken to restrict access. Such steps could be prescribed in an industry code, approved and enforced by regulators (Flew, 2012, p.11).

My interviewees spoke of standards in their various (kinky, sex worker, sex positive, queer, porn) communities. "There's a queer ethics I think", said Xavier. "In general, the queer community is a lot more open to things that are potentially considered extreme by the mainstream because the kind of sex we have is so demonised anyway." Gala Vanting believed her communities had some shared political values:

> they tend to have very libertarian kind of values and are interested in the rights of adults to make their own decisions, to choose what they're exposed to, to process that information and that imagery with their own lens (rather than someone else's lens bending it). Other things that I think are valued are freedom of expression, democratisation of things like desirability and production (of anything, whether that's art or media). And anti-oppression.

Libertarian values, of course, differ dramatically to anti-oppressive frameworks for understanding structures of domination. Some participants echoed this libertarian approach, emphasising the

autonomy of the individual to follow their own interests unless they were infringing upon the rights of others, naming age and consent as the relevant factors. As Mistress Tokyo put it:

> I think obviously people should be able to avail themselves of what they seek through pornography and if they don't … if you're offended by it, don't watch it. You know, if you don't want to see someone fisted, pierced, pissed on, then don't watch it. It's really bloody obvious to me.

Others emphasised the more normative aspects of queer and feminist community standards in depicting safer sex, making consent visible and offering content warnings. Domino spoke about certain practices being celebrated in queer communities given their history of criminalisation and stigma:

> In producing *Slit* we just couldn't understand why having images involving penetration were controversial, or images involving oral sex or piercing or BDSM and there were some images with bruises and whips and needles. And so, I guess that's reflective of how we understood, at the time of producing *Slit*, the queer community standard is open to diverse sexual practices. From our own experience of involvement in the queer community and sex-positive community it's like, public sex is acceptable, and in fact it's great, you know? And there being BDSM in public in a safe, sane and consensual space, with a safe, sane and consensual ethic, is totally great and to be nourished and encouraged.

This focus on risk-aware kink indicates that celebration of non-normative intimacies did not come without a sense of responsibility. Producers often signposted their material to provide users with advance information about the nature of content. Gala Vanting recalled:

> We've explained that the people in this film are established partners or are fluid-bound or have done this before. Sometimes we say explicitly that the scene has been negotiated in advance, and the film depicts these kind of acts, so that a person that [may be] potentially triggered by that or is concerned about consent in BDSM has that information before they see the film.

In our interview, Terry Flew commented that these discussions were productive because they illustrate the value in co-regulatory projects, because states themselves are ineffective in understanding the nuance of community standards on their own:

> I think the ethical porn movement, that's a really important thing, and in some respects, like all things online, the capacity for community self-governance is important and recognising the Internet emerged largely outside of state jurisdictions, and the state is always going to be a somewhat blunt instrument through which to develop standards.

I asked my interviewees about the possibility of developing industry standards on pornography production and sale. One producer felt that standards should be developed by people in the industry, because regulators were so divorced from the material realities of production: "It definitely shouldn't be done by people that don't know anything about pornography or the industry, absolutely not, because I feel like that's probably currently what's happened and that's the problem." Others didn't trust government to be involved at all, given their track record: "the practicality of that makes me nervous – who would fund it, what interests would be reflected, what level of community consultation would actually take place?" Others noted the tension between what producers might advocate for, versus what performers might advocate for, concerned that it could be too driven by business. One person was equally dubious about the prospect of codifying queer community standards, primarily because queer is an anti-identity category that is relational. Domino reflected that "community doesn't necessarily mean progressive – and nor does lack of regulation."

We ought not take for granted the current regulatory approach as if it is the only one. From the UK, Cindy Gallop, who runs the website *Make Love Not Porn*, argues that instead of blocking porn, governments should support and actively fund porn entrepreneurs who want to disrupt dominant representations of sex. She suggests they could do this by ensuring that banks, payment platforms, video hosts and email partners stop discriminating against adult businesses and by providing financial support or subsidies to independent producers (Gallop, 2013). In Sweden, Mia Engberg received approximately eighty thousand dollars from the Swedish Film Institute for her *Dirty Diaries* series in which she invited artists and filmmakers to make their own feminist porn using mobile phone cameras (Sabo, 2012, p.182-183). It is not unimaginable that the Australian Government could fund the production of sexually explicit films through arts initiatives and grants.

4.9 Pleasure in transgression

Classification, customs and criminal laws play a central role in the *construction* of a normative sexuality. Classification law actively engineers specific types of bodies that can be viewed – bodies with large breasts and neat labia, bodies that do not participate in kink or fetish, and bodies which demonstrate their physical responses in restricted ways (Stardust, 2014). The pathologising of fetish disproportionately affects practices that have long been recognised as intimate within queer, kink and sex-working communities. Restrictions on the production, sale, distribution, screening, possession and consumption of pornography reinforce public sex as matter out of place, whilst heteronormative manifestations of intimacy permeate public life. As Berlant and Warner write (1998, p.558):

Queer and other insurgents have long striven, often dangerously or scandalously, to cultivate what good folks used to call criminal intimacies… Making a queer world has required the development of kinds of intimacy that bear no necessary relation to domestic space, to kinship, to the couple form, to property or to the nation.

Classification law misreads and misunderstands the social, political and cultural meanings afforded to sexually explicit film, particularly within queer and feminist porn communities: the kinds of world-making and political projects I detailed in Chapter 3. The framework no longer (if it ever did) keeps up with changing community standards and new data on how pornography is created and consumed. While the law retains a progressive narrative of reflecting community standards as they evolve, its conservativism and rigidity are out of step with contemporary attitudes towards sexual practices, the dissolution of the public/private divide, the convergence of media devices and the globalised nature of porn production and distribution. The law is not apolitical – pornography and the law have a history and genealogy that inform one another and its categories reflect political compromise. Porn regulation operates as a form of messaging that is often initiated at specific moments driven by media or electoral politics.

The heavy handedness of the law is illustrative not of its effective regulatory grip but instead its *lack* of control of its subjects, who see the law as outdated and, in many cases, irrelevant. The current framework is so contested that it risks producing high levels of non-compliance, exemplified by the deliberate organising of resistance screenings of RC films and the development of community processes of signposting and self-governance. However, the law still has real constitutive effects on how porn producers and performers operate, via the threat of both custodial penalties and fines as well as selective policing, administrative decision-making, the confiscation of hard drives and destruction of artwork. As rapid technological changes and the sheer enormity of information shared online affect how consumers interact with media, the governments are struggling with how to regulate content. As I explore in Chapter 6, the development of the Internet has presented jurisdictional issues and complexities over who is responsible and raised questions about the effectiveness or rationale behind regulating, classifying or filtering content. I examine the particular problems associated with pornography law reform in Chapter 9.

Meanwhile, the regulatory framework has produced new investments in criminal intimacies. Prohibitions, as Tim Dean reflects, "may be regarded as soliciting their own transgression rather than simply forbidding it" (Dean, 2011, p.71). The responses of alternative pornographers in deliberately depicting consensual but criminalised acts reflect Foucault's assertion that "[w]here there is power, there is resistance" (1978, p.95-96). Defiant portrayals of fisting and squirting – for example, the DVD

from US and UK queer pornographers provocatively titled *Ban This Sick Filth* (Trouble Films, 2015) – are examples of what Kristeva describes as the "erotization of abjection" (1982, p.55) and they reflect our sexual pleasures in being outlaws (Halperin, 2008). We return to this investment in abjection and transgression in Chapter 10, where we must remember that neither abjection nor transgression are permanent states. In the next chapter, I consider how performers and producers are looking outside the existing framework to pioneer their own ethical standards of production.

Vignette: Getting our Hands Wet

I am lying on one end of a massage table, naked from the waist down. My head is nestled on the shoulder of Wendy Delorme, a French porn artist and star of Much More Pussy: Feminist Sluts and the Queer X Show. We are in a light-filled dance studio in Neukölln, Berlin, surrounded by 30 people in a circle. This sold-out workshop is part of the annual Berlin Porn Film Festival. We have limited audience numbers to maintain some sense of intimacy over the next four hours while we engage in live fisting and squirting demonstrations.

Our workshop collaborators are BDSM practitioner Gala Vanting and performance artist Sadie Lune. Gala and Sadie are known as 'pleasure activists', for their interdisciplinary blending of sex work, art, education and activism. We are four queer femme porn performers hailing from Australia, France, Germany and the US. Sadie – who is known for stage performances in which she invites audience members to view her cervix through a speculum – facilitates the audience, finding yoga mats for people to sit on, fielding questions, and introducing the workshop with a group breathing exercise. It's the third of three interactive, experiential, live sex education workshops I've facilitated, and it is pitched to "those with cunts and people who fuck them."

Gala has prepared a montage of squirting videos and sourced anatomical drawings that illustrate how g-spot ejaculation works. The most useful diagrams don't come from medical textbooks but from resources produced by women pornographers, sexologists and sex educators, such as Deborah Sundahl, Tristan Taormino and Cyndi Darnell, who released an instructional video series The Atlas of Erotic Anatomy and Arousal. Gala's curation of porn highlights includes Christian Slaughter's Biodildo where Jiz Lee begins squirting as KAy Garnellen punches their vulva, and Heartless Productions' Qustom Queer Qommandos where Parker Marx squirts all over his custom pink guitar.[8]

I'm hydrated to maximise the quantity I can squirt. I take probiotics to minimise the chance of thrush and abstain from sex for a brief period to ensure I'm not swollen or sensitive. I have been practising at home with an EPI-NO – a silicone pelvic floor trainer used to prepare the perineum for stretching to minimise risk of vaginal tears. The device was a gift from a fellow stripper after she used it to prepare for the birth of her baby. We talk about preparation: placing cotton wool under long fingernails inside a glove to avoid abrasions; removing nail polish to reduce risk of bacterial vaginosis; finding hypo-allergenic lube for sensitive skin, and glycerine-free lube to reduce the risk of thrush. I have had

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[8] This is KAy's preferred spelling and capitalisation.

recurrent urinary tract infections since I was a child, so right before the demo I make a deliberate point of excusing myself to duck to the toilet and empty my bladder.

Like all sexual encounters, we never know what our bodies will be up for on the day. We explain to participants that our vaginal elasticity, lubrication and capacity is affected by hormones, scar tissue, childbirth, menopause, medication and trauma, and our relationships to them shift throughout our lifetime. We decide to present this lack of certainty not as a limitation, but rather as an opportunity to discuss why we deliberately avoid goal orientation. We decide to meet our cunts where they are at and expect no more from them than they are willing to provide in the moment.

In the end, our performance anxiety is short-lived. The four of us are seasoned show ponies – we take pleasure in the wonder of our bodies, and I am comfortable enough with a fist inside me to take questions about warm-up, crowning and technique. During the demonstration, I take pride in standing up, rotating, and even walking backwards on all fours, dragging my fister along behind me as a means to demonstrate the strength of vaginal muscles and suction.

People circle the table for different vantage points. One of the participants is nursing her newborn baby. "How does that feel for you?" "How do you know when to enter?" "Can you actually feel the cervix with your knuckles?" "Can everyone squirt?" This interactivity is one of the most dynamic and compelling parts of the workshop. As we are lit under fluorescent lights and in close proximity, participants can hear our breath, watch us check in, shift positions and ask us questions. This skill-set of body awareness and frank communication is one that we have each learnt from sex work.

Films and diagrams aside, the ritualistic aspect is what feels most unique to live demonstration. Later, Gala describes the event as "one of the most moving and reverent atmospheres I have witnessed". Marije Janssen, one participant who screens porn film festivals over in the Netherlands, tells us afterwards: "So many people think of fisting as something aggressive, something the receiver almost has to endure, in a way. But to really see, right in front of you, the care, intensity and intimacy is a huge eye-opener." Meanwhile, another participant, Sara Svärtan Persson, described the atmosphere as "welcoming and open. It felt safe, as well as intimate."

As porn stars, representations of our sexual selves are widely accessible, and our lives are often treated as a kind of public utility. Because of this widespread cultural entitlement to our bodies, carving out space for intimacy, even within this modestly sized workshop, feels like a crucial act of self-care. As Gala lies down for the squirting section, I stand at the top of the massage table and put my hands on her chest. From here, I can touch her hair, hold her hand, or just be close. We have spoken in advance

about the importance for Gala of having her whore family around her in a protective bubble when she performs in a public space.

For a moment, the audience is quiet and Sadie is at work. We hear Gala's breath and, in time, the sound of her ejaculate falling on the sheet. The participants are peering in for a better view. "I invite you to come and sniff my squirt," smiles Gala. As Wendy and I begin to pack up our materials, a queue of participants forms, leaning in to sniff Gala's wet patch.

Chapter 5: Imagining Alternatives: Towards a Prefigurative Politics

It's about the process, not just the product. This may be the catch-cry of the feminist porn movement. As Taormino et al. remind us in *The Feminist Porn Book*, feminist porn is not only a genre but a "practice", necessitating scrutiny not only of content but also of process (Taormino et al., 2013, p.18). This chapter examines how an internal focus on production ethics within the porn industry has seen producers and performers developing visions and processes for best practice. Drawing upon interview material in which participants were asked what constitutes ethical production, the chapter details some of the innovative steps producers and performers have taken towards mapping out their ethical approach.

It is necessary to turn to industry practice here, because there is an absence of formal codified workplace health and safety (WHS) standards or industrial protections. To meet this gap, alternative pornographers are creating their own blueprints, pioneering and role modelling ethical processes from recruitment through to production, marketing and distribution. The ethics as described by my participants goes far beyond the WHS concerns expressed by regulators. It resembles a "prefigurative politics" whereby social movement actors are making new worlds by taking active steps to create and live them (Daring, et al., 2012, p.255). While alternative pornography movements are deconstructive – offering critiques of current systems of regulation – they are also *generative*, imagining, articulating and building new ways of relating.

I begin this chapter with a deconstructive lens, offering performer critiques of current WHS regulation, whereby the disproportionate focus upon criminalisation and representation at the expense of worker protection has left performers experiencing workplace exploitation without access to redress. Queer and feminist ethics of production expose the inadequacy of the law, which struggles to keep up with technological advances or social shifts, and in some cases make rights-based demands for state protection and improved WHS mechanisms. However, the ethical approaches described by participants go beyond this. As Richard J.F. Day writes, a prefigurative politics "is less concerned with affecting the content of current forms of domination and exploitation than it is with creating alternatives to *the forms themselves*" (Day, 2005, p.19). These movements think beyond the law to *prefigure* alternatives to the existing system.

Below, I outline how the development of specific ethical approaches to pornography have developed from key bodies of knowledge. The deployment of rights-based discourse draws upon a history of sex worker rights activism that advocates for workplace and industrial protections, but also includes contemporary dialogues about digital rights. The focus upon performer experience and value reflects

an ethics of care that developed in feminist philosophy as well as materialist feminist critiques of invisible feminised labour. The focus on non-hierarchical organising and the devolving of power from producers to performers resembles anarchist approaches to collective decision-making, and the emphasis upon transparency and informed consent reflects the contributions of sex workers in building consent culture. Finally, the approach to sexual health on set reflects the close relationships between communities of sex workers and people with HIV in the public health sector.

5.1 Precarious protections

The criminalisation of the production of pornography in most states in Australia as discussed in Chapter 4 poses barriers to the open and transparent development of labour standards for porn workers. In some states, pornography production could fall under the ambit of existing and onerous sex work legislation that requires workers to register on a police or government database or have mandatory STI/HIV testing. Even in the territories where production is legal, there is a conspicuous lack of regulation concerning the WHS standards or industrial rights of performers. Criminalisation of porn production in particular and sex work more generally (including in some states laws that prohibit consorting) make it difficult for performers to collectively and openly organise, unionise or mobilise for industrial rights for fear of identification, discrimination and arrest. In New South Wales, where sex work is decriminalised (but the publishing of indecent material is still criminalised), there have been some initiatives to address this. The Inner City Legal Centre runs a free Sex Worker Legal Clinic assisting sex workers with legal disputes such as enforcing contracts for unpaid wages, addressing breaches of privacy or bringing actions for sexual assault. However, the stigma of sex work and distrust in police and justice institutions remain obstacles to sex workers approaching service providers, legal assistance or police if they experience poor working conditions or crime.

In some cases, performers who had exhausted all available remedies to them had turned to media as an avenue to expose poor business practices and warn other performers. In one particularly illustrative example, Helen Betty Corday was concerned that Abby Winters were on-selling her scenes without informing her in advance of the shoot. Having expected that her material would only be available on one website behind a paywall, she later discovered that her scenes could subsequently be used in contexts she had not anticipated. Helen did not feel equipped to report this to Fair Work Australia, because the content was being produced in Melbourne where production was criminalised. When private negotiations with the company failed, Helen wrote a personal blog piece about their unethical practices. She was then approached by the *Herald Sun*, who used her blog as part of a series of sensationalist articles campaigning against pornography. These articles eventually led to the prosecution of Abby Winters in Victoria. As Robbie Swan recalled it:

> The case of Garion Hall and G-Media down here in Melbourne was quite different because that case was brought to trial essentially by a crime writer for *The Herald Sun,* Keith Moore… I'm not sure about what his personal agenda was with that but he got a bee in his bonnet, you would have to say, and he wrote stories claiming that young women obviously above age but between 18 and 23, 25 were making films of themselves and they were selling them online to G-Media. Now, the story he wrote in *The Herald Sun* was very provocative and basically accused the police of not doing anything about it. He wrote a second follow-up story as well. The police really couldn't ignore it.

Helen felt that the combination of tabloid media and porn stigma meant that her original concerns about on-selling content to third parties and transparencies in performer contracts were totally eclipsed. She surmised, "we can't have public conversations about industry standards" because when internal discussions go public, media itself plays a regulatory role and performer grievances are used as ammunition to justify increased law enforcement instead of improving worker rights:

> that whole episode is an indication of the problem of criminalisation and stigma in the media around these issues is that any real discussion about ethical standards was just lost.

Speaking out about poor experiences only plays into regulators' own fantasies of pornography and their imaginary of risk and danger, whilst producing no positive outcomes for workers. In countries where pornography production is legalised, such as the United States, regulation of porn production has focused disproportionately upon preventing STI/HIV transmission. And yet, in my interviews, performer iterations of WHS extends beyond this into issues such as provision of adequate food and water, choice over their scene partner, eliminating trip hazards, and appropriate air conditioning. In our interviews, performers shared salient concerns about industrial rights issues: the content of their contracts, privacy of their information, and processes for dispute resolution. Some were concerned about what Luna referred to as 'creepers', 'predators' and the 'dodgy guy with a camera' taking advantage of models and believed that decriminalisation would provide greater transparency for performers to share safety information. The kinds of ethical concerns described by participants extend beyond the fantasies of WHS concerns projected by government.

Performers indicated little faith in government to develop and monitor WHS standards or industrial mechanisms for the industry. Angela White, who had worked in Los Angeles at the time regulators proposed mandatory condom use, reflected:

> I wouldn't want anything to be over regulated where it became impossible to actually produce, which is what they're kind of proposing with Measure B in the States, where people would essentially have to wear hazmat suits to perform.

In our interview, academic Alan McKee cautioned against undue faith in "the hands of politicians" given government track record and lack of touch with industry, asking "how much would you trust the government to decide what is desirable practice in sex work?" suggesting that they may use a rhetoric of protection in order to justify further criminalisation: "People aren't treating you well enough, therefore we're going to make it illegal to do what you're doing." Performers expressed concern about what McKee described as "the exceptionalist approach to pornography." In creating onerous requirements that do not exist in other industries, governments are "setting up an impossible standard" that would not be feasible to comply with. Non-compliance then is used to provide justification for abolition of the industry.

5.2 Sex worker rights

The focus on ethics and standards in production has been precipitated in part by the international sex worker rights movement, with greater numbers of sex workers moving behind the camera and performers speaking out about their on-set experiences, demanding fair pay and labour protections. Over the last four decades, sex workers have framed many of their claims using a language of constitutional protection and human rights. Gail Pheterson's *Vindication of the Rights of Whores* and the *World Charter for Prostitute's Rights*, following the first World Whores Congress in Amsterdam in 1985, paved the way for sex worker movements to advocate for decriminalisation, WHS standards and industrial rights protections (Chateauvert, 2014). This mobilisation of a rights discourse for porn performers is particularly stark in the United States where the Adult Performer Advocacy Committee, a Californian body comprised of porn performers, provides a freely-accessible Model Bill of Rights (APAC, 2018c). In Australia, sex workers have mobilised to develop their own WHS guidelines: Scarlet Alliance worked with NSW Health and WorkCover to develop OHS Brothel Guidelines, which were translated into Thai, Korean and Chinese and adapted for use in the ACT and New Zealand. Eros Association developed Adult Media Production Standards in 2018, outlining the basic rights of performers on a porn set including expectations, amenities and payment. Despite Australia's lack of any constitutionally enshrined Bill of Rights and limited legal avenues to enforce human rights breaches, this trend demonstrates the utility and deployment of a discourse of rights in order to make claims to citizenship.

In addition to utilising the frameworks of rights, the ethical processes of porn production described by my participants resemble, in part, a feminist 'ethic of care'. A field of normative ethics that concerns how we ought to act, a feminist ethics of care developed in the late seventies and early eighties in response to the misogyny evident in traditional moral philosophy. Feminists critiqued the centring of culturally masculine traits such as autonomy, hierarchy and fairness, which situated "human beings as

free, equal, independent and mutually disinterested, a conception claimed by some to be contrary to the experience of most women" (Jaggar, 1991, p.81) and instead focused upon the value of culturally feminine traits such as interdependence, community, connection, sharing, absence of hierarchy and process (Jaggar, 2013).[9] Although the field remains complex, the focus upon performer experiences and alertness to their emotional health and wellbeing as described by participants in this chapter closely resemble the elements of an ethic of care as described by Joan Tronto, falling into categories of attentiveness, responsibility, competence and responsiveness (1993). For example, Angela White described how producers should consider: "anything from what makes [performers] feel comfortable in terms of air conditioning, whether they're hot or cold, whether they're hungry, making sure they've had enough to eat or drink, making sure that they feel up to the scene on the day." These considerations resemble what Tronto calls "attentiveness". Being attentive requires a selfless devotion to learning what the other person might need, without projecting the self's own needs: "knowledge completely peculiar to the particular person being cared for" (Tronto, 1995, pp.105-106). Performer concerns with accountability, feedback processes, devolved power, transparency and dispute resolution that I detail later in this chapter also reflect the turn towards justice in more contemporary feminist ethics (Held, 2018).

Sex worker ethics are informed by an intimate knowledge of sexuality and labour. Sex worker activism is "inextricably related to struggles for the recognition of women's work, for basic human rights and for decent working conditions" (Kempadoo and Doezema, 1998) as well as situated in a history of anti-work and anti-capitalist politics (Mac & Smith, 2018; Hester and Stardust, 2019). In Australia, sex worker ethics emerged against the backdrop of the gay and lesbian liberation movements in the 1960s, the sex wars between second-wave feminists and S/M lesbians in the 1970s and the HIV epidemic in the 1980s. Performer-producers described an ethics that valued insider knowledge and lived experience that could inform the gaps in mainstream feminisms (Nagle, 2013). Gala, for example, believed that her experience as a performer informed her ethics as a producer: it "helps a lot in developing your code of ethics: understanding what it means for you to distribute your work wherever and however you do." Angela White described the value of being a *current* rather than a *former* performer, because It meant she was still in tune with and had an "insight into performer needs". Performers brought a heightened sense of the importance of self-representation and the stakes of offering up something intimate and valuable in a politicised public. There was a shared *affinity* here between performers – a level of empathy, investment and accountability that came with common experiences or collective stakes in self-determination.

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[9] See also the work of Carol Gilligan, Sara Ruddick, Nel Noddings, Patricia Hill Collins and Virginia Held.

In Australia, the values of partnership, meaningful consultation, and self-determination ("nothing about us without us") developed during the 1980s when sex workers built strong alliances with people who use drugs and people with HIV. In her advice to potential porn producers, Michelle Flynn blogs that they should do some self-reflection on their experience and familiarity with the industry before deciding to produce so they don't put "people's safety in jeopardy". She recommends that potential producers "earn your stripes and know what your role is before you place yourself at the helm." Her approach values the labour of performers rather than expecting it is a free pool to tap into:

> It's so important to be sensitive to the needs and concerns of people working in a sexual and potentially vulnerable space and those who have been in that space themselves are especially well equipped to empathise. Put yourself in the performers' shoes as best you can, don't ask them to do anything you wouldn't do yourself.

Performers recognised the limits of visibility as a political intervention: that the representing of marginalised communities was not enough, and that projects that brand themselves as feminist and ethical must also self-reflect upon their own power structures, labour practices and production ethics. Chanelle Gallant, one of the founders of the Feminist Porn Awards, wrote in her reflections ten years later that in her efforts to make feminist content more visible and celebrated, the criteria of the awards focused too much on representation. In doing so, Gallant writes, they missed an opportunity to incorporate some of the critical insights of "'sex worker feminism 101': pay women well for work that is feminized, undervalued and often precarious" (Gallant, 2011, n.p.).

When they turned to production, performers brought with them a strong sense of what their labour power was worth. They described a classic Marxist understanding of their labour power as a commodity that they temporarily sold to producers, who would exploit it for surplus value. This recognition of performers, as Gala Vanting described them, as "the person on whose back this piece of media is made," upon whose labour power a media product will be sold for profit, meant that the experiences of performers on set became, for her, "the paramount question." In an industry where the common stereotype is that anyone can 'get rich quick', prioritising the performer experience could put brakes on capitalistic enterprises that sought to exploit labour for maximum profit. Despite technological changes facilitating a faster production pace, taking a performer-centred approach could mean slower processes, increased collaboration, longer approval times, further negotiation and conscious approaches to distribution. As Gala described, it "really does affect the way that we can produce, and how fast, and where we distribute and what our release looks like, it affects every level of the business." Ethics, in this sense, was not a quick tick box that allowed producers to continue on

with 'business as usual'. Instead, attention to ethical production could disrupt and be contrary to conventional patterns of business.

A staple part of ethical production for performers was clarity about adequate consideration in return for their labour. Performer-producers were particularly adamant that fair pay should be incorporated into business costs as a baseline factor, above profit or business viability, and that performers should be paid even if the product had not yielded a monetary return. Some practices of building in a royalties or profit-share system recognised the accruing value of the media product once it left the hands of the producers. Reflecting on her own experience as a performer, Lucie Bee believed that good pay was reflective of "the respect they have for me as an artist". Performers saw adequate compensation as indicative that a producer's politics was, as Helen Betty Corday put it, "not just in the intent" but also in practice. Michelle Flynn, who licenced her content to sites in the US, started her bargaining price with a minimum of what performers had to get paid: "if I can't pay the performers what I think is reasonable then I won't do it." Even one local queer film festival whose project was financially unsustainable, and whose directors were not paid to run the event, still made sure they paid performers, filmmakers, panellists, presenters and hosts.

There was no consensus among my interviewees about what constituted adequate consideration, whether rates of pay should be standardised, whether performers should be able to set their own rates, or whether rates should be negotiable depending on the project. In her blog on ethical porn, Michelle Flynn discloses average pay rates in order to encourage transparency, consistency and a reference from which performers could negotiate. Angela White described the aim as being to ensure that "everybody who's involved in that collaboration is satisfied", both with the content and the compensation. Discussions among performers and producers invested in ethical porn have now turned to the question of whether we can codify these kinds of ethical practices and adopt them formally in legislation. Chapter 8 will go on to chart discussions among producers and performers about whether these kinds of ethical processes could – or indeed, should – be codified or standardised.

5.3 Collaboration

This distinctive collaborative approach between producer and performer can in effect devolve some of the power traditionally exercised by producers. While projects might have a central person responsible for the organisation, administration and logistics, often their role is to act in the best interests of and hold space for the desires of the performers. This move towards less hierarchical forms of production resembles anarchist principles of horizontality where "no one gets to claim the unquestionable status of being on top (*an* = no; *archy* = top, from the Greek *anarkhos*)" (Heckert and

Cleminson, 2011, p.3-4). Alternative porn production has trended towards collaboration, treating performers as directors of the scene, while formal directors take on the role of facilitator.

In her Australian film *Blonde*, porn star Madison Missina describes performers as 'co-directors' with one another, in the sense that they direct their own scenes. In our interview, Missina said this arose because, "I didn't like so much having very choreographed sex scenes where I'm told what I'm meant to find sexy or when I'm meant to come." She had experienced male directors offering unsolicited suggestions about what they thought was sexy regardless of whether it appealed to the performers, often based on gendered stereotypes of lesbian sex. Having a say over how her sexuality was depicted rather than mimicking producer fantasies was important to her. Nic Holas described the director's role more as "bearing witness". While this still involved some degree of participation, he said, "It's so much more about the performers delivering an authentic experience, and you as the director just bearing witness to that, and, if anything, being more of a cheerleader than a dictator."

Sensate Films goes further and actually lists performers as directors or writers in the credits of their films to formally recognise their contribution. Domino said of *Slit Magazine*, "it's hard to even refer to the persons in these shoots as models because often they were participants creating the images themselves." In these projects, performers are playing an active role in the conception and creation of the product. This focus on self-representation and collaboration is not limited to Australia – in Nichi Hodgson's radio piece on the BBC, German producer Petra Joy states that "[a]s a director the challenge is actually to step back and keep my mouth shut" and describes her role as "not interfering".

It would be disingenuous to suggest that in all cases the process is performer-driven and the producer does not hold any power over the product or process. There may still be an owner or producer who has the rights for sale and distribution, who curates the production or who recruits performers to manifest their specific vision. Dick Savvy states that "no one owns" his guerrilla porn project and that performers "own" each scene, meaning they have input and control over where it goes and how it looks. However, while performers had input and control over their working conditions and representations within the scene, Dick technically remained the producer and aimed to sell the videos to put money back into the project. However there has been a shift towards alternative forms of ownership in terms of the final product as evidenced by model releases and agreements that are negotiated between performers and producers. Gala Vanting describes *Sensate Films*' model release as having a "choose-your-own-adventure" style, so performers have options under each clause to make decisions about each aspect of distribution:

We've broken the release now into different options, such as revenue share, in which over time a certain the percentage is split between the performer and *Sensate Films*. There's also an outright model fee option… [or] the performer can also choose to simply release the image to us for use. And then there are a whole bunch of options as to how you want to be used for promotion, whether you need your face to be out of promotional things, and what level of exposure is comfortable for you… there is this built-in structure for the performer to think about and make decisions about their level of exposure, the worth of their labour and how they want to see the thing together – how much control they want over that.

So the end product may be jointly owned, with decisions made together about where the film is submitted, licensed or distributed. It may be shared with performers (who may perform as part of a trade content-share agreement) to use or sell themselves. There may be a profit-sharing or royalty system, whereby one person sells the product and divides up profits to distribute between contributors. Or, where contributors appear on a member-based site, they might receive loyalties proportionate to the clicks they receive. Performer-producers also participate in affiliate systems whereby they can share and promote each other's work and receive certain percentages of sign up fees. These initiatives recognise the central importance of performers and also seek to generate wealth more equitably among workers and producers.

A performer-centred approach also avoids making assumptions about a performer's bodily capacity, sexual preferences or gender pronouns, paying attention to their needs, and providing space for their own decisions and boundary making. Not making assumptions about how a person might use their body or experience pleasure was considered a task for a producer's self-reflection. Liz, the director of Tilde, Melbourne's Trans and Gender Diverse Film Festival, said in our interview, "I think there has been a particular history of who gets fucked, who fucks, what does this particular body part actually mean in the context of porn". Trans women often face stereotyped expectations that they will maintain an erection, ejaculate or simply present in ways that do not reflect their identity, desires or practices. As Tobi Hill-Meyer writes of one set, "I'm a butch dyke and my sex life never focused much on penetration, but for the shoot I had to shave myself, put on stockings and heels, and hold my balance while leaning over and spreading my ass cheeks" (Hill-Meyer, 2013, p.155-6). Adjusting one's expectations and undoing assumptions about how individuals experience and find pleasure in how their bodies fit together was a necessary role of a producer. This general rule of 'don't assume, always ask' also places the onus upon producers to ask questions about needs of performers and necessary accommodations, which may include providing Auslan interpreters, mobility accessible bathrooms or avoiding flashing lights (Katz, 2016) in order to provide more accessible spaces.

5.4 Consent cultures

While some anti-pornography feminists have argued that women cannot consent to participate in pornography at all, alternative porn producers have made efforts to make the casting process as transparent as possible in order to ensure performers are making informed consent. Producers are concerned with full and frank disclosure about on-set expectations and contractual obligations. Producer Michelle Flynn referred to this practice of "full disclosure" meaning that performers are provided with transparent details about the scene in advance of the shoot, including information on how long they will be required, who they will be performing with, what acts they will be expected to perform, what they will be paid, whether there will be behind-the-scenes interviews and how many people will be present.

Performers raised additional aspects that were relevant to them, including clarity about what happened to the footage following the shoot, how the footage would be edited and distributed, and whether the scene could be sold in full (rather than just licensed) to a third party. This could include honest information about where the content could potentially end up, including the real risk of porn piracy, and whether the producer has a policy to follow up cases of piracy. This information was relevant to performers' decisions not only about their privacy online, but also in knowing how their labour power would be used and what their labour power was worth to the producer. If the scene was for worldwide distribution or open access on tube sites rather than for festival use only, this may impact a performer's decision about their rates. Having this information well in advance of the shoot meant that performers would have time to review their contract, raise any issues and negotiate terms and conditions before filming begins, instead of producers 'upselling' (asking the performer to do more explicit acts) on set while the camera is rolling.

To some extent, this shift represents a response to stereotypes of the 'casting couch', a genre of pornography in which the power difference between performer and director is eroticised and performers may be pressured into impromptu sexual acts as part of a casting process. To avoid situations of duress or exploitation, it was important to both performers and producers not to actively recruit for their projects but rather to let people come to them from their own initiative. As Domino from *Slit Magazine* said, "we only want content from people who want to share it." *Sensate Films* said, "We work with people who have self-nominated. So they don't come to us from an agency or anything. They find out about what we do and they come to us." This strategy recognises the risks of picking, choosing and persuading performers to be involved and instead aims to draw people to their project through word of mouth as a 'vouching' system for reputation. It also means that performers find their way via community, scene-connectedness and sexual networks. For example, Cat O'Nine Tails started

off by shooting her friends in the punk and queer scenes. Potential performers also came to Nic Holas through his known work in porn, sex parties or his *Scruff* profile. For producers who did not necessarily share the same sexual networks or communities, a more formal recruitment process was necessary. Larger companies did advertise, but discreetly, and often had a built-in cooling off period prior to shooting.

Producers described feeling a responsibility towards new performers in particular and allocated additional time to discuss the implications on their lives, including the impact of stigma upon employment, family life, child custody and relationships and any legal risks they are taking. The care producers described went beyond their formal obligations to provide a legal duty of care as an employer. There was an awareness that the stigma attached to pornography warranted additional care, and producers were unlikely to enforce contractual agreements that would be against the performer's best interest. When shooting her feature film *The Band*, Anna Brownfield described how one woman changed her mind two days before shooting was set to begin. Anna's response was "My attitude is the more information, the better… I'd rather people be there because they actually want to be there." This ethic of care prioritises the wellbeing of performers, even if it is inconvenient to business practices. Lucie Bee felt the onus was on the producer to provide transparent and upfront information to assist performers' decision-making, precisely because once the material is in the public domain, it becomes difficult for anyone to control:

> We need to be having those conversations with people because I think some people waltz into porn thinking I'm going to make a bit of cash and then it's going to disappear on the Internet and no one will see it. That's not what happens… Once this is on the Internet, it's on the Internet and we could take it take it down tomorrow but someone's probably illegally downloaded it a bunch of times and it's not going to go away. There'll be screen shots, there'll be everything.

Clarification of the minimum requirements that need to be performed in order to be paid was also seen as part of responsible practice. Madison Missina felt the need for transparency around what constituted "completion" of a scene prior to shooting, particularly in relation to orgasm: would she be paid if she didn't orgasm? In some cases, she felt that producers' expectations were just assumed rather than explicitly negotiated, including informed by gendered conventions. Transparency in advance gives performers opportunity to negotiate the terms.

5.5 Risk, safety and sexual health

Performers' discussions of sexual health are also informed by an ethic of care, centring on performer choice between a range of risk reduction strategies on set. New technologies in STI/HIV treatments

and prevention have changed definitions of safer sex (ACON, 2014), meaning there are now multiple means to reduce risk of transmission, from the use of prophylactics such as condoms, gloves and dams, to serosorting (sorting sexual partners per HIV status), the use of PrEP to prevent HIV transmission, and the use of Treatment as Prevention where a person living with HIV can maintain an undetectable viral load. In Australia, performers are concerned with having opportunities to negotiate risk reduction strategies that suit them and the provision of personal protective equipment, rather than the imposition of one safer sex method.

These approaches are quite different to regulatory models in other jurisdictions such as in Los Angeles, where performers are required to undergo STI/HIV tests every fourteen days and have a negative result before being eligible to shoot. In her definition of feminist porn, Tristan Taormino (writing from the US) specifies that performers must comply with industry standard policy to present proof of negative STI results with tests that are less than 30 days old (Taormino, 2013, p.260). Requirements for performers to be HIV negative and the criminalisation of sex work generally for people with HIV assumes that people living with HIV cannot have safe, ethical, responsible or pleasurable sex (Jeffreys, Matthews and Thomas, 2010). Testing has been criticised as a sole prevention tool because window periods mean that recent infections will not be detected. Testing can incur cost to the performer and also relies on trust in one's co-performers being safe off-set following their latest test. While regulatory measures have sought to mandate one type of safer sex method (for example, condom use), these attempts fall far behind the latest scientific developments in risk reduction tools.

Australian performers are concerned with having real or genuine choice over their safer sex practices. It is further of concern that STI/HIV prevention methods remain voluntary and confidential. Nic Holas spoke to the threat of forced medication and removal of a worker's right to choose their own risk reduction strategy. Angela raised the concern that producers might offer a choice but then stop hiring people who chose to use condoms, dams or gloves (Clark-Florey, 2018). Australian sex workers have cautioned against the risk that PrEP and rapid point-of-care testing may become mandatory for sex workers (Scarlet Alliance, 2015), with compulsory testing potentially occurring in work spaces such as porn sets or brothels. There is no epidemiological justification to target sex workers – PrEP is designed for high prevalence populations, which sex workers are not. Annual surveillance studies consistently illustrate that sex workers in Australia have low rates of HIV (Kirby Institute, 2018, p.3) and the Commonwealth government has recognised these as some of the lowest rates in the world (Department of Health and Ageing, 2010, p.16). Nevertheless, because of ongoing criminalisation and licensing of sex work (including where it is unlawful to be a sex worker living with HIV) in some states, the risk of coerced testing or PrEP remains.

The focus on genuine performer choice reflects Tronto's distinction between responsibility (offering genuine choice and responding to performer needs) and legal obligation (ticking boxes to protect them from liability). Here we see a contradiction identified by Tronto, whereby, "in modern market society the illusion of caring is preserved: providers of services are expected to feign caring" (Tronto, 1995, p.103). Producers were concerned about their liability for on-set transmission. Performers were suspicious of an over-investment in biomedical solutions to HIV: "We can't just default to a pharmaceutical solution when what we have is an ethical problem," says Nic Holas. "I don't know that paperwork is the smartest way for us to protect ourselves."

Some producers provided free safer sex barriers with non-allergenic, paraben-free options. *Sensate Films*' model involved producers supporting the decision-making of performers. As Gala described:

> So what we have at Sensate is a form in which the performers involved in a scene agree to various options in regards to sexual health and protection. So, if they are fluid bonded already and they don't wish to make use of safer sex supplies, they are able to elect that. If they want to do mutual testing, they decide that amongst themselves and we witness the test. And then we also make whatever supplies they might need available to them free of cost. So that kind of encapsulates my attitude towards that, which is basically that the worker chose their own conditions and the workplace support this, and proactively find information they might need to make those decisions and provide the equipment necessary to carry out whatever choice they've made.

It was important for producers to allocate sufficient time and space for performers to negotiate their scenes and to protect the confidentiality of their health status. Dick Savvy described having "a pretty intense discussion about the scene" at least two or three days beforehand around negotiating safer sex: "There's no way in hell that I want to put someone at risk." Nic Holas discussed the ethical considerations of serodiscordant sex for work:

> If I was shooting a scene in which I had two people of different statuses – I knew, for example, that I had a pos guy and a neg guy performing together, that for me is a big ethical conversation that needs to involve those two performers. That's really where it begins and ends. It's what those two performers are comfortable with and comfortable with doing... I have a bigger responsibility than just HIV and just sexual health, but also to mental health and safety and personal safety for both of those two performers... If fear of contracting HIV or the risk of contracting HIV is one of those things that affects that end game, then the shoot needs to be postponed or altered.

Part of supporting a performer's own decision-making in relation to sexual health was also protecting the confidentiality of their health status, particularly in light of reports of hook-up apps selling data on the HIV status of their users (Christian, 2018). In 2011, 15,000 porn performers' legal names were

leaked from the American Medical Association database, some having their addresses, family members and details of their STI/HIV statuses published online. Nic Holas believed that respect for the privacy of performers "is a piece of the puzzle that's been missing from a lot of discourse around risk and sexual safety."

5.6 Privacy for exhibitionists

In my interviews, privacy emerged as the next frontier in ethical production with the dissolution of public/private and offline/online divides. Increased access to celebrities and public figures brought risks of stalking, harassment and data mining, and performers wanted guarantees for privacy protection. For performers, risks of production are heightened with the broader increase in digital surveillance (Lee, 2015): geolocation devices on smartphones mean that posting on social media could notify authorities and bring risk of raids; mandatory data retention laws requiring ISPs to keep records of phone calls and emails risk providing government with potentially incriminating details; film piracy means that even if content is sold behind a member-subscription site, it may still appear publicly on tube sites. In our interview, former Scarlet Alliance CEO Janelle Fawkes recalled a number of cases where sex worker IDs were used by former business owners to blackmail them. The legal and immigration statuses of porn performers can make them vulnerable: Madison Missina described an experience where a former employer contacted US Homeland Security about her sex work when she was there on a holiday and reported being deported with a ten-year ban.

The risks for performers are particularly salient at present with archival projects to digitise queer and feminist pornography archives. While many queer, feminist and independent porn projects have been intended as subcultural community materials, sold in hardcopy in discreet local venues, recent digitisation projects may raise privacy risks for performers.[10] Xavier, who works in a straight job outside his queer community work, described being hyper-aware of the vulnerability given the political environment that was deeply queerphobic: "I think when you're queer and you're out there and you're sex positive and you're appearing in things, those things last forever especially with the Internet. Shit is so Google-able." In addition to risks of film piracy, giving performers control over their image involved a tacit recognition that their labour also involved personal risks.

An ethics of care, affinity and accountability extends to post-production, including into the conscious use and marketing of the product in order to minimise the stigma implications for performers. Some producers gave performers the opportunity to review and approve content after it had been edited.

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[10] Such as the Feminist Porn Archive at York University and the Sexual Representation Collection (SRC) at the Marc S. Bonham Centre for Sexual Diversity Studies.

Luna Trash, for example, had a policy of deleting all content that was not approved by the performer: "Nothing will be printed unless they completely are totally happy… even if you end up with one photo left from the whole shoot." Gala described how she had selected "down to the shot" the footage she appears in for Sensate "completely on my own terms." This emphasis upon self-determination and self-representation is driven by performer-producers who have a lived experience of the repercussions of losing control over one's image online, and emerges as a measure to reduce potential exploitation of workers. Luna recalls, "I've had really negative experiences with men's magazine and I'm not doing them ever again for that reason … they just send off the images and you look and you're like, why would you pick that photo?" In these magazines such as *Picture*, *People* and *Penthouse*, models might not see their images until they buy a copy from a retailer. Building in processes for performers to approve their images (or at least have input into the decision-making) recognises that detached business practices can have real-world impacts on the emotional health of performers.

Given the risk of piracy and ongoing discrimination against sex workers, some producers give performers the option of deciding what level of exposure they were comfortable with in advertising, thereby increasing performer control over where their image could be sold or shared. For example, Howard's company sought permission via their model release to use the material for broad-based marketing: "We don't on sell without the permission of the contributor… we don't just commodify that image and spread it all around the Internet at our whim like a lot of producers do." *Sensate Films* went further, giving performers choice from a range of options for marketing, including "whether you need your face to be out of promotional things." These practices were both a practical recognition of the realities of porn stigma, and also a point of differentiation from competitors. Standard model releases afford producers rights to exploit the image and its likeness in perpetuity. In Madison Missina's experience within mainstream porn, model releases have been standard "company gets everything," allowing producers to use the footage for maximum profit and visibility. In contrast, given the option, performers might ask for their image to be used only in hardcopy but not online, only within its original context and not as part of advertising material, or for only their body shots to be made public while their faces remained behind a paywall.

Limits on future use of the material were more common in smaller sized projects, where the small scale facilitated more frequent communication and closer working relationships. Xavier Moustache describes how at Dirty Queer Magazine, "we've had people go in and say, 'I want to cross that bit out'. We're like, 'Sure, absolutely'." Smaller operations offered a level of personal and community responsibility that may not be easy within a commercial or larger context. For example, *Slit* noted that "In most formal, or in bigger productions, there's a much more formalised approach to getting release

forms and consent for the reproduction of images. And in *Slit* we mostly relied on the fact that we had personal relationships and developed personal relationships with each of the contributors." People knew each other through "six degrees of separation" which allowed for contact and discussion: "it enabled a kind of informality that is perhaps not as possible when we're talking about bigger arrangements."

Attention to privacy rights also means putting in place systems that reduce the risk that a performer's identity documents can be misused. Although there are no formal legal standards in Australia outlining what information and identification producers need to collect, Australian producers often borrow a form that is used in the US industry. The 2257 form, originally enacted and struck down following the Meese Commission on pornography in 1986 and then reintroduced in 1990 as part of child protection legislation, seeks to prevent child pornography by requiring producers to keep detailed records. The 2257 requires producers to collect two sets of photo identification, performer aliases, address, signatures and social security numbers, and to publish (on print, video or web) the date and location of shoot, the name of the custodian of records, and the location in which this paperwork is held, which cannot be a PO Box and must be a residential or business address. US producers themselves have criticised this system as placing solo and home-based producers and performers at risk of stalking and harassment (see Taormino, 2006). While using the 2257 allows Australian producers to sell or licence the content on United States websites, it also means producers have to list a residential address on footage for all consumers to see. This compliance with a different jurisdiction highlights the transnational effect of pornography legislation and the lack of formal standards in Australia.

Sex workers themselves are sharing strategies to protect their privacy. Gala Vanting had partnered with Assembly Four to produce a digital security resource for sex workers. Janelle Fawkes suggested alternative methods of verifying identification that did not require people's identification being stored to reduce misuse of information or harassment. She suggested a process where ID was sighted by a number of witnesses, who signed to verify the person's date of birth. She said, "it could even be on camera with audio, that you know, 'Here I am viewing your ID and it shows that you're over 18 and the person beside me is agreeing.'" Another option might be producers and performers signing a confidentiality agreement that they will not disclose sensitive information learned during the shoot, which includes a person's serostatus, sexuality or personal details. Lucie Bee suggested there should be stipulations about how long a producer would hold your ID, for what purposes, where they would store it and who could access it. This awareness of privacy risks was one of the key workplace issues facing performers.

5.7 Responsible consumption

Ethics in production extends to how scenes are marketed to consumers. The producers I spoke to were eager to present performers not as objects but as human beings. As Michelle Flynn remarked, "These are performers, they're not commodities. You know, they're people." Luna insisted that the women in *Trash Dolls* "weren't just models. They were performers, artists, creative individuals". Although the inclination to sell performer's tastes and preferences is explored more critically in Chapter 7, here we can see an ethics of care extended to a *humanising* of performers through the language used to describe them. Luna tried to pick creative questions in her interviews that would elucidate the performers' status as multifaceted and multidimensional beings, rather than simply being reduced to their genitals: "We wanted to show that these are smart, intelligent girls." Similarly, Cat O'Nine Tails focused on performers "unique beauty and individuality". She said, "I'm never going to write 'Look at this slut that's really down with it and she only opens her mouth for cock, the stupid bitch' or some crap like that. I never ever write anything disrespectful about the people that have posed for me." Producers aimed to show respect for the performer as an individual outside the work, paying attention to how they wanted to be portrayed.

Producers then employed various mechanisms that gave cues to consumers about how to read and interpret their texts, from marketing materials to the monitoring of forums. Consumers were invited to engage according to the values of the site and encouraged to make positive and generous comments about the performers. Howard reported that his company designed their sites in a way that appreciates what performers offer: "we don't ever trivialise their contributions, and we want the customers to understand that." Garion believed that this could in part be achieved by the presentation and layout of his site, which he said "tends to attract people who share our values and certainly are less likely to say dickhead things on a public forum anyway." Helen Betty Corday believed there was also a role for "educating the consumer to be respectful." On some sites, performers wrote their own artist bios and chose the information they wanted to share, which meant their representations were not always mediated by the producer. For example, *Slit Magazine* "favoured an approach which was a record of conversation rather than a lot of editorial". This focus was upon giving performers a platform to speak for themselves instead of a producer projecting their own fantasies.

Of course, this was not a foolproof method. As Nic Holas reminded me, "we are not in control of the way that the material we make is interpreted" or "what the viewer projects onto that pornography". The possibility always remains of "misogynist or homophobic or empty queer filters being applied on top of that otherwise beautiful, honest work." These measures were not taken under the pretence that producers could completely control the message of the content, but rather, they were structural

safeguards to protect performers. Producers had different ways in which they moderated forums, from approving comments before they went live, to deleting comments they thought were nasty or demeaning. For example, Howard practised retro moderating, which meant that "everything gets published before we get the chance to moderate it." He also described times when staff would write to members "and explain to them why it's not an appropriate thing to say about this person who's just put themselves naked out on the Internet for the world to see." Garion Hall couldn't recall ever removing a comment from a customer but noted a time when a member had commented on a model's weight, and the model had responded "with a big fuck you". In this case they relied on a marketplace intervention – customers and other models joined in on the discussion to 'school' the member. Leaving models to defend themselves and retroactively removing comments was a strategy utilised by these large companies with significant amount of content. It relied on producers identifying what is hurtful and standing up for their models. However smaller projects could take a different approach. Helen Betty Corday, a former model for both these sites, was more proactive when she started her solo site: "I didn't put a comment [function] on the videos because it was more important to me that there never be a moment where a performer might be insulted". This issue of moderation on digital platforms and its challenges about who bears responsibility for managing risk is not isolated to porn websites. However, for producers, encouraging responsible consumption was a core aspect of their approach to ethical production.

5.8 Conflicts in compliance

Industry conversations about what constitutes ethical production practices reveal a number of tensions: between the interests of workers versus producers; between accountability to performers versus accountability to governments; about who needs protection and from what; and about the status of porn as work with the attached contractual obligations, or as something that requires a different regulatory approach because of its associated stigma.

While performer-producers described a community-based, worker-led ethics of care, based on a politics of affinity and a framework of accountability, non-performer producers described a duty and responsibility to protect performers via compliance with legal obligations. Producers had to protect themselves from liability and saw an effective way to demonstrate their ethical processes via paperwork. For example, Michelle Flynn saw the collection of identification and records as a critical step in ethical production, in having standardised processes and checklists for accountability. Having previously worked for Abby Winters before she went independent, she said record keeping was "drilled into me for the last nine years." When we spoke about whether there was a tension in record keeping when we operate in a criminal environment, because it posed risks of incrimination for both

producers and performers, she replied, "Yeah. But I would rather be incriminated for shooting someone consensually that is over 18 than potentially being incriminated for shooting someone under 18. But that's the trade-off, right?" This concern is illustrative of the political climate in which pornography is being produced and the different stakes at play – fear of producing pornography featuring minors was ever-present for producers, given the need to protect children and young people, its heavy criminal consequences and the repeated portrayal of pornographers by media as exploitative, irresponsible and predatory.

Similarly, the discreet processes of recruitment (as one producer described them, "clandestine") occurred largely in response to the criminalisation of production, serving to avoid legal consequences for advertising. But recruitment also included a gatekeeping function in determining who was eligible to participate, which Howard described in our interview as "responsible recruitment." Howard spoke about meeting legal requirements to ensure all performers were adult, but he also went further, using an intuitive judgment about potential participants to "assess them for suitability". Howard describes his process:

> [I]f there's anything obvious that comes up then the interviewer is trained to discourage them, or to turn them away, or discourage them, or put mechanisms in place to prevent them getting involved, and those might be people that present as being desperate for money, and usually they're identified because they'll say that – their attitude will be, look I just urgently need some money what do I have to do to get it? Or if they're under the influence of drugs or alcohol then we sort of usher them out the door without asking for any commitment to participate and usually they don't come back. So there are signs that we look for, people for whom this is not a good idea. The other one is their career choice. If they tell us that they're training to be a teacher, for example, we'll advise them that it's probably not a good idea to get involved, or if they ever want to run for public office, same thing really. Or if they want to be a lawyer, although I do know several people with legal training who have been very successful in this business.

These considerations recognise the risks of stigma upon the lives of sex workers, ensuring that consent is informed (and sober) with opportunities to consider its future impact. However, such deliberation processes also raise questions about decision-making and agency. Sex workers have criticised producers' reluctance to hire people who are only 'there for the money' and their expectations that workers are there for anything other than the money (Way, 2015, n.p.). Sex workers and people who use drugs have also spoken out against paternalistic judgments about how they spend their money: Elena Jeffreys notes that concerns about illicit drug use in the sex industry are misplaced and that people working in other professions, such as lawyers, are not accused of being forced to work in the legal professional to support their drug habits (Jeffreys, 2007, p.28). The protectionism of producers

goes further than legally required. In their paternalistic distancing from sex workers and people who use (illicit) drugs, they gatekeep who can make the decision to use their body for work. In these instances, stigma itself is a regulatory force.

Similar tensions were evident in discussions about the appropriate process in the event that a performer wanted their footage removed from a website. Performers expressed interest in establishing a clear process and policy for taking down content should they change their mind. Some companies had a policy that they would remove the content upon request as long as it had been live for a certain period (for example, 90 days) so they could earn maximum exposure and income from its release, and/or provided that the performer paid back the money they earned during the shoot. These conversations in part were about the status of pornography – whether it should be treated like other forms of work, with enforceable contracts, or whether its stigmatised status required a different approach. As Howard said:

> I think the sex industry's different in that respect. I'm not saying that we should be compelled to remove content, but I think again it's not something you can regulate so much but I think it's part of being socially responsible as to have that mechanism in place so that we can evaluate, and this is what we do, evaluate each case on its merits.

In other forms of media production and cultural work, if an actor or musician had signed a model release but changed their mind after a film or piece of work had been published and distributed, it is unlikely that they would be able to recall the footage, especially if they had received consideration, unless there were specific provisions and remedies written into the contract. However, because the content was sexually explicit, it engaged a series of other laws. Criminal laws enacted in NSW in 2017 now prohibit the non-consensual posting of intimate images, intending to deter acts of 'revenge pornography' but which also potentially include content where consent was withdrawn. Further, the criminal context in which pornography may be produced could make contracts more difficult to enforce. Whatever the position of the producer, performers were invested in producers having clear, up front policies in place about what steps (if any) were available to the performer.

Discussions around the appropriate process for protecting sexual health also demonstrate disjuncture between an ethics of care and producers' legal obligations, which could sometimes be in conflict. Producers were concerned about their duty of care to prevent STI/HIV transmission on set and a desire to send a message that, as one producer put it, "we care about performers, we care about modelling safe sex." When that burden on an employer sits in legislation (for example, in some states employers are required to demonstrate that they have taken reasonable steps to minimise risk of STI/HIV

transmission) then the risk is that producers may start collecting copies of test results or even requesting on-site testing. The need for producers to prove that they had taken all necessary steps to ensure safety could have unintended consequences for performers and there is accumulating evidence that such criminal laws undermine public health objectives (Human Rights and Discrimination Commissioner, 2013).

Questions of ethics and compliance raise also questions of accountability. Although producers felt a sense of legal responsibility and professional duty towards their performers, their focus on accountability was distinct in that they expressed a willingness to be answerable to performers and a readiness to account for and justify their decisions. This sense of accountability was especially visible among producer-performers, who straddled the multifaceted role of recruiting, producing, screening and living within sex worker communities. Helen Betty Corday reflected, "I feel like I answer to my community and I'm open to it, I answer to sex workers primarily." Michelle Flynn invited performers to provide feedback following the shoot about their experience via email with view to adapt her practice accordingly. Performer-producers also screened content among their sex worker communities for feedback. In their accounts of what constituted ethical production, performer-producers were less concerned with what governments identified as their legal responsibilities and more concerned about being adaptive to changing community values.

5.9 Doing it ourselves

The current regulatory model in Australia is inadequate in addressing the worker needs and protections espoused by porn performers. In the context of this lack, producers turn to other jurisdictions for guidance and paperwork on how to safeguard their businesses. Meanwhile, performers and producers are participating in a dynamic process of developing ethical approaches to content production and distribution, sharing practices and strategies across continents. Their approaches are works in progress that adapt and respond to changing social norms and critical conversations. What constitutes 'ethical porn' is not static nor uncontested. Dialogues about ethical porn production borrow from other social movements and philosophies as well as looking both locally and internationally. In doing this, producers and performers are engaged in a process of creating new blueprints and prefiguring alternatives.

Regulators could learn incommensurately from listening to the nuances of these ethics and being guided by the initiatives of these stakeholders. Indeed, it is the responsibility of regulators to do so. Feminist philosophers have stressed the ways in which "feminist ethics can enable creative ways of reflecting on social policy" and demonstrate that "feminist ethical critiques and positive concepts

suggest directions for policy other than those that currently predominate" (DiQuinzio and Young, 1997). The intimate, experiential knowledges that performers hold shape their ethics in relation to health, work, privacy, care and justice and call for a re-thinking of current approaches to regulation. But in the spirit of DIY culture, porn communities are not waiting for regulators to catch up or to protect them: they are taking it into their own hands, building their own processes, and doing it themselves.

Queer and feminist performers are leading the way for us to think about ethics in a way that could benefit workers' movements in other industries. However, at times the nuanced attention to detail in ethical pornographies goes far beyond the labour standards that would be legally required in other workplaces, and herein lies the rub. On the one hand, ethical porn is a generative movement that demonstrates initiative, responsibility and care: because of its investments in community accountability and its intimate understanding of practice on the ground, the industry is demonstrating leadership where regulators are not. On the other hand, the need to justify ethics in pornography is attributable to a disproportionate scrutiny upon pornography compared to other forms of labour. Where pornography is stigmatised labour and labour exploitation is used as a rationale for criminalisation, there remains the risk that pornography is held to such high standards that it is treated as fundamentally *different to* other kinds of work, or as outside work altogether. Later, in Chapter 8, I will explore how this stigma can produce a respectability politics with producers seeking to certify and brand 'ethical pornography'.

Vignette: Pinkwashing Pornography

In March 2016, to coincide with International Women's Day, tube site PornHub launched a 'female director series', asking female directors to share their work – for no remuneration but for mass exposure. PornHub pitched its offer as an altruistic measure to promote 'women-friendly porn' and showcase how the industry had evolved. Female directors were invited to become a PornHub 'content partner', creating individual profiles and providing free content in return for public promotion. PornHub planned to promote the series in anticipation that the traffic would translate to earnings for female directors by directing viewers to their individual sites.

Producers across Australia, the United States, Europe and the United Kingdom mobilised – initiating contact with one another in a scoping exercise with view to making a collective decision about how best to respond. Most producers approached this offer with suspicion. Given that small producers were being asked to provide free content that would generate advertising revenue for a multi-million-dollar tube site, PornHub's venture seemed more a capitalistic endeavour than an altruistic contribution to International Women's Day.

PornHub does not have a stellar international reputation. It is owned by Canadian company MindGeek, which reportedly owns 8 of the top 10 tube sites. MindGeek is currently defending a piracy lawsuit for allegedly charging for access to pirated videos on PornHub Premium. Adult star Stoya has claimed MindGeek is deliberately devaluing companies through piracy, and then buying up large production companies to become a single owner of porn production and distribution. French journalist Ovidie's documentary Pornocracy: The New Sex Multinationals, which appeared on Australian station SBS in 2017, exposed MindGeek's anti-competitive business practices and their business strategies to avoid copyright and taxation laws to monopolise the market.

Feminist producers were dubious about being used as part of a respectability campaign for a company whose CEO had recently been arrested pending ongoing investigations. Producers were sceptical about becoming embroiled in an attempt to clean up PornHub's image and how that would impact a movement advocating for ethical practices of production and distribution. The promise of potential traffic did not hold great incentive – those who had trialled the partnership had found it resulted in increased traffic but few sales. One described it as a mere "carrot on a stick". Some were not convinced that PornHub wouldn't sell their scenes as premium content under their new business model. But the core issue at stake was something else: the corporate co-optation of feminist pornographies.

"Aren't they just looking out for their own best interest?" asked one producer. "Aren't they exploiting a niche market in 'ethical' content?" asked another. "Isn't this creepy?" "Isn't it greenwashing?" "Isn't it pinkwashing?" Feminist pornographies were not simply a formula to 'add women and stir'; they were not solely concerned with increasing the number of women as directors and consumers. Around the world, one fundamental tenet was being iterated: feminist pornographies were about the process, not just the product. While feminist producers were often guided by the comfort level of performers in deciding whether their images would remain behind a paywall or be used in marketing, contracting with tube sites risked losing control of the product. Under this model, feminist content could be featured next to misogynist, racist or transphobic taglines. There was no guarantee that the content would be removed upon request. Entering into a content partnership with PornHub would effectively endorse the company's practices, perhaps offering them the most valuable gift of all: a sign of approval. As one producer warned, "The best way to stop a subversive movement is to buy it. The best way to kill feminist porn is to swallow it."

On the other hand, independent producers were struggling financially, with legal and administrative barriers to selling content online. The market monopoly enjoyed by tube sites made them hard to avoid for producers wanting their content to be seen outside their immediate circles and by a broader audience – PornHub boasted up to 16 million active users per day. Was it worth 'sleeping with the enemy' if it meant exposure of the work? Or alternately, was there a way to leverage this offer and subvert it? We were all working – to some degree – within a capitalist framework anyway. Ideas emerged to miminise the damage: perhaps it wouldn't cost us if we provided trailers or safe-for-work videos that are already free online. What if we uploaded videos discussing the importance of paying for porn as a primary indicator of ethical consumption? Attune to the varied financial positions of producers across the globe and the need to hustle to meet their bills, there was a general sense that any response should speak to the larger political and economic framework in which this initiative is pitched, rather than singling out producers who chose to be involved for economic necessity. The danger of PornHub's offer was to pitch us against one another; the challenge of the movement was to maintain a united front.

The political moment also presented producers with an opportunity. International Women's Day provided a chance to speak out against the impact of tube sites on independent production, about the effect of piracy on individual performers, about the culture of entitlement among audiences for free content, about the nuances of ethical content that are glossed over in media. We could take a stand as a collective, with strength in numbers: an open letter? Discussions ensued about finding trustworthy

journalists, tempered by the commercial risks of speaking out. In an industry that is already steeped in stigma and in which media reporting is notoriously polarised, trust in media was low.

If anything, the moment illuminated the need for alternative distribution platforms and channels to share feminist content; counter channels where feminist pornographies would not be swallowed up and consumed by the offer of a campaign, where producers could retain control over the context and integrity of their content, and where profits could be distributed back to independent producers and their performers. A tempting response here, as one producer proposed, was to build our own version of the same thing: "where are the feminist tube sites?" they asked. The prospect of a consolidated platform was appealing, but not that simple.

Although a tube site featuring feminist content would no doubt be appealing to consumers (a number of us had been approached by entrepreneurs seeking to establish something similar), to mirror the model of existing tube sites would still be merely playing their game, on their terms. Some producers were concerned that having an investment in mass appeal and mainstream publicity at all is only going to dilute our integrity as independent directors. If we are so eager for exposure and profit, surely this is going to taint our decision-making and ability to scrutinize and critique industry practices. It was time to step outside the frameworks offered to us by big business and redefine our own terms of reference. One producer exclaimed emphatically, "We are not just niche content, we are meant to be a political movement!"

PornHub's offer was not the first nor last time feminist producers were faced with an opportunity for political compromise. Eighteen months later, a women-run company called Bellesa came under attack from performers and feminist producers for pirating films for their free porn site pitched as 'Porn for Women'. Bellesa's founder boasted that she had "found a way to bring women porn they'll actually enjoy without draining their bank accounts". Porn performers started to file complaints under the US Digital Millennium Copyright Act to take down content. Australian porn performer Kim Cums tweeted, "It's not free content. It's stolen content. You are no better than PornHub, Imgur, or Reddit." San Francisco-based performer Jiz Lee tweeted "Stealing porn empowers no one. And to pirate specifically from female producers in the branding of 'porn for women'... Shame on @BellesaCo."

Chapter 6: Safe for Work: Privatisation and Sanitisation of Online Space

Having outlined the aspirations of alternative producers and explored their systems of ethics and values, I now return to the regulatory framework. This time, my focus is not on the classification and criminal laws but upon the regulatory policies of online platforms. Disillusioned with a classification system they perceived as out of date, unrepresentative and phallocentric, Australian producers have moved towards online sale, hosting sites internationally and marketing to consumers abroad through video-on-demand and member-based websites. Motivated by both legal necessity and the hope of avoiding ethical compromise, producers espoused the techno-utopian aspirations of web 2.0 and the affordances of convergent media. Now with smartphones, apps, websites and mobile devices, the premise was that individuals could create content that was previously distributed from print and broadcast media, liberated from archaic classification laws. However, in our interviews, producers reported that platforms were not necessarily less regulated or more permissive than national classification schemes. Rather, they found the standards and Terms of Use for sexual content to be onerous, arbitrary, unjustified and potentially even more out of touch with their community standards, with fewer avenues for recourse.

This chapter considers the political consequences of the regulatory shift from national classification of broadcast media to platform mediation of user-generated content based on the experiences of alternative pornography producers. Shifts from regulating broadcast media (a one-to-many model of mass communication via silos of radio or television) to convergent media (in which new technologies have enabled more devices, platforms and networks via which to distribute content) have left regulators facing the 'impossibility of regulatory capture' with new challenges for regulating user-generated content. In this chapter, I explore administrative barriers to accessing payment processing services (and the role of financial infrastructure in policing who can participate in digital economies); Terms of Use that prohibit a wide variety of sexual speech and images (and their role in sanitising public space); screening software that flags or removes material (and its broad capture of unintended content); and the lack of transparency in decision-making and insufficient avenues for recourse (leaving community standards to be determined by private companies). In turn, I consider how this environment encourages producers to edit and sanitise their own content into something safe and how access to communication technologies has not resulted in democratisation of content or redistribution of wealth.

I argue that as community standards are now determined by corporate entities rather than government agencies, the threshold test for content has moved from *obscenity and offensiveness*

under classification law to *profitability and market risk* under capitalist enterprise. I argue that this shift closets bodies and sexualities where they are deemed to be unprofitable, unproductive or high risk, and has led to the sanitisation of online space (Stardust, 2018). This matters because private platforms operate as gatekeepers of public space and discourse, with power to control what we see and share, yet without the transparency and accountability required of government or media. Further, in navigating online space, performers and producers self-censor to present a corporate, sanitised, edited version of their sexuality that is compatible with the market-driven architectural infrastructure of these privatised platforms, resulting in narrow articulations of gender and desire. In addition, while sex industry businesses have historically facilitated the commercial growth of online platforms, they are now facing widespread erasure, facilitating the conditions for 'free' tube sites to pirate and stream their content and mine user data for advertising. The proliferation of tube sites and new advertising models, as detailed in the above vignette, then brings new political challenges for alternative porn producers.

6.1 Fantasies of democratisation

The transition away from static websites to the second generation of the World Wide Web brought technologies for user-generated content, participatory cultures, collaborative modification and social networking sites. The abundance, affordability and intuitiveness of new communication technologies such as camera equipment, computers and webcams has ultimately blurred the distinctions between performers, producers, distributors and consumers (Coopersmith, 2008). Pornography has historically been a "major promotor of new communication technologies," with porn producers being early buyers and users who accelerated the distribution of VCR and CD rom (Coopersmith, 1998, p.95). Sex workers were early pioneers who designed, coded, built and used websites and cryptocurrencies to advertise and transact in a context where print advertising was criminalised (Barrett-Ibarria, 2018). Sex industry businesses helped online platforms to flourish by populating them with content, increasing their size and commercial viability. For producers, web 2.0 held the promise of new platforms on which to create, share, discuss and sell explicit content. Sexual communities were actively building virtual subcultural spaces and peer-to-peer networks, using self-representations as means of identity-formation and connection (Jacobs, 2007). The proliferation of alternative, independent, amateur and user-generated content possible on the web promised to 'democratise' pornography (McNair, 2013).

Historians of technology such as Jonathan Coopersmith have argued that access to new technologies has the capacity to *deprofessionalise* pornography and "destroy the careers of professionals", acting as a social and economic equaliser (2008, p.49). The promise is alluring – if pornography is the medium,

then technology is the tool. Individuals can film, edit and sell their own content, increasing the range of bodies, genders, aesthetics and sexual practices visible, with potential to dilute hegemonic representations (Young, 2016). Production is no longer confined to corporations or studios. Instead, porn can now be filmed on one's iPhone, in one's home, by one's friend – even instigating a new genre of 'iPornography'. From the advent of the Polaroid camera in the 1960s, to the availability of digital cameras two decades later, to the development of webcamming platforms, fast evolving technologies have sparked an explosion of amateur, gonzo and 'realcore' genres of pornography. These avenues to participate in the market have been conceptualised as a form of *sabotage,* whereby individuals can disrupt or intercept the realm of multinational monopolies and interact directly with their consumer, cutting out the 'middleman' and increasing control of their content and profits. As Paul Preciado writes (2013, p.38):

> The autopornographic body has suddenly emerged as a new force in the world economy. The recent access of relatively impoverished populations all over the planet to the technical means of producing cyberpornography has, for the first time, sabotaged a monopoly that was until now controlled by the big multinationals of porn.

In an era of 'Porn 2.0', where websites feature user-generated content, DIY porn promises to revolutionise conventional relationships of worker/producer and labour/profit. However, online space is not a 'free' domain as once anticipated by Internet pioneers. At the same time as facilitating proliferating sexual expressions and decentralised production, the technological attributes of platforms are shaping users' experiences and their manifestations of sex, gender and sexuality (Albury, 2017). As privatised platforms take over the role of national classification, content distribution has become largely regulated by banks, credit card companies, online payment processors, hosting services and streaming platforms. Producers report institutional discrimination from banks, barriers to obtaining payment processing and having content removed from platforms without justification. Body fluids such as menstrual blood, breast milk, and g-spot ejaculate and activities such as fisting, urinating or vomiting are often prohibited by blanket Terms of Use agreements. To obtain broadest reach and stay visible, content needs to attract likes, clicks, rankings and traffic. Producers have to strategically navigate online space, shaping and editing their scenes into safe, sanitised versions that can be shared or sold in an attention economy.

Rather than being a techno-utopian space where people participate equally, critics argue that new communication technologies merely represent a fantasy of democracy. Astra Taylor argues that the "new order" resembles a *rearrangement* of power rather than a revolution, whereby giant tech companies have replaced media moguls as gatekeepers and advertising revenue techniques have

simply adapted (Taylor, 2014). Companies such as Google, Amazon, Facebook, Apple and Microsoft have transformed themselves into businesses that "provide the hardware and software foundation for others to operate on" and are transforming the global economy through this new "platform capitalism" (Srnicek, 2017). The deliberations of feminist producers revealed in the *Pinkwashing* vignette illustrate the dilemmas for alternative producers in intervening in a system without being swallowed. Rosemary Hennessy writes that discourses of participation, visibility and democratisation in relation to sexual identities "need to be considered critically in relation to capital's insidious and relentless expansion," which can simply co-opt and subsume social movements (Hennessy, 2000). Alternative pornographies can become part of this machinery and should be read, argues Katrien Jacobs, "in light of capitalism's tendency to control ownership, control 'edgy' content" (Jacobs, 2004, p.79). The digital divide and economic gulf between users is not necessarily reduced but exacerbated with new communication technologies: While increased access to camera equipment and the Internet promised greater diversity in content and more equitable division of resources, the distribution methods are geared towards generating private wealth for corporations (Marwick, 2007). Revenue remains centralised among tube sites who monopolise the market, and the policies of platforms and payment processors gatekeep who can even transact.

6.2 Discrimination in payment processing

Access to (and denial of) financial infrastructure is used as a regulatory technique to deter the production and sale of pornography online. Refusals of service, disproportionate fees and administrative blocks to setting up bank accounts, establishing payment processors and withdrawing funds create disincentives to independent porn production, and open up space for monopolisation by porn tube sites, who can afford to give away free content and monetise it through advertising. Australian producers who run their own independent websites, where they would ordinarily be reaping majority of the profits, report obstacles to actually selling their content.

In our interviews, producers reported institutional discrimination from Australian banks, who refused to process transactions for porn websites. Howard said in our interview: "They just won't touch it." Sindy Skin, who hoped to start a platform for Australian producers to host their material collaboratively, was refused by St George, ANZ and Commonwealth banks. Kim reported that her bank wouldn't deal with digital content at all and had problems when she tried to get paid out by international sex worker crowdfunding platform *Piggy Bank Girls*. Luna Trash reported that working with cash as a stripper meant "I haven't been able to get any loans" for her *Trash Vixens* endeavour. Cat O'Nine Tails felt banks' requirements for credit card processing were unrealistic for small businesses and mean that small products could not get off the ground: "they wanted huge upfront

fees and a business plan, and they expected a massive turnover - and when you're starting out that's never going to happen." Such refusal of service was not limited to Australia. After relocating to Amsterdam, G Media had their Dutch bank account abruptly cancelled after five years, because they were told their company "no longer fits within [our bank]'s client profiles." Another producer reported being subject to special conditions and requirements that other customers were not: "We had an account closed recently because we were unable in a particular timeframe to convince the billing company that the money that was coming from our website was not being used to fund terrorism."

Without Australian banks processing payments for porn, producers turn to international billing companies who specialise in processing adult content. However, the two main companies, CC Bill (in the US) and Verotel (in Europe) require proof of an address either in the United States or Europe. This means that Australian producers must set up legal entities overseas in order to access payment processing. The expense and networks necessary to complete this process, from set up costs, re-location and obtaining a business address can be an obstacle for an individual without upfront capital. While smaller billing companies such as Zombaio have catered to Australians, their user support was often unavailable and, in 2015, they changed owners and failed to pay out funds to account holders. In 2016, two producers reported still being owed money from Zombaio.

If a producer was successful in securing payment processing, they were often charged higher fees because billing and credit card companies deem adult sites as at 'high risk' of charge-backs and fraud. Verotel charges €500/per annum and CC Bill charges US$1000/per annum just to operate the site, on top of the percentage cut they take from all sales, plus the international transaction fees a producer pays to receive the payment. Sindy Skin calculated that to sustain an account with Verotel and cover her costs: "I would need to make $3,000[AUD] to break even before making any profit and that's every year to cover the costs and everything and that's not even including my time of coding." Higher fees apply regardless of whether the sites actually have higher rates of charge-backs: One producer said "It doesn't matter that I've been running my business for this long and I've actually got less chargebacks than car rentals." Lux Alptraum suggests that this alleged risk may not about the account holders themselves, but rather that banks decide providing services to porn producers puts *them* at risk of losing their conservative clients (2014, n.p.).

Some scholars have found evidence of shifts in the economic structure of pornography in transparent fee structures offered by streaming sites. In his research on 'Porn 2.0' about amateurs uploading their content to XTube, Sharif Mowlabocus notes that performers are paid a standardised 50% of net profits "irrespective of content, body type or sexual preference, the prices" and amateurs are paid monthly (2010, p.78). However, Australian performers/producers described significant hurdles in being paid

out by international companies. Cat O'Nine Tails described her billing experience as "a four-year nightmare", with "convoluted" processes for payouts involving "always about three middle-men." Sindy Skin, who used amateur porn website *Clips for Sale*, said, "You have to have a minimum of $150 of credit in your account before you can even withdraw from *Clips for Sale* and then it costs you about $50 each time." Kim complained, "there's always some sort of road block or loophole that you have jump through." To be paid sometimes required a physical US address as some sites would only pay via US cheque:

> …or you can only get like a pre-paid card, which then has a two dollar transaction fee every single time that you use it, and by the time that you have paid all of your fees to all of the people that are all paying high risk adult fees to MasterCard Visa, you've like lost 90% of your profits, in which case it's like, why am I producing anyway? Because I'm making like a dollar off a $10 video.

Some online payment processors refused adult content altogether in their Terms of Use, sparking debates about "who can make money online" (Martineau, 2018). Overnight changes in policy or targeted crackdowns on users mean that performers and producers have had their accounts suspended and their funds forfeited, sometimes up to thousands of dollars. Sex workers have spoken out in online media, with headlines such as "How the financial sector is making life miserable for sex workers" (Horn, 2014) and "How PayPal and WePay discriminate against the adult industry" (Stryker, 2014). To a large extent this is also determined by the credit card companies themselves – American Express refuses porn transactions completely (The Economist, 2015). Visa has been accused of implementing a $750 annual fee for adult businesses (Lubove, 2003) and in 2015, Mastercard announced it was implementing a worldwide ban on customers placing adult advertisements on Backpage.com (Keene, 2015). This "entrenched pattern of systemic discrimination" continues to operate, says sex tech author Violet Blue, despite being found to violate constitutional rights in the United States, and does so in a way that "disproportionately denies financial opportunities for women" (Blue, 2015, n.p.):

> For nearly a decade, PayPal, JPMorgan Chase, Visa/MasterCard, and now Square, have systematically denied or closed accounts of small businesses, artists and independent contractors whose business happens to be about sex. These payment processing authorities have also coerced websites to cease featuring sexual content under threat of service withdrawal, all while blaming ambiguous rules or pressure from one another.

In response to such policies, performers and producers find new forms of digital payment via wishlists and gift cards, as well as through offline sales: *Slit Magazine* reported being "pushed off PayPal" so had to "resort to much more informal means" of offline distribution. These barriers impact on financial

viability for independent and small producers and create disincentives to making porn altogether. Combined with criminal laws prohibiting sale, production and advertising in most states of Australia, it is increasingly difficult and expensive for individuals to directly *sell* pornography on their own sites (and importantly, their *own terms*). The denial of financial services to independent producers then creates opportunities for tube sites to monopolise the market by streaming free (often pirated) content, earning income from their advertising and mining data from their users. Like I explored in the vignette, producers then face a dilemma of whether to give their content to these companies, accept their non-negotiable terms of use and relinquish control of their product, in return for traffic.

6.3 Flagging, screening and Terms of Use

Users of various services and platforms (whether they are payment processing, social networking or video streaming) must agree to their Terms of Use before being granted access. Agreeing to Terms of Use legally binds users to operate within agreed conditions and companies may refuse service if there is a breach of those conditions. Online services have received criticism from users about their poor privacy policies (permitting collection and sale of data), the unilateral amendment of terms and conditions and their imposed definitions of community standards. Terms of Use agreements are not necessarily reflective of legal standards or technical requirements, in part because sites operate with an international user base. Instead, the policies reflect, as Roth argues, "normative judgments about proper self-presentation and community formation" (Roth, 2015, p.414). These standards are not politically neutral nor are they collectively determined or debated with participation from the user base but rather are imposed from above.

The Terms of Use of billing companies, platform providers and hosting services draw upon legal distinctions between unlawful/lawful activities, but also at times widely depart from them in prohibiting activities that are legal to perform, on or off camera. Because pornography laws differ per jurisdiction, corporations err on the side of caution and interpret them broadly. In a political climate in which sex itself is risky business, representing scandal and inviting complaint, companies do not want to be seen to be endorsing commercial or non-normative sexual practices. Their requirements are not necessarily based on law but rather on *market risk* – the potential of bad publicity, a tarnished reputation or public outcry that would reduce the value of the company or prompt the loss of their investors. The problem of corporate governance is that, as Terry Flew writes, it is "overlaid with that of how to grow the user base of commercial sites, build brand identity, and increase revenues and shareholder value, while recognising tensions that exist between user niches and the much-vaunted mass audience" (Flew, 2015, pp.15-16). In decision-making about content, corporations appeal to

conservative values because they are driven by commercial motives and don't wish to isolate their advertisers or jeopardise their revenue stream.

An interesting example can be found in Verotel's ban on blood in video content. Verotel's prohibition may be intended to avoid depictions of sexual violence, but also prevents the portrayal of menstrual porn. Failure to secure credit card billing because of such policies has led to the closure of sites like BloodieTrixie.com and Furry Girl's EroticRed.com, which portray people having sex or enjoying their bodies whilst menstruating (Marks, 2013, p.2). This example demonstrates how online corporate "policing of content goes far beyond what is legally required" (Crawford and Gillespie, 2016, p.412). While it may be appropriate to preclude non-consensual sex or sexual violence, having sex when menstruating is certainly not illegal, and in Australia depicting it isn't either. In her book *Periods in Pop Culture*, Lauren Rosewarne differentiates between menstrual porn made for men, which fetishises menstrual sex, and men porn made for women, which focuses on real blood and challenges dominant representations of menstruation (2012, p.123, p.139). In our interviews, Helen Betty Corday believed that depicting menstruation as desirable in pornography was politically important:

> I just think it's aesthetically beautiful and sexually arousing and I think that's an important thing for women, lots of women are disgusted by themselves and my love of it is something I really wanted to share… because lots of people are in a lot of pain and shame around menstruation that's really unnecessary.

Prohibitions on certain body fluids are also evident in the terms and conditions for some webcam sites, and where they draw the line is particularly vague. The rules for webcam performers on My Free Cams include a list of activities that are "forbidden" on camera as a "zero-tolerance violation". These include a range of body fluids (breastfeeding, lactation, urination, menstrual bleeding, enema play, vomiting) as well as activities (penetration of the vagina or anus with items 'not meant for sexual simulation' – an unclear term itself). These activities are listed alongside unlawful and non-consensual activities, such as rape, bestiality, incest, minors and impaired consent, without differentiation and as if they are analogous (My Free Cams, 2019). Like the classification laws I discussed in Chapter 4, Terms of Use treat body fluids as abject and kinks as pathological, conflating them with violence and effectively removing them from view.

To enforce their Terms of Use, platforms utilise reporting tools and algorithms to detect and flag prohibited content. Verotel and CC Bill run monthly screening compliance software to pick up key words. Users have complained about the limitations of automated systems for determining acceptable content and their potential to capture unintended material in the process. Aeryn Walker, a cosplay

enthusiast, had a scene flagged where she was a vampire using fake blood, because the site prohibited the use of blood, regardless of whether it was realistic. Angela White spoke of the blanket bans on words like 'force' (which meant she could not depict forced orgasms, a distinct pornographic genre), 'child' ("I'm not allowed to talk about what I wanted to be as a child") and 'drinking' ("I can't say I was drinking a glass of water… I can't drink someone's squirt or ejaculate"). Angela believed these blanket rules regardless of context "make legitimate conversations impossible" and important dialogue about sexuality is made invisible and becomes unspeakable. One feminist producer, Ms Naughty, has publicly discussed how she was asked to remove blog content because it discussed a celebrity (Oprah Winfrey talking about porn) and it was against the Terms of Use of her biller to discuss celebrities on an adult site.

6.4 Platforms as gatekeepers of public discourse

Corporations are not democracies or public services. They do not legally owe their users freedom of expression and their accountabilities lie not with their users but with their shareholders. However, several scholars have pointed out that the policies, conditions and decisions of online service providers and platforms matter because of their size and their market monopoly. Their dominance in the market, their social power and the lack of viable alternatives means that their Terms of Use, decision-making criteria and accountability processes are effectively gatekeeping public conversations. Along with this, as Tarleton Gillespie notes, comes "questions about their responsibilities: to their users, to key constituencies who depend on the public discourse they host, and to broader notions of the public interest" (Gillespie, 2010, p.348).

Platform providers' power to maintain or remove content with little accountability positions them as unelected arbiters of public discourse, but without the mechanisms for transparency and review required of governments. Because they retain ultimate control over content, similarly to broadcasting and publishing, Gillespie argues that "platforms are more like traditional media than they care to admit" (2010, p.359). Nicolas Suzor notes that while corporations' Terms of Use are technically "mere consumer contracts", these Terms of Use are indeed, and he quotes Mark Zuckerberg, "the 'governing documents' of our age": "These contracts govern how we communicate, who we can communicate with, whose voices are heard, how our information is shared, and how we access information" (Suzor, 2016, n.p.).

This is particularly the case for social media platforms that feature user-generated material and pitch themselves as facilitators of participatory platforms but still retain ultimate control over content. Platforms play the role of what information and imagery can be shared, represented and

remembered. Social media provider Facebook has come under scrutiny for removing images of women breastfeeding, disabling a Pulitzer Prize-winning photograph of a naked Vietnamese girl escaping a napalm attack, and removing an article by about Indigenous sovereignty featuring bare-breasted Aboriginal women. Facebook is a global arbiter of media, politics, culture and history – Egil Hansen even describes Mark Zuckerberg as more of an Editor-in-Chief than a Chief Executive Officer (Weaver, 2016, n.p.). As Gillespie writes (2010, p.359):

> their choices about what can appear, how it is organized, how it is monetized, what can be removed and why, and what the technical architecture allows and prohibits, are all real and substantive interventions into the contours of public discourse. They raise both traditional dilemmas about free speech and public expression, and some substantially new ones, for which there are few precedents or explanations.

Corporations may not be democracies, but their increasing power in regulating online space, arbitrating community standards and gatekeeping cultural conversations raises questions for how we hold them into account: about the role of nation states in enforcing or intervening in virtual communities, the coverage of anti-discrimination protections, balancing freedom of speech and the interests of platform providers and navigating distinctions between public and private space (George & Scerri, 2007).

6.5 Decision-making and content removal

The lack of transparency in arbitrating community standards is no more apparent than when the decisions of private service providers are challenged by users. There are few avenues for recourse to address grievances and inadequate appeal or review mechanisms. Producers were concerned that their livelihood could be undermined by a single complaint, however unwarranted, without justification or appeal. Howard remarked, "you only need a very small number of people to complain and they have the power to control what a large number of people can do, or see, or talk about." As a result, producers have erred on the side of caution in what they upload, says Xavier: "I've had some heated discussions about really wanting to include an image and specifically not including that image because it just had the potential – because I feel like all it would take is one complaint from one person."

Sometimes Terms of Use are deliberately broad to provide discretion for the corporation in permitting or removing content without explanation. In an illustrative example, Ms Naughty had all of her promotional videos removed from Vimeo. She wrote asking them to define what constituted sexually

explicit content, so she could edit her work accordingly to meet their terms. She asked (Ms Naughty, 2013b, n.p.):

> If you can see genitals, is it explicit? If you can see nipples, is it explicit? Only female nipples or male nipples too? If the subject deals with sex and if the actors are nude and simulating sex, is that explicit or porn? How do you know the difference between simulated and real sex if you can't see genitals? If it *looks* artistic, does that make a difference? If the images exist purely to arouse, is that porn? Even if there's no nudity in those images? What if someone gets aroused at, say, images of feet?

The questions are pertinent. In 2016, Erika Lust's film *Do you Find my Feet Suckable?* was removed from YouTube despite containing no nudity or sexually explicit material – only foot sucking. In their response to Ms Naughty, Vimeo do not elaborate on any criteria or definition of explicitness in their decision-making, and make it clear that as a private company, they have no obligation to host anything that doesn't "interest" them (Ms Naughty, 2013b, n.p.).

> As I mentioned, we review each video on a case-by-case basis and therefore there is no exclusive definition that we use to determine whether or not a video violates our Community Guidelines. Our moderation team has agreed that the removed videos did indeed violate our Community Guidelines, and we are not interested in hosting them on Vimeo.

Unlike the Classification Board or courts, whose decision can be reviewed, who are accountable to the public, and who are generally expected to follow precedent and publish reasons for their decisions, private regulation provides little transparency in decision-making. Their definition is so vague as to be reminiscent of US Supreme Court's Justice Potter Stewart's famous quote in *Jacobellis v Ohio* (1964) that he could not define pornography but "I know it when I see it." The arbitrariness of their decision is highlighted by the fact that in 2015, music artist Peaches released her video clip *Rub* on Vimeo, which includes nudity, sex, and an orgy with some of San Francisco's most well-known queer porn stars. This clip remains online and has been marked by Vimeo as 'mature', which suggests differential treatment depending on whether the person uploading is viewed as an artist or a pornographer, regardless of the content of their work. This reinforces the status of pornography as, in Kelly Dennis' words, a "moral and aesthetic regulatory concept" that is conceptually distinguished from art or culture (2009, p.6).

In the refusal of Vimeo to provide reasons or criteria for their decision-making, we can see what Kate Crawford and Tarleton Gillespie refer to as a "monarchic structure" of governance in which "a plea can be made, but the decision to remove or suspend is solely up to the platform" (Crawford and Gillespie, 2016, p.422). While Ms Naughty could engage in limited discussion with Vimeo to provide

an explanation or seek clarification – she even wanted to edit her content to meet their standards – she cannot negotiate her Terms of Use. Vimeo are not obliged to provide justification, and the evidence of entire conflict is effectively removed from public debate. Crawford and Gillespie argue that flagging mechanisms, where they leave no room for "users to qualitatively describe the reasons behind the flag" (p.422) obscure public debates about what constitutes offensive content and leave no room to articulate concern or air disagreements that are actually "vital public negotiations" (p.413).

Instead, Crawford and Gillespie ask whether the action of flagging and decision-making should become more public or even open to debate. They reference Wikipedia discussion pages on which the content is openly debated and "backstage discussions" are visible over time (2016, pp.421-422). In this model, which they describe as "antagonistic pluralism" the public can access a "history of debates about a particular video, image, or post," providing a space for "objections and counterobjections", and it would "recognize that social media sites are not only about individual content consumption, but also intensely relational, social spaces where debates over content and propriety play a role in shaping the norms of a site" (2016, pp.422-423). In this model, users have an avenue to participate beyond when it is convenient (or profitable) for the platform owner, and important discussions over offensiveness can be played out (and recorded) in the public sphere.

6.6 Pre-emptive editing and compatible bodies

This corporate regulation at the point of entry to the market affects what people create at the level of production. Restrictive Terms of Use policies, screening software and hidden decision-making has a chilling effect, discouraging people from expressing particular representations for fear of removal. Producers already edit their content to meet classification requirements – Angela White described how her labia was 'healed to a single crease' in Australia, Photoshopped with public hair in Germany, and pixelated in Japan to meet classification requirements in each country. Michelle Flynn cut her footage into soft and explicit edits to meet TV broadcasting requirements, including editing out erect penises. Gala Vanting identified a gap between what she would like to make and what's possible to show and navigated this through a mix of self-censorship and travelling overseas to distribute and screen her work. The risks of content removal and the lengthy labour of having to re-edit footage mean that producers cut and slice their raw material into palatable products for distribution. While they might have multiple versions of the same footage, it is the sanitised versions of the work that get the exposure. The full scene, if it contains particular body fluids or sexual practices, cannot be screened, sold or hosted, and those bodies and sexualities potentially become invisible.

In addition, performers themselves can refrain from certain activities because there is nowhere to screen or sell the footage. Individual sex workers, queers, women and kinksters, become self-disciplining subjects *responsible* for gatekeeping and policing their pleasures to be marketable, safe and low-risk. The individual takes on the corporate values of these companies at the very level of the body. Over time these 'business as usual' editing practices risk becoming normalised. This cultural engineering affects the social and political landscape too: It affects who is seen as desirable and can foreclose sexual possibilities. The kind of pornography that is then produced may not be 'safe for work' (depending on your vocation) but it is *safe for the market*.

This matters because depictions of queer sexualities and women's body fluids become relegated to small, underground, subcultural (and criminalised) spaces. They are then visible only among select audiences or through word of mouth. If we think back to the aspirations of queer and feminist porn, to *intervene* in the categorisation and valuation of certain bodies, these goals are thwarted by the segregation of adult content as distinct from other art, media and cultural spaces. In addition, it deters participation from particular communities in public online spaces. In their study on queer women's experiences of using Tinder, Instagram and Vine, Duguay, Burgess and Suzor found that the "patchwork platform governance" of these sites "significantly limited queer women's ability to participate and be visible on these platforms, as they often self-censored to avoid harassment, reduced the scope of their activities, or left the platform altogether" (Duguay, Burgess & Suzor, 2018). The result is an erasure of sexual minorities from public space as cultures that do not belong.

As platform users struggle for online visibility, users can then boost their status by presenting as palatable versions of themselves. Alice Marwick argues that the architecture of social media incentivises personas that are "highly edited, controlled, and monitored, conforming to commercial ideals that dictate 'safe-for-work' presentation" (Marwick, 2013, p.5). In her ethnography on webcam girls, Terri Senft similarly found that workers must use "self-presentation as a brand in an attention economy" and market themselves as microcelebrities in order to "prop up" capital (Senft, 2008, p.25-26). This is particularly the case for porn sites that rely on consumer voting practices for performers to be paid, where performers engage in free labour in the hope of earning an income. Luna Trash stated that when she and Dolly started *Trash Vixens*, they were upset at the system of *Suicide Girls*, in which you could upload a photo set to the site, but only get paid if consumers voted you as the 'set of the day':

> Before the voting system they used to get girls of all shapes and sizes in… eventually it was just the skinniest prettiest girls. They weren't getting any of the plus-size girls in anymore because they'd get voted down. Yeah, so that whole diversity ended up being lost a bit because of the voting system… and

then it's sort of giving the power to the consumers, which they love because then they get their say and they get that power from it. Then that takes the power away from the contributors, I think.

Even if such sites may have a diverse pool of contributors, the systems and techniques for sorting content privilege a particular type of body. In her research on reddit gonewild, where users upload naked pictures of themselves, Emily van der Nagel examined the systems of user rankings, voting, point scoring and algorithms to determine which content was most prominent at the top of the site (van der Nagel, 2013, p.1):

Although hundreds of photographs of naked bodies are submitted to reddit gonewild each day, only a few appear on its 'front page'. Which of the photos feature depends on not only who posts photographs and who votes on them, but also on technological codes (reddit's algorithms, interfaces, and user accounts) and cultural codes (guidelines, social norms, and 'karma' points) that operate alongside these actions. When technological and cultural codes are taken together, they reveal an amateur pornography site that appears open and inclusive, but is instead closed to all but the few who fit the amateur pornography ideal: young, white, slender and female.

In another example, a study of user generated amateur videos on YouPorn found that rather than facilitating more diverse representations of gender and sexuality, the amateur content adhered to a masculine, heteronormative pornoscript. The marketing of the films as real life worked to reify and naturalise "a politically conservative gender ideology" (Van Doorn, 2010, p.411). Even if we all had the means to participate, the kinds of bodies visible are those that are popular, trending, and algorithmically tailored to users.

On top of manifesting a 'corporate ethic' and presenting oneself in a way that is likely to generate clicks, visibility and income, Mark Coté and Jennifer Pybus argue that users of social media "must become compatible with the needs of contemporary capitalist reproduction" (Coté & Pybus, 2007, p.99). In his work on XTube, Mowlabocus notes that XTube "offers advice on being an efficient labourer" to amateur porn performers, suggesting that new users post content as often as possible in order to boost their visibility and increase their sales (Mowlabocus, 2010, p.83). Online pornographic subjects then, must be *coherent* and *productive* to capitalism. If one's body or sexuality is unprofitable, inefficient or risky, one becomes useless to capitalism, cannot enter the marketplace and faces barriers to participation. In our interview, film studies scholar Jack Saregant remarked, "it's a really tragic thing to say but I think [corporations] are only censoring until they see they can make money, then they won't."

6.7 Purging sex industry businesses

One of the most significant catalysts for recent crackdowns on online sexual expression has been the passing of the United States *Stop Enabling Sex Trafficking Act* (SESTA) /*Fight Online Sex Trafficking Act* (FOSTA) Bill (HR 1865) in April 2018, which amended the *Communication Decency Act* 1934 (US). This Act previously included an immunity clause specifying that "no provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider" (s230). This immunity clause was considered one of the foundations that allowed for growth of the Internet, freedom of speech, digital commerce and user-generated content. Section 230 previously protected administrators of digital platforms from being held liable if user-generated content violated US laws.

Now, s230 cannot be used as a defence if the published content breaches the US's sex work or sex trafficking laws (s230 (c1)). The amendments create a mechanism for civil action to be undertaken against the site by or on behalf of those who were advertised. Further, a new section in the US Code makes it an offence to own, manage or operate an "interactive computer service" (or conspire or attempt to own, manage or operate an interactive computer service – which can include ISPs, hosts and content developers) "with the intent to promote or facilitate the prostitution of another" (s3(a)). These changes effectively make it unlawful for an owner, manager or operator of a website to knowingly allow sex workers to advertise, or even to allow platforms to be used for sex workers to share information with one another. They have also had a transnational effect upon porn performers and producers around the globe using US-owned digital platforms, regardless of whether or not they reside in the United States.

Now with a legal incentive, platforms have pre-emptively begun changing their Terms of Use and removing adult content in anticipation of legal action. Survivors Against SESTA documented the following in 2018: Craigslist had pre-emptively removed its classified 'personals' section; Reddit had closed down subreddits such as /escorts and /sugardaddy; Google Drive had begun deleting explicit content and locking out users; Google Play updated its policy to ban explicit content including the 'promotional images of sex toys'; EventBrite changed its Terms of Service to exclude events that constitute or promote 'explicit sexual activity or pornography'; Microsoft's Terms of Service update (relevant for Skype, Xbox and Office) states that 'inappropriate content' such as nudity may result in suspensions or bans; Facebook released a new policy prohibiting sexual services including 'escort services, prostitution, filmed sexual encounters, sexualized massage' and other acts such as 'paid domination service'; and a number of escorting sites had closed down entirely. FOSTA has not only

affected commercial services but it has also had immediate chilling effects on other kinds of sexual speech.

Even before FOSTA, refusing service to adult performers and businesses was discrimination that passed as acceptable. Former Apple CEO Steve Jobs publicly stated "we do believe we have a moral responsibility to keep porn off the iPhone" (Cossman, 2013, p.63). In 2015, Google announced it would ban explicit material from its blogging service (although later retracted this) (Curtis, 2015). Amazon had removed porn star's wishlists without warning resulting in porn performers losing their account balance (Dickson, 2014). Crowdfunding sites such as Indiegogo and GoFundMe prohibited adult content. Sex was a risk to business: one homeowner complained that gay porn stars used her Air BnB home as porn set because it "could damage her house's image as a rental property" (Howell, 2016). Some platforms automatically prohibited content only because it was posted by someone identified as a porn performer, rather than because of the content itself. Angela White described being prevented from promoting sex education events or academic conferences on Facebook, because she was known as a porn performer. In the US, a porn performer's crowdfunding for a medical campaign was removed even though it was unrelated to porn (Alois, 2014). Sex worker rights programs in the US have reported that blanket blocks on adult content have affected the delivery of health promotion information and peer education for sex workers (Theorizing the Web, 2014).

The danger here is that this discrimination is occurring not on the basis of behaviour but on the *status* of being a sex worker, and that sex workers are being *profiled* – news sources even report porn stars being targeted by facial recognition software (Cuthbertson, 2016). Here we see that corporations can discriminate not only on "immutable characteristics of individuals" but also now on the "algorithmically produced position of an individual" (boyd, Levy and Marwick, 2014). Nicolas Suzor writes that "participants who are banned from [online] communities stand to lose their virtual property, their connections to their friends and family, and their personal expression… participants who are arbitrarily, capriciously, or maliciously ejected have little recourse under law" (Suzor, 2009, p.90).

With the risk that one's online presence could be spontaneously deleted, sex workers around the globe have mobilised, sharing information and encouraging one another to take digital security steps: to back up their content, using encrypted software for emails, find privacy-aware domain registration services, switching Content Management Systems, creating alternative social media platforms, finding adult-friendly hosting services, and adjusting their vocabulary to circumvent algorithms and reduce risk of detection. As founder of the *Electronic Frontiers Foundation* John Gilmore, has argued, "The internet interprets censorship as damage and routes around it" (Flew, 2015, p.10).

Against the backdrop of already existing barriers for posting sexual content online, FOSTA represents another step towards sex exceptionalism, whereby sexual content is treated as special or exceptional and warranting of additional, specific protections and penalties. The political impetus for SESTA/FOSTA was an enforcement operation against Backpage.com, who were being investigated for knowingly facilitating the listing of underage girls in its classified advertisements. However, this new legislation was not necessary to indict Backpage.com; charges were laid and the website was seized before SESTA/FOSTA even came into effect. The introduction of these laws did nothing to improve the situation for migrant workers experiencing labour exploitation (such as providing pathways for safe migration, translation of visa information, decriminalisation of sex work, access to industrial rights mechanisms or anti-discrimination protection). Instead they sparked the shutting down of sites on which law enforcement could trace criminal activity, platforms on which survivors could speak out and seek assistance, and forums where sex workers could screen safety information. But the reputational pressure to be seen as proactive partners in response to trafficking is so significant that tech companies are willing to erase sex completely from their platforms and accept sex as a necessary casualty.

6.8 Digital divide

Despite promises of democratisation and equalisation, since the early 1990s there have been "persistent gaps" between who has benefited from communication technologies along socio-economic, geographical, educational racial and gendered lines – a "digital divide" (Epstein, Nisbet and Gillespie, 2011, p.92). As Terri Senft argues, "Unfortunately, the belief that everyone counts in a network society – or will, once they are given access – is a naïve one" (Senft, 2008, p.6). There are inequalities in who is represented and who earns money in online commercial sexual spaces. Nancy K. Baym writes that "The gross exacerbation of wealth inequality between site users and founders is one way 'social media' disempower the people they claim to empower" (Baym, 2015a, pp.1-2). Even though women, queers and sex workers are creating the cultural products, and even if the means of *production* has been democratised, ownership and control of the infrastructure and wealth is still concentrated.

Participants report the increasing difficultly of earning a living from porn in a gig economy. The small scale of the projects mean that for many, porn needs to be supplemented by other forms of sex work. Although their work had international presence and recognition, the solo subscription sites my participants ran had a small number of members (for example, one solo producer reported 22 members), although the male-run companies had sufficient members to allow them to run multiple sites, hire staff and buy location property. For many performers, the small size of the industry and the

lack of available work was an incentive towards producing their own content and maximising work opportunities. Cat O'Nine Tails described her passion as the major driver keeping the work going: "If I wasn't so madly passionate about this, I would have given up years ago because it's so hard." Aeryn Walker didn't believe that any solo producers in Australia were "making an absolute killing" and hadn't "met anyone who's made bank." Lucie Bee paid performers through her own sex work to ensure that regardless of profits, they were paid. Gala Vanting said *Sensate Films* was likely making a loss, but they positioned it as an "art project" and sustained it with other jobs. Kim commented on receiving disproportionate stigma that was not offset by her income, "Nobody's making money off porn, leave us alone, we don't make enough money for you to harass us this much!"

In this light, the 'democratisation' of porn begins to look more like 'outsourcing' of content creation, in which individuals bear their own overhead expenses, and corporations buy, licence or otherwise acquire the content under non-negotiable Terms of Use, for little to no remuneration. In our interview, Dinesh Wadiwel suggested this model of innovative, creative, devolved start-ups making their way into an international market in fact "resonates with lots of new forms of dynamic capitalism." He proposed that this relationship actually resembled contract work, where the labour of production was contracted out, or even piece work, where people are paid by results, "which as we know leads to some of the most extortionate forms of labour (such as in the garment industry)." In his research on XTube, Mowlabocus also argues that the labour of amateur porn performers is piecework, "with no opportunity for wage negotiation, the price always being set up by 'the company'" (2010, p.84). Pornography work is not always participatory and empowering – rather, like other cultural work, it can be "temporary and intermittent, work/play boundaries are collapsed, the pay is poor, and people must be mobile" (Baym, 2015b, p.15). New technologies have not only been enabling for users. Certainly, they have "accelerated the speed and dispersed the space of production to unprecedented levels" (Hennessey, 2000, p.6). As we see in Chapter 7, the economic downturn in porn production and the need for performers to establish diverse alternative income streams that means they are often engaged in temporary, contractual and freelance labour with few labour protections. A fragmented labour force can make organised resistance more difficult (Hennessy, 2000, p.7). The decentralisation of production across continents, the proliferation of temporary work in a gig economy, and the jurisdictional complexities of negotiating working conditions in a global marketplace means that the labour force of porn workers is more dispersed than ever.

6.9 A façade of participation

Some authors maintain that pornography has been democratised. Brian McNair puts his faith in a "liberal capitalist world" and puts forward that commodification "can be the agent of social process

and not its enemy" (McNair, 2013, p.13). He argues that the proliferation of increasingly diverse pornographies has come hand in hand with cultural trends that have advanced the rights of women and homosexuals. But a closer examination of the algorithms, software and architecture of online platforms interrogate this starting point that "markets are blind" (p.7). These technologies reflect values of their creators and the ways in which they are used mirrors deep historical divisions and inequalities. The very structures of these technologies work to produce specific manifestations of sexuality, ones that are popular, marketable and safe. While McNair welcomes this process wherein "subcultural lifestyles move from the avant garde margins into the mainstream through processes of assimilation, popularisation and commodification" as evidence of an increased liberalisation, who does this mainstreaming leave behind? Are we seeing, not necessarily an increasingly democratised media, but an increasingly *corporate* and *sanitised* one, operating with an exterior façade of diversity?

If we are to entertain the potential democratisation of pornography, the experiences of producers challenge us to think beyond the level of production and content-creation. They compel us to think more about where economic and distribution power is held, who is accumulating wealth and private property, and who has access to decision-making power over the removal or inclusion of content. Instead of looking primarily to visibility and diversity in media content, these experiences prompt an "inquiry into the systems of exploitation and regimes of state and cultural power through which sexualities are produced" (Hennessy, 2000, p.113). Private regulation of online space is one such system that produces specific forms of sexuality, and subsumes them into machines of productivity and profit, replacing public debate on offensiveness to covert decisions about market risk.

If our online experiences, discussions and representations are mediated by corporations, and they are, we need to intensify mechanisms through which we can ensure corporate transparency about internal governance, use of data and decision-making over Terms of Use. We need to know more about the technicalities of company software, algorithms and automated mechanisms, and how they are being implemented. We need to make public the reasons behind decisions to remove or maintain content and make transparent the criteria for decision-making and avenues for review. These protections are crucial because for now in virtual communities, as Suzor reminds us, "the power to regulate speech [is] in the hands of private property owners" (Suzor, 2010, p.1853).

If this is the economic context in which pornography is being produced, distributed and consumed – by global tech companies divorced from the means of production – then it poses ongoing dilemmas about the value women offer to company branding and its resulting capacity to overshadow unequal capitalist distribution; the potential for containing our own decentralised movements through subsuming them as niche content that can be bought as part of corporate diversity strategies; how to

build alternative platforms and avenues without defaulting back to the structures we are battling against; and how to create work with maximum impact whilst maintaining one's political vision.

We are in a light-filled Air BnB in Sydney's inner-city suburb of Redfern. It's mid-winter, about 5 degrees, and I have visible goose bumps down my legs. I run my fingers through my long pink hair extensions, hold in my stomach, point my toes and look over my shoulder at Ash. I'm excited about finally shooting for Suicide Girls, which has long been a dream of mine. After having my piercings removed from the cover of Penthouse, my armpit hair edited out of Picture magazine and my labia airbrushed in People magazine, I'm thrilled to shoot for a site that claims to celebrate alternative beauty. My broken bleached hair couldn't take much more peroxide and I take the opportunity to go back to my rainbow roots.

It feels good to be shooting with another Suicide Girl. This is my third out of four shoots in four days. In one shoot, I won't see the pictures until they go online and have no say over the editing process. In this one, Ash will send me proofs so I can select my favourite 40-60 for a complete set. Working with a fellow model feels collaborative since we both have an interest in the set selling so we can recoup our costs. I trust her to use flattering angles to get shots that she would want herself as a model.

The poses are familiar to me from glamour modelling. Some are replicas of mainstream magazine poses: on my knees, arching my back, resting my index finger on my bottom lip, pulling my bra strap over my shoulder. But the positions are slightly less brash – there are fewer doggy style and open leg shots, and more peripheral shots of body parts: feet, hands, faces. The poses are more subtle, sleepy, modest. I turn my shoulder forward to protrude my collar bone. I bring my hand lightly up to my neck. I look at the camera seductively and then stare off into the distance. It's what we call in mainstream magazine work 'shy nude'.

It is a similar repertoire to what I perform for Feck's alt erotica site I Shot Myself, which also prides itself on its alleged distance from mainstream porn. The same way I learned to perform 'sex eyes' and bold, dynamic poses from strippers, I learn to perform a doe-eyed, girl-next-door sex-kitten for these 'amateur' sites. It's less overt porn star, but it definitely borrows from and utilises pornographic conventions, even if I am pretending not to be 'a professional'. We run through a standard formula that we know constitutes a sellable set – in fact, we bring up a set from one of the most popular Suicide Girls and literally copy each pose.

The model guidelines are prescriptive and titled "How to look good in photos, without (looking like you are) really trying." They provide instructions on facial expressions (parted lips, smiling eyes, ¾ profiles, tilted chins and no duck face), posing (keep it "classy", avoiding spread shots and positions that

exaggerate rolls), hair (washed and lightly styled, no wigs), make up (thin black eyeliner on the top lid only) and wardrobe (cotton tanks, tall socks, denim shorts and sundresses). The guidelines include photo examples of what not to do: no stripper heels or stripper attire, including neon fishnets, metallic, sparkles or "anything crotchless."

The specificity reminds me of Australian amateur site Abby Winters, whose CEO had a pet hate for belly rings. Their guidelines instructed models to cover hair regrowth and not to shoot if they had pimples, scratches or mosquito bites in order to appear "healthy." When shooting for Feck, I was told to stop wearing frills, to "tone down the eye makeup" and "maybe don't talk about politics." Similar instructions were given to me in a shoot for US Hustler magazine: "The model shouldn't look too tacky, like a stripper, but like a woman with mainstream tastes." I had become suspicious of 'redefined beauty' and 'being yourself' as code for a specific class-based aesthetic, positioned against the mainstream but in reality equally conventionalised.

I am conscious of my age. My body has changed a lot in the last few years since retiring from pole instructing, and as a result of recent IVF treatments. Ash tells me that, at 29, she is one of the older Suicide Girls in Australia, who are mostly between eighteen and twenty-two. I laugh and say I'm thirty-three, and joke that we are both veterans. I am competing with thousands of other 'Suicide Hopefuls', ten to fifteen years my junior, all hoping to be selected as the Set of the Day and break into the US market. When our set is edited, it goes into a four-month queue, after which it is posted in 'Member Review', where Suicide Girls and site members can comment and 'like' it. Each day, the company chooses a 'Set of the Day' (SOTD), which means the girl moves from being a 'Suicide Hopeful' to an official 'Suicide Girl' and receives a $500 prize.

Ash tells me that a new set goes live into 'Member Review' every two hours, so that my chance of actually becoming a Suicide Girl and being paid for my set is one in twelve. It's hard not to be disheartened by these terrible odds. Some models have been 'hopefuls' for years. There is no clear criteria for what the company picks as the SOTD. Ash shows me some of the sets in Model Review with thousands of likes that have never been chosen, and other sets that were selected despite far fewer likes. The process appears to be less about the quality of the set and more a mixture of popularity, taste and company discretion. It's a system that encourages competition between models, and in doing so, extracts more labour from us.

Suicide Girls encourage hopefuls to keep submitting until one of their sets is chosen. Of course, this means that the site gains a constant stream of free content for their subscribers. The $500 payment is pitched as a reward rather than payment. I have paid $330 for my shoot and location fee, so after

recouping that cost, a 60-picture full-nude SOTD feature would pay me $170, and this doesn't include costs of my wardrobe, transport or the labour I am expected to engage in to promote my set. Ash tells me that to boost my chance of being picked, I should 'promote my profile' on the site as much as possible, so people will comment on my set. This means posting selfies or teasers for my set in special groups interested in feet, arses or breasts, interacting with members and writing a blog.

Suicide Girls brands itself on being an 'online community', promoting interaction between models and viewers in celebration of alt lifestyles. In the early stages of my career, I would have found this fun. After thirteen years dealing with timewasters and with a mortgage to pay, this new 'participation' feels more like the old school 'hustle' and the constant promotion feels more like free advertising. I've done my fair share of eight-hour shifts in six-inch heels and cold air conditioning, moving throughout the industry in search of better income security. I learnt the value of my time and worth of my labour. Now I was embarking upon the emotional and relational labour of being personable, sexy and available all at once. I had to convince members that I was likeable and Suicide Girls I was marketable.

Regardless of whether you get SOTD, says Ash, it's a great way to 'build and promote your brand'. With over 4 million followers on Instagram, Ash tells me all the right hashtags to use to increase my visibility. Some girls have 100k followers, Ash tells me, and have been offered paid modelling jobs through Instagram or have companies sending them free merchandise to wear in their photos. It's something I have heard too many times as a live performer and artist – perform for free in return for mass exposure, which rarely (but sometimes) translates into paid work. However, with such extraordinary reach and the dim likelihood of actually being paid for my set, it seems silly not to get the most out of this endeavour. Reluctantly, I re-activate my Instagram account.

Despite the odds (and the exploitative process), I am keen to become a Suicide Girl. At this point, the title is more valuable to me than claiming my $170. Alongside Penthouse Pet and Hustler Honey, it's another accolade that permits me to tour, perform, write and diversify my income stream. I've abandoned my sense of maintaining an authentic self in this industry. I'm ready to work the system. As I fill out my 'bio' on the Suicide Girls site I produce an amplified version of myself I think is creative, convincing and non-controversial. I select from the drop-down menu 'artsy', 'homebody' and 'tree hugger'.

Chapter 7: Manufacturing Authenticity: Expression, Identity and Labour

Having explored how regulatory frameworks (both national classification laws in Chapter 4 and platform governance in Chapter 6) function to produce narrow iterations of gender, sexuality and desire, I now turn to the movement's response. As private platforms increasingly require content that is safe, sanitised and risk-averse, and these standards filter down to the level of production, we see shifts in the ways in which performers are speaking about their performances, their labour, and themselves. Dissatisfied with mass-produced pornography and tired of prescriptive formulas for sex, consumers are seeking content they perceive as 'authentic' and 'real'. Authenticity thus emerges in the narratives of both performers and producers as what Dylan Ryan has called 'the Holy Grail' in feminist pornographies (2013, p.121). In alternative pornographies, Feona Attwood writes, the pornographic body is reconfigured "through retro glamour, alternative style and a contemporary ideal of sexual authenticity" (2012, p.42). Performers emphasise their genuine pleasure, real orgasms and love of sex, share intimate and personal moments with audiences both on film and on social media, and producers refer to one another as sex documentarians and collaborators. It's a powerful idea – as Madison Young argues, "The facilitation of creating space for the expression of authentic self in relation to our sexual desires has the ability to radically change pornography" (Young, 2014a, p.186).

In this chapter, I consider how discourses of 'authenticity', while they offer some affordances to performers, can also be deployed to justify new forms of labour extraction and naturalise gendered representations of the body. I explore this by listening to performer accounts of production. Performers report that producer expectations of authenticity manifests as a particular aesthetic, premised on an imaginary naturalness shaped by class and gender, which they were expected to perform convincingly. Bodies and pleasures that were not intelligible as authentic – to either directors or consumers – risked incoherence and were not represented. In having to repeatedly demonstrate that they are real, willing, genuine and natural exhibitionists (positioning pornography not just as work but as identity), discourses of authenticity, fantasies of community and investments in loving one's work can function to obscure various kinds of emotional and relational labour. The commodification of 'realness', consumer entitlement to freely available and constantly updated porn, along with the mobilisation of a sense of community, can obscure the precarious labour of porn performance.

7.1 Documentary realness

The focus upon authenticity offers affordances to entrepreneurial performers to participate in the gig economy in innovative and experimental ways. As I demonstrated in Chapter 3, a significant motivator for performers in alternative porn was the ability to represent, express and document themselves. As

Aeryn Walker described, pornography could be a medium through which to explore herself: "it's definitely an extension of who I am outside of porn and parts of me that I just want to explore more." Sexual expression was a recurring narrative for performers, who at times felt antagonistic towards performing a particular, predictable set of sexual practices. Instead of being instructed *how* to have sex in a way that felt staged or contrived, performers wanted to determine their own scripts and narratives and use porn as a medium through which to explore their own desires.

In aspiring to be read as authentic, alternative pornographies have begun using many of the codes and conventions of documentary cinema: interviews, voiceover, behind-the-scenes footage and raw unscripted footage. Performers quite literally describe their work in porn as documentary projects through which they can charter their sexual journeys. For example, Kim described being in a 24/7 BDSM relationship, "so filming those things just seems quite natural to us rather than trying to create something that isn't part of our natural flow anyway." Angela White recounted experiencing "firsts" on set (such as her first anal, first squirting or first threesome) and valued capturing these live on camera. She described pornography as having a documentary function in which she could trace her sexual experiences over the course of her career. These investments were not isolated to Australia: at the Feminist Porn Conference in Toronto, Madison Young (whose partner is also a performer) spoke about navigating her romantic relationships on camera and collecting visual evidence across the span of a decade, tracing her pregnancy (during which she also performed) and sexual experiences as a first-time mother (Young, 2014b). The very act of filming here provides a vehicle for performers not only to capture but cultivate their selves.

But documentary cinema itself is not an objective account of reality. Documentary theorists have illustrated the enmeshment of fiction and nonfiction through the use of particular editing techniques to shape material into something that can be "named and promoted as 'a documentary'" (Bonner, 2013, p.64). Michael Renov writes that "nonfiction" actually involves elements of "creative intervention", including the construction of a character, the use of narrative, musical accompaniment and camera angles to create meaning, sustain rhythm, and heighten emotional impact (Renov, 2012, p.2). At the same time, Bill Nichols argues that the use of certain techniques in films (voiceover commentary, the use of non-actors, shooting daily life) can "give the *impression* of authenticity to what has actually been fabricated or constructed" (Nichols, 2017, p.xii). Nichols argues that the documentary tradition "encourage[s] us to believe in a tight, if not perfect, correspondence between image and reality" regardless of whether viewers ought to trust in that representation (p.xii).

Indeed, investments in 'realness' are used to signal to viewers. In a session at the 2015 Feminist Porn Conference, academic Amy Jamgochian and Pink Label producer Shine Louise Houston discussed the

use of 'real' as a "valuable term for search engine optimization". They argue that authenticity emerged in a context where "a strong demand has arisen for a distinction between 'gay for pay' performers of queer sex and performers whose sex on screen more closely represents their non-screen sex". Although these distinctions between on-screen and off-screen sex are often blurred, realness and authenticity still operate as effective "key words" and "efficient codes" for specific genres and preferences (Jamgochian and Houston, 2015).

This drive to capture 'real' expressions of sexuality can be seen as a legacy of the quest for maximum visibility, the impetus to show the 'truth' of sex (Williams, 1999). But further, it is a legacy of pornography's incompleteness as an arbiter of truth, its positioning as something both *too real* and yet *not real enough* (Dennis, 2009, p.5). It responds to readings of pornography as 'fake' and 'plastic' and assumes that by inserting 'realness' back in, we can come closer to the truth of sex. This impetus to seek and discover the truth represents one of the hallmarks of 'scientia sexualis', which Foucault describes as the modern Western approach to sex. However, history reminds us that, as Mortimer-Sandilands and Erickson write, "there is nothing especially 'natural' about the ways Euro-western societies generally understand sex" (2010, pp.6-7). The focus on realness among queer and feminist producers sits in direct contrast to the ways in which discourses of naturalness have been mobilised (literally labelled as crimes against nature) *against* and in opposition to the *deviance* of LGBTIQ people and women. Writing on the mobilisation of discourses of 'realness' in queer pornography, Julie Levin Russo says (2007, p.240):

> The idea that porn has a special capacity to transparently reflect the real, one of the most common aspects of this discourse, is necessarily problematic in its erasure of mediation. But it becomes increasingly untenable as porn encounters first video and then the Internet, moving further and further from the specifically visual and indexical particulars of its cinematic roots. If the celebration of referentiality is in tension with the digital pixels of the net, it is equally antithetical to the ideal project of queer porn, which is anything but reflecting an established, static "real" sexuality.

The use of authenticity to refer to a kind of genuineness and truthfulness in porn also sits in contrast to theorisations of gender. Judith Butler describes gender itself as a form of mimicry, a pattern and repetition without an original referent: "Gender is a kind of imitation for which there is no original; in fact, it is a kind of imitation that produces the very notion of the original as an effect and consequence of the imitation itself" (Butler, 1996, p.378). If there is no inherent essence of gender or of sexuality, and if sexuality and gender are both culturally produced, then narratives of authenticity have, through their continual repetition, created an imaginary original as a referent through which to hold up

particular expressions, activities and aesthetics as natural and real (and, in turn, to produce other iterations as fake).

7.2 Constructing the mainstream

This paradigm of authenticity constructs both an imaginary of naturalness but also of artifice. Authenticity is positioned as a radical avant-garde in direct opposition to an imagined, homogenous mainstream pornography, which is constructed as brash, performative and fake. For example, Howard set up an alternative erotica website because, "We reasoned that the problem with mainstream porn is that it's all faked and that makes it really of limited interest to a lot of people and we were very sceptical about its ability to actually turn people on." This notion of fakeness and repulsion is echoed by Violet Blue in her book, the *Smart Girl's Guide to Porn* (Blue, 2006, p.23-24):

> Remember, porn actors are up there because they look different to everyone else and are willing to change their bodies (sometimes frightfully radically) to fit a fantasy 'ideal.' However, I think that precisely because it's so far away from reality, most of the industry's purported 'ideal' that stars embody isn't what actually turns most of us on.

Interestingly, pornography producers' readings of mainstream porn here are similar to anti-pornography feminists who seek to eliminate pornography in favour of returning to some nostalgic notion of an authentic sexual self. The strategy is different (abolition of pornography compared to the proliferation of alternative pornographic interventions) but there is both a shared investment in the existence of an authentic sexuality coupled with an active devaluing of femininity. In critiquing pornographic cultures, many popular 'anti-porn' feminists refer to 'excessive' femininity – acrylic nails, high-heeled shoes, breast size, degree of make-up – as evidence of gender conformity: "polyester underplants and implants" (Levy, 2010, p.198), or the "bleached, waxed, tinted look of a Bratz or Barbie Doll" (Walter, 2011, p.2). Even in the discourses from pro-sex producers and writers above, androgynous embodiment is positioned as 'real', neutral or natural, and expressions of femininity (from lipstick to fingernails to glitter and heels) are represented as superficial, trite and fake; its wearers dupes who cannot be considered serious feminist or queer subjects. Linda M. Scott notes that contemporary feminism's 'anti-beauty ideology' is founded on a period where "women with more education, more leisure, and more connections to institutions of power – from the church, to the press, to the university – have been the ones who tried to tell other women what they must wear in order to be liberated" (Scott, 2005, p.2).

'Mainstream' porn here is set up as the antithesis to 'natural', 'real' bodies and sex acts, but also reflects particular aesthetic conventions. Howard described how "we looked for ways of filming that

tastefully so that it didn't look like mainstream porn, the way that that's usually produced in… on cheap sets with the crew and in hotel rooms, and where the performers are dressed and styled in a certain way to meet a certain stereotype." Feona Attwood writes that during this process of repudiation from the mainstream, alternative pornographies themselves set up their own aesthetic conventions (Attwood, 2007, pp.449-450):

> new sex taste cultures attempt to define themselves through a variety of oppositions to mainstream culture – and especially mainstream porn – as creative, vibrant, classy, intelligent, glamorous, erotic, radical, varied, original, unique, exceptional and sincere compared to the unimaginative, dull, tasteless, stupid, sleazy, ugly, hackneyed, standardized, commonplace, trite, mediocre, superficial and artificial. In the process, a system of aesthetics is evoked as a form of ethics.

The active construction of the 'mainstream' allows producers to differentiate their product in opposition to it – to position their work as distinct, exceptional and transgressive. Citing a world of Viagra, acrylic nails, silicone breasts, hair extensions and embellished moans, Madison Young argues that in the context of this formula of "fast food" style sex, and "[i]n an industry built on filming the glamorous performance of sex, the concept of authenticity is an anomaly" (Young, 2014a, pp.186-188). The authenticity narrative therefore holds an economic function for producers that allows them to situate their content as outside 'pornography' – as authentic 'erotica'. Cindy Gallop's site *Make Love Not Porn*, for example, is marketable and approachable because it does not define itself as 'porn'. Performer Vex Ashley writes that the title itself "demonstrates a wider misconception that 'real' sex is not and cannot be performative" (Ashley, 2016, p.187). The conceptual distinction between pornography and erotica was originally made by Gloria Steinem, who argued that erotica was about "sensuality and touch and warmth" and pornography was "about power and sex-as-weapon" (Steinem, 1980, pp.37-38). Since then, the use of the word erotica to differentiate from porn has been deconstructed as being about aesthetic conventions: as Annie Sprinkle said in the *Herstory of Porn*, the difference "is all in the lighting!" (2002, n.p.) Authenticity becomes commercially useful, setting up alternative pornographies as 'tasteful', boutique and artistic erotica and renouncing the stigma of pornography.

In an environment in which sex is already being mediated, edited, branded and sold to consumers, where the environment around the performers is highly constructed (backdrops, carefully chosen outfits, cameraperson, lights) where the performer is aware of the presence of the camera, and where authenticity is used as a marketing strategy, the possibility of depicting representations of sex that are un-mediated and untouched by culture is unfathomable. Catharine Lumby writes that any hope for an 'authentic', 'natural' sexuality is flawed. One can't possibly make distinctions between 'real women'

and 'false media images' because our perceptions are "continually filtered through the media's lens" and attempts to do so claim to exist outside that media-reality loop (Lumby, 1997, p.12). Ideas of 'natural' beauty or 'real' bodies are still constructed – as Katherine Liepe-Levinson writes, 'any image of nudity or nakedness is again never absolutely free of a counterimage of dress' (2003, p.95). While the concerns of these producers are no doubt well intentioned – to have multiple rather than hegemonic stories about sexualities and bodies – an over-investment in authenticity (as a truth, not a tactic) can pay insufficient attention to the ways in which feminist players navigate commercial spaces and rely upon a presumption about the naturalness of certain bodies and kinds of sex.

Performers who work in the mainstream industry – whether in porn or merely in other kinds of sex work – feel strongly about being able to advocate for better working conditions without further stigmatising porn more generally, or as Lucie Bee put it, "throw[ing] mainstream porn under the bus". For example, in her experience working across both mainstream and alternative companies, Angela White reported seeing more similarities than differences between ethical, feminist and mainstream producers. Helen Betty Corday commented, "I think it can be very problematic to do the distancing of like this is good porn and that is bad porn". Angela suggested that the way forward may be for mainstream and alternative producers to share strategies and processes with one another: "I think a challenge is to try and produce different visions without shaming the mainstream industry without othering other parts of the industry… maybe feminist and ethical visions can impart certain ideas into the mainstream and maybe the mainstream can even help the feminist and alternative producers to get their content more attention and more visibility."

7.3 Staging authenticity

The move towards 'amateur' porn that emphasises realness and authenticity risks reifying a particular iteration of naturalness that is actually highly constructed. Porn sites that purport to depict 'real', 'alternative' or 'redefined beauty', are often just as conventionalised as the mainstream genres they criticise. For example, while *Suicide Girls* pitches itself as 'alternative', they give calculated instructions about the kinds of aesthetic sets they accept: "tasteful", "picture perfect" shoots with "a little bit of face powder and mascara and freshly dyed hair", but specifically *not* "cheap wig[s]", "top hats", "stripper shoes", "food" or things that look "cheesy", "gross" or "creepy" (Suicide Girls, 2010). In producing measurable indicators of acceptable gendered presentation, these sites produce bodies of a particular class, size and appropriate femininity, which are marketed as 'real', but which are equally constructed and cultivated. The fear of replicating 'crass' 'cheap', 'trashy' mainstream porn means that depictions of 'real' sexuality are often similarly clichéd, albeit with a different set of aesthetics.

'Authenticity' then becomes, as Giovanna Maina writes, "a quality that also has to be achieved through particular aesthetic techniques" (2014, p.183).

In the interviews that I conducted, performers spoke about the ways in which they were expected to reproduce established conventions that would be intelligible to audiences as authentic. In these instances, it was not enough for the sex to replicate a performer's real-life desires and activities; their performances had to look and be understood as authentic to both the viewer and the producer. Producers urged performers to do what you they would do at home, but then often proceed to give detailed instructions that reflect the iconography of their brand or producer fantasies about what performers might be wearing or doing at home. In her paper *Manufacturing Realness*, presented at the 2014 Feminist Porn Conference, Gala Vanting outlined what she thinks are "the more common characteristics of the 'real girl'" in the Australian porn context from her experience working within and for Australian companies (Vanting, 2014, n.p.):

> She:
>
> - wears button-down dresses, striped socks, cotton full-brief underwear, little or no makeup, rejects 'glamour'.
>
> - self-pleasures without accessories, unless she is appropriating household items; does not use sex toys; has multiple orgasms in a single session; has orgasms which are not 'too loud' or 'performed'; is 'observed' or 'documented' in states of arousal.
>
> - is white or exoticised [O]ther, is a size 8-14, is between 18 & 30 years of age.
>
> - is not a sex worker; and if she is, she trades in her sexual performativity for the welcome chance to have a 'real' experience and be 'herself'; is not motivated solely by money.
>
> - does not have or effectively disguises bruises, shaving rash, ingrown hairs, tattoos, piercings; prefers to keep her pubic hair 'natural'.
>
> - is heterosexual or bi-curious and cis-gendered.
>
> - prefers domestic settings, fields of long grass, or scenes of urban decay in which to engage in sexual activity.

In my interview with him, CEO Garion Hall describes this quite literally in relation to Abby Winters, a site which represents an alternative to glamour photography, featuring make-up-less, 'amateur' adult models. Rather than being an expression of their authentic selves, model applications are assessed on brand qualities such as "wholesomeness and personality and enthusiasm" on a scale of one to five. Camera staff and post-producers are required to watch a 22-minute corporate branding video about "wholesomeness", and models undergo two full days of training before they can shoot. Garion describes:

It refers to 10 or 12 traits that our customers like to believe our models engender, and things like having family values and that she's a homebody, that she likes to do things like cook and have a nice home. That she's not so much about going out to nightclubs as often as she can and getting pissed and falling over; she's more, you know, go out and have a good time with her friends but she wouldn't go to a nightclub to find a new boyfriend, for example.

Rather than depicting women's authentic pleasures, desires and images, these aspects are tailored to a palatable 'girl-next-door' paradigm in every step from recruitment, training, shooting and marketing. Performers who strategically navigate this path and answer the questions correctly, receive financial reward (in the form of work), but if they describe hobbies that do not fit with the image they are edited out. As Garion said, "If they start talking about their drug-taking habits, you know, we'd say, 'Yeah, look, we're not that interested' and we'd certainly edit it out; it's just not what our customers want to pay us for." The major impetus for the "wholesome" paradigm is not about authentic selves but about what the customers want, shaped through the fantasies of producers, who selectively curate one version of the self that makes it online.

Despite professing to celebrate the diversity of all women, some sites are particularly exclusionary about which women are permitted to participate. Howard describes how he decided to exclude trans women from his site because he perceived them as presenting a market risk:

The issue of queer and transgender and so on didn't come up until we had some people wanting to participate, and at some point I had to, at one point I did have to make a business decision. Once we had some level of participation from transgender people then we were starting to get flooded with other, with their friends, they put the word out and we were starting to get quite inundated with people wanting to be involved and I could see that the nature of the website was going to take a turn where it wouldn't be financially sustainable so that's one of those decisions that was made really based on the sustainability of the website.

Instead of standing for women in all their diversity, Howard decided that trans women and non-binary people presented a risk to profit. His initial solution was to create a separate and distinct website featuring trans and gender diverse models, literally segregated to their own area, "but then I looked at what else was around on the market and I didn't think that it was a safe enough bet to put a lot of money and resources into." Although such companies like to see themselves as diverse, their investment in diverse representation is limited by whether those queer bodies will be marketable, financially viable, and provide a return.

7.4 Amateur aesthetics

Despite the commercial context in which alternative pornographies are produced, an aesthetic of authenticity can require performers to perform a sense of amateurism and ordinariness, denoted by shooting in natural light and every-day clothes. The construction of an ordinary aesthetic is not unique to film. Ruth Barcan documents how this same 'staged authenticity' appears in popular Australian adult magazines *The Picture* and *People* where readers send in raw, untouched, naked photographs of themselves. These magazines produce an aesthetic of 'ordinariness' that is in fact highly crafted (2000, p.150):

> Of course, the Home pages do not simply reproduce 'ordinariness'; they *produce* 'the ordinary' as a category. Many photos are in fact taken in the home—and thus the floral curtains and textured carpet of the living room, the cotton-print sheets, the rock posters on the bedroom wall and so on are important features of the genre. These are real-life backgrounds, but they also construct an *aesthetic* of the ordinary, of which the clearest signal is *Picture*'s inclusion of a white border around each shot—a typical gesture of staged authenticity in which the photo emulates the snapshot.

Barcan situates this phenomenon within an Australian "legacy of anti-authoritarianism and anti-elitism" that celebrates and *mobilises* ordinariness and demonstrates "a deep ambivalence to celebrity and glamour culture" (p.150). In some cases, producers were reluctant to hire women who had plastic surgeries or were professional porn performers, who were seen to have internalised the aesthetic and gendered conventions of mainstream production. In their Mission Statement, one company specifically aspires to "value the beauty of natural mind and body above glamour and cosmetic enhancement". While this aspiration may seek to capture 'real' women, in practice performers strategically navigate criteria for realness. Performers who have breast implants, who wear lingerie, who squirt or who orgasm too loudly (in a way that appears too dramatised or as Howard called it, "Americanised") – who are *real* in the sense that they *exist* in the world – do not always embody the right *kind* of realness. As Madison Missina reflected in our interview:

> [W]henever I work with them they want me in particular daggy cotton underwear that I don't own, because that's not my sexuality. They talk to me about how they want to produce this authentic porn, but they don't want me to wear makeup, and they don't want me to do my hair, and I've got to actually go out and buy [cotton] underwear because I'm a lingerie person and that's how I feel sexy. And then when it comes to having sex, because I've got implants they want me to do all these things to conceal my boobs, because 'real women' don't have implants. And I've even been told, because I do female ejaculation, one feminist porn producer told me that that's not something that anyone would be interested in so we're not going to show that. She'd rather just a normal orgasm but no ejaculation.

In this environment, porn performers learn the language of authenticity, and strategically manifest it in order to earn money: as Barcan writes, "ordinariness becomes something to be imitated by professionals" (p.151). Websites, bios and interviews, where performers provide information about their hobbies and interests, are less likely to be honest declarations but rather, as Hugo Liu calls them, "taste performances" (Liu, 2007). Teela Sanders' research indicates that sex workers can "create a manufactured identity" as business strategy and a "calculated response… to manipulate the erotic expectations and the cultural ideals of the male client" (Sanders, 2005, p.319). Online and onscreen personalities are curated to enhance activities performers already enjoy, based on what will be most popular or profitable, whilst being emotionally sustainable with least risk of burn out. Here, authenticity does not refer to visible evidence of truth. Rather, we can understand authenticity as Heather Berg does, as "a type of emotional and communicative labor and a marketed commodity" – "a performance of being oneself and wanting to be there—and, emphatically, being there not just for the money" (Berg, 2017, p.671).

One sex worker who shot for an Australian porn company blogged about how the aesthetic standard required was to look effortlessly beautiful, in a way that also erased the labour not only of sex work but of gender performance. In their article on sex work site *Tits and Sass*, called 'Fuck Your Feminist Porn', they write (Way, 2015, n.p.):

> Their insistence on natural, "alternative" beauty excludes those who cannot attain white beauty ideals or at least have to work to reach them. At these porn companies, makeup is frowned upon, plastic surgery is a hell no, and fatness is as shunned as ever. While the image isn't one of people actively working to meet fashion industry perfection, it instead enters around only those who can achieve it without effort. Ultimately, their "feminist" message is: "don't work to be beautiful, but fuck you if you're not *effortlessly* beautiful."

The movement towards amateurism, authenticity and lovemaking undoes a lot of advocacy sex workers have done in illuminating the labour involved in gendered performance and sexual interactions. Sex workers have denied that sex for free is necessarily more liberated and argued that demanding payment (for sexuality and femininity) challenges the expectations that women are constantly available.

7.5 Intelligible orgasms

The focus upon authenticity does not only produce an aesthetic category but also impacts on which sexual practices and expressions are depicted. As I argued in Chapter 3, in moving away from activities seen as stereotypical (the male come shot, faked moaning, girl-girl scenes for the male gaze), the

female orgasm has become the elusive moment producers seek to portray to illustrate the truth of pleasure. Madison Young argues that feminists can navigate "the artificial environment of mainstream pornography" by "expressing pleasure (and orgasm) in a way that is authentic to the individual" – through communicating with their partners rather than merely "to pretend or perform one's pleasure" (Young, 2014a, pp.186-7). The call for women to cease faking orgasms is not an isolated one. Young argues for a greater variety of orgasms to make it on screen – bodies that "shake, tremble, contort", with "guttural screams or deep belly moans, or primal animal-like sounds" or a "flushed face and warm smile" rather than only those orgasms that look "pretty" (p.187).

However, in our interviews, performers reported that producers still expected a certain type of orgasmic performance. In their reaction to mainstream representations, producers were weary of orgasms that appeared embellished or exaggerated. One producer, for example, described the difference between the orgasms had by a mainstream performer when she performed on his site compared to one United States site, as evidence of the way his site provides a platform for a more genuine unveiling of her true unmediated self. Howard described:

> She came to us and she made very mainstream porn, very stylised American style porn, and when I explained what we were all about she listened and she said I understand and I like those values. And when you look at what… when you look at her masturbating to orgasm on our website and then look at her performing in American porn or other mainstream sites in Australia it's completely different, and so I think that's… that really underscores the difference.

Although Howard uses this as an indication that the performance on his site is more 'real' or 'truthful' or less performative, this instance could also be an example of a professional performer identifying the requirements of the site and performing accordingly. To pitch this as any more 'real' than mainstream porn ignores that the content is produced in a staged environment: the performer's movements are restricted by camera angles, someone may be standing beside them operating the equipment, and performers are expected to orgasm at least once. Solo masturbation scenes have their own conventions, expected to continue for approximately ten minutes to allow time for sufficient wide angle and close-ups, and performers are expected to make enough noise to reassure viewers about their internal process. This could be merely an instance of professionalism: being versatile, identifying what is needed to complete the job, and executing it convincingly.

Producer expectations of how an orgasm might look has led to some interesting experiences for performers in which their orgasms were disbelieved. Angela White recalls having an orgasm that a company did not believe was really an orgasm, because it didn't have the requisite audio levels:

I had an incident where I had an orgasm, and I was told that I 'needed to have an orgasm now' and I said that I had. Obviously, it didn't conform to what they believed an orgasm should look like so there can be those awkward moments. I mean, it's not just an issue in pornography, but even how orgasm is represented in mainstream film, it's always the head thrown back and loud orgasms, and many people have – myself included – varied orgasms. Sometimes my orgasms are silent, and other times they're screaming. There's not just one way to have an orgasm.

Authenticity here, is dependent on what Gala Vanting has described as, the basic circumstance in which "the performer embodies 'realness' which is aesthetically, aurally, and sexually consistent with the realness currently valued by those in control of the means of production, or is able to reproduce it based on cues given by the producer" (Vanting, 2014, n.p.). In one particularly stark example, Gala recalls working for a company and being tasked with the job of identifying whether an orgasm was 'real'. In her piece *Manufacturing Realness*, she describes the process (2014, n.p.):

During my employment behind-the-scenes, one of my responsibilities was the review of submissions… Most performers created their submissions at home using cameras they loaned from the company. When they returned their work, it was my job to review their films for technical specifics (exposure, framing) and authenticity of performance. This required me to maintain that I could tell the difference between a 'real' orgasm and a 'performed' one by reading the cues of facial expression. Whether I actually could, or whether I just learned to internalise the cues of the company's brand of 'realness' for the sake of functioning in my role, I remain uncertain. It is a fine art to confront another person on your evaluation of their sexual authenticity based on a few minutes' footage taken in what is unlikely to be a habitual situation for them.

Here it is a particular arrangement of expressions that are deemed recognisable, or "intelligible" in the sense that Butler describes it, "produced as a consequence of recognition according to prevailing social norms" (Butler, 2004, p.3). Writing on visual representations of orgasm, Hannah Frith (2015, p.387) argues that this process of viewers recognising orgasm relies on shared understandings of sexual conventions:

To recognise a bodily experience *as* an orgasm… requires considerable interpretative work as we draw on cultural scripts to interpret the bodily sensations provided by our senses. Orgasm does not just happen; it must be learned by developing an understanding of cultural conventions and symbolic systems.

Indeed, consumers themselves make their own determinations. In her focus groups, Emily E. Crutcher found that viewers paid attention to vocal expression in combination with pace, timing and type of activity to assess the authenticity of a performance (Crutcher, 2015, p.325-328). But these readings

still assume that pleasure is evoked from specific alignments of sensation and desire that may not be universal. Trans women have spoken out about their orgasms not being recognisable to producers who are expecting scenes that include an erection and ejaculation. Producer and consumer expectations about how 'come shots' will appear do not necessarily reflect the realities for trans women who may be taking estrogen and androgen blockers. The art of orgasm intelligibility depends on assumptions about people's physiological and emotional relationships with their bodies.

In her book *Orgasmology,* Annamarie Jagose reminds us that orgasm is no teller of truth and that looking to visual and audible cues for evidence of genuine pleasure can mislead us. Making a Foucauldian argument, Jagose writes (2013, p.2):

> [a]rguing against a liberationist tradition that privileges sex as a resource for getting out from under the repressive operations of power, and therefore as a potential zone of freedom, Foucault makes it clear that orgasm must not be misrecognized as the truthful confession of bodily pleasure.

Queers have deliberately sought out non-orgasmic pleasures as disruptive – practices such as fisting and their gender-neutral focus on duration and intensity of pleasure rather than climax have been heralded as political. Other theorists have identified the potential for orgasms to be commodified: Paul Preciado argues that late capitalism seeks to take "orgasmic force" and tries to transform it into private property, "into abstraction and digital data – into capital" (2013, p.46). Jagose suggests that the practice of faking orgasms "is consistent with a queer theoretical approach that testifies to the potential of the unintelligible, the unproductive, and the wasteful" (2013, p.xv). In this sense every orgasm that goes unrecognised, remains unintelligible, is useless to capitalism or simply disrupts what we think we know about the truth of sex, may be performing a queer function of 'undoing' authenticity.

7.6 Labours of love

The emergence of the authenticity narrative in pornography is situated among a wider cultural imperative for sex workers to describe their work as a kind of personal identity, a form of self-expression, a gratifying, rewarding, fulfilling experience or an altruistic endeavour with worthwhile social benefit. In part, this is a response to the positioning of pornography as a stigmatised industry; in reacting to readings of pornography as violence, exploitation and abuse, performers have emphasised their positive experiences in porn, the social and educative value of their content and how performance has been a means through which to forge personal identity. This strategy has not always been a wise one – this process of constant justification, defensive rebuttals and incessant celebration has been mistaken as a statement that pornography is always empowering and rarely work. The more

that anti-porn advocates speak of porn's misogynistic and capitalistic tendencies, the greater the push among producers to position alternative pornography as *outside* work: as documentary, as archive, as reality, as natural, as love.

But this fantasy of genuine sexuality and the expectation that performers (like other sex workers) act out of love and not money is also driven by consumer demand for personalised intimacy. In seeking authentic depictions, customers and producers are both asking for *more* than they might ordinarily receive from a performer, but the extra level of self is expected for the same price. It becomes part of the demand-driven entitlement to free access to not only women's bodies but their intimate and authentic pleasures (non-commercial iterations that performers might otherwise keep for themselves to spend where they please). In our interview, Kim discussed the lack of recognition among consumers about the administrative and financial investment involved in porn production. As a performer, consumers expected her to be a natural exhibitionist who loves sex and desires to share it freely with strangers for fun. Although many porn performers, including Kim, do find pleasure in exhibitionism, they also put boundaries (and prices) on where, when and how it can be accessed.

> People ask for free content all the time - like "toss me a free video or something?" and I'm like no. It takes so much time to produce any of these things, no you just can't have one for free, no way, like it's a business, there's not an appreciation, it's actually a business behind it, it's just about producing free content. There's quite a backlash I find when you do try and do any sort of funding for it. There's an expectation of "Oh you should be doing it because you enjoy it" or something which is a very social media induced response to porn – that people expect it to be quite personal and done for free and just done out of your own personal enjoyment rather than out of a combination of yes personal enjoyment but also professional goals.

Porn performance here involves the emotional labour of convincing consumers that one enjoys the work but also managing their access to it. As Arlie Russell Hochschild writes, "Being friendly or enjoying your work is one thing, but having your enjoyment advertised, promised – in essence, sold – is quite another" (Hochschild, 2012, p.331). Hochschild contextualises these new forms of labour exploitation in light of the shift from an industrial to a service economy. Capitalist, post-industrial forms of labour exploitation rely upon the "commercial logic of the managed heart" whereby emotional labour is employed towards the pursuit of profits, and "a commercial logic will penetrate deeper and deeper into what we used to think of as a private, psychological, sacred part of a person's self and soul" (Hochschild, 2012, p.333). Airline hostesses are required to smile and porn performers are expected to profess love for their work, and yet neither are explicitly remunerated for this labour.

Heather Berg has argued that expectations for sex workers to profess their genuine love for sex work serves the double purpose of obscuring and extracting more labour power (2015a, p.24). In her article 'Business as Usual', Heather Berg analyses the advice from Los Angeles producers on casting. Their "key piece of advice" was to "hire for attitude". Director-producers describe mining potential performer's social media to ascertain "[h]ow eager they are to do it. How motivated by money they are to do it, as opposed to the fun aspect. The takeaway message is that companies don't want performers who are there just 'for the money'" (Berg, 2015b, n.p.). One (altporn) producer Berg documents goes on to say that "When you do contact them, if the first thing they say is, 'How much do I get paid?' we usually stop talking to them after that because we've had experiences in the past — we know that that kind of girl, there's going to be a problem somewhere down the line"(Berg, 2015b). The work of porn performance goes beyond the life of the scene they are paid for – performers are hired for their commitment to the work, brand or company and their capacity to promote their own scenes on social media.

Like other artists expected to work for free or for exposure, this model increases competition among performers, instils a culture in which they should be grateful for the opportunities, and outsources the labour of marketing to performers themselves. We can find similar examples among other parts of the sex industry – Australian Penthouse magazine no longer pays a set fee to centrefold models, but instead gives them magazines which they can sell at venues in order to recoup their costs. As performers manufacture their identities to fit the company's brand, they advertise through their own social media networks in a way that means they are "rarely off the clock". Berg argues that practices of requiring performers to do their own hair, make up and wardrobe, or even their own filming and lighting, or acting as scriptwriters, directors and editors (practices that all increase performers' control over their own representation), are also in effect cost-cutting measures for producers. Performers are only paid for their performance, and yet all these acts of making social media posts or updating one's status are also labour, in the sense that Brooke Erin Duffy describes: they have a "productive, purposeful, task-oriented, and value-generating function" (2017, p.8). We can see an example of this in the experiences of one sex worker, Mikey Way, performing for one site in Australia (2015, n.p.):

> Let's stop and do the math: I spent about two hours shaving, waxing, washing, and getting made up for the shoot. I spent about an hour on the setup, getting the lighting right, and cleaning the area I wanted to photograph in. Three hours in front of the camera. Another hour going through the footage, editing and color grading it. For about seven hours work in total, that's less than $30 an hour. Which is decent pay and all. Until you remember, this is porn. In the meantime, this company and others like it have effectively cornered a market based on political paranoia and deeply internalized negativity towards porn, making bucket loads of money at the expense of workers who are genuinely trying to make a

living on this shit. That isn't feminist. That is exploitative, and it distracts from real solutions to issues in the industry, steering us away from discussions about labor rights and conditional consent and working conditions. That's right, working conditions—because this is work, not a hobby.

By making pornographic performance visible *as labour* and emphasising their status as workers, performers problematise the idea of their real selves being captured by a documentary project, denaturalise the performance of gender and sexuality, and instead illuminate their role in creating a product that is used to generate capital. The very existence of a transactional fee to compensate the performer for their labour separates this financial exchange from being an instinctive 'labour of love'. This is not to say that performers do not find pleasure or meaning in the work. Rather, in their unwillingness to recognise this as capital-generating labour, discourses of authenticity can act to reinforce performances of sex and gender in similar ways to the naturalisation of much domestic, feminised, caring and reproductive labour that makes it possible for others to profit.

Investments in authenticity have emerged from a broader cultural impetus for individuals to earn a living by doing what they love. The idea that anyone can build a career that is both income-generating and personally meaningful is no doubt a projection of privilege that ignores the fundamentally unequal division of labour in Western societies. In her book *(Not) Getting Paid to Do What You Love,* Brooke Erin Duffy interviews social media producers involved in passion projects and finds that "the narrative of creative self-expression… conceals the unrelenting work (much of it unpaid) that takes place behind the screens" (2017, pp.ix-x). For most, writes Duffy, "*getting paid to do what you love* remains an unfilled promise" (p.6, emphasis in original). Instead, most, she writes, "are un(der)-paid, remunerated with deferred promises of 'exposure' or visibility' even as they work long hours to satisfy brands and convey authenticity to observant audiences" (p.x). Building on Gina Neff's concept of venture labour and Kathleen Kuehn and Thomas F. Corrigan's concept of hope labour, Duffy calls these workers "aspirational labourers" because their work is mostly uncompensated in the expectation that "they will *one day* be compensated for their productivity" (pp.5-6, emphasis in original). The seductive promise of future compensation effectively keeps these workers in a state of perpetual productivity, and yet they operate in an increasingly precarious international gig economy where paid work is sporadic, labourers are mobile, competition is high and protections are lacking.

Porn performers are under similar expectations to foster relationships with consumers, to recruit and maintain a membership base for their websites, to attract clicks that can be converted into royalties, and to gain followers on social media in the hope of building an identifiable brand that can be easily searchable and booked for upcoming gigs. In doing so, porn performers exemplify a set of key contradictions, as Duffy describes, "between amateurism and expertise, between authenticity and

strategic self-branding, and between internal drivers and external demands" (p.xii). There are similarities here between the labour performed by porn performers and musicians. Nancy K. Baym, in her book *Playing to the Crowd: Musicians, Audiences, and the Intimate Work of Connection* (2018), writes that with economic and industry shifts in the ways that music is bought, shared and experienced, musicians are now increasingly "under pressure to build connections with listeners" (p.1). Like porn performers, musicians had previously been distant to fans, but are now expected to be relentlessly accessible (Baym, 2018, pp.5-6):

> maintaining a never-ending, always-engaging, continuously innovative conversation with their audience, one self-promotional enough to remind people that they have something to sell, yet interpersonal enough to make listeners feel connected and eager to spend money on them.

Just as musicians engage in this *relational labour,* a term Baym uses to describe the communicative work of creating structures that support continued work (p.19), porn performers must build relationships to secure diverse income streams and multiple channels of potential work opportunities to survive in the context of major system upheavals in porn's production and distribution. They supplement porn with other kinds of sex work such as webcamming, escorting, BDSM, striptease, burlesque, workshops and film screenings.

A pertinent example is found in the policy of one Australian company, from which performers can receive royalties from their scenes depending on how many people click on them. However, a contractual clause states that a performer forfeits all future royalties if they speak out publicly against the company. Even if they don't proactively promote it, performers then must maintain an ongoing positive relationship with the brand, even outside the confines of the scene or face financial sanctions for speaking about poor work experiences. If this is the financial context in which authenticity and realness are being sold, it casts serious doubt over the authenticity of expressions of the self. In the gig economy, Baym writes, "[t]he threat of poverty is ever-present. This is the context in which forming and maintaining friendlike relationships in which artists share their 'authentic' selves with audiences, online and off, comes to be seen as a potential means of maintaining their careers" (2018, p.8). Alan McKee describes pornography as a form of creative and "nomadic labour," involving on the one hand flexible hours and good money, and on the other hand precarious employment, periods of overwork, hustling for contract labour and lack of creative control (McKee, 2016 p.1). Performers' language of realness and their cultivations of intimacy should be understood in the context of fostering relationships with both consumers and producers to keep potential work opportunities alive.

7.7 Mobilising community

Like authenticity, a sense of community is often mobilised in similar ways to encourage performers to create or share content. Some performers had experienced workplaces where they were expected to contribute to bulletin boards, online journals, blogs and discussion forums for free under the guise of community. As described in *The Hustle* vignette, *Suicide Girls* pitch themselves as an online alternative community, using a business model whereby thousands of contributors submit nude photographs to be used on the site, but are only paid if they are picked as 'set of the day'. In 2005 nearly 40 models left *Suicide Girls* citing poor pay and restrictive contracts (Osgerby, 2014, p.50). Bill Osgerby argues that subcultural erotica sites like *Suicide Girls* mobilise a feeling of community that can obscure the commercial imperatives central to operation: "Rather than ushering in a new, collaborative sexual democracy, alt porn websites remain underpinned by relatively conventional business relationships of labor and profit" (Osgerby, 2014, p.52).

These dynamics can operate in smaller-scale community and DIY projects as well. DIY porn may not necessarily be a transcendence of capitalism – it is also entrepreneurial and small-business oriented and still involves the sale of a commodity. C.B. Daring writes that (2012, p.187):

> [a] similar mistake is often made to justify small and local businesses as less exploitative or capitalistic, when in fact the volume of a business does not determine if it is capitalistic or not. It is the model of surplus value and labour exploitation that defines a capitalist structure.

In porn, what works for a producer – minimal budgets, cost-cutting, model releases for unfettered use or shooting an entire film in a single day – does not necessarily benefit the worker. In DIY porn, performers can end up taking on more unpaid tasks – holding the camera, supplying the wardrobe, doing the makeup, writing the script or promoting the scene – but the revenue may still be concentrated in the hands of the producer. DIY porn is often low-budget; in one case, Dick Savvy even labelled his work as "no-budget porn", relying on friends and community to donate or trade for skills, labour, locations or equipment. This is one of the benefits of DIY culture generally: what producers lack in funds, they can make up for in the rich resourcefulness of artists and creatives in the communities around them. The appeal of DIY is about creating a culture of self-sufficiency (think dumpster diving, bicycle workshops or community gardens) that doesn't rely on professionals, corporate infrastructure or expensive equipment. But framing projects within a language of community-building can also serve to extract more labour from performers; as Berg argues, it "encourages all sorts of workers to give more for less, or for no pay at all" (2015b, n.p.).

In online discussions about American queer porn, some community members were suspicious of where profits were accumulating, critiquing public figureheads for using their social capital, status and fans to accumulate what they saw as community money through crowdfunding campaigns. They saw and named the disjuncture between calling pornography revolutionary and then not paying performers sufficiently for their labour. On my social media threads, some critiqued queer producers as profiting from the inclusion of performers with 'identities du jour' without actively pushing for their rights or making space for them, as a means to look edgy and make money. They referred to feminist pornography as simply porn where you are paid less. These examples remind us to look deeper into the economic structures of alternative pornographies from the lens of private property, ownership and wealth accumulation. On the one hand, this coming together no doubt has a community-building effect – for example, Dick Savvy's screening was packed with friends and queer family, joyfully pointing themselves out in the films. But the risk more generally is that 'community' can become a convenient front for the outsourcing of cheap labour to those who have creative but not financial resources.

Berg reminds us to be suspicious of claims to community and to take a closer look at who profits most. She compares porn to another 'sharing economy', whereby performers are encouraged to share their sexuality with the camera, management and the market. Sharing economies sound friendly, generous and community-spirited, but as we see from examples such as *Air BnB* and *Uber*, these economies are not simply about communities or friends 'sharing' hospitality or lifts with one another. Rather, the owners are buying property and monopolising markets. Similarly, in his research into gay media sites and their promises of safer space, Joshua Gamson reminds us that such sites function primarily "to deliver a market share to corporations" (in Dean, 2005, p.63). Gamson writes that, in these contexts, "community needs are conflated with consumption desires, and community equated with market" (in Dean, 2005, p.65). Paul Preciado argues that "[w]e are being confronted with a new kind of hot, psychotropic, punk capitalism" – one which wants to put our orgasmic potential to work by transforming it into private property (2013, p.33, 43). When DIY porn becomes about profit-making or generating capital (not only financial but social capital), and using skill-sharing, bartering and trading as a means to extract labour, then DIY porn no longer is anti-capitalist; it becomes a technique of capitalist production.

This is a pressing tension for DIY, queer and feminist pornography. These mediums *do* build communities, support alternative sexual cultures and foster public political discussions – and often are created among small groups of friends, lovers and peers. But at what point and to what extent is this sense of connectedness (which provides affirmation, belonging, and life-saving support for some) mobilised or exploited towards goals that serve individuals or corporations *under the guise* of

community? Here we can see not only conflation between community and market, but also between culture and industry.

7.8 Reinscription and artifice

As authenticity becomes a recognisable aesthetic in itself, with certain signifiers that consumers come to expect and performers learn to mimic, the risk is that these commercial, prescriptive and formulaic iterations could be mistaken for authenticity itself. Performers show us that bodies and sexualities risk *incoherence* where they do not meet these thresholds, where they are not intelligible to consumers or managers and cannot be consumed into the circuits of capital. Listening to these accounts allows us to see how porn production resembles new forms of labour extraction and identity formation. As Berg writes, "[t]roubling authenticity asks us to take seriously the possibility that ideas posited as radical alternatives can themselves become disciplining" (2017, p.689).

Given the investment in the purported ability of filmography's ability to capture reality, alternative pornography's claim to truth, positioned against mainstream pornography's association with falsity, only makes sense if we don't consider pornography a valuable cultural medium in and of itself. But pornography is *already* documentary, and *already* an archive. It provides an enormous repository to trace back cultural preoccupations, fashion trends, political moments and sexual cultures. Archives themselves are never complete, and always involve selective memory. Berlant and Warner remind us that memory involves aspects of "amnesia" (1998, p.549). But in their book *Porn Archives*, Tim Dean writes that "pornography does not need to adhere to the criteria of documentary realism in order to furnish vital evidence about human sexuality" (Dean, Ruszczycky & Squires, 2014, p.5). Regardless of whether pornography is authentic, it still has value. Dean writes (pp.9-10):

> porn is itself an archive – of fantasy, of desire, of bodies and their actions, and of pleasure. Pornography, at least in its photographic forms, preserves evidence of something that is otherwise transient and ephemeral. It enables intimacy to enter the archive, and it is valuable for that reason alone… pornography need not be realistic to furnish valuable evidence; realism is just one of several valid criteria in archival research.

Some performers express a sense of resentment towards the pretence of authenticity and feel that at least mainstream porn is honest or *genuine* in its commercialisation and artifice. Madision Missina, for example, questioned why performers should have to experience real orgasms on set at all, noting that sexual pleasure exists beyond clitoral stimulation. She said that performers often found pleasure in what she called "stunt sex" – in the non-orgasmic pleasures of exhibitionism, performativity and

acrobatic displays, in colour coordination, set composition and costuming, in the elements of stagecraft, sexual excessiveness and theatricality. Kim said something similar:

> [T]he same way with my personal life, I might not always get off every single time right? But it's still a job that I enjoy doing and I think there's authenticity in that. There's different types of pleasure that I think we should be able to recognise within the porn community.

Porn performers spoke about authenticity in quite a different way to producers. Rather than holding onto a stable sense of their sexuality, performing gave them opportunities to try a plethora of activities, scenarios, sensations, dynamics and aesthetics. What was important to them was having choice over their bodies and representations. From a performer's perspective, they may have represented themselves 'authentically' not because they revealed their innate sexuality but because their performance reflected whatever they genuinely desired to do on set on that particular day. Instead, they took issue with what they saw as hypocrisy on the part of producers. Kim said:

> I don't actually have an issue with when I'm on a set and it's less authentic to my own sexuality. I have an issue when that conflicts with how the company sells itself to performers… I don't mind going onto the set and saying, "hey, I'm here as a performer and as an actor and as a professional, and I'm happy to pretend that I like this thing if that is your company's shooting style and you're upfront about the fact that that's your company's shooting style and that's the type of stuff that you like to do."
>
> But if you come to me as a company, and say "hey performers, we want you to be your authentic self" and then you come back and say "don't do any of the things that you actually like because what we actually want is for your authentic sexuality to fit into our niche of what our consumers think female authentic sexuality looks like." And so that's an issue that I have.

Performers who use narratives of authenticity conceptualise it as being something that involves transparency about the commercial context, consumer expectations and technical requirements, and agency for performers to articulate their own desires and fantasies. Gala Vanting writes that producers need to be prepared for what performers can offer, and to hold space for that (Vanting, 2014, n.p.):

> When we invite performers to be real, we need to be prepared for whatever form that realness may take, lest we fail to create a leak-proof container for their performance and whatever emotions and analyses may result from it. As producers we gravitate towards the creation of representations of the real which are legible to us. Because we're often working within our own communities, representing the folks we know or the desires that make sense to us, we may be less likely to come into contact with 'realnesses' that don't. This is what happens, though, when you open up the possibility of representation to the general populous, which is what the 'real amateur' producers have to do in order to find their non- sex worker, non-porn performer subjects.

Some projects reflected more complex understandings of sexuality and its relationship to representation, deliberately contesting the binary between artifice and reality. *Slit Magazine*'s final issue was themed 'simulacra' and explored how we understand our lives through the medium of representation. The magazine used French philosopher Jean Baudrillard's concept of 'simulacra', a term he uses to describe the ways in which we experience the world through signs and symbols, which circulate and take on meaning and reference each other, but do not reflect reality. Simulacra, Baudrillard describes, is "an uninterrupted circuit without reference or circumference" (1994, p.6). Instead of distinguishing between artifice and authenticity, Baudrillard writes, "artifice is at the very heart of reality… reality itself, entirely impregnated by an aesthetic which is inseparable from its own structure, has been confused with its own image" (Baudrillard, 1983, pp.151-152). This issue of *Slit* is replete with sexual representations featuring repetition, mirror images, disruption and media mash-ups as means to explore how queer communities understand their lives and selves via symbols and signs. In the editorial, Meredith and Domino write: "*Simulacra* goes to the heart of some key debates in queer communities – such as whether sexuality and gender are caused or constituted by biology or socialisation." This sophisticated understanding of sexuality reflects a broader queer and post-pornographic project that plays with performativity to disrupt the codes and conventions of what constitutes authenticity and exposes it as an imitation with no original.

These approaches reflect the post-pornographic philosophy described by the late Tim Stüttgen, who writes that post-pornography uses "performative excessiveness" and camp in order to contest the regimes of sexual representation. Post-pornography uses both "critical denaturalizing performance and glamorous affirmation", as Stüttgen writes (2013, p.10):

> Every gesture, subject – and gender – position, sex-practice, erogenous zone, camera perspective and value of affect and code can be profaned or appropriated, deconstructed and queered, reworked and genderfucked; it can get territorialized and deterritorialized. Welcome to the post-pornographic world of political perversion(s).

Post-porn, then, does not claim stakes in any fixed notion of what pornography is or does, and looks beyond a focus upon explicit representations of sex. These approaches complicate binary readings of pornographies as fake/real and instead of seeking to represent the authentic truth of sex, they take pleasure in its undoing and contestation.

Vignette: Green, Organic Porn

I'm up late online browsing through news articles on alternative pornographies. The header image in a Guardian article on pornography features a cover of Pandora Blake's DVD Dreams of Spanking. This is not novel in itself. Blake is an advocate for ethical kink porn production. Their tag line is, "When all you want is to be punished, ethically." It's a neat slogan. But there is something in the article I haven't seen before. Blake's DVD is lined up on a shelf amidst a row of boxes that read "Fairtrade Muesli" and underneath a row of cans labelled "Organic Chickpeas". The article is titled "Is there such a thing as ethical porn?" but it is clearly about more than ethics. The by-line reads "The actors say they're happy, the makers say it's guilt-free – but what exactly is 'fair trade' porn? We find out." I'm confused by this point what the article is actually about. Is it ethical porn, fair trade porn, organic porn, or guilt-free porn?

Curious, I type "organic porn" into Google. I keep hearing the term repeated in media. An article for Australian Cleo magazine entitled '100% Organic Porn' describes Erika Lust's film Xconfessions as "new wave organic porn". But apart from the subject matter exploring "a food fetish with a bearded hipster", the focus is upon the film being "beautifully shot" and "based on sexual confessions submitted from fans around the world" (Gebilagin, 2018). It's unclear what makes this organic. One user on Ask MetaFilter, under a heading of "Shade grown organic porn?" seeks "organic kinky porn", yet from the description it appears that what they really want to know is that the models are not being exploited (Anonymous, 2018).

The slippage and conflation between this terminology leaves me wondering if this is lazy journalism or a marketing strategy from producers for better search engine optimisation. On the one hand, as someone interested in environmental activism, animal rights and food security, I'm curious. On the other, their lack of substantiation makes them read like empty buzzwords.

I look further. A Huffington Post article reads, 'Artisanal, Locally Grown, Free Range Porn for Women' (Nagy, 2013). I have no doubt come up with some innovative marketing slogans in the past, but what on earth is free range porn? Animal rights activists criticise 'free range' labels as not going far enough and having particularly low standards that still permit exploitation. What is locally grown? Does that mean that producers don't hire migrant workers? I'm not sure if this language is coming from producers or media, but in at least one article I find a small disclaimer at the bottom noting that one producer's reference to 'fair trade' had inadvertently been editorialised as 'free trade'.

I open up a new tab and this time Google 'organic'. In the context of certified produce, 'organic' is used to describe products derived from organic farming methods. Organic food or clothing uses less water, produces fewer carbon dioxide emissions, is not exposed to pesticides and avoids synthetic chemicals or genetically modified seeds. To be fair, there has certainly been a renewed interest in environmental sustainability, ethical manufacture and cruelty-free products within the sex industry. Producers have found intersections with social and ecological justice movements, with invention of environmentally conscious sex toys (such as solar powered vibrators) and the production of eco-sexual porn (Stephens and Sprinkle, 2013). One European group, Fuck for Forests, created porn to fundraise for environmental projects including seed exchange, permaculture and rainforest preservation (Măntescu, 2016).

Conversations about green, organic and cruelty-free porn may be in their infancy, but they draw upon long-term claims by vegan feminists about the connections between non-human animal's and women's rights, the burden of feminised and reproductive labour and the struggle for bodily autonomy. Vegan feminists have interrogated the use of animal products in make-up, the use of animals for product testing, the use of animals for clothing, and the positioning of women and non-human animals as consumable. Can we really call our porn 'ethical' or 'feminist' at all if we use animal products in the process?

I have been vegan for over a decade but am still struggling to see how our porn – as a product – would meet the criteria for being 'organic'. Some sex toys are still made with phthalates – chemicals linked to reproductive health and environmental problems – or from polyvinyl chloride (PVC), whose factories employ a workforce of mainly poor, minority people exposed to physical dangers like dioxin. Even if one were to conduct an examination of whether the workers had chemical free-diets, plant-based medication or non-synthetic body products, or whether the equipment was recycled or biodegradable, it would be a fanciful claim.

I take a different angle. Perhaps I shouldn't have been so literal. 'Organic' is also applied to porn in a way that suggests that the content is naturally evolving. Scenes that develop 'organically' may be scenes that are unscripted, with little intervention from producer, whose trajectory is determined by performers as they go. Maybe 'organic porn' develops from relationships, friendships, collaborations in a way that is spontaneous, rather than performers being formally recruited. Is it a stretch to describe porn as having an organic process because the scene develops or grows organically, with reduced intervention or modification? As we saw in the previous chapter, claims to 'naturalness' are particularly fraught in a commercial environment that is heavily mediated. Even without the formality of a script, we are still drawing upon social cues, sexual scripts and cultural references for coherence and understanding. I wait to see if the next thing I read will be about 'non-GMO porn'.

Chapter 8: Fair Trade Porn: Marketing, Respectability and Ethical Consumption

Earlier in the thesis, in Chapter 3 and Chapter 5, I examined the ways in which performers and producers challenge regulatory approaches to both representation and production. I argued that they pioneer and model innovative approaches, some of which operate outside regulatory frameworks. In this chapter, I turn to the ways in which alternative porn movements themselves are imbricated in regulatory systems. I do this by examining the marketing of alternative pornographies to consumers, their focus on quality, assessment and accreditation, and recent initiatives to codify and certify ethical content. I examine how the technological, economic and legal contexts shape not only the content but the demands of the movement.

Porn producers now use descriptors for their work that reference other forms of quality certification or labelling processes for food, clothing, agriculture and consumables, and increasingly draw connections between labour production practices across industries. From San Francisco, the graphic promoting *Pink Label TV* is a milk carton reading "Grade A" and "porn with good taste", referencing quality certification standards for milk. Tristan Taormino calls feminist porn "organic, fair trade porn" and encourages people to "put their money where their politics are to support local, artisanal, and independent small businesses" (Breslaw, 2013). From the UK, Pandora Blake describes their work as 'fair trade' as a way to signal "complete respect for performers, for their boundaries and consent" (Williams, 2014). The UK's Ethical Porn Partnership believe in "responsibly-made porn" and aim to "broaden consumer choice" and Director Nichi Hodgson argues for a code of conduct in pornography similar to "food or fashion", which prioritises the welfare, autonomy and decision-making of performers, as well as their physical and psychological health (BBC, 2015). Many conversations about ethical production have been consumer-focused, seeking to broaden consumer choice and showcase the work of independent producers.

In this chapter, I argue that these marketing strategies on the one hand reflect a renewed focus upon globalisation, trade, economic inequality, sustainability and the environment, which should be welcomed. When we compare pornography to other production industries, it takes its place as legitimate work, with its workers deserving occupational protections and labour standards. Taking pornography seriously as a creative transnational industry, cultural product and production practice is valuable because it offers us a way to consider trade relationships and inequalities without exceptionalising pornography as distinct from other media or cultural products. As considered in the above vignette, taking this approach implores producers to consider how their practices of production

and consumption sit within the context of global inequality, environmental destruction and animal exploitation.

On the other hand, I argue that these marketing strategies represent a grasp at political currency, economic survival and legal recognition by refuting (and thereby consolidating) the stigma attached to 'mainstream' pornography. The marketing of 'fair trade pornography' reflects a broader trend towards ethical consumption where consumers seek to vote with their dollar and an attempt by producers to carve out a market for customised, limited-edition content in a context of film piracy, tube monopolies and an unwillingness of consumers to pay for their porn. There remain inherent tensions in these endeavours, because producers face the inevitable challenge of seeking to intervene in the systems of the market whilst also trying to exist as viable businesses within it. Performers have questioned what it means to call pornography 'fair trade,' 'ethical', 'organic' or 'cruelty-free', and what obligations, responsibilities and accountabilities accompany these labels. Other sex workers have argued that feminist and ethical porn producers are enjoying privileges associated with the gentrification of the sex industry by emphasising their distance to the 'mainstream' and that they should decentre themselves in sex worker rights movements. The subsequent conversations highlight an ongoing tension within the movement between those who see alternative approaches to pornography as part of a politics of inclusion (to protect an industry and livelihood) or a politics of resistance (about decentralisation and deconstruction).

8.1 Regulatory shifts and commercial opportunities

Initiatives to market pornographic content as a niche cultural product represent responses to broader economic, technological and regulatory shifts that have diminished consumer willingness to pay for pornography. Following open source movements that advocate for freedom of information and ideas, the free culture movement has pushed for cultural works to be made publicly available for use and modification without compensation to the work's original creators. Open source movements view copyright laws as restrictive to creativity, leading to the emergence of torrent sites where users can download and share copyrighted material. Film piracy is considered potentially "the greatest threat the industry has faced" (Brown, 2014, p.326). In addition, perceived risk of credit card fraud (due to some unethical industry practices of auto-billing, overcharging and reactivating closed accounts) has already deterred many consumers from entering in their personal details to pornographic websites online. The emergence of porn tube sites in the mid-2000s made explicit content freely and readily accessible. The notorious business strategies of company Manwin (now MindGeek) to deliberately upload and stream pirated content and buy out production studios has led to a context explored in the *Pinkwashing* vignette, in which free tube sites monopolise the market, earning their income from

advertisers and providing little incentive to audiences to pay for their porn.

In addition, the development of affordable technologies means that user-generated home-made content is proliferating, and the establishment of global webcamming platforms where consumers can request customised content directly from performers is reducing the need for middle actors or production houses. Instead of centralised production in LA studios, individual porn producers and performers now have direct contact with their audiences, who can comment on videos, email them directly and make custom requests. Consumer interest in amateur content, alongside a cultural investment in authenticity and realness (to some extent informed by cultures of male entitlement, the devaluing of feminised labour and the naturalisation of mediated sex as I described in Chapter 7) all pose challenges to the commercial viability of producing and selling pornography online.

In response to the ubiquity of tube sites, the saturation of amateur content and consumers' general unwillingness to pay for porn, markets for specialised content have emerged to protect the commercial value of their products. Producers have begun fighting back against film piracy by filing motions under the US *Digital Millennium Copyright Act* to request the take down of pirated content. They are urging their consumers to pay for their porn as a means to support workers' rights. The *Pay For Your Porn* campaign, backed by LA porn studios, sells merchandise encouraging consumers to support the industry and features performer videos urging consumers to support their working conditions by paying to access the content. From Spain, María Bala's film 'Support your Local Pornographer', urges viewers to support locals who are producing with few resources. Performers ask audiences to view their independent sites rather than downloading their pirated scenes (Stoya, n.d.).

Producers have thus begun cultivating a pool of ethical porn consumers. Labels such as 'fair trade', 'organic' and 'cruelty free' promise demonstrable market potential. Marketing porn as fair trade encourages consumers to think about the costs and labours of production and provides a justification for its retail price. San Francisco-based queer performer Jiz Lee urges consumers to vote with their wallet as a form of ethical porn consumption, where consumers can directly support producers whose values and decisions they like (Lee, 2015). Tristan Taormino does the same (Bussel, 2013) when she says:

> We have to make connections between fair labor practices even when the labor being performed is sex. If you care about the conditions under which your food was made and the conditions under which your jeans were made, then you should care about the conditions under which your pornography is made. You should be willing to pay a little more.

Producers thus began differentiating their products. This rebranding is not isolated to pornography

but mirrored across other parts of the adult industry. In their geographical research into the regulation of sex shops in metropolitan areas in Australia, Paul Maginn and Christine Steinmetz trace the "changing face of adult retailing", arguing that retailers have moved from appearing "seedy and sleazy" to taking a "corporate approach" to branding (with female staff and sexual health products) and now towards offering consumers "high-end, bespoke" products and positioning themselves as "erotic emporia" or "sensuality boutiques" (Maginn and Steinmetz, 2011, n.p.). Similarly, Lynn Comella describes the marketing of pornography and sex toys to women in the United States with sleek designs and "lifestyle branding" as part of an attempt to make porn and adult products more respectable: "sultry images of porn starlets [have] been replaced with softer and more sanitized iconography; discourses of sexual health and education, as opposed to titillation, are increasingly used as marketing platforms" (Comella, 2008, p.63). In my interview with Howard, he described seeing a commercial opportunity in socially responsible porn:

> the socially responsible porn movement has a much brighter future than the mainstream porn movement. I can see it becoming more and more publicised, and I can see more and more people making a conscious choice just in the same way they have about the food they eat, the appliances they buy, the transport they use and all of those other decisions that affect the whole world.

These marketing shifts in the porn industry mirror similar marketing shifts among big business. Lynn Comella documents the ways in which despite early feminist interventions into porn, "the recent push on the part of the mainstream adult industry to market to women is less about feminist sexual politics and more about simple economics" (2008, p.63). When she visits the AVN awards, industry insiders repeatedly state that "the hottest growth market in the adult industry is the women's market" (p.62). As we move away from the 90s spike in giant global brands, Naomi Klein has argued that big businesses are now trying to *escape* their brands, emphasising the notion of community over chains with no-label, one-of-a-kind products linked to social causes: Absolut Vodka launches a limited edition line 'Absolut No Label', while Starbucks opens unbranded coffee shops (Klein, 2010, p.xv). To distinguish themselves from mass-produced and pirated porn, producers are doing something similar, now marketing their work as artisanal and niche (Nagy, 2013). Madison Young even says of her work, "It's the difference between eating at McDonalds, or at a local restaurant that makes everything from scratch with local produce" (Martin, 2012). There is a distinction to be made between mainstream companies' belated and surface co-optation of these terms and local initiatives that are accurately describing their approach. As smaller-scale pornography emerges as an 'artisanal' product, made by local indie artists and sold as a kind of handicraft (*Sensate Films* even home-printed and hand-stitched individual wrapping, reporting that consumers want something they can hold in their hands), these

products are positioned against an onslaught of ubiquitous and free content, as boutique, customised and rare.

Finally, producers and performers seek innovative ways to diversify their income streams, making shifts in both their revenue models and products. In her qualitative interviews with adult content producers, Kate Darling found that because copyright infringement is so widespread and enforcement is not cost effective, as a result, producers have turned to new innovative strategies such as the production of 'experience' goods (for example, live camera and chat) which cannot easily be copied (Darling, 2013). With little money left in pornographic scenes, those scenes themselves have become simply "marketing tools – advertisements for workers' other paid pursuits" (Berg, 2016, p.160). Producers turned to ancillary materials: Young, for instance, creates her own autographed original anus prints using archival ink and watercolour paper and uses these as hand-made packaging for her DVDs which she sells with her memoir at festivals (Young, 2019). Producers have turned back to grass roots channels of distribution – hand packaging, selling hardcopy DVDs, USBs or prints at underground festivals, subcultural sexuality festivals and educational workshops. Facing discrimination from banks and payment processers in selling their content (which I discussed in Chapter 6), performers are getting together to form their own platforms like *Piggy Bank Girls* and *Female Porn Directors* to drive consumers to their independent sites. Many have moved from monthly subscription models, to pay-per-view models and more recently crowdfunding, wishlists, donations and patronage campaigns.

These alternative income streams can offer producers the creative affordances of entrepreneurship and independence, but also often keep them in positions as freelancers and contractors who need "exposure and brand building" (Berg, 2016, p.172) which can enable further labour exploitation as I argued in Chapter 7. These economic, technological and regulatory shifts shape what alternative pornographies *look like*. If these fan bases are their primary site of income, and if intimacy is the scarcity to be commodified and sold, performers are expected to build a cult of personality and offer unique and customised products. Perhaps the future of alternative pornographies may be in custom-made, limited edition and personalised experiences using virtual reality technologies. Or alternatively, in a context of mass digital availability, its value may be found in the screening of private curated porn collections, iconic historical material and porno memorabilia in pop-up art galleries, in much the same way that we collect and value vinyl records.

8.2 Building a base of ethical consumers

The emergence of fair trade, green and organic porn appeals to a broader trend in food and fashion towards a new consumer-citizen who seeks to avoid mass-produced, corporatised products and

instead seeks out localised or customised content. Ethical consumption provides the individual with a convenient means to participate in political activism and is a site in which consumers, via their commitments to or boycotts of certain brands, can produce their identities via the products they buy (Adams and Raisborough, 2008, p.1166). As a result, what emerges is a "citizen-consumer" hybrid, who can "satisfy competing ideologies of consumerism (an ideal rooted in individual self-interest) and citizenship (an ideal rooted in collective responsibility to a social and ecological commons)" (Johnston, 2008, p.229). This discerning consumer seeks not only informed product choice, but has an investment in creating a new subjectivity, whose responsible shopping, taste and lifestyle choices produce their identity.

Ethical consumption also performs a unique role in regard to pornography. The promise of ethical consumption provides a relief from what Alan McKee describes as "the insistent Othering of porn consumers" (McKee, 2005). Despite research that suggests that a significant proportion of porn consumers are now women, and that people watch porn for a variety of reasons including boredom, release, pleasure, leisure, relationship-building, and identity exploration (Smith, Barker, Attwood, 2015), pornography consumers have been overwhelmingly depicted as "pimply teenagers, furtive perverts in raincoats, and asocial compulsively masturbating misfits" (Kipnis, 2007, p.161). Jeff Sparrow, for example, describes his experiences inside an Australian sex cinema as "strange and unpleasant" and "disengaged from humanity" and describes patrons as "a small congregation of the old, the mad, and the lost" (Sparrow, 2012, pp.1-8). Ethical labels appeal to those who feel otherwise alienated from pornography, as they position porn consumers not as tragic media victims but as discerning and critical consumers, distanced from the derided stereotype of "lecherous grandfathers" (Sparrow, 2012, p.7). In doing so, they do not necessarily lift the stigma attached to mainstream porn consumers, but rather reinforce it. One feminist producer explicitly recognised this:

> There is that idea that we're just exploiters, that we're all dirty raincoat people, or something like that. I think this is actually where feminist porn is useful because feminist porn does give us a certain respectability. You're able to stand up and go "No, I'm…" whereas people who are making fairly standard porn and there are some in Australia, they don't get to do that as such. They're sort of lower down on the heap as it were. They're probably more stigmatised than us.

In their studies on fair trade and feminist pornographies, both Alessandra Mondin and Rachel Liberman identify the impact of these labels in making pornography accessible to some consumers. Mondin argues that such labels are "intended to build consumer confidence… for those consumers who feel uneasy at the perceived lack of ethics in mainstream productions, and for those who might be sceptical of porn altogether" (Mondin, 2014, p.190). As Mondin writes (p.190):

Again, with fair-trade organic feminist porn, Taormino and other directors and producers might meet the demand of an audience that may or may not identify as feminist and that is dissatisfied with the industry as it is or as they perceive it to be. In the meantime, they are supporting the development of a new consumer base that perhaps stayed away from porn because of worries about harms to its performers, but who may now feel more comfortable with the possibilities of ethical productions.

In her interviews with feminist porn consumers, Liberman (2015, p.174) similarly found that audiences arrive at feminist pornography:

based on both distaste for mainstream depictions of female sexuality and an interest in diversifying their pornography diet; these orientations have led them to develop a 'taste' for ethically produced, or 'feminist', pornography content.

As such, these pornographies provide alternative modes of sexual consumption that can make citizens feel comfortable and guilt-free in their consumerism. Garion Hall confirmed in our interview:

People who pay for porn these days are probably more concerned about performers' rights than they were in the past, because everyone can just go to a cheap site and get so much free porn, like why would anyone bother paying for it? …we ask customers, "Well, why do you pay for porn?" And they say, "Well, I believe what you guys are doing is good and I want to look after the models and the producers and stuff." And that's nice to know.

The political impact of citizen-consumers is, as Josée Johnston describes, at once "hopeful" and full of "tensions and contradictions" (2008, p.229). In her examination of Whole Foods Market, Johnston explores the success of ethical consumption in a "growth-oriented corporate setting" and finds that (2008, p.262):

Rather than meet the requirements of consumerism and citizenship equally, I found that the citizen-consumer hybrid provides relatively superficial attention to citizenship goals in order better to serve three key elements of consumerist ideology: consumer choice, status distinction, and ecological cornucopianism.

In other words, these initiatives place too much faith in the marketplace and technological advances to progress meaningful social interventions, and the spectacle of consumption can eclipse the impact of the activism. Gala Vanting was suspicious of the language used in marketing:

So we have this whole greenwashing thing with feminist porn, where you know as the consumer that the performer was paid properly and that they got lots of bananas on set, and you know – this word 'free range' which I find quite garish because it makes me think about farming meat.

Heather Berg makes a similar point in her comparison with the marketing of pornography as fair trade, artisanal, organic, and the way multinational corporations like Starbucks have promoted their coffee as fair trade. 'Artisanal' is a term which, as Berg explains, connotes "an 'upmarket' product for which capitalists can command a higher price" (2015, p.28). She draws upon Slavoj Zizek, who argues that when purchasing from Starbucks' Fairtrade line, consumers' need to do something meaningful is not necessarily connected to the collective project that benefits those who pick the coffee beans. When we look closer, we can see that this "collective project" is in fact "imaginary" and "asymmetrical", argues Berg (p.28).

8.3 Signposting, buzzwords, and search engine optimisation

While the terminology used to market pornography can represent the stated production values or producers, it also represents an attempt to position oneself in the market, a signal to consumers about the content, and an attempt to categorise the work for optimal online reach. Search technology, writes Jarrett et al., is "a site of knowledge and power" and our increasing reliance on search engines, in particular Google's dominance as a search provider, impacts how we think about ourselves (Jarrett, 2012). Choosing slogans, tags and descriptors was complicated by considerations about search optimisation and signposting work to guide consumers. As one feminist producer described:

> I still use 'porn for women' because it's very handy with Google. And you know, actually I should say that the monster that is Google makes a big difference as to what things get called because it's how you get your traffic.

Producers need to be strategic in selecting their marketing terms because it affects whether or not their intended audiences can actually find the work. Aeryn Walker, for example, used 'feminist porn' even though she didn't like it, because it was a term that others had used to describe her work: "I used to use it for advertising simply because a lot of people call [me] that." Another producer refrained from using 'feminist' at times, even though she felt her work fit within that ambit, because she thought the term "feminist porn can attract people but I think it can also repel people." Producers shifted through different labels over time. As Anna Brownfield explained to me:

> A first when I started, I called it 'chick porn,' but everyone just assumed I was making lesbian films for a hetero male market, and then for a while I was using 'new wave erotica'. So it's been difficult to find a term. Also when I started there weren't as many people making it as there are now – feminist porn has become a bit more of a blanket term.

Content signposting can be a very important step for online content where classification categories do not apply. Indeed, McKee, McNair and Watson argue that such signposting provides a way forward for content regulation, in assisting individuals to navigate mass amounts of material (2015). Just as producers include advance descriptors of the various sexual activities a viewer can expect to see, they also convey information about the behind-the-scenes processes for consumers who care about the ethics and values of the producers. While self-regulatory practices such as tagging content may be relatively straight forward in terms of identifying sexual practices (to state that a scene contains fisting), labelling its representational and production ethics (to state that the film is 'ethical') may be a more subjective task.

Discrepancies between the experiences of workers and the expectations of consumers have prompted increasing calls for transparency and accountability in the marketing of pornography. As Kim noted in our interview, what a consumer expects from feminist pornography (representational deliverables such as a focus on women's pleasure) may be different to what a performer expects (fair pay and ability to approve the content). In Fulden Ergen's review of 33 ethical porn websites, producers communicated about their labour practices in different ways, predominantly under the logic of 'fair trade'; however, some sites used the discourse of ethical pornography "superficially… without revealing the actual practice of production" (2018, p.1). In our interviews, porn performers (rather than producers) tended to be more critical about the descriptors used to market the work, particularly if they had an experience in the production process that did not meet up to the branding's representation. In a written piece for a Swiss porn magazine, Gala Vanting writes that some producers are not necessarily prepared for the accountability that comes with using 'diversity' and 'inclusivity' in their advertising, noting that inclusivity is "a massive responsibility" that goes far beyond "organic fruit and coconut water on set" (Vanting, 2015, p.5):

> Queer/POC/disabled/trans and gender diverse folks, in addition to being babes capable of fiercely beautiful expressions of eroticism, can help a producer to look inclusive, which has become a saleable quality now that we've begun marketing ethical and diverse and real to feminist porn audiences. If a producer appears to be getting on board with inclusivity, whether they've adopted some affirmative action-style casting, or employed the current Hot Piece of queer porn for their new project, they can stand to get porno brownie points for representing bodies they didn't before. But unless this sits alongside some other, more contained, not publicly-visible actions, I'm not giving you any points, and neither are a lot of my colleagues and audience members.

By nature, branding leaves producers open to challenges, including criticism from both consumers and performers, particularly where politics are used to make claims about the product that does not necessarily match up to the production process. As Kim suggested during our interview:

> I don't want feminist porn to kind of become a label that's only on the surface so that it looks nice, it looks like there's female pleasure, it looks like all these really good things are happening, but behind-the-scenes that's not the actual reality. I'd much rather have a porn company that maybe does do a lot of great scenes but behind-the-scenes performers are getting paid well and there is consent and everyone's happy with their jobs… I think that's a lot more important that on the back-end things are solid and ethical.

While producers have taken some steps to reveal their production practices in order to verify their ethical claims, they can also fall into documentary tropes that do not necessarily attest to the experiences of performers. In her research, Karly-Lynne Scott found that ethical porn production is often signalled to consumers by specific conventions, including "interviews with performers, behind-the-scenes material, as well as outtakes and other instances of failed labour" (Scott, 2016, p.120). Scott suggests that rather than being read as "documentary evidence," we should be less naïve and more sceptical in understanding these behind-the-scenes interviews and outtakes as "elements of pornographic performance," remembering how performers strategically navigate such conventions in order to get paid (2016, p.120):

> As such, ethical spectatorship cannot arise simply from consuming pornography that claims to be ethically produced, but requires critical engagement that stands in opposition to the rhetoric produced by conventions that purport to reveal the hidden labour of pornography.

What might this critical spectatorship look like? Theorists of cultural production remind us that even 'behind-the-scenes' representations are themselves "a cultural production, mythologized and branded much like the onscreen textual culture that media industries produce" (Mayer, Banks and Caldwell, 2009, p.2). As I argued in Chapter 7, performers themselves may be under financial pressure to give enthusiastic reports of their work, so the kinds of critical feedback they have about production ethics may only be articulated in peer spaces. It then becomes even more crucial to listen to the public demands coming from worker-led movements.

8.4 Global inequalities in trade relationships

There has been limited academic work applying the concept of fair trade to pornography, but what exists has predominantly focused on labour standards rather than trade relationships. Alessandra Mondin classifies the work of *Pink and White Productions*' Crash Pad site in San Francisco as fair trade

because of its focus on labour conditions and non-exploitative business practices. Mondin identifies how the site prioritises and cares for performers wellbeing and agency: performers discuss their sexual preferences before scenes, provide after-care for one-another, have a say in their scene partner, receive fair compensation and participate in interviews where they can speak for themselves. In addition, the distribution policy grants profits directly to the directors of the films (Mondin, 2014, p.190).

The fair trade movement is indeed about promoting fair labour standards. When applied to the production of other kinds of field, farm or factory work (such as cotton, cocoa or coffee) fair trade is concerned with the conditions of the work but also with minimum wages, the potential for exploitation, industrial rights and structural precarities such as immigration scrutiny, insecure housing and criminalisation, seeking to improve the rights of marginalised workers. Thinking about fair trade in the context of porn production requires consideration of how sexual labour is precarious, stigmatised, and criminalised work, and how these social, legal and economic factors impact performers: do performers face obstacles to accessing industrial rights or workplace health and safety standards? Do performers have affordable housing and options for safe, legal migration? Are performers paid sick leave and superannuation or are they predominantly producing piece work and paid only for what they produce? But fair trade also goes beyond production practices.

The fair trade movement emerged in the mid-20th century in the face of imperialism to address the role of multinational corporations in generating wealth inequalities between countries. It is "concerned with the dynamics of the relationship between production and consumption within the global supply chain" (Adams and Raisborough, 2008, p.1168). It advocates a form of trade designed to help independent producers and cooperatives achieve better trading conditions to promote sustainability instead of charity or aid. Fair trade can include paying 'fair' or higher prices to independents who are exporting their products, as well as promoting better labour standards in the country of manufacture. Fair trade is particularly important when the goods are produced in lower income countries, because it seeks to address disparities in wealth between nations – and recognises that conventional trading relationships keep nations in poverty and perpetuate exploitative practices. The use of fair trade labels among alternative porn producers does not always recognise the context from which fair trade emerged as a response to poverty and exploitation of people of colour in low income countries. As Gala reflected:

> I find it pretty wild that feminist porn has chosen to align its brand with the fair trade movement, given
> its whiteness. It feels like a comical oversight... I feel like we completely whitewash the origins and

actuality of fair trade by drawing this comparison, which is something we need to be extra careful about.

With increasingly affordable technology, pornography is now being produced by individuals and there remains a discrepancy in wealth between performers, producers and distributors, particularly where it is sold via large distribution platforms in the United States or Europe. In her documentary *Pornocracy*, discussed in the *Pinkwashing* vignette, Ovidie reveals that webcamming company Live Jasmin – whose headquarters are in Amsterdam – has an annual turnover of USD$305 million. It considers itself merely a 'tech' company, providing a platform in which members and models meet. And yet the site hosts two million models worldwide, based predominantly in Romania and Colombia, who have an average monthly income of USD$1,400 (Ovidie, 2017). Small producers cannot always make their way through major marketing channels, and instead rely on global distributors for visibility and exposure. The unequal power in trading relationships brings potential for exploitation in negotiating licensing or sale terms and conditions and means that wealth remains with the global distributors rather than the local producers.

In their examination of pornography as a global creative industry, Rebecca Sullivan and Alan McKee note that the globalisation of the production, distribution and consumption of pornography now poses challenges for workplace health and safety. Noting existing production hubs in Montreal, Los Angeles and Amsterdam are now being rivalled by emerging centres such as in Budapest where the cost of production is cheaper, Sullivan and McKee argue that concerns over exploitation in the supply chain are being met in part by the unionising and collectivising of sex workers throughout the world advocating for rights, freedom from discrimination and access to services (2015, pp.39-43). The move towards fair trade pornography they write, "offers at least one possible way to expand the gains for pornography performers in Western countries to other parts of the globalized pornography production industry," and they call for recognition and support from governments and international NGOs to remove the stigma of sex work to support such local initiatives (p.43).

If porn producers and distributors are invested in fair trade, it requires more than fair labour practices on set or even distributors paying a fair price to producers to licence the content. Greater equity in trading relationships would place value upon the performers in each step of production. A fair trade approach might include agreed minimum prices that cover a 'living wage' for workers, a 'social premium' to cover community projects (governed by democratic cooperatives of workers), the direct purchasing from producers to cut out the 'middlemen', fair terms and conditions set by local producers and performers, or the signing of long-term partnerships for improved income security (Adams and Raisborough, 2008, p.1168). At present, the use of fair trade as a popular descriptor for

porn focuses predominantly on labour conditions on set and does not sufficiently address these power and wealth inequities between global tech platforms and solo producer-performers.

8.5 Conflating ethics and legality

To complicate the existing linguistic slippage in producers' descriptions of green, organic and fair trade content, there also occurs significant conflation of ethics and legality. This conflation occurs in the language of platforms and distributors as they look to the law as a benchmark for ethics. At its most rudimentary, some marketing descriptors assume that ethical pornography is legally produced, and that legally-produced pornography is ethical. For example, *Piggy Bank Girls*, a crowdfunding site for sex workers, where workers post erotic photos to encourage viewers to donate, commits to operating in a way where there are "fair and legal work conditions for everybody involved" (Tarrant, 2016, pp.166-167). But it is unclear how they determine whether their models are working legally, considering some are from Australia where production is criminalised in most jurisdictions. Further, the legality of a film may differ according to the jurisdiction in which it was filmed, edited, distributed and downloaded. Even if the production standards might have been 'fair', they may not have necessarily been legal. As I argued in Chapter 5, producers and performers have developed comprehensive ethical standards in a largely criminalised context. In some cases, to meet *Piggy Bank Girls*' standards (such as "legal work conditions") would involve significant in-country advocacy to decriminalise production to begin with.

In other cases, labels define ethical pornographies by what they are *not*. *Piggy Bank Girls* promotes fair trade pornography as "against sexual slavery," "against child pornography" and involving no violence, abuse or content involving animals (Piggy Bank Girls, 2018). The *Ethical Porn Partnership* claims it will "channel funds to anti-trafficking, anti-sexual violence and sex education initiatives, as well as taking an unequivocal stand on condemning child abuse imagery, and all non-consensual sexually explicit material, such as so-called 'revenge porn'." The tube site Ethixxx.com provides "licensed, ethically produced adult content" and promotes itself as "Pro-Porn. Anti-Exploitation." These labels speak not only to fair labour practices, but also about the migration patterns, living arrangements and personal histories of the performers as well as their international visa and work options. They speak to national classification and criminal laws that determine legal/illegal content, which may be outside the control of individual producers.

These concepts of what constitutes ethical porn regulate not only working conditions but also gate keep *who* can participate. One comedy video on YouTube suggests 'organic porn' means using "well adjusted" performers from "solid homes" who have not experienced childhood trauma (Cauvin, 2016).

The presumption that 'cruelty-free pornography' would source performers with no histories of abuse or mental health issues is a problematic one, because it makes paternalistic assumptions about who has agency and capacity to make decisions over their own bodies and who can consent to work. Aside from the fact that a significant number of women generally have been sexually abused, sex workers with mental health issues have reported the benefits of sex worker's flexible hours (Sanders et al., 2017). The tendency to police *who* has the capacity to sex work (and to travel for work) has been used disproportionately against migrant sex workers, who face increased criminalisation and police attention. Gala Vanting remarked that this urge to "stamp our porn performers as 100% not trafficked, so that we can feel like ethical consumers… might be one of the most colonising moves in the history of branding feminist porn."

Research emerging from migrant sex workers has revealed that current responses to slavery and trafficking work to strengthen a criminal justice system and a carceral state but do not actually improve the lives of migrant sex workers (Bernstein, 2007, 2010; Butterfly Asian and Migrant Sex Workers Support Network, 2018). Rather, through targeted policing, immigration brothel raids and deportation, they have human rights impacts on the populations they seek to protect (Global Alliance Against Trafficking in Women, 2007; Kempadoo and Doezema, 1998, pp.46-47). Instead, migrant sex workers have argued that their working conditions would be improved by safe, legal pathways for migration, translated visa materials and industrial rights protections. In their surface condemnation of trafficking and their plight for government and market recognition, these ethical and fair trade market initiatives accept and perpetuate many of the myths of the abolitionist, anti-trafficking movement instead of questioning their relationship to the border security agenda. Instead of challenging the ways in which bodies and labour are regulated and policed, they risk further marginalising migrant performers. Instead of setting up dichotomies between ethical/illegal porn, we need to think critically about the law and look more closely at who is left behind. Legality itself remains a blunt instrument through which to measure ethics.

8.6 Rubber stamps

One of the challenges of alternative pornographies is that they seek to intervene in the market (transforming its value system) whilst simultaneously participating in it. This is the tension of fair trade generally. Fair trade coffee seeks to modify trade relationships as well as placing certified coffee in mainstream retail outlets (Taylor, 2005, pp.129-130). It "attempts to intervene in the ordering of the matrix of global capitalism whilst firmly embedded in it" (Adams and Raisborough, 2008, p.1166). The risk for porn producers is that the marketing of ethical porn, while it simplifies consumer choice, does not necessarily change the economic or power relationships (and imbalances) between performers,

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producers and distributors. The onus of making porn legal to produce falls on governments, not individual producers. And yet market-based interventions, while they may be proactive in developing voluntary industry codes, are not actively seeking to challenge state criminal laws, a task that is largely to sex worker rights organisations. For consumers, 'ethics' becomes imbricated in practices of consumption. Rather than being compelled to engage in political advocacy to challenge the criminalisation of porn production or the monopoly of tube sites, liberation becomes tied up in the purchase of goods, self-actualisation and identity-making.

In Australia, the US and the UK there have been attempts to establish formally codified criteria for ethical pornography through a literal 'stamping' of approved products, regulating of businesses via a formal register, and a body to assess which pornographies count as ethical. In the US, the *Adult Performer Advocacy Committee*, a Californian body comprised of porn performers, provides a Performer Code of Conduct and an APAC Stamp, "an approval system which gives performers guidance on the companies, agents, and outside professionals who follow guidelines in order to maintain ethical work practices that protect the rights and safety of performers in the adult entertainment industry" (APAC, 2018a). The website includes a reporting form where the Committee confidentially documents any reported issues or concerns with APAC Stamp holders. They state that "APAC does not police the industry" but will "do our best, however, to address violations against performers' rights" (APAC, 2018b). In the UK, the *Ethical Porn Partnership* is comprised of producers and performers and seeks better working conditions, fair pay and greater transparency in contracts for porn performers. The Partnership's primary goals are to create a regulatory body and stamp certifying standards that will create consumer confidence and bring integrity and "best practice" to the business of online porn. In addition, they aim to produce a concrete register of approved sites, to pledge to donate certain percentage of profits to anti-sexual violence and sex education charities, and to distinguish clearly between consensual and non-consensual pornography.

The kinds of slippage described above are evident in the ongoing discussions over how to define ethical pornography and the role of industry bodies. The focus of some bodies upon encouraging reporting of abuse and malpractice raises questions about the role of a certification body in monitoring and enforcement. What might be their relationship with police, and would this detract from their ability to represent the interests of producers and performers? Would this body end up using tactics like *Eros Association*, who, in their campaigns to legalise X-rated material, reported rival retailers selling unclassified material to politicians and police? While the *Ethical Porn Partnership*'s draft goals continue to be developed and refined in consultation with performers and industry, the first iteration circulated in October 2015 outlined some key ethical principles:

- the remit of scenes must be explicitly agreed beforehand;
- there must be age verification through a US system of the 2257;
- there must be 'healthy – optimally checked performers and producers, plus performer choice prioritised on condoms';
- it demonstrate[s] sound employment rights – equal pay (and transparency around pay rates), good working conditions, breaks, food, transparent recruitment process;
- it must be legal – according to [the] jurisdiction in which it is produced;
- it must be clearly and accurately labelled; and
- it must be good quality – with good production values and innovative when it comes to one of the following: scripting, design, casting, transparency around distribution of content, and protection of payment of content.

Some of these goals reflect the ethic of care approach by performers in Chapter 5 (accurate labelling, transparency around distribution and performer choice on safer sex). However, others have the potential to marginalise small producers who are doing content-trade or paying in-kind; performers who are living with STIs or HIV, regardless of whether they are working safely; people who do not use the 2257 due to privacy concerns; and people creating content from criminalised jurisdictions regardless of ethics or consent. 'Ethics' can easily become confused between labour conditions and aesthetic taste, becoming about 'good quality' casting, scripting and camera skills.[11] Similarly, the US APAC Performer Code of Conduct lists reasonable expectations of performers, including punctuality and preparedness, sobriety, compliance with sexual health protocols, respectful conduct and to "have a good-natured and welcoming attitude" (APAC, 2019). The expectation that workers will be good-natured and welcoming is a novel (and problematic) introduction into a professional industry code of conduct. In an effort to codify what counts as ethical production and representation, there remains the potential to open up avenues for others to be criminalised or stigmatised if they fall outside these codes. Gala Vanting commented to me:

> I think that there is just no possibility of creating a standardised ethical code for feminist porn, or ethical porn. Because ethics and feminism are locally based, locally variant. What I value in my intersection of identities as a feminist and a whole bunch of other things isn't going to be what is valued by the next person… as soon as you create a code like this, identities and performances start to drop through it, because it is full of holes, it's always going to be full of holes.

While Chapter 5 demonstrated that there is value in generating such informal and localised ethical codes, the process of standardising and certifying them brings additional considerations. Naomi Klein's

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[11] Subsequent drafts of the EPP have been amended to remove the requirement for legality and to include royalties paid to performers and psychological/emotional support for performers. The final principles are still under discussion.

work on the ethics of consumption reminds us that we should be cautious in letting industry drive this movement rather than focusing on government regulations or safeguards. We should be careful that our discussions about ethics in pornography do not become (Klein, 2010, p.428):

> glorified ethical shopping guides: how-to's on saving the world through boycotts and personal lifestyle choices. Are your sneakers 'No Sweat'? Your rugs 'Rugmark'? Your soccer balls 'Child Free'? Is your moisturizer 'Cruelty Free'? Your coffee 'Fair Trade'? [Is your pornography 'ethical'?]

The critique of this branded activism is that governments never actually decriminalise, put labour standards into place or introduce anti-discrimination protections, because they assume that the market will regulate itself via its own internal industry codes of conduct. Basic labour rights then become something to capitalise on and profit from – a marker to distinguish one's brand. Decriminalisation falls off the policy agenda and attention is diverted from industrial rights towards consumer choice. The movement becomes ethical porn (a market-based mechanism), rather than sex worker rights (a call for legislative change). What was intended to be rights for workers becomes a feel-good lifestyle choice for the consumer.

8.7 Creating whorearchies

The moves towards codifying ethical pornography in order to stamp certain businesses as ethical raises fundamental questions about the regulation of pornography. Should government regulate production, or should industry co-regulate with government? Can we trust industry to set out standards to regulate itself and what government oversights might be necessary? Who should determine the criteria for ethical or fair trade porn and claim the power to monitor, certify and audit? Should they be self-appointed or elected? What extent of consultation should be required?

In the absence of progressive government leadership on pornography, small industry initiatives from producers represent generative steps to self-regulate. Sullivan and McKee write that "without recognition and support from governmental and international NGOs to remove the stigma of sex work, the grass roots efforts of ethical, 'fair trade' pornographers and sex workers could remain marginalised" (2015, p.43). However, lessons from the sex worker rights movement also indicate that government approval for sex industry businesses – essentially licensing frameworks controlling who can sex work, where they can sex work, what kinds of sex work they can do – has created a two-tiered industry whereby the majority of workers are criminalised because they cannot comply with the onerous conditions, and become more vulnerable to exploitation, with less access to justice and support mechanisms.

In my interview with her, Janelle Fawkes of Scarlet Alliance emphasised the importance of keeping the discussion to a framework of workplace health and safety, rather than "trying to control or determine what's the right way of doing sex work and creating this hierarchy within or around sex work, on who's doing it right and who's not." This was something she felt was a danger as we moved toward discussions of 'ethical porn'. She warned against "falling into that trap" where feminist or ethical porn erects a false divide and "places any other kind of porn as lesser or less beneficial, or the people working within it as less valued." She believed there were lessons to be learned from the sex worker rights movement in pornography:

> I think that that approach can really, well it does develop hierarchies, it does exclude lots of people and it does, I think, really minimalise who is involved and whose work is recognised and what kinds of porn are supported in the movement.

Kim noted in our interview that because "[sexual] identities are very closely tied with systems of legality" (having historically developed within taxonomies of perversion linked to criminal law as described in my Introduction) as sex workers fight for their rights, it is often the case that they end up defending categories of legality instead. Distinctions between ethical and mainstream porn (like distinctions between escorting and street-based sex work) operate to legitimise some forms of sex work at the expense of others. As Kim said to me:

> So you're carving out a niche for yourself where you say "oh, I'm not charging for the sex that you're having with me, I'm charging for the time that you're spending with me" and you find those are loop holes to legitimise your own work and your own identity and to keep yourself on the right side of the law.

Kim saw these distinctions as an example of "…when sex workers use their own identity as a tactical advantage against other sex workers… [as a] social defense mechanism of where they are on the hierarchy." These tactics, Kim argued, can contribute to a 'whorearchy', a hierarchical system that determines who is afforded privilege, social capital and respectability. Luna Trash noted that these debates about privilege and stratification impacted other parts of the sex industry:

> I guess it's the same as what's happening with pole sports and pole dancing and stuff, where people are trying so hard to get it socially acceptable and as an Olympic sport. At the same they are throwing strippers under the bus because they're trying so hard not to be associated.

In Australia, licensing regimes have resulted in mandatory testing practices for sex workers, compulsory and permanent registration of sex workers on police databases, criminalisation of a range of different practices (such as street-based sex work, working with another sex worker, working from

home and working from unlicensed venues). It is not a far stretch to imagine that if pornography production was regulated by a licensing scheme, certain practices and people might become criminalised (those working without condoms, migrant sex workers or unlicensed producers).

8.8 Brand or movement?

References to pornography as green, organic, cruelty-free and fair trade may be intended as a signal to discerning consumers, but if we were to apply accountability measures to audit the integrity of these claims, it is unlikely they would meet the relevant thresholds. On the one hand, the trend reflects a broader awareness of how media products and sex industries sit within global economic infrastructure and a desire to improve material and structural conditions of production. These innovative marketing strategies ensure that alternative pornographies do not drop off the consumer radar altogether and that alternative content remains visible. They are fruitful because they compel us to consider the next question: If we are thinking about labour and production practices, we need to be thinking about transnational trade relationships and inequalities in distribution power. If we are thinking about ethics and cruelty-free production, then we need to be thinking about our use of non-human animal products and environmental justice. We need to go further to consider where and how our materials were made. At present, these conversations are eclipsed by a superficial engagement with the concepts.

While labels such as 'feminist' or 'ethical' might be useful to producers in speaking to their consumer base, differentiating their product, carving out a niche market or justifying a premium to access content, the labels may be less relevant to performers. In Chapter 7, I detailed the gap between performer experiences and producer expectations in the production of authentic content. The drive to standardise or codify ethical porn is not being driven by performers, who are less concerned with paperwork and branding, and more concerned with whether these external faces match up with the internal processes of production. As I detailed in Chapter 5, performers are more invested in an ethics that centres upon informed consent, agency, decision-making, accountability and access to justice. Market-based interventions seeking to provide consumer choice and government recognition cannot replace the necessity of worker rights movements. And yet it is not surprising that these buzzwords receive more positive media attention than sex worker rights, because they come with less obligation upon governments for law reform, and less imperative for producers or consumers to think critically about ethics.

A rubber stamp does not solve the problems associated with criminalisation, discrimination or stigma. Rather, it can produce an additional hierarchy between those whose content receives official approval

and those who cannot afford to comply with the criteria. People who can already afford media exposure, who work in legal jurisdictions, who are citizens rather than migrants or temporary visa holders, who own registered companies, who are willing to record their identification on file, who perform vanilla sex acts and who have access to quality production equipment that makes their content appear professional and palatable: they are the ones who then receive public acclaim, work opportunities and the protective factors of mainstream approval. The risk is that the most privileged producers and performers overwhelmingly occupy the public space and set the terms of what constitutes ethics, attracting legal privileges rather than listening to the needs of the least privileged. This call to certify and delineate ethical porn is about holding on to a sense of professionalism, a move that is at odds with the democratisation of porn.

In our interview, Gala Vanting reported that although she "appreciate[s] the desire to endeavour to do something like [create the Ethical Porn Partnership] because it speaks to the fact that this movement is gaining momentum," she did not feel "hopeful" about the thought of codifying it. Rather, she described how the codification process begs us to consider who is left out by the boundaries by which ethical, fair trade, feminist or 'legal' porn might be defined. In fact, Gala felt that this push towards standardisation threatened a movement that ought to have its strength in differences:

> I guess for me one of the scariest things I feel is potentially threatening to feminist porn is division within the movement and lack of respect for subjectivities. I am also quite concerned about and fascinated by the tendency to greenwash the industry and produce this sort of uncomplicated "it's very simple: I will just tell you that it's ethical and you will buy it and know that it's ethical" – I'm concerned about this, and the ways in which ethics are marketed, and I think that we can look to other industries like food to get some clues about how this might go awry.

Although there can be value in the development of a shared, normative ethics (which I identified in Chapter 5, for example, as being one of the most significant contributions of alternative pornographies), when we look to other social movements, an effective aspect of resistance is that they are *non-branded* and decentralised. In writing about *Reclaim The Streets*, a movement for community ownership of public space, Richard J.F. Day describes the tactics used as being open to everybody, and this being one of the key factors in their efficacy (2005, p.19):

> One particularly interesting aspect of contemporary practice is that many of the most effective tactics are *non-branded*, that is, they tend to spread in a viral way, with no one taking ownership or attempting to exercise control over how they are implemented.

Here we see a schism between ethics for the purposes of branding and marketing and ethics as part of a ground-up movement that spreads virally and leads to broader political and social shifts. Feminist and ethical porn may have more to gain as a non-branded tactic as part of a larger struggle rather than an exclusive club of membership. Rather than seeing themselves as an "artistic-revolutionary *avante-garde* with a select membership", the movement may have more impact if it is "dispersed as a non-branded tactic open to all" (Day, 2005, p.22).

A similar risk presents itself in movements for ethical pornography. We have seen the colloquial and affectionate names for queer and feminist porn pioneers – Courtney Trouble, Jiz Lee and Shine Louise Houston are referred to as the 'Queer Porn Mafia' in the opening of the Feminist Porn Book, while Australian producers have been described as a 'Feminist Porn Posse'. In the early days of our collaborations, Gala Vanting and I playfully imagined the beginning of a 'queer porn empire'. But these terms, which centralise a locus of power in small groups of people, do not reflect the potential of masses to democratise pornographies. In alternative pornographies, we see a tension between ethical logos for the purposes of branding and marketing (smart porn, better porn, fair trade porn) and a genuine re-evaluation of our own work, careers and privilege that compels us to abdicate power, and open up these movements to broader political and social shifts.

Looking to other social movements and critiques of 'NGOism' can remind us of the pitfalls of centralisation and incorporation. In his in-depth research into *Amnesty International*, Stephen Hopgood found (Hopgood, 2006):

> a recurrent struggle between the 'keepers of the flame' who seek to preserve Amnesty's accumulated store of moral authority and reformers who hope to change, modernize, and use that moral authority in ways that its protectors fear may erode the organization's uniqueness.

If we consider Greenpeace, for example, we can see how incorporation and management can dilute the impact of a powerful ecological movement originally about bearing witness and direct action. Instead of a proliferation of decentralised and independent offices around the world operating simultaneously and independently, Greenpeace established a central headquarters and funds came to be spent on CEO salary and administration to keep personnel in employment. Disputes about who owned the name, Greenpeace chapters suing one another, and original activists wanting credit meant that the movement was destabilised by investments in ego, fame and the job market. In their documentary, *How to Change the World: The Revolution Will Not Be Organised'* (2015) the original Greenpeace founders speak about the dangers of ego, fame, administration and incorporation, which

diluted their original goals of direct action: "Our goal was not to make the organisation famous, our goal was to make nature famous" (Rothwell, 2015).

In contrast, the movement *Food Not Bombs* offers an example of the benefits of decentralisation, with multiple collectives operating autonomously. Holtzman et al describe (2007, p.50):

> The decentralized nature of FNB has also been fundamental to its continued importance. Each chapter (of which there are currently over two hundred internationally) is guided by the basic ideas of the group – non-violence, vegetarianism, direct action, and direct democracy – but functions autonomously. In the place of centralized organization is an international network of local chapters practicing mutual aid. This non-hierarchical organization prevents too much control from developing in one place, and it also encourages the empowerment of participants by offering them a means to be directly involved in challenging capitalism and furthering social justice.

Finally, the trajectory of gay and lesbian rights movements offers us a reminder of how social movements can become embroiled in respectability politics in their attempt to repudiate sexual shame.[12] In employing a politics of respectability, members of marginalised communities attempt to gain acceptance from the mainstream by illustrating their compatibility and sameness rather than challenging the mainstream values for their failure to accept or embrace difference. Alternative pornographers can, at times, forget the debt they owe to mainstream pornography. Berlant and Warner write:

> Respectable gays like to think that they owe nothing to the sexual subculture they think of as sleazy. But their success, their way of living, their political rights, and their very identities would never have been possible but for the existence of the public sexual culture they now despise. Extinguish it, and almost all *out* gay or queer culture will wither on the vine (1998, p.563).

The use of fair trade terminology to market pornography has an obvious class dimension to it. One Twitter user, for example, makes fun of ethical porn by using the hashtag #wholefaps, a play on whole foods, tweeting "I'm so bougie that my porn gotta be ethical, locally sourced and fair trade before I think about masturbating to it." This tweet recognises that for many, porn's appeal may be in its 'dirt', in its cheapness, in its transgressive or taboo status. Some producers have even argued that they would never call their work 'feminist porn' because the term places restrictions on what is 'correct' for women to enjoy (DeGenevieve, 2014, p.194). The risk is that market-based mechanisms can be mistaken for the broader movement in its entirety instead of one type of limited intervention. The

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[12] Respectability politics was first articulated by Evelyn Brooks Higginbotham in book *Righteous Discontent: The Women's Movement in the Black Baptist Church, 1880–1920*. It has been applied to various social movements including the gay and lesbian rights movement for marriage equality.

following chapter now turns to consider how this push towards recognition and assimilation manifests in the path towards law reform.

Vignette: Porn Stars in Parliament

"Porn Star Runs for Lord Mayor," the headlines read, alongside a photograph of me in fuchsia and black latex with a hot pink PVC flogger. It was the third time I had run for parliament for the Australian Sex Party (ASP). Back in 2009 I had been their first ever candidate, running for the House of Representatives and later I ran for a seat in the NSW Senate.

Inspired by Hungarian-Italian porn star-turned politician La Cicciolina, who was famous for giving political speeches with one breast exposed, the ASP turned to porn stars for their political candidates. In Italy, Cicciolina had been elected to parliament with the Green Party and later founded the Democracy, Nature and Love Party, campaigning for same-sex marriage, the re-opening of brothels, minimum wages and the redistribution of wealth. The ASP had hosted events featuring special guest international porn stars Sasha Grey and Monica Mayhem, and when Angela White and I were announced as the first political candidates to film a sex scene together, news headlines read 'Sex Party Candidates Film Porno to Make Political Point.'

The electoral platform of the ASP focused on issues relating to sexuality and gender, from decriminalisation of abortion to removing the Goods and Services Tax on tampons. At a national level, the party wanted a comprehensive sex education curriculum and a national classification scheme for media. At a state level, they sought to decriminalise sex work and the production and sale of X-rated films and to introduce anti-discrimination protections for sex workers. Local policies ranged from bicycle lanes to extending Sydney's medically supervised injecting centre. Legalising drug use was high on the agenda, alongside removing taxation exemptions for religious organisations.

The platform primarily reflected a civil libertarian philosophy rather than a leftist one. Many of the issues overlapped with gay and lesbian advocacy campaigns such as relationship recognition and same-sex adoption but did not go further into queer campaigns against marriage or the ongoing forced adoption of Aboriginal children. Sex party policies on voluntary assisted dying were met with critique from disability advocates who were demanding quality of life. Controversy emerged when the party afforded preferences to the xenophobic One Nation party over the Greens.

For the candidates who had backgrounds in sex worker rights organising, we navigated our own tensions between representing a party founded by adult business owners and lobbyists, our investments in a more critical worker-led politics, and the dire need for political and legal change. There were no other political parties turning out in public support of sex workers. Even the Greens had candidates campaigning for the criminalisation of sex worker clients and mandatory Internet filtering.

The Sex Party became a media spectacle. The party flyers pitched me as a "woman of vice" and urged voters to "put some pink into politics". There was no shortage of puns. Our campaign strategies were unconventional. We pole danced on street poles and handed out How-to-Vote cards with condoms attached. On the one hand, we wanted to take the thing that sitgmatised and differentiated us – sex – and own it. We capitalised upon this sensationalism. We invited attention, referring to ourselves as the "major minor party". If the idea was to provide alternatives to the two-party stagnate, why should we look or campaign like every other party?

On the other hand, public debate could not move beyond the spectacle. There were heavy laments: if only the party would change its name, people might take us seriously. Media articles resounded with comments that "feminist porn is an oxymoron". We were pitched in polarised debates against Family First and the Australian Christian Lobby. News cameramen panned down to my stilettos when I was speaking about human rights. Admittedly, I did have fantastic heels. But the tendency (or tactic) of media to reduce political demands to titillating sound bites and visual spectacles was not new. Sex workers were in a constant battle with journalists to avoid using stock photos of fishnets and heels, urging them to listen and print our political demands. The policies of the ASP were serious. Many of the candidates had backgrounds in public health, gender studies and law. But in media and public debate, the sex was blinding. Sex eclipsed everything else.

Being elected would have certainly brought opportunities to make large-scale changes. I saw a Senior Associate from my former law firm who told me he had "voted for sex"! When Fiona Patten, the party's founder, was elected to the Victorian Legislative Council in 2014, she introduced legislation to ensure safe access zones around abortion clinics. But the processes of political engagement themselves were complex and compromised. Instead of constraining our activism into narrow models of advocacy (being elected to parliament or campaigning in sensible footwear), I began to see the day-to-day conversations on the hustings as the more effective political intervention. Alongside the use of media platforms as a space to advocate on key issues and insert them into the policy agenda, the task ahead was not in being elected but in creating viable alternatives and facilitating a groundswell for change. I stopped thinking about political systems (parties, elections, parliament) and started thinking further about politics on the ground.

Chapter 9: Sexual outlaws: Reform and Resistance

I began this research with an activist intention of producing policy recommendations of how to better regulate pornography in Australia, with guidance on what ethical best practice principles might look like, driven by the experiences of pornography performers and producers. I imagined something deliverable that contained outputs, targets and indicators – a five-point plan for pornography law reform. This was not only influenced by my law and policy background; it was spurred by calls from sex workers to academics to emerge from ivory towers and engage in political advocacy and on-the-ground work (Jeffreys, 2016). It was not enough, sex workers argued, to rest on one's laurels and theorise about sexuality without being accountable for those ideas, without working towards tangible benefits, without offering one's skills directly to the people whose lives are first and foremost impacted. It was also a deliberate intention in the spirit of applied social research, which solves immediate problems with stakeholder consultation and produces outcomes that apply in a real-world setting (Hall, 2008, pp.4-5), and a form of participatory action research in which the researcher assumes a "conscious partiality", a partial identification with the research participants (Miles, 1983, p.122). I wanted the research to become part of a larger political struggle towards emancipation and ending oppression (Hall, 2008, p.5).

However, in this chapter, performers and producers identify a number of pitfalls that result from engaging in law reform processes, including the narrow range of voices represented in public debates, and the personal and political risks of such engagement (from dilution of goals to self-incrimination). It explores reforms that some stakeholders have identified as 'wins' and explores how these may represent 'losses' for others. It asks whether there are more strategic, less reactive ways to intervene in systems of oppression that do not risk reinforcing existing political structures, feigning confidence in a neutral state or reifying legal solutions. This chapter is not necessarily a call to opt out of engagement with the law: indeed, there can be value in interlocutory interventions that ameliorate material circumstances. Rather, it is a call to break up with our investment in the law as a primary source of repression or tool of liberation, to think more critically about our own participation in the production and regulation of sexualities, and to build worlds outside the terms of reference afforded to us by lawmakers and by markets.

9.1 The limits of the law

In considering law reform, I found myself thinking increasingly narrowly about practical, plausible and realistic solutions to reform the currently fraught regulation of pornography, couched in existing legal principles or democratic avenues, arguing from human rights, public health or harm minimisation

perspectives, emphasising consistency with national and international NGOs or the United Nations system. I invested time in technical legal questions: in what circumstances might the High Court consider pornography production a form of political communication or protest, therefore deserving of protection? Within existing anti-discrimination law, could sex work be considered a sexual orientation, like being lesbian, gay or bisexual, and would this definition also include people who are queer, kinky or polyamorous? If sadomasochism is potentially protected under the *Human Rights (Sexual Conduct) Act 1994* (Cth), could some forms of pornography also be covered? Can a right to protection on the basis of sexuality be read into the ICCPR's non-discrimination principle, or do we require a standalone human right to sexuality and/or pleasure? Similar questions have been considered by legal scholars (Otto, 2007; Gross, 2007; Gross, 2008). Although these finer qualifications can certainly offer tactical use in lobbying efforts, the questions are premised upon libertarian approaches that presume the legitimacy of state institutions and the effectiveness of representative democracy – they limit themselves to law reform efforts using legal and government structures. They accept, rather than contest, the terms of reference given to us.

The arguments for law reform are persuasive indeed, and a wealth of sociological, epidemiological and legal literature support the benefits of decriminalisation for sex workers (Harcourt et al., 2005; Harcourt et al., 2010; Stardust, 2015). In public health discourse, legal and policy frameworks have been identified as barriers to evidence-based HIV prevention strategies, with focus upon enabling legal environments that allow people to access health care and support (Department of Health, 2014, [4.2], [6.6], [7.5]). Repealing criminal laws and introducing anti-discrimination protections will bring material benefits to facilitate better access to health services, workplace health and safety, industrial rights and justice (Stardust, 2014). But the experiences of my participants in this study also revealed that if we limit our focus to law reform, to inclusion in consultation processes, to fighting for a seat at the table, such advocacy can not only become caught up in small wins and moments of recognition but we risk legitimising the very structures of power that continue to stratify and marginalise sexualities. Because sexuality law reform is so politicised, small victories are not safe for long, and our energy becomes invested in a repetitive cycle of protecting and maintaining tiny feats of 'progress'. This is not to say that this immediate work is not needed – indeed, it is necessary ground work. But as we accept the terms on which we are offered small slices of the mythical (and finite) 'equality pie', we can make the mistake of thinking that reform is enough, risk losing sight of what our long-term strategies are and forget to imagine possibilities for a different future.

To use the frames of debate that are offered to us by policymakers, governments and judiciary and to respond on their terms does a serious disservice to the spirited movement for alternative

pornographies demonstrated by participants in this study. When governments frame conversations about pornography in such loaded and narrow terms, such as the *Inquiry on Harm Being Done to Australian Children through Access to Pornography on the Internet*, as a Senate Standing Committee phrased it in 2016, what kind of possibilities are being foreclosed about young people's relationship to media? (Senate Standing Committees on Environment and Communications, 2016). When courts ask whether pornographies are harmful, and we respond by arguing that in fact queer pornographies are essential and emancipatory, as was argued in the *Little Sisters* case at the Canadian Supreme Court, what assumptions are we making (and enshrining) about what pornography *is* and *does*? (Karaian, 2009). When cases are brought to challenge anti-pornography laws, as they have been before the European Court of Human Rights, why do they rely primarily on the human right to privacy, and does this further relegate pornography to the private sphere as something that ought not be viewed in public or communal contexts? (Johnson, 2002; Nowlin, 2002). Privacy itself has been mobilised within parliamentary debates about sodomy quite differently to other liberal values of freedom and equality, in some cases acting as "a form of social control intended to 'disappear' gay men (and lesbians)" (Henderson, 1995, p.1023).

These preoccupations are symptomatic of a turn towards 'liberal legalism', an approach that uses the law as a key instrument for social change. As Janet Halley and Wendy Brown describe, legal liberalism combines the principles of liberalism, which "presumes the legitimacy of a state in which we are guaranteed equality before the law and in which individual liberty is paramount" (Brown & Halley, 2002, pp.5-6) with the principles of legalism, a mechanical process that approaches problems with abstract logical reasoning based on applicable legal texts rather than with reference to the social or political environment, and which presupposes the neutrality and impartiality of both law and the state. Political philosophers Nancy Fraser and Axel Honneth have identified that this push towards recognition is symptomatic of our times (Fraser & Honneth, 2003, p.1). Fraser states that "group identity supplants class interest as the chief medium of political mobilization" (Fraser, 1995, p.68). Brown and Halley have also identified "the displacement of distributive concerns by equality" (2002, p.3). Dean Spade notes that "legal declarations of 'equality', particularly in gay and lesbian rights movements, have been tools for maintaining stratifying social and economic arrangements" (Spade, 2015).

9.2 Meaningless consultation

Law reform processes have been historically fraught for performers and producers. In my interviews, I asked porn producers about their experiences engaging with law reform. None of the producers had been invited for consultation, although some had proactively sought out opportunities to write letters

to politicians expressing their concern and one sex worker had written submissions about decriminalising sex work and HIV policy. Three had voluntarily participated in regional Victorian focus groups run by the Classification Board in 2014, but only one was out as a porn producer during that process. Consultation brings risks of self-incrimination for producers. As one feminist producer said, "It would be really nice to be able to be more open and politically active but there is that ongoing fear of prosecution that gets in the way so no, I'm not considered to be a stakeholder. It'd be nice to be." Instead, the intricate and nuanced discussions about the personal and professional effects of regulation were kept within industry: as Gala Vanting said, "the only times that I have conversations like this are with peers." Performer-producers felt a sense of injustice about governments not making sufficient effort to ask or invite them to have a say. As Kim said sarcastically, "Nobody ever consults anyone that's actually involved in any aspect of it. Thanks politicians, it's just our lives and livelihoods but you don't have to ask us any questions at all." Producers feel disenfranchised from and disillusioned with the law-making process, meaning that the valuable insights that they accrue through their work remain in industry rather than being used to inform policy.

Because of the lack of meaningful consultation with porn performers and producers in law reform processes, national political debates are largely centered on two polarised arguments: socially conservative positions that emphasise the harm of pornography and which purport to protect children by preventing their 'exposure' to pornography (advanced by organisations such as *Porn Harms Kids* or *Collective Shout*), and liberal positions that advocate for an unfettered right to freedom of speech (such as *Eros*' position that adults should be able to see, read and hear what they wish). Kim Heitman from *Electronic Frontiers Australia* observed that the debate has been "hijacked by the middle man":

> [T]he debate has been entirely between the people who don't want pornography being sold and the people who make cash from selling the pornography created by other people… I think we've actually distorted the public debate and the laws over a long period of time insofar as the politicians have only been listening to two perspectives, that of the vendors of pornography… and then the censorious Christian right… so we get the situation where the children aren't being protected, it's the people who allege they speak for the children whose views are heard. It's not the sex performers and the sex workers who are heard, it's the people who sell their product.

The polarised framing of discussions of pornography (harm versus freedom of expression) by two opposed lobby groups illustrates how a multifaceted issue can become watered down in processes of regulation. The voices of performers, producers and consumers are muted during debates on pornography law reform. Questions raised by performers and producers throughout this study about the meaning of intimate images, film piracy, tube monopolies, diverse representation and how

criminal laws affect performers' access to justice, are all eclipsed. In addition, the likelihood of reform is stifled by politicians' concerns about retaining their electoral seats. Decriminalising pornography production and sale is unlikely to be a popular party platform at election time. In my interview with Terry Flew about the potential for pornography law reform, he reflected:

> So often I think change in this area happens to some degree by subterfuge and by the application of other laws. For instance, if you wanted to convince a conservative government to liberalise laws in this area you'd point to reducing red tape and government spending and getting the Classification Board to focus more on matters of larger community concern. That would be the sort of pitch that you'd make.

Flew noted the difficulties of bringing bipartisan change with such a regular turnover of state politicians, in a context in which Ministers would "start turning their head down and looking at their notes and avoiding any sort of eye contact" and in which "several Attorney Generals were completely surprised as to what the actual laws were [that] they had responsibility for". His view was that reform was most likely to be "relatively piecemeal and ad hoc" and come via framing decriminalisation in terms of a reduction in red tape or redressing the misalignment of federal classification and state criminal laws. The risk is that in appealing to economic benefits for legislators and pitching solutions that are expedient and safe for them, the reform process becomes about what's convenient rather than evidence-based, and stakeholders end up watering down their political asks.

9.3 Wins, losses or compromises?

We can see some of these pitfalls in how pornography law reform has played out historically in Australia. In the *Non-Violent Erotica* vignette, we see a useful example in the development of Australia's X18+ classification category. Facing the prohibition on the sale of X18+ content in all states and a promise from former-Prime Minister John Howard to ban X18+ in the territories, Eros Association sought to find new ways for their members (adult retailers) to sell explicit content. Realising that their campaign to legalise the sale of X18+ was not gaining political traction, Eros began a campaign to introduce a new federal classification category, Non Violent Erotica (NVE), which could be legally sold. This new category included a more restricted list of sexually explicit content than that which already fell under X18+. But the role of Eros, as Robbie Swan described it, was in "putting forward all the time measures that are politically palatable for politicians and that we think maximises our members' benefits."

> We just acted to save as much of that category as we possibly could... we entered into negotiations with Andrew Robb and the Attorney-General [Daryl Williams] at the time to undermine John Howard's pledge. Basically they said, "Look, if we want to form this non-violent erotica category that you are

saying is the way to go to keep most X-rated material, you are going to have to offer something up. What is it going to be?"

While the outcome would have been favourable for Eros members in the short-term, their will to compromise backfired. As detailed in the *Non-Violent Erotica* vignette, following the screening of Senator Brian Harradine's private collection of porn films in Parliament House, NVE was never introduced, the sale of X18+ content remained illegal, and the X18+ category was narrowed so as to exclude all depictions of fetish. The resulting ban on fetish disadvantaged anyone making or selling kink-related content and maintained a system that still criminalised X18+. In our interview, Robbie defended Eros' decision, but also recognised the resulting community backlash.

> I mean, over the years we have received a bit of grief from BDSM groups for what we did... I mean, we are a lobby group who represented a whole bunch of X-rated traders. What were we meant to do? We could have turned our back on the whole thing and said, "No, fuck you. We're just going to go ahead and go out on our own and try and save the lot." Or we could have just gone in and negotiated with them, as we did, to say, "Let's include this in X-rated." Then once we had that new non-violent category established, then go back in and start to push the boundaries on what was then an RC category... Yeah, we agreed to that because we thought well, you know, in terms of … what are we meant to do? Be like the Greens and knock back the whole environmental emissions trading scheme because it doesn't agree with 10 percent of what we don't like? I mean, we just didn't operate that way.

Robbie's description of Eros' engagement in law reform illustrates how lawmakers are often divorced from the issues they legislate on. This was not an example of evidence-based policy being codified into law or a meaningful consultation with stakeholders, but rather one of political expediency that accepted compromises based on the personal distaste of politicians. Robbie described this as a win for Eros at the time, having staved off the threat of a total ban on X18+ content. But, as he recognises, for people who practice BDSM, who produce fetish content or who watch kinky material, this was really a loss:

> I mean, as far as we were concerned as lobbyists for the industry, we had had a win. As lobbyists or as people with a civil libertarian viewpoint on material we probably had taken a small hit because material that we thought shouldn't be banned was being banned. What could we do? I mean, that's what politics is. That's politics.

This unfolding of events demonstrates different tactics and strategies for law reform by businesses versus sex worker organisations. Eros' proposal for an NVE category and their decision to give up fetish was a *tactical* intervention in which they responded to the material circumstances they found themselves in and sought to address the proximate conditions. However, their overall strategy

(holding off a federal ban on X18+ entirely) was constrained by the political environment, the narrow terms of reference offered to them, and Robbie's somewhat fatalistic sense that compromise was inevitable, because "that's politics."

In contrast, sex worker organisations used tactics that were more aligned with what Robbie described as the Greens' approach, sticking to a long-term vision without making short-term concessions. Sex worker organisations held long-term visions within broader projects to dismantle patriarchy, racism, homophobia and capitalism. It was the experience of Scarlet Alliance that governments do not "come back for the rest of us" once small gains have been won for the most privileged. The ban on fetish has not gradually eroded over time – instead it fell off the political agenda and 19 years later it remains in place. Eros' advocacy in subsequent years focused not upon coming back for other marginalised groups, but on reporting non-member retailers to law enforcement agencies. In my archival research, I uncovered correspondence during Eros campaigns to 'Legalise X' from 2000-2003 where Eros specifically wrote to state Attorney Generals reporting other adult retailers selling unclassified or X18+ rated material (Patten, 2004). In our interview, Robbie described this deliberate tactic of outing retailers to protect Eros members:

> I mean, hopefully now they're targeting non-Eros members' shops since we've put our little plan into action. I have not had an Eros member come back to me and say that they've been charged by the police since we put this in force. I'm hoping it's working and that they're concentrating all their efforts on non-Eros members.

This data provides a striking example of the divergent and conflicting stakes involved in law reform efforts. Eros here are not invested in solidarity with sexually marginalised groups. Rather, the impetus behind both these tactics was to protect the business interests of their members.

9.4 Polarised debate

In the six years since the Australian Law Reform Commission's 2012 review, there has been no movement on pornography legislation. Since the introduction of the ban on fetish in 2000, what constitutes X18+ material has remained the same. The ban on selling X18+ content dates back to the 1980s. Aside from introducing additional criminal laws relating to possession in the Northern Territory in 2007, progress on pornography law reform has been largely stagnant. The Classification Branch is now trialling an online classification tool that allows industry to self-classify their own films, a move towards a hybrid co-regulatory scheme. The Commonwealth Department of Communications and the Arts is preparing to invite public submissions for yet another classification review. These slow micro-developments barely scratch the surface on the broader project of pornography law reform (often

deliberately passing from one government to the next), and yet in the context of political stagnation, any movement can be received as a distinct glimmer of hope.

In June 2018, former Liberal Democrat Senator David Leyonhjelm introduced a Private Member's Bill proposing changes to federal classification and broadcasting laws (*Freedom of Speech Legislation Amendment (Censorship) Bill* 2018). The Bill contained a number of provisions that the adult industry has been campaigning for: it narrowed the definition of Refused Classification material by removing the prohibition on depicting fetishes, permitted the Classification Board to approve advertisements that deal with matters of sex, and removes restrictions on online content services relating to X18+ content. In addition, the Bill proposed removing sections which prohibit the possession, control and supply of pornography in certain areas of the Northern Territory. While these may appear as welcome changes, a closer examination reveals further implications.

X18+ was still to be prohibited if it was not subject to a restricted access system, something Leyonhjelm described in the Explanatory Memorandum as "disabling devices acceptable to the regulator." Age verification systems have been heavily contested and criticised where they have been recently introduced in the United Kingdom for their privacy implications (Blake, 2019). In addition, the underlying intention of the Bill was to permit unfettered speech. It permitted content that "offends against standards of morality, decency and propriety generally accepted by reasonable adults" (s2). Although this existing terminology is not without problems (in Chapter 4, I discussed the problematic assumptions in assessing reasonableness, morality and decency), these proposals speak to the broader political environment in which pornography is being positioned primarily in the domain of free speech.

Notably, the Censorship Bill was part of a suite of bills, which proposed to remove restrictions in 23 Commonwealth Acts on insulting and offensive speech (*Freedom of Speech Legislation Amendment (Insult and Offend) Bill* 2018) and proposed to remove prohibitions on acts that offend, insult, humiliate or intimidate a person or group of people because of their race, colour or national or ethnic origin (*Racial Discrimination Law Amendment (Free Speech) Bill* 2016). The suite followed from a political backdrop in which discourses of free speech are presumed to trump other rights and taking offence is being positioned as a matter of sensitivity. Leyonhjelm himself has made remarks about the sexist and misogynistic advertising slogans of Wicked Campervans, which included jokes about sexual assault: "If you want to take offence, that's your choice" (Bruce-Smith, 2016). Katharine Gelber and Luke McNamara (2013) have discussed how the justified and successful use of hate speech laws in Australia have in fact been reframed and recast in the ensuing national debate to mobilise a free

speech anxiety (2013). These debates are perhaps best epitomised by the former Attorney-General George Brandis' statement in the Senate that "People do have a right to be bigots you know."

By framing the problems of pornography regulation as only to do with free speech, such steps for reform completely miss the core issues in need of attention. Although the removal of the prohibition on pornography possession in the Northern Territory is overdue, this measure did not address the ongoing Northern Territory intervention (it's welfare quarantining, acquisition of land and targeted policing leading to disproportionate incarceration) that Aboriginal communities continue to resist. Instead, it attempted to lower the threshold for racially vilifying speech. These proposed reforms do not address the key issues raised by the participants in this study – issues such as work health and safety standards for performers, anti-discrimination protections, avenues for justice, industrial rights and decriminalisation have fallen off the agenda entirely.

By positioning pornography in such narrow adversarial terms, particularly using rights-based approaches centred on speech and privacy, legislators and advocates lose nuance. As Wendy Brown and Janet Halley have argued, "all the complexities of sexual representation, of the imbrication of sexuality and gender, of the relation of fantasy to reality, and above all, of the extraordinary and detailed range in the sexual construction and desires of women and men were eclipsed" (2002, p.22). Kristen L. Cole has identified how pornography debates reflect "grammars and moral orders" of pro-pornography and anti-censorship positions. These positions have "irreconcilable differences" stemming from "differences in moral assumptions about private versus public sex" that simply do not "cross-translate" and instead "limit discussion" of outreach, education and community-building (Cole, 2014, pp.233, 235). In law reform, our conversations about sexuality become reduced to tired frameworks of risk, speech, danger and pleasure.

9.5 Decentering law reform

Law reform processes prompt producers and performers into discussion of what might be an ideal regulatory framework. I found consensus among my participants that the production and sale of pornography should be decriminalised, but questions remained beyond this step. While lobby groups generally accept that pornography should not be available to minors, others have questioned why it should be available to those aged 18 and not those aged 16, who can legally consent to sex. While some have accepted that regulation is necessary, others have warned against age verification systems that may collect and sell data about consumer sexual tastes and preferences. While it was generally accepted that fetishes should be permissible to depict, there was no consensus on which (if any) behaviours should be prohibited from view, whether there are activities that should legally fall beyond

consent, or whether we should we have a 'refused classification' or 'prohibited' category at all. If the jury is out on whether pornography actually causes or constitutes harm, then we might further wonder why it is even sequestered off into a separate category, different to other media. If violence is permissible in all other categories, including General Audience, then arguably sexual content should too be permissible wherever developmentally appropriate.

Participants described different attitudes about the appropriate role of the state itself. Instead of imagining these varied political actors (performers, producers, lobbyists) as fixed identities or even 'the state' as a static or monolithic institution, Janet Halley suggests that "envisioning people with projects" may be a more useful exercise. These individuals had collections of investments and practices that coalesced with different alliances and allegiances at different times (Halley, Kotiswaran, Rebouché & Shamir, 2018; Heathcote, 2016). Even whilst maintaining a shared interest in feminism or ethics, the stakeholders demonstrated conflicting political philosophies from anarchism to liberalism, espousing different visions for the future and different means by which to achieve them. Male producers who were not performers, in addition to industry lobby groups, were more likely to support market-based mechanisms and the development of industry standards as determined, audited and monitored by an industry body or government. On the other hand, queer producers and performer-producers were more likely to take a radical approach; they had little faith in the likelihood of the state protecting sex workers, saw the state as primarily serving, protecting and maintaining the interests of powerful groups, were sceptical of decision-making structures and processes that excluded them, and believed it was preferable to invest their energy in developing localised, community-based ethical approaches.

These different approaches affect how participants navigate the regulatory framework and law reform processes. Some express a desire to comply with the law: Howard even expressed a pride in compliance in a way that distinguished his company from other actors, to the extent that he didn't want law reform to let in the "bottom feeders." In comparison, others described a defiant and wilful disregard of laws and governments they did not support, with a willingness to be arrested and test the laws in court, and a preference for generating ethical codes that sat outside the state entirely. Luna Trash stated:

> Especially seeing as the law has done absolutely nothing for us as sex workers and as porn producers, it seems ridiculous that we should have to fit into their structure and still have the proper set up if they're going to keep us on the edge and could throw us in jail at any minute if they decided, [through] little loopholes in the law. I mean, really, anyone in porn I guess should be trying to keep outside it as much as possible.

Dick Savvy said:

> Look it has come up in conversation before. My thought and it's half true, I'm just bringing camera men or something - I've always wanted to do prison porn! Yeah look, no to be quite honest with you, and I hope it doesn't happen, but if it happens I'll take a big deep breath and I'll go right in there and I will stick up for what I believe in, and hopefully challenge the law.

Is the issue simply that we need more effective and efficient democratic processes for consultation, representation and evidence-based decision-making (to *improve* the system)? Or perhaps it is that the systems themselves are working exactly as designed to maintain a social order and prevent marginalised communities from real participation and representation in decisions affecting their lives. If the case is the latter, as critical legal theorists have argued, we need to then consider what constitutes a strategic intervention that would serve to destabilise current systems: not only the organisation of sexuality but the condition of late capitalism, the evangelism of market logic, the tyranny of neoliberal governance and the order of law. If we need to engage with law, if only to push for decriminalisation and a repeal of legislation, then how can one engage in a way that does not accept part and parcel the context in which these consultations are occurring, the terms on which they are being debated or the options which are being proposed?

Critical legal theorists have grappled with this question. Robert Knox advocates a position of "principled opportunism", which he describes as "a basic tenet that law is not to be used on its own terms, but rather in furtherance of a strategic goal" (Knox, 2010, p.227). Drawing upon a distinction made by notorious French lawyer Jacques Vergès, Knox describes a continuum between "collusory" aspects and "ruptural" uses of law: institutional uses of the law, such as trials argued with legal terminology and using the logic of the law remain 'collusory', even if their aim is to transcend the law. In contrast, as Knox describes, "ruptural strategy *uses* the spectacle and publicity of law, to directly undermine the law by launching a political attack on the existing order" (2010, p.225). In engaging with the law, the task is not to be seduced by it bur rather to remember to imagine beyond it. It becomes necessary to find an approach which, as Dean Spade proposes, "includes law reform work but does not center it," (2015, p.xvi); one which "makes demands that exceed what can be won in a legal system that was formed by and exists to perpetuate capitalism, white supremacy, settler colonialism, and heteropatriarchy." Below, I discuss three organising strategies that seek to resist current systems of regulation: strategic essentialism, coalition-building and employing a politics from below.

9.6 Strategic essentialism

While porn performers and producers are often invested in very different political projects, one recurring theme is an investment in the value of sexual material (whether they be documentary, artistic or political) and their potential positive impact upon consumers. Reiterating the positive aspects of pornography has been a common tactic to counter dominant narratives about pornography as inherently violent, degrading and exploitative. In doing so, it is tempting to argue that feminist, queer and ethical porn is *better* than mainstream porn. It is tempting to point, as the marketing does, to its value in being documentary, authentic, and affirming. It is tempting to argue not only that feminist, queer and ethical pornography should be legal but that it should be encouraged, supported or even subsidised.

In her analysis of the famous Canadian Supreme Court case *Little Sisters*, which has been discussed at length in Australian jurisprudence for its international implications in how courts understand pornography, socio-legal scholar Lara Karaian examines the relationships between feminist legal theory, strategic essentialism (see Spivak, 1990, p.10), queer pornography and anti-discrimination law – in short, *how* we operationalise queer and feminist theoretical arguments within the confines of case law. In 2000, when Canadian customs targeted shipments to a gay and lesbian bookstore and attempted to prevent their entry into Canada on the basis that they were obscene, counsel for the *Little Sisters Book and Art Emporium* argued that previous case law did not apply to gay and lesbian pornography as that case only addressed heterosexual pornography. In separating out queer pornography as *distinct from* heterosexual pornography, Little Sisters relied upon arguments that lesbian pornography was emancipatory, because sexually explicit materials were "important to *all* women and are *essential* to the emotional, social, sexual and political lives of lesbians" (LEAF, in Karaian, 2009, p.385). The arguments explicitly note the "liberating effects" of such material, due to its "subverting [of] dominant constructs of masculinity and femininity" which operate to "challenge the sexism that is believed to be endorsed and reinforced by mainstream heterosexual pornography" (EAGLE, in Karaian, 2009, p.385).

This line of thinking – the resistance to conflating lesbian sexualities with heterosexual sexualities as if they are the same – is not isolated or new: lesbian scholars have long criticised readings of lesbian sex from a heterosexual paradigm and problematised the anti-porn position as marginalising lesbian, queer and BDSM sexualities. However, this argument is different to situating lesbian or queer sexualities as inherently better or more deserving of legal protections. Although queer pornographies may indeed have liberating and emancipatory effects at times, if we rely upon fixed concepts about what queer pornography *is* (subversive, sex-positive, emancipatory, different to mainstream

pornography) and argue definitively about what queer porn *does* (community building, affirmation, sex education), we risk producing a homogenous and monolithic category that does not accurately reflect the diversity and nuance with which queer pornographies are produced, consumed, and circulated. Will such categories become like 'porn for women' – a genre identified via soft lighting, narrative arcs or cunnilingus that distils a particular (and limited) articulation of 'what women want'?

There must be room for a normative evaluation of pornography's processes and content. But the *Little Sisters* case is a reminder that in advocating for the decriminalisation or availability of pornographies, we need to be careful to advance arguments that *address hierarchical systems of value* rather than rely on strategic reification of identity categories or a mere reversal of good/bad sexual subjectivity. In this case, instead of queering the ways in which sexualities are produced and stratified, the legal arguments *reacted* to dominant stereotypes about pornography with an oppositional response. In doing so, they advanced a solidified a sense of a unified gay and lesbian identity, a concrete notion of what constitutes 'queer sex' and a 'true' meaning of sexual expression and porn consumption (Karaian, 2009, p.393). As Gayle Rubin writes (2009, p.370):

> It should not be necessary to justify gay populations, or transgendered individuals, or movements for civil equality for all citizens regardless of whom and how they fuck by arguing that they possess some special quality and power to bring about economic utopia or recreate an earthly paradise.

The danger in advocating for queer or feminist porn as 'better', whether in case law or via attempts to certify ethical porn, is that we set up a model citizenship project by which alternative pornographies are expected to be perpetually positive, celebratory and responsible. Such a project consolidates pornography as a 'thing' rather than a rhetorical tool (to revisit Kendrick, 1996), and ignores the function of the category of pornography as something which "sits at the limits of the social" (Sharkey, 2018, p.9). Following a radical reading of alternative pornographies, the goal is not to seek legalised identities (feminist pornographer) or certified products (fair trade pornography) but to transform power structures that position sex as outside culture and dismantle the existing systems of erotic stratification.

To do so may require letting go of what Wendy Brown calls our "wounded attachments" (1995, p.52). Wounded attachments are our emotional or political investments in categories that have been the source of our injuries and exclusion. In *States of Injury*, Wendy Brown traces the ways in which politicised identities (such as gay and lesbian) are constituted and maintained through these 'wounded attachments', risking reinscribing those identities as essentialist in ways that we cannot or do not wish to escape from. Brown argues that categories of political identity acquire their very coherence via

exclusion from an imagined ideal (for example, mainstream pornography), a fictional inclusive universal community. In doing so, political identities – in this case, alternative pornographies – in fact "require that ideal, as well as their exclusion from it, for their own continuing existence as identities" (1995, p.65). Throughout this "protest against marginalization," Brown argues that "politicized identity thus becomes attached to its own exclusion" (p.73). By hanging onto categories of ethical, feminist or alternative pornographies in opposition to mainstream pornography, as if they are *things* and not *processes*, these categories produce their identities by repeating their exclusion and codifying it into law. In Brown's words, they "[become] invested in [their] own subjection" (p.70).

9.7 Coalition building

The participants in this study offer us ways to think about pornography that move beyond explicit sex and to see how the movement for alternative pornographies intersects with other struggles. The regulation of sexual content does not only affect people involved in the production and sale of pornography. During the research, participants raised broad, cross-cutting issues. Criminal laws around sex work and HIV persist across jurisdictions, impeding access to health care and human rights. Large shifts away from fixed employment towards sharing and gig economies affect workers in many creative industries, in particular those in mobile and precarious labour. The decentralisation of production and its geographical dispersal across continents raise issues about equity in labour supply chains. New technologies are being deployed for the purposes of surveillance, bringing risks for tracking movements of people involved in criminalised, politicised or dissident activities. The categorisation of youth practices of 'sexting' as child pornography has raised questions about the meanings associated with the creation and sharing of intimate images as part of relationships and sexual cultures (Albury et al., 2013; Hasinoff, 2015; Lee et al., 2016). The ongoing criminalisation of possession of pornography in some parts of the Northern Territory illustrates how racialised and paternalistic ideas inform which communities are seen as responsible enough to self-govern, and which communities are perceived as requiring management and control (Tedmanson and Wadiwel, 2009).

Issues like these remind us that opportunities are ripe for coalition-building that may prompt social change beyond legal recognition or market-based interventions. In her iconic piece, Cathy J. Cohen urges queers to root our struggles in communities of colour (Cohen, 1997, p.438):

> I envision a politics where one's relation to power, not some homogenised identity, is privileged in determining one's political comrades. I'm talking about a politics where the nonnormative and marginal

position of punks, bulldaggers, and welfare queens, for example, is the basis for progressive transformative coalition work.

Lara Kararian similarly argues that we need to form critical coalitions that bring about movements based on shared politics rather than shared identities (2009, p.391). She cites Becki Ross in *Bad Attitude/s on Trial* (Karaian, 2009, p.391):

> In order to fight repressive state, medical and religious discourse and practices, lesbians, gays, bisexuals, and friends, need to pursue alliances with all communities who have experienced histories of intimidation – for example, coalitions among Black, Asian, and First Nation communities, and communities of sex-trade workers, the disabled, and AIDS activists. Ambitiously, we need to persuade queers and queer positive supporters that state regulation has an impact on all of our sexualities, not just on those of perverts.

Following this argument, alternative pornography producers ought to think outside the immediate issues affecting them and align themselves with movements that are impacted by similar forms of structural oppression. In the last decade, queer theory has moved on from questions about sex to questions beyond. As Michael Warner asks in the introduction to *Fear of a Queer Planet*, "What do queers want? This volume takes for granted that the answer is not just sex" (Warner, 2011, p.vii). In *After Sex? On Writing Since Queer Theory* Janet Halley and Andrew Parker discuss the shifts of prominent queer theorists such as Judith Butler away from sexuality and towards justice (Halley & Parker, 2011, p.2). Shane Phelan argues that coalition-building processes ought to think about what kinds of issues we might share, in our relationships to power or in our disidentification from regulatory norms (in Karaian, 2009, p.392):

> [T]he problem for coalition politics is not "What do we share?" but rather "What *might* we share as we develop our identities through the process of coalition?" Coalition cannot simply be the strategic alignment of diverse groups over a single issue, nor can coalition mean finding the real unity behind our apparently diverse struggles. Our politics must be informed by affinity rather than identity, not simply because we are not all alike, because we each embody multiple, often conflicting, identities and locations.

In thinking collectively rather than individually, Wendy Brown suggests that a more emancipatory political practice lies in supplanting the language of "I am" with the language of "I want this for us" – replacing "being" with "wanting", replacing the insistence on fixed traits with an investment in collective interest, and in doing so "rather than dispensing blame for an unliveable present, inhabit[ing] a necessarily antagonistic theatre of discursively forging an alternative future" (Brown, 1995, pp.75-76).

In thinking about the limits of representation and identity categories, *Slit Magazine* provide a useful example of a project that positions its sexually explicit work as a *politics* rather than a genre. In the Editorial of the Simulacra edition of *Slit Magazine*, the editors write (2012, p.3):

> *Slit* has always been troubled by the impossibility of being 'representative' of the communities that *Slit* envisages we are a part of. It strives to encourage contribution. But if the goal of representation is to counter the mainstream exclusion of voices, then identity-based inclusion is not enough. Regardless of who is featured in the mag, *Slit* strives to represent through politics and ethics more than identity.

Here connection and community are built through affinity and political connection rather than via identity categories. This is perhaps most evident in *Slit Magazine*'s name change from being a 'dyke and trans' magazine to 'queer and feminist' magazine. They write, "It is these debates that have led to *Slit* selecting a tag line that we intend to refer to a politic rather than an identity" (*Slit Magazine*, 2012, p.3). Part of approaching this as a work-in-progress is to ask self-reflexively, as Meredith and Domino do "Why 'queer and feminist' and not 'queer and anti-racist?' A radical sex politics must be connected to a radical race, gender and class politics, and start by engaging with the responsibilities of making a magazine within the violence of ongoing colonisation within Australia" (p.3). This process of ongoing reflexivity about the connections, conditions or experiences we might share in relation to power provides space for political actors to imagine broader alternatives.

9.8 Dignity in shame

In addition to mapping the (current and potential) nodes of connections this movement shares with others, I argue that the movement has most to gain by listening to voices of those who are most marginalised. Sex worker involvement in feminist porn movements has brought an increased focus on non-hierarchical organising and advocating. While any social movement risks becoming embroiled in respectability politics in its bid for a seat at the table, sex worker advocacy is regularly in conversation about what is colloquially known as the 'whorearchy' – the hierarchical systems within sex work that determine who is afforded privilege, social capital and respectability. Belle Knox, famed as the 'Duke University Porn Star', writes on *Jezebel* about the stratification of sex work, its segregation along social and legal lines, its arrangement "according to intimacy of contact with clients and police" and how the whorearchy is maintained through the operation of disdain among sex workers (Knox, 2014, n.p.). Sex worker movements are invested in fostering solidarity between all sex workers, regardless of the type or legality of their work, to ensure that the rights won for some do not come at the expense of others. This is epitomised by one of the key international slogans of the movement, 'No bad whores, just bad laws'.

The movement for alternative pornographies can learn from sex worker rights and queer activism about the risks of appealing to politicians, media, government, consumers and business as part of an assimilationist or appeasement campaign, at the expense of further marginalising 'bad queers', sex workers and mainstream porn workers. The former CEO of Scarlet Alliance, Janelle Fawkes, said in our interview:

> [W]hen I think about those divisions that often come up about feminist porn or ethical porn and how that also creates that divide and almost places any other kind of porn as lesser or less beneficial, or the people working within it as less valued, then I think about the other ways within the sex worker rights movement that we've really tried to avoid that stuff. So, I think there's lessons to be learnt from the sex worker rights movement for people who are currently in that space trying to work it out for themselves around porn.

Michael Warner's concept of a "queer ethic of dignity in shame" can assist us in understanding the importance of listening to the voices of those most abject, marginalised and least reputable. Warner argues that "[t]he lesbian and gay movement at its best has always been rooted in a queer ethic of dignity in shame" (2000, p.37). This, argues Warner, is different to "the kind of dignity we might call bourgeois propriety" (p.36). Rather, when "abjection is understood to be the shared condition," where "[n]o one is beneath reach," it can generate camaraderie and generosity (p.35):

> The rule is: Get over yourself. Put a wig on before you judge. And the corollary is that you stand to learn most from the people you think are beneath you. At its best, this ethic cuts against every form of hierarchy you could bring into the room.

Instead of cleaning ourselves up and securing protections only for workers who are tertiary educated, middle class, and engaging in porn for fun or self-expression, sex workers bring a politics from below that compels us to centre people on the margins. What about people who engage in bareback sex on screen, who use drugs, who work in mainstream heterosexual porn, who do not love their job, who are on a temporary visa or who are there just for the money? A politics of dignity in shame (where one "doesn't pretend to be *above* the indignity of sex") (2000, p.35) as opposed to a politics of respectability (a process of normalisation which reinforces stigma upon others), helps us to listen to the voices that are not heard in media or roundtables, and reflect on how our language, our legislation and even (or especially) our lobbying can perpetuate hierarchies. Instead of seeking *recognition* from government and consumers for porn that is palatable, we need to think about what these movements for recognition, certification and legalisation mean for porn workers who are most marginalised. As Warner writes (2000, p.viii-ix):

the world has much to learn from the disreputable queers who have the most experience in the politics of shame, but who for that very reason have been least likely to gain a hearing – either in the official policy circles where their interests are allegedly represented or in the theoretical and philosophical debates about morality, sex, and shame where their point of view can be most transformative.

That does not mean that interventions into representational practices are not useful. But we can inadvertently let a politics of respectability seep into our engagements in law reform, our strategies for community organising, advocacy, consultation and representation. There is a difference between a project for recognition and a project for distribution; between market-based responses and community ones; between legalisation and decriminalisation. The preoccupation with state structures and systems to protect or redeem oneself threatens to overtake alternative interventions and become the only strategy.

9.9 Towards a politics from below

The material (and criminal) situation in which porn performers and producers find themselves suggests that they may *have to* engage with the immediate dilemmas presented to them as opportunities by governments. The prevalence of sex work stigma in legislation, policy and media directly affects sex workers' lives, legal status, health, rights and working conditions. Absence at the decision-making table could put these groups at greater risk – of worse public policy, of additional criminalisation, of retracted rights. And yet the costs of engagement are also high. The risk is that in constantly reacting – to parliamentary inquiries, to media headlines, to discriminatory laws – the energy of sex worker rights movements is directed primarily to responsive, short-term work, and diverted from long-term goals such as peer education, community building, world-making: the very generative and imaginative work that allows sex workers to survive and thrive. The fast pace of online media and pressure to respond to the latest news can lead to rapid fire responses and foreclose opportunity for thoughtful consideration or dialogue about long-term strategy. This diversion is perhaps one of the greatest travesties, in that it misplaces vital resources of the movement and interrupts its momentum. Indeed, its outcomes – exhaustion, burn out, reiteration of our sites of injury as our unifying factor, internalised and anticipated stigma, entitled anger, lateral violence – are a sure-fire method of destabilising a movement, of priming it for internal combustion. Stigma then becomes a regulatory force in itself, wielded by governments (but also self-inflicted within our own communities), as a means to protect the status quo.

There are a number of practical, immediate reforms that require urgent attention from governments. The production, sale, screening, possession and advertising of pornography could be decriminalised,

along with sex work and HIV and STIs in all states and territories, including the removal of disclosure laws, mandatory testing and a move towards joint responsibility for safer sex. Stronger anti-discrimination and human rights protections could be legislated at the state and federal level to protect people from discrimination on the basis of occupation. Enhanced investment and increased resourcing of peer education and community-driven health promotion initiatives would maintain existing low rates of HIV/STIs and provide greater access to industrial rights mechanisms for workers, such as free legal advice. Broader policy reforms such as comprehensive pleasure-positive sex education and media literacy would ground the legislative developments in greater cultural change. Even funding independent producers of explicit media, as Cindy Gallop suggests, could be part of a multi-faceted approach to reforming our relationship to sex work and sexually explicit representations.

We may not need a fixed, unanimous vision of what 'utopia' looks like in order to take the first step. But even if we only agree on decriminalisation, we ought to expressly articulate and critically reflect on the values and goals behind that step. Decriminalisation, for example, means that police would no longer be the regulators of sex work. It is distinct from legalisation, which would permit governments to licence how, when and where sexually explicit material is produced. Legalisation still maintains a criminal underclass who cannot afford to comply with the onerous conditions of licensing. Pornography advocacy has been preoccupied with legalising the sale of X18+ (not challenging its definition or decriminalising production), codifying and branding ethical content (rather than enshrining WHS or industrial rights access for performers), and restricting access to minors (instead of addressing piracy, discrimination and market monopolisation). The lack of consultation among performers, producers and consumers raises questions about who speaks and who matters in porn law reform. The shortage of voices in the debates on pornography, particularly of those most impacted by the law, leads to the distilling of a multitude of complex issues into polarised issues of harm versus free speech. Performers and producers are engaged in normative processes of world-making – by reinscribing different ethical approaches and value sets to porn's production – but there is also a risk that these calls to action can be mistaken for simplified codified standards rather than reflexive works in progress and can, in turn, produce new hierarchies. By thinking strategically, by imagining outside the law and beyond identity categories, and by listening to those who are most stigmatised, we may find affinities and connections in our relationships to power that can be mobilised to contest regulatory norms.

Vignette: Your Stigma, Your Labour

The space is buzzing, the lights are dim and a life size image of Jiz Lee climbing out from inside a giant pink vulva is projected onto the wall. It's the cover of their edited anthology Coming Out Like a Porn Star and we are holding two book launches in Sydney and Melbourne. There are 3 Australian essays included and I am chairing a panel of porn performers to discuss the book's themes: pornography, protection and privacy. I don't think I've seen so many sex workers together in one place except for the Scarlet Alliance national forum or at a rally outside the Opera House. Many faces I know and others I don't. It doesn't matter how many times I've performed live – in front of thousands of people, in stranger's homes, nude on film – speaking in front of your peers takes the cake. In the toilet cubicle awaiting call time I'm nauseous with anxiety but feeling honoured to be asked to hold this conversation.

The contents of the book are heavy. I cried many tears whilst reading it. Some of sadness, some of joy, and some of just knowing. In the forward, Mireille Miller-Young asks, what does it mean to come out? Where do we come from, and where do we arrive? She reminds us that coming out "has critical consequences for one's relationships, sense of self and integrity, one's livelihood and social mobility. Coming out means risking everything" (Lee, 2015, p.11). She notes the privilege in being able to come out, as well as "the profound injustice of needing to decide whether to come out" (Lee, 2015, p.11) Visibility brings both privilege and risk, and this event is not immune. People are live tweeting the Melbourne launch and, while we film the panel discussion, we decide not to film the Q and A because we don't want any impromptu discussion of legalities to be caught on public record.

The book features a range of voices from porn, including people of colour, trans and non-binary performers, people with disability and people with varying professional experiences (from 30 years of experience to porn hopefuls). Coming out is not new for porn performers – so many of us have already had to come out at various stages of our lives as multiple other identities that shape one another: as queer, gender diverse, kinky, people who use drugs, HIV positive, polyamorous or parents. The risks of coming out are not unknown to us either. They can include the threat of eviction, barriers to finding employment, custody battles, discrimination in accessing loans, poor treatment when using services and prohibitions on migration – risks that provide real incentives to stay in the closet.

The whole conversation feels emotional. It's personal. We make our way through muddy terrain, discussing the privacy implications of increased surveillance and the strain of coming out upon familial and interpersonal relationships. An audience member asks what happens when coming out goes wrong. Gala talks about a former partner who didn't want the mother of his child to be a sex worker.

I speak about my father's comments that no parent in the history of civilisation would be happy, much less proud, if their child had done what I had. The most heartbreaking realisation for many of us has been when our significant others just don't have the investment in that process of 'undoing' what they think they know about porn. Even though we can provide the resources, the patience and the de-stigmatising language, it is of little use if a person is not engaged in their own process of unpacking stigma.

What's clear from the responses is the labour that we all do in justifying our work to others. Passing the microphone between us, we all grapple with the question of how we allow people time and space to grow, whilst also looking after ourselves, practicing self-care, earning enough to live and not taking on board other people's stigma. Coming out involves added emotional and educative labour on top of the labour of sex work. It often means managing other people's immediate gut responses and quelling their greatest fears about pornography. It's confronting.

But Gala has a solution to this, gifted by her friend Sam, trialled with varying degrees of success. She shifts this burden to others. Instead of spending her energy justifying or educating others, she chooses to invest it in 'coming in', in cultivating her own communities of care, re-framing her whore family as central rather than peripheral, and choosing not to own other people's discomforts. It's straight forward. She says: 'Your stigma, your labour'. That process of undoing, unlearning and unpacking is not ours to repeatedly facilitate. Whorephobia is not ours to apologise for, or cower from, or compromise on. Our communities do not require external approval. Your stigma, your labour. I wish that someone would put this on a t-shirt.

Despite this sentiment, we all have misgivings and regrets about the mistakes we have each made in coming out. In their essay, Jiz Lee reflects that when they first came out to their family, they tried to play up what they understood were more socially acceptable porn performances. They were too insistent on making comparisons to independent films like Shortbus that seemed more respectable. Gala similarly describes how internalised stigma manifested in the way she described her work. Performing in 'alternative' porn, the presence of body hair and not looking like a 'porn star' offered a virtue that mainstream sites did not. It attracted curiosity, marvel and even congratulations. While she certainly did some work towards busting stereotypes, she reflects, this tactic was also "allowing some of their core stigmas to perpetuate". I think back to my own experience of media and how the labels of 'feminist porn' and 'queer porn' offered me a protective buffer, making my work seem more palatable and giving me a platform in the media.

In our other sex work, outside porn, we veered away from language that furthered stigma by repudiating others. Emphasising our own privileges (we don't all use drugs, we have other options, we have good working conditions) did not necessarily bust stereotypes but relied upon them. It did little to improve the lives of our peers in different circumstances or cause legislators to rethink the connection between poverty, labour and rights. While there certainly existed differences in the processes and representations of independent and mainstream pornographies, there were also similarities. On the panel, Angela White describes how she works in a mainstream context with a specific focus on ethics and consent. And yet mainstream porn is often the most derided and least protected.

Sitting here, the movement for alternative pornographies is in a place of internal combustion. The boundaries, if they ever existed, are in rapid dissolution. The projects of queer, feminist and ethical pornographies are about more than just industrial rights and WHS, but they cannot be actualised without basic protections. Their world-making projects are innovative and proactive, and in many ways deeply connected to sex worker politics, but they need to sit in solidarity with all sex workers. Two years later, another porn performer reaches out to tell me they are organising a panel of full service sex workers, migrant sex workers, street-based sex workers, brothel workers and trans sex workers to speak about the issues facing them and "to discuss the impact feminist porn performers are having on the rapid gentrification of the sex industry and the silencing of [these] voices in the sex worker rights movement."

Later, I reflect back on my expectations when I started this research and wonder, what if the most pernicious form of regulation is not the law but our blinding whiteness, our respectability bids and our own internalised stigma?

Chapter 10. Conclusion: Post-Pornographic Provocations

While much existing scholarship concerns itself with the representation of sex, its perceived meanings and effects, this thesis looked behind-the-scenes at what the movement for alternative pornographies does beyond its on-screen interventions. I followed social movement theories that looked beyond the commercial iterations and public face of the movement (its awards, its marketing, its edited scenes) and instead towards critical dialogues *within* the movement, in recognition that rather than being cohesive and unified, such tensions, contestation and dissent form an integral part of the movement. Looking behind-the-scenes allowed me to see how the values, norms and ethics of performers and producers clash with those of regulators, challenge their foundations and pose alternatives. It provided insights into *how* performers and producers navigate these regulatory systems, commercial environments and community politics, and the tensions and divisions that arise during this process. This approach allowed me to elicit information about both the social movement and the regulatory environment.

I commenced this thesis by identifying the blatant gap between what was happening in law and in practice and the question of whether alternative pornographies could expose the shortfalls of the regulatory framework and inform a better approach. They certainly expose the 'shortfalls'. Or rather, they expose the underlying investments of regulators in re-election, wealth accumulation and the institution of heteronormativity. They inform a 'better' approach in the sense that they reveal the potential of meaningful consultation in creating effective regulation; they demonstrate the deep knowledge and expertise that can be harnessed within the industry to develop effective policy solutions; and they are already far ahead of governments in pioneering initiatives for change. Legal and public debate consistently undervalues and underestimates the political, social and cultural aspects of creating and sharing sexual images. If regulators listened more actively to porn producers and consumers, they could develop policies that were actually evidence-based.

However, in their interactions with the regulatory framework, these movements offer lessons beyond the policy space about how we practice resistance politics in an age of neoliberalism and capitalist co-optation. We can see familiar dangers in other social movements that are united by stigma, such as the deployment of respectability politics, attempts at inclusion in market-based mechanisms and a turn to the state for recognition and legal protection, tactics which reinforce dominant systems rather than deconstruct them. When lobbyists make deals with politicians, they selectively pick which interests to protect or forget. In this process complex issues are simplified into digestible rhetoric (about freedom and protection) that eclipses critical debates occurring among communities (such as

the ongoing criminalisation of sex work, HIV and migration or the surface use of diversity strategies without changing industry structures).

Holding on to an oppositional politics ('alternative to') can be a means of maintaining critical thinking (always reassessing the next frontier or the changing face of oppression). But in holding onto fixed ideas about what mainstream pornography is and does, and advocating for alternative pornographies as inherently better, without constantly reassessing what is actually alternative or radical about them, we can forget to observe how the centre shifts and how alternative pornographies can create their own hierarchies, exclusions and disciplinary codes. Although alternative pornographies have been received with much enthusiasm, my data indicates that their revolutionary promises are constrained and shaped by a myriad of regulatory forces (economic, technological, legal, social, cultural and political). In some cases, these revolutionary claims are fantasies in themselves.

10.1 Regulatory imbrication and humility

Popular media imagines alternative pornographies as radical, transgressive and progressive, bucking against laws that are outdated and irrelevant. In their more radical iterations (where the content contests the premise of 'maximum visibility' and interrogates what 'pornography' really is; where communities are making porn for one another rather than to seek mainstream recognition; or where collectives create and own the content together, making shared decisions about its use), alternative pornographies are certainly challenging regulatory categories, capitalist consumption of alternative movements and privatised wealth accumulation. However, this popular hubris does not appreciate the deep imbrication of these (our) movements themselves in systems of regulation, both as a strategy of resistance (prefiguring alternative norms and systems of self-governance) and as a strategy of assimilation (seeking recognition within existing systems). Alternative pornographies are often less transgressive than they are normative, seeking to mainstream their own ethical codes.

Apart from classification law, customs law and criminal law that I detailed in Chapter 4, a swathe of forces act to regulate the production and dissemination of pornographies in Australia, and in turn shape how resistance movements emerge. These responses and regulatory investments reveal divisions within the movements themselves. The internal debates examined in Chapters 7, 8 and 9 reveal significant differences in approaches to ethics between queer and feminist producers (who were more engaged in local and international dialogues about the politics of production) compared with companies run by men who sought to produce socially responsible erotica, whose interventions resembled more of a corporate social responsibility and consumer-driven market initiative. Conversations ensued among performers and producers about the digital divide; the politics of

representing diversity (its limitations and gaps); what constitutes queer, feminist or ethical pornography and who decides the criteria; the co-optation of sexual subcultures by commercial interests; the limits of visibility as a political strategy; whether and how to engage in law reform processes; and how to best mobilise to effect meaningful change.

We cannot accept carte blanche that alternative pornographies are inherently revolutionary. Just as adding women to the workforce, government or judiciary has not automatically manifested in substantive equality, we similarly cannot expect to simply 'add women and stir' to pornography and expect immediate structural change in the machinery of industry. Although there is some capacity to make change from the inside (and that is precisely the allure: the *infiltration* of the mainstream), the ever-present danger is that those women, queers and other individuals will merely become another cog in the larger machine that does not deliver equity or justice. Foucault reminds us that "[w]e must not think that by saying yes to sex, one says no to power" (1978, p.157).

Where they privilege visibility and recognition as primary political strategies, alternative pornographies forget one of the key legacies of Foucault – his exposé of the myth of Victorian repression. Contrary to the "repressive hypothesis", sexual speech and representations were not 'repressed' in the 19th century but rather proliferated as a major organising theme of public life. The constant reiterations of transgression, revolution and radical politics against a repressive state instills what Foucault has referred to as "the speaker's benefit": "If sex is repressed, that is, condemned to prohibition, non-existence, and silence, then the mere fact that one is speaking about it has the appearance of deliberate transgression" (Foucault, 1991, p.295). Alternative pornographies have something to gain by reasserting their own repression. This leads to a movement which "speaks verbosely of its own silence", "denounces the powers it exercises" and "promises to liberate itself from the very laws that have made it function" (Foucault, 1991, p.297). Alternative pornographies speak profusely of their own radicality and rarely of their own disciplinary effects.

Gayle Rubin warns against the labelling of various activities or intimacies as revolutionary or transgressive vis-á -vis the prevailing power structures. In an essay entitled 'A Little Humility', Rubin reminds us of the "transitory quality" of various catalysts for social change. The problems we experience now are legacies from movements that were transgressive and cutting edge in their time. To stand with pride in the face of homophobic slurs and criminalisation was historically a form of radical defiance, and yet decades later, the continued investment in pride as a central unifying theme has created homonormative subjects who distance themselves from shameful queers. The mistake, writes Rubin, is in "the expectation that their generative and world-shattering moments are supposed to be permanent conditions" (Rubin, 2009, p.370). She continues (p.371):

Such considerations lead me to suggest that along with pride and shame, we should be giving due consideration to humility: humility about the inevitability of change; humility about the imperfection of our formulations; and humility towards the decisions of the past, which were made in different circumstances and under different conditions to meet a different set of needs. Moreover, whatever we do today will be critically assessed when it becomes part of the past (if not before). History makes fools of us all, sooner or later. We can only hope that it is later, and do our best to ensure that the positive contributions outweigh the collateral damage.

We are experiencing sweeping technological change that continues to impact the distributions, structures and formations of power (the decentralisation of production from US hubs to individual homes, the proliferation of film piracy and free culture movements, the sanitisation and privatisation of online space). We cannot expect that arguments we use today to defend alternative pornographies will retain their relevance, that the systems or protocols or ethics that we insist on will not create their own hierarchies and pitfalls. And as Rubin writes, "It is an exercise in futility to anoint any particular critical stance or political movement with permanent transgressive or revolutionary status" (p.370). We ought not to look for revolution in particular practices but instead to regimes of oppression and to shifting relationships to power. The data in this project indicates that we should listen to history, be humble about our claims of revolutionary status, acknowledge that our projects are works in progress and keep thinking about the next frontier.

10.3 Promises of the movement

In their more commercial and conservative iterations, alternative pornographies present an appeal for diversity and inclusion, towards a pluralistic vision of participation. In their more radical iterations, these movements go beyond representational critique and issue a more destabilising challenge that deconstructs how and why we categorise, produce and regulate sexual material. Alternative pornographies are diversifying the content for consumers, lifting ethical standards for production, creating opportunities for marginalised individuals to participate in sexual cultures and subverting the top-down approach of previous broadcast media. They are challenging which bodies, fluids, genders and practices are seen as desirable, intelligible and visible; role-modelling sexual scripts and visual languages to negotiate pleasures and boundaries in respectful, sex-positive ways; participating in community health promotion activities; and promoting the development of consent cultures. They challenge the ways in which pornography has been defined by principles of 'maximum visibility' that search for evidence of the truth of bodily pleasure, seeking instead to explore feeling, interactions, and in some cases by displacing sex all together. While some iterations concretise pornography as a film genre and politicised space where 'representation matters', in other cases they employ a "post-

porn politics" in their "denaturalising of sex, the de-centring of the spectator and the recognition of media and technology as inseparable from sex" (Gregory and Lorange, 2018, p.137).

In addition to this work, alternative pornographies make three fundamental challenges to the regulation of pornography: to its sequestration as a distinct and special subject, to its positioning as outside of society and culture, and to its governance by actors and processes that are divorced from the context of its production and consumption. Firstly, they challenge the sequestering of sexually explicit materials into a separate regulatory category altogether that ought to be kept out of public space. Following Walter Kendrick's description of pornography not as a 'thing' but as a 'concept' – one whose boundaries are constantly redrawn by regulators, producers and performers – they challenge how pornography has been situated in modernity as something that ought to be kept out of the hands of innocent minds. Rather than situating sex as inherently different or exceptional, these movements challenge transnational presumptions in obscenity law that understand sexually explicit material as being without value: of only prurient interest, as 'dirt for dirt's sake', or lacking in serious literary, artistic, scientific or political value. Rather than positioning pornography as something that requires redeeming, the participants attest to the value of sexually explicit materials, including their importance in recording sexual subcultures, their contributions to critical social conversations, their use as educative tools, their community-building functions and their capacity to resonate with and *move* viewers.

With regulators seeking new ways to control, contain and restrict access to pornographies, this critique undermines the assumption that sex on screen should be treated as more dangerous or corruptive than non-explicit media content, or that it needs to be sequestered at all. In line with Lauren Berlant and Michael Warner's writing on sex in public (1998), queer and feminist pornographers critique how pornography regulation acts to maintain institutions of heterosexual privilege. The act of designating representations of sex to the private, personal realm outside the public or political sphere, obscures the fact that heterosexual intimacies permeate public culture. When heterosexual intimacies are depoliticised, normalised and institutionalised, it becomes increasingly difficult to recognise more fragile and temporal queer intimacies, values, ethics and world-making projects apparent in porn subcultures.

Secondly, queer, feminist and kink approaches to pornographies challenge the categorisation, organisation and hierarchisation of sexual practices as they have developed in the 19th century into what Gayle Rubin calls regimes of "sexual stratification and erotic persecution" (2011, p.159). Queer and feminist critiques of the criminalisation of fetish practices, kink intimacies and women's body fluids represent a broader interrogation of and wider exposé of the heteronormativity and

phallocentrism of law. The contemporary concerns of producers about representations of kink and fetish content demonstrate how historical taxonomies of perversions, as they were developed in disciplines of psychiatry and medicine, continue to manifest in classification and criminal laws. Kink pornographies, as they have done since lesbian S/M debates in the 1970s, contest regulatory readings of kink practices as abject, risky or extreme, and seek to reinscribe them with different meanings.

In addition to resisting the stigmatisation, pathologisation and criminalisation of these bodily practices, queer and feminist pornographies compel us to consider how criminal and classification laws are used to erase queer intimacies and women's body fluids from representation. If we understand these processes in light of Mary Douglas' conception of dirt as 'matter out of place' we see how practices like g-spot ejaculation, anal sex, fisting, piercing, golden showers and other non-procreative, genderfluid practices are situated as a threat to the heteronormative order in which bodies are expected to be desired. Further, if we consider Julia Kristeva's conceptualisation of abjection as a confrontation of corporeal reality that causes one to distinguish between the self and Other, we see how this breakdown between inside/outside, living/death, particularly through blood, urine and ejaculate, threaten stable boundaries of the intact hetero body. Queer and feminist approaches challenge regulators to make explicit what social orders they are attempting to maintain and preserve via these processes of repudiation.

Thirdly, alternative pornographies challenge decision-making structures that govern who decides what content is permissible for the public to view. In their navigation of both national classification systems and online platforms, producers contest the criteria, transparency, processes and accountability mechanisms of bodies who are empowered to arbitrate and mediate community standards. I analysed these critiques in Chapter 4, and they relate to the make-up of the Classification Board (questioning their representativeness), the law enforcement practices of police (and their influence by media), the decision-making of customs officials (and their understanding of sexual anatomy), and the platforms of politicians (and their electoral investments). I also considered them in Chapter 6, in how they relate to the practices of banks and payment processers (their aversion to reputational risk) and the policies of streaming platforms (which address risk through sanitisation). They reveal that these investments are largely concerned with the maintenance of order, power and wealth. The demands of porn producers for increased transparency constitute a call to make explicit the regulatory norms and rules upon which decisions are based instead of presuming their universality.

10.4 Challenges of the movement

Producers and performers are making these provocations in the face of economic, technological and regulatory challenges. Firstly, a tangled web of regulations seeks to ensure that sexual representations are deliberately kept out of public space. In many jurisdictions, the production, possession, sale and screening of pornography is restricted by various pieces of classification, broadcasting, criminal and customs legislation that leave few opportunities for the sharing of critical ideas, images and conversations about sexual cultures. Many of the practices that producers seek to represent in order to diversify pornographic content are explicitly prohibited – they are criminal intimacies. The practices of enforcement are selective and targeted, often driven by media, complaints or electoral campaigns. Initial decisions made by administrative officials employ wide interpretations of what constitutes offensive or prohibited material and employ practices of ripping, cutting, destruction or confiscation of artworks and cultural materials. The selective and targeted enforcement of these laws leaves producers in a state of uncertainty, vulnerability and anxiety, at the whim of individual complaints, with disincentives to open industry discussion. New interest in pornography regulation has focused upon age verification software, mandatory internet filtering and prohibitions on 'extreme' content, but still provides no protections for workers concerned with industrial rights, workplace safety or digital privacy. As the law adapts, porn producers and consumers are kept at arm's length in policy and law reform consultations.

Secondly, although communication technologies have sparked a cultural revolution in the kinds of content being created (which are increasingly diverse) and processes of production (which are increasingly decentralised), the broader economic structures behind porn mean that distribution is largely centralised and the promise of equal participation in online economies is limited. As described in Chapter 6, financial and administrative barriers exist for solo producers to sell their content online: banks, payment processors and billing companies refuse service or impose exorbitant fees upon sex workers. Combined with the flourishing of porn tube sites (who monopolise the market by pirating content and streaming it for free) and an unwillingness among consumers to pay for porn, these factors threaten the viability of producing independent pornography altogether. While producers had hoped that ownership of camera equipment would provide their 'means of production' leading to self-sufficient means to generate income, the rapid privatisation of online space means that there remain significant wealth disparities between the owners of such communication technologies and the owners of platforms. Privatised platforms are becoming the new arbiters of community standards, deciding what kind of content is permissible based on reputational and market risk. Despite ambitions for the 'democratisation' of porn, many producers cannot afford to participate and are effectively

locked out of the market. In this context, labour relationships instead resemble an 'outsourcing' of content creation. Individuals bear their own overhead expenses to create content while corporate monopolies buy, licence or otherwise acquire the content under non-negotiable terms of use, for little to no remuneration. This in turn leaves producers in heated internal debates about financial survival and the politics of 'selling out'.

Thirdly, the emergence of the global 'gig economy' – where work is temporary, contractual or short-term – combined with new cultures of social networking mean that DIY porn is a particularly precarious and undervalued kind of labour, in which performers are constantly engaged in relational, aspirational and emotional labour in order to survive. Rather than exposing their authentic selves, performers are, in fact, engaged in a constant hustle, creating and monetising new forms of identity. Although an emphasis on authenticity could provide welcome opportunities for some performers, others also disclosed the narrow ways in which they were expected to 'perform' commercial iterations of authenticity through prescriptive formulas in order to find work – traditional girl-next-door aesthetics that were highly constructed but re-framed within a vocabulary of amateurism and realness. Mere access to a camera and webpage were not enough; to make a living, performers had to manufacture and package intelligible, palatable and consumable kinds of authenticity and intimacy. In this new climate of platform capitalism, we see old issues manifest in new iterations where economic and regulatory environments have merely adapted.

Lastly, despite being integral to the commercial development of new technologies and platforms, sex workers and adult businesses are now largely treated as expendable. While sex workers and porn industries have historically been drivers of new technologies, their business used to boost platforms and promote products, they are now being scapegoated by Terms of Use policies that treat sex simply as collateral damage. The outcome is not the sequestration but the loss and instant deletion of cultural archives without oversight or justification; the broad capture of unintended content; and a façade of participation that actually resembles new regimes of power through which bodies are produced (likeability, clickability, popularity). These business decisions to remove sex (images, discussions, transactions) from online spaces reinforce that platforms are responsible not to their userbase but to their shareholders. The persuasive, deep-seated nature of sex work stigma renders sex a liability. The compulsion to avoid sex scandals or reputational risks is so great that it surpasses the commercial incentives of permitting sex-related businesses to operate.

10.5 Strategies of the movement

Alternative (and especially independent DIY) pornographies have proved adaptable, flexible and creative in their responses to these regulatory challenges. They have built campaigns, partnerships and alliances to ensure their own survival and find new means to reach their audiences. They have initiated campaigns to compel users to 'pay for your porn' and 'support your local pornographer', and pursued copyright violations to hold tube sites to account. They have differentiated their work from the stigmatised category of mainstream porn, pitched their product as niche and specialty, promoted their content as real, artisanal and fair trade and built a loyal base of ethical consumers. They have diversified their income streams, finding revenue sources in patronage and affiliates, taken their business to (and in some cases developed) alternative platforms, currencies and services, and pushed for the recognition and certification of voluntary industry codes.

In addition to these strategies for economic survival, producers employed three key generative strategies: opting out of existing systems, pre-figuring their own ethical standards, and developing systems for self-governance and community regulation. Firstly, the distrust and disillusionment many producers felt with the legal framework meant that they simply opted out of compliance altogether. They viewed the current laws as outdated and redundant, lagging behind both technological developments and cultural shifts. The antiquated and unjust nature of the laws combined with a lack of transparency in decision-making or consistency in enforcement led to a generalised disrespect for the law. As a matter of practicality, producing pornography often required either disregarding the law or finding workarounds to circumvent the law. As a matter of ethics and civil disobedience, producing feminist, queer or kink pornography could require willfully disobeying the laws.

Secondly, performer-producers practiced a prefigurative politics (which aims to reflect the societies they aspire to create in their daily practices) by imagining and developing alternative systems of ethics. In the absence of formal legal protections or industry standards around workplace health and safety or industrial rights, producers and performers are pioneering their own standards. Referencing international trends but grounded in local politics, they demonstrate an ethics of care and a devolution of power that recognises the value of performers, centres collaboration, promotes access to WHS and digital rights, remunerates gendered labour, prioritises transparency, emphasises consent and demonstrates care for one another beyond the confines of the product itself.

Thirdly, queer and feminist producers are developing their own community standards, regulatory practices and accountability mechanisms. Producers and performers described community conversations about the diversity of content, the language of marketing and the goals of advocacy.

Through processes of self-reflection, feedback mechanisms, content forecasting and ongoing community engagement, producers responded dynamically to changing community standards. Virtual, subcultural and political communities are already engaged in practices of signposting content for consumers. The self-regulatory standards and practices of sexual communities illustrate the redundancy and irrelevance of government regulation. They are a cause to re-think the focus of classifiers and regulators upon geographical communities and national standards, and emphasise the importance of engaging local partners in developing effective regulatory initiatives.

10.6 Resistance not respectability

Repudiation emerges as a central theme in this thesis as a means to constitute one's identity. It emerges both in regulators' disgust for abject practices and in producers' distaste for mainstream content. In their very definition, alternative pornographies distinguish themselves as something different to mainstream pornographies. The concepts of 'feminist porn', 'ethical porn' and 'alternative porn' represent generative, world-making projects, but also perform a *compensatory* function that buys into the stigma surrounding sexual labour. Where they distance themselves from mainstream content and marginalised porn workers (who are migrant, drug-users, working unlawfully or 'just there for the money') and where they appeal to media and government for approval or endorsement, alternative pornographies can both capitalise on and perpetuate stigma associated with pornography more generally. Some approaches attempt to make porn more palatable instead of challenging the presumptions that criminalise it, or to create a 'guilt free' porn experience that obscures that part of the pleasure in watching pornography can be found in its transgression of social taboos.

The ability to create one's own images and interact directly with viewers through forums, chat rooms and webcam complicates scripts of objectification and affords performers a higher degree of control over their aesthetics and representation. But there remains a risk that queer, feminist porn becomes more about celebrity culture, careerism and social status (with Hollywood-style award ceremonies no less), a self-congratulatory fantasy of democratic participation, while in reality it operates as a market intervention that fuels, rather than disrupts, a capitalist system built upon and inescapable from inequality and hierarchy. When social capital accrues from declarations of inclusive practice, there is less incentive to redistribute power among communities. There remains a digital divide and stratification in who is represented, disparities in wealth between the producers and the distributors and between site users and founders. In some cases, claims of 'democratisation' begin to look less like equal participation and more like outsourcing of content creation. Porn production begins to resemble piece work.

Our attempts to engage with law reform illustrate divisions in the movement between performers, producers and retailers. These figures hold various levels of faith, disillusionment and distrust in governments and accordingly adopt different engagement strategies. Law reform processes lack meaningful consultation methods with porn producers, performers or audiences, they frame pornography debates in terms of freedom of speech or protection from harm and represent political compromise rather than evidence-based policy. Because law reform processes are stalled or accelerated by politicians' own investments in whether the platform is conducive to electoral success, law reform efforts are stymied. Historically, incremental changes have involved significant political compromise, and although they have been identified as 'wins' on some fronts, they have resembled 'losses' on others.

Some of these strategies have emerged for political currency, economic survival and legal recognition. But placing too much faith in legality and recognition can lead to movement demands being articulated as bids for respectability. Internalised, anticipated and experienced stigma shapes how alternative pornographies look and how advocacy goals emerge. In the bid to distance themselves from 'mainstream pornography' and seek certified recognition as 'ethical pornography', these movements can conflate ethics with aesthetics and become implicated in a politics of respectability which merely defers stigma onto more marginalised groups. A politics of respectability leads to 'exceptionalism', whereby minority groups are expected to be 'model citizens' in order to make up for their social transgression. To gain political traction or to be listened to, gays and lesbians, for example, are pictured as monogamous, people of colour are expected to be peaceful, environmental activists are expected to be moderate, porn producers are expected to be respectable.

The emphasis upon diversity and visibility at the expense of labour rights and equitable distribution practices has led to alternative pornographies being co-opted within capitalist economies without a redistribution of wealth or power. As Dinesh Wadiwel said in our interview, "any practice can be co-opted or subsumed within the value system of an economy or become valorised in a particular way where those who are seeking to make this sort of radical intervention actually will lose control of this process." There's no doubt that including more diverse bodies, genders and sexualities in porn has an important affirmative role for queer porn consumers, and that technology has in part enabled this, but there are limits to visibility as a sole political strategy if queer aesthetics can be commodified and subsumed into larger patriarchal capitalistic structures. Performers in Australia are actively challenging the hubris over 'diversity and inclusion' and, where they have become performer-producers themselves, are emphasising the importance of self-representation and joint or collective ownership of media products.

This is not to say that DIY projects are always going to be subsumed by capital or that they lack value, but rather, we need to remain attune to the power dynamics of various actors and remain committed to foregrounding cooperation, collaboration and *collective* benefit, during both production *and* distribution. If alternative pornographies want to change not only sexual representation but class inequalities, if they want to serve, empower and benefit our vibrant communities, and use porn as a medium to do so, then it requires the democratisation of both the process and the profits. The shifts demonstrated by performer-producers in this thesis towards *collective ownership* of the product, profit and decision-making (for example, by DIY porn cooperatives) are important interventions in the movement to ensure that no-one is left behind. Performers compel us to move beyond the terms of reference of existing debates on pornography in popular culture: freedom against protection, real against fake, and harm against empowerment. Instead they urge us to employ an ethics of shame, to listen to the least reputable voices, and admit that no one is above abject sex.

10.7 Productive pleasures

As I have shown throughout this thesis, the regulation of pornography is not only prohibitionist; it is also productive. Law operates as merely one tool within a suite of regulatory practices that shape pornographies – how they look, where they appear, how they are governed. If our investments in alternative pornographies and in sexual pleasures as a site of liberation respond primarily to the myth of their repression at the hands of law or their distortion in the hands of capitalists, then we risk failing to see our own imbrication and participation in webs of regulation. Producers of alternative pornographies are engaged in a variety of different but overlapping political projects, with different and sometimes conflicting strategies. If 'pornography' itself is a contested regulatory category that, as Lynn Hunt asserts, emerged in response to the democratisation of culture, then this ought to be a reminder that our current systems are not natural or ahistorical.

In looking towards the future, alternative pornographies offer us lessons, processes and tools: visions for something more than law reform. They warn us of the ways in which social movements develop their own hierarchical and disciplinary structures, and they prompt us to generate worlds with different ways in which we might relate to sex, money and each other. If the power of alternative pornographies is in their capacity to *imagine* alternative realities, then why not keep imagining (beyond rubber stamps, codified standards and legal recognition) and towards collective projects and community-building. In these prefigurative practices of world-making we can see possibilities in a politics from below – a pleasure-based, anti-hierarchical, intersectional and critical approach that embraces dignity in shame and seeks not reformist but revolutionary goals.

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