

**Bodies, Business and Politics:
Corporate Mobilization and the Sex Industries**

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Draft

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Abstract

Recent research on business organizing for political action has begun to at least implicitly use some concepts from the social movement literature to understand the dynamics of corporate mobilization. At the same time, the social movement literature has moved from a domination by resource mobilization theories toward understanding cultural dynamics such as identity politics and other cultural processes. These recent trends beg for an examination of business mobilization that attempts to understand the arena of culture as much as class dynamics and resources. In this paper we will examine the dynamics of corporate political mobilizing as a social movement activity in two sex industries: the adult video industry and the legal brothel industry in Nevada. The sex industry has grown tremendously in the last few years with little examination of its political and economic dimensions. Through interviews with business owners, adult industry lawyers and governmental officials, as well as historical archival research, we examine the contours of government-business relations, and in particular the role of business mobilization in the adult industry. We hope to use this opportunity to better understand cultural politics in the process of business mobilization.

Bodies, Business and Politics:

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The sex industries have undergone striking growth in the last ten years. Currently, there are from 2000-5000 topless or nude clubs across the United States bringing in annual revenues well beyond \$3 billion. Approximately 20-25% of videos rented in this country are pornographic, with rentals worth \$3.1 billion a year. Adult rental films in major hotel chains had a revenue of nearly \$200 million. Sex related businesses on the Internet bring in well over \$50 million a year. According to one report, revenues in 1996 for the entire legal sex industry totaled over \$10 billion. All this exists in spite of a moral backlash from the Christian right that has characterized local and national politics.

Despite the growth of this industry there has been relatively little analysis of its political economic dimensions. What makes the sex industry interesting both substantively and theoretically, is that it is an industry that is not just about business, it is about cultural norms, sexuality, and identity politics. For example, to exist, grow and be powerful the adult industry must not only maintain profitability, it must fight local culture and norms amid very contentious gender and sexual politics. It must not only fight for favorable taxation, incorporation and labor legislation, it must fight for favorable interpretations of decency laws, first amendment laws and zoning ordinances based on the politics of sexuality. And industry leaders must maintain their own legitimacy and a sex positive industry culture. While the sex industry is a growing part of our corporate culture, it is positioned on the margins of corporate activity because of the cultural

politics of sexuality.

Existing perspectives on understanding government/business relations may be ill equipped to handle these politics of marginality. The existing literature on business/government relations (particularly in moving beyond state-centered vs. society centered debates) has focused on the ways in which corporations collectively use and develop formal organizations, institutions and practices to influence government institutions either individually or collectively. These patterns of corporate mobilization are easily applicable to an understanding of the adult industry. In recent years various parts of the sex industry have begun to build and use industry trade associations, lobbying groups, and lawyers who are hired on regular retainer. However, current theoretical approaches do not help explain the ways in which adult industry mobilization and government relations are affected by cultural symbols and the construction of particular meanings of sexuality. They do not consider the construction of cultural identity as a basis for political organizing within the sex industry. Frequently, corporate identity and actions are assumed to be based on common class position or structural economic location and little attention is given to the construction of corporate identity. As a result, these theories may be missing ability to understand how the adult industry develops both formal and informal means to engage in what could be considered social movement activity in an effort to advocate cultural change and the development of a sex positive identity politics.

It is our contention that an examination of the growth of the sex industries from a small, privately owned, entrepreneurial, illegitimate, and almost feudal set of businesses dependent on local sheriffs “looking the other way,” to a multi-billion dollar industry which is dependent upon and reflects a new configuration of cultural politics can say a lot about state/capital relations and

corporate mobilization generally. Specifically, we are asserting that corporate mobilizing and business organizing in the adult industry are best theorized as more than a reflection of the innate and inexorable drive for business interests to expand their power and profit, or their structural economic position. Instead, business organizing can and should be viewed as social movement activity. The ways in which these businesses have mobilized or failed to mobilize to secure positive legislation and to fight crippling legislation illustrates the potential for examining these instances of corporate mobilization as social movements in and of themselves. Moreover, examining adult industry mobilization and organizing as a social movement provides an excellent example of the ways in which culture, in the form of identity politics, and political economy intersect.

In this paper we will examine the dynamics of corporate political mobilizing in two sex industries: the adult video industry centered in California and the legal brothel industry in Nevada. Through interviews with adult industry lobbyists, lawyers, organization officers, business owners, workers, local regulators, government officials as well as analyses of industry publications, observations of meetings, newspaper articles and archives, we examine the contours of government-business relations, and in particular the role of business mobilization in the adult industry. We hope to use this opportunity to expand political theories to include insights from social movement theories, and in the process, to better model and understand cultural politics at the end of the twentieth century.

Literature Review

This paper draws upon and brings together 4 different literatures: 1) state theories; 2)

corporate mobilization and business organizing; 3) social movement theory, specifically resource mobilization and new social movements theory; and, 4) analyses of the sex industry. These first three literatures have for years moved in tandem with each other, yet with little real cross fertilization. We would like to draw the most relevant points from each of these literatures in order to build a framework for our analysis of business organizing and corporate mobilizing in the sex industry.

The State and Business Organizing (Diagram 1, 2, 3 Line a)

For several years, studies of business/government relations were dominated by debates between class-centered theorists who argue that it is business leadership or class-driven dynamics that have been the central dynamic in explaining the content and form of business related government policies (Poulantzas, 1978; Quadagno 1984; Levine 1988), and state centered theorists who argue that the state managers, electoral processes or state institutions have dynamics of their own independent from class that now play a large role in the nature of government policies (Skocpol 1980, Amenta and Zylan 1991; Amenta and Parikh 1991; Skocpol and Amenta 1986).

In recent years, empirical studies have rejected the tendency to bifurcate dynamics such as class and state and have instead examined the historical and contextual processes affecting the relative power of the state and capital. Increasingly, the notion that a monolithic business interest controls a monolithic state or vice versa, has been replaced by studies examining the dynamics of capitalist political organizing and the conditions that affect business' power in the state. In particular, these studies recognize the contingent nature of power and are seeking to

pinpoint the historical conditions that affect the relative resources among social groups.

First, capitalist organizing is seen as a process rather than an assumed starting point in understanding their relations with government. In many ways, some of the business dominance studies addressed above have rejected structural explanations of class power in the state and examined capitalist organizing and the ways in which businesses have overcome potential sectional interests to influence the policy making process. For example, Domhoff and others have examined how policy planning business groups and affiliated research organizations have helped mobilize business consensus (Domhoff 1990; Weinstein 1968). Others have found that corporate interdependencies based on interlocking directorates and banking ties often overcome short term conflicts of interest and unify corporate actions (Useem 1984; Mintz and Schwartz 1985; Glasberg 1989). Corporate class interests are also embodied in class-based organizations that consolidate their power, are the basis of collective action, and are the means to exercise power in the state (Offe and Weisenthal 1980; Valocchi 1992; Prechel 1990).

Second, the state is seen as a historical construction, with the process of state building changing institutional structures, state agendas and parties over time (Skocpol 1992). As a result, research has increasingly looked at the ways in which historically shifting relations of power within the state or business affects each other's relative unity and power. Hegemonic competition theories argue that political decision making is conditioned by the dynamic of intra-class struggles of power blocks representing different capitalist class segments, and that these class struggles are impacted by the nature of political institutions (Quadagno 1988; Jenkins and Brents 1989). Understanding class-based corporate political actions has increasingly come to mean looking at how various segments' organize to create unity, define consensus, identify

interests and mobilize to affect state policy, instead of just assuming privileged economic and political interests for elite business interests and corporations. Likewise, there is increasing recognition that state projects, state policies, agendas, and political dynamics affect the nature of class organizing within the business community (Quadagno 1992; Skidmore and Glasberg 1996; Valocchi 1992; Gilbert and Howe 1991; Brents 1992; Prechel 1990; Akard 1992).

In short, state power, policies and interests influence the ways in which businesses organize among themselves, just as corporate mobilization efforts can and often do have a reciprocal effect on state policy and practices. This bi-directional interaction is depicted by line 'a' in Diagrams 1, 2, and 3.

Social movements and the State (Diagram 1, 2, 3 Line B)

Theories of collective action and social movements have traditionally focused on the ways in which politically and socially marginalized actors come together to challenge their marginality and advance claims in a political arena. One of the ways in which groups can evolve into full scale, organized social movements is by building coalitions in response to particular policies, legislation, ideologies or actions by dominant organizations or ideologies that threaten them in some way. The state, as the system of lawmaking, the personnel who make decisions, and a system of legitimizing myths often is the target of social movement activities as well as often providing the environment for the generation and success of formal social movements.

In the 1960s, the literature on social movements moved from viewing social movements as deviant and/or irrational reactions to collective frustrations (Blumer 1946; Smelser 1962; Kornhauser 1952) to viewing social movements as dependent more on mobilization of resources

and political processes that facilitate organization and action (McAdam 1982; Jenkins and Perrow 1977; McCarthy and Zald 1977; Morris and Mueller 1992; Jenkins and Eckert 1986; Connell and Voss 1990). More recently, theories of new social movements have renewed attention to the more cultural components of social movement activism and the construction of collective identities. More will be said about new social movement theory later, but until very recently social movement theory has been dominated by resource mobilization theory.

Most studies of social movements focus on the dynamics that give rise to social movement activities, but haven't focused specifically on the relationship to the state (Jenkins 1995). Nonetheless there have been several ways in which the relation between the state and social movements had been articulated.

First, a historically changing state is seen as creating the conditions that can potentially give rise to particular social movements, in other words, as an independent dynamic external to social movement activities and organizations themselves. Skocpol (1979) and Tilly (1975) first identified state and political crises as affecting the timing and nature of mass violence and revolution. Resource mobilization approaches examined political processes that facilitate organization and action. Thus resource mobilization theory has looked at internal organizational dynamics as well as dynamics external to the organization that impact mobilization and movement success. Political opportunity structures such as state structures and political dynamics often have considerable effect on the mobilization of social movements and on their ultimate outcomes (Kitschelt 1986; Tarrow 1994; Amenta and Zyglidopoulos 1991).

Similarly, according to resource mobilization theories, social movements that become corporate-like entities that are resource rich, well-organized, and formally run, seem to have the

greatest potential for affecting change at the level of the state with respect to politics, policy, law or legislation. Movement “outcomes” have usually been measured in terms of policy success or failures in a political economic environment. In a contested climate in which state interests or practices conflict with the interests of a social movement, those movements that are resource rich and well-mobilized have access to state power structures and political institutions that would otherwise be inaccessible. This access typically also affords the mobilized social movement opportunity to influence state actions related to their stated cause or concern. In this way, resource mobilization theory and social movements can impact state practices as a means to social change. As a result, the relationship between resource mobilization within social movements and the state is bi-directional, as depicted by line 'B' in Diagrams 1, 2, and 3. The state influences opportunities for social movement mobilization and the terms and conditions for resource development and use; simultaneously, resource rich and mobilized social movements are best positioned to influence the course of state action.

Resource Mobilization and Business Organizing (Diagram #1, Line C)

Resource mobilization theorists were the first to examine social movements as consisting of rational actors, with dynamics that are often strikingly similar to more established and traditional business organizational structures. In effect, resource mobilization theory argues that ideology needs an organizational or more institutionalized structure. Resource mobilization theorists argue that activist groups must achieve some sort of solidarity or unity in order to act. The process of mobilizing solidarity requires that they have access to resources. In addition, organizations must have opportunities in which to act. Organizational capacity is defined as the

ability to mobilize for collective action through actual linkages among members created by and through consciously directed organizations. Mobilization is defined as the collective control of associational or financial resources that are used for organizing and undertaking collective action. Political opportunity structures refers to the degree of formal political access, the degree of stability or instability of political alignments and the availability of political alliances (Tarrow 1994), also affected by state agendas and state projects (Jessop 1990). Thus, resource mobilization theories have articulated some key internal as well as external organizational dynamics and capacities that are important in assessing social movement trajectories and successes.

What is important for our argument is that resource mobilization theory uses some of the same dynamics to explain policy outcomes of social movements as state theories have often used to describe the ways in which more entrenched corporate actors mobilize. The more “business-like” the social movement organization is, the more successful they are likely to be. In this way, existing literatures on resource mobilization theories and corporate mobilization/business organizing acknowledge that social movements must imitate business organizing efforts in order to establish themselves as viable and powerful social movements. After all, successful activist organizations, according to social movement theory, are formed, grow, develop and act as if they were well run, highly mobilized corporations. Examples of this include the way in which worker organizing and labor activism often spur the growth of organized unions. It has also been the presence and growth of organized labor movement activity that contributed to the development of early business associations who joined together to collectively resist and rebut the growth of organized labor power (Griffin, Wallace and Rubin 1986).

This way of thinking and these examples are explanations for the “C” arrow across the bottom of Diagram 1. The arrow only points from resource mobilization to business organizing because the current literatures understand this to be a unidirectional relationship. There is no “C” arrow pointing in the other direction--from business organizing to resource mobilization--because corporations that mobilize and organize together are not commonly considered to be engaging in social movement activity; instead, they are seen as simply behaving in a logical, natural way in order to protect their political positioning and economic profitability. We assert that this unidirectional model is problematic and incomplete, especially with respect to the development of a massive and thriving sex industry in the United States in the 1990s.

One important point from the discussion so far is that social movement success depends on their ability to acquire the resources that business organizations are already assumed to have. Corporate collective action has to a large extent been assumed to be unified by virtue of common class or structural position, activities are assumed to be rational standard good business practices, businesses are assumed to already have financial and associational resources. The social movement literature has articulated the very processes and dynamics that businesses are assumed to have. It should be clear here that the C arrow at the bottom of Diagram 1 should go the other direction as well.

As we have already pointed out, research on the state and business organizing is already examining the contingent and shifting nature of business and state power. As resource mobilization theory and its offshoots have in many ways come to dominate our understanding of the trajectory of social movements, movement dynamics, and the power of social movements to affect policy outcomes, it is not surprising then, that the contemporary literature on corporate

political mobilization has to a large extent relied on the factors identified by resource mobilization theorists in examining the dynamics of state-capital relations. That is, in examining the historical conditions that give rise to class unity and their political power, they draw on the elements that resource mobilization theorists use to explain movement dynamics, the conditions that promote growth and movement effectiveness and the power of social movements to affect policy outcomes.

For example, studies have certainly problematized the issue of class unity and solidarity in critiquing the notion that the capitalist classes necessarily act in a unified fashion and have examining mechanisms for this unity or division (Zeitlin, Neuman and Ratcliff 1976; Mizruchi 1989, 1992; Zeitlin 1980; Jenkins and Brents 1989). While access to resources has often been assumed, increasingly studies have examined internal organizational dynamics, capacities, including interlocking directorates, familial connections, and relations between business and financial interests that affect class unity and their abilities to act politically in their own interests (Useem 1984; Mintz and Schwartz 1985; Glasberg 1989; Brents 1992). Studies have examined external political opportunity structures in examining state structures, state capacities, agendas and state projects (Prechel, 1990; Skidmore and Glasburg 1996; Jessop 1990; Valocchi 1992; Gilbert and Howe 1991; Amenta and Zylan 1990). External historical dynamics affect class segments abilities to form coalitions and organize and these coalitions in turn may affect the power of various segments to impact state policies (Domhoff 1990). Conflict between classes minimizes the significance of intra-class differences and maximizes inter-class differences (Zeitlin 1967). Thus, labor organization may affect capitalist class organizational capacity. State organization may affect class coalitions as well. Moreover, class segments use different

organizational matrices within the state (Quadagno 1988), and institutional structures and class capacities develop unevenly (Gilbert and Howe 1991).

While recent studies have been useful for rejecting the notion that businesses operate in relation to the state in any predetermined, inexorable manner and have specified the conditions that impact groups' resources to affect political change. However, they don't go the extra step in examining the social construction of what we eventually see as class or business interests. They do not examine the roles of ideology and social activism that may come into play in the process of business mobilizing. Another way to say this is to acknowledge that business organizing and corporate mobilizing is not seen as social movement activity, but that this misses business activism and cultural change as components of corporate mobilizing. This combination of traditional resource mobilization and a consideration of cultural politics and activism is necessary to understand corporate mobilization in the adult industry.

Business Organizing as Social Movement Activity (Diagram #2, Line C)

An important and interesting development within state theory is the move toward an analysis of corporate mobilization that reaches beyond viewing the process as an inevitable structural expansion of business. By focusing upon informal mechanisms, strategies and interactions which may create corporate victories in law, legislation and policy, business organizing as intentional organized social movement activity becomes a viable analysis. In short, we contend that business organizing/corporate mobilization strategies can, and often do, constitute social movement activity. Where the state influences business organization efforts, and corporate mobilization is often intended to affect state policies, laws, and practices; and

where resource mobilization theory explicitly connects to state actions and in return often influences those very actions; and where the analysis of social movements via resource mobilization theory implies that the most successful social change organizations will most closely emulate formal corporate organization, the only unspecified relationship in our triangular diagram is viewing business organizing as a social movement.

Social movements have traditionally been defined as collective efforts by socially and politically subordinated people or groups to challenge the conditions and assumptions of their lives. “Collective action becomes a movement when participants refuse to accept the boundaries of established institutional rules and routinized roles...persistent, patterned and widely distributed collective challenges to the status quo” (Darnovsky, Epstein and Flacks 1995:vii). Charles Tilly defines social movement as a sustained series of interactions between a challenging group and the state (Jenkins 1995; Tilly 1984). Most movement writers are concerned with collective actors who have been marginalized or excluded in the political order and, in response, organize new groups or advance political claims that would benefit them (Jenkins 1995:15).

We contend that it is worth examining corporate organizational activities as part of a purposeful social movement. Certainly it is the case that corporate entities are power brokers who have immeasurable resources to set the terms of national economic, social and political debates, and whose interests are protected by and reflected in law and policy making. As such, businesses and organized corporate interests have traditionally been seen as part of the dominant center of power, not as marginal actors or subordinated groups. However it becomes increasingly clear that this imagined center comprising the power elite of business interests is a crowded and contentious environment, where a plethora of competing corporate interests vie for

scarce and valuable resources, rewards, and political positioning.

As historical example, individuals such as John D. Rockefeller, Gerard Swope, Henry Ford, and others, each had to challenge existing trends in business and social expectations in order to create and sustain an environment that accepted current conventions such as the assembly line, personnel departments, pension plans, public relations, positive government relations, and welfare capitalism. The process by which a group of individual entrepreneurs comes to see themselves as members of a common group to take political action is neither accidental, unintentional or inexorable. It is, instead, organized and carefully calculated social movement activity. The center is not uncontested or inevitable; where there is competition for positioning and power, there is social movement. In other words, we believe that the center is contested and contestable, and that social movements often coalesce to protect existing positioning. Even dominant social actors must organize to maintain their privileged positioning in the social order; they are not exempt from struggles for power by means of entitlement. This is just as viable of a definition of social movement as the traditional notion that social movements are organizations of marginalized social actors striving for social, cultural, political or economic betterment.

For our purposes here, intentional organizing among a number of businesses with a common interest and/or against a mutual foe can be best described as a panoptic social movement. By panoptic social movements we are referring to corporate mobilization between businesses in order to protect their collective interests, to foment change which will expand their collective markets, to secure their collective place within the ranks of the corporate power elites and/or to assure their dominance in the realm of the socio-economic and legislative power of the

center. They are panoptic because by virtue of their collective positioning in or close to the centers of power they are social movements that work from the inside of the establishment outward, much like a panoptical structure that occupies the center and looks outward into the recesses of the margins. Corporate mobilization is activism to protect and/or expand panoptic positioning. Theoretically then, we are challenging the notion that social movements are best understood as marginal. Instead we acknowledge that apparently privileged groups like corporations also mobilize resources, engage in public education/re-education campaigns, enlist membership and bystander public support and strategically organize around particular interests to gain or maintain power.

Business Organizing and New Social Movements

We have already discussed the relationship between resource mobilization theory and corporate mobilization. Basically, the analysis of capitalist actions toward business organizing and influencing state actions is increasingly, if implicitly, drawing from resource mobilization theories. By proposing that corporate mobilization can, under certain circumstances, be viewed as social movement activity we are suggesting a similar process occurs between business organizing and social movement activity. Not only should research on corporate mobilization in the sex industry use basic assumptions and organizing structures from resource mobilization theory, but also it should draw from new social movement theory. The former theory provides an organizational and structural understanding and analysis of corporate mobilization as activism; the latter takes into account the informal, less structured, more cultural components of social movement activism in the 1990s. Specifically we see the development of business organization

around a particular set of ideological assumptions associated with a politics of identity.

New social movement theory emerged in response to several critiques of resource mobilization theories. To the extent that resource mobilization theory only views social movements as the product of rational actions by rational organizationally inclined actors, many claimed that not enough attention was paid to the ways in which social problems and collective identities are constructed and how/why they erupt as social movements. The assumption of abstract universalism embedded in resource mobilization perspectives of social movements has been said to be overly reliant on the analysis of pragmatic structures and decisions in social movements that emerge from reasoned actions on the part of actors with stable, unchanging collective identities. In addition, new social movement theory called into question the traditional primacy of class identity and economic resources in the construction of social movements and instead argue for the analysis of ideological structures associated with much more than class-based social experiences.

These 'new' social movements are based on the desire to change cultural norms, values, and assumptions, to construct new meanings and understandings of social actors, as well as to affect socio-political change. Examples of these new social movements include branches of the feminist movement, the environmental movement, the peace movement, anti-nuclear activism, vegetarian and animal rights groups, and gay/lesbian activism and movements. Typically, new social movements are associated with the coalescence of a multiplicity of different and disconnected social actors who are brought together based on very particular inclinations as a result of their personal subject positions or identity politics. In short, they reflect an understanding that social change is mediated through culture as well as through politics (Melucci

1980, 1989; Touraine 1981; Taylor and Whittier 1992, 1995; Laclau and Mouffe 1985; Darnovsky, Epstein and Flacks 1995).

The rapid and expansive growth of the sex industry in the U.S. (and globally) requires serious political economic analysis, as well as socio-cultural consideration. To view business organizing and corporate mobilization as simply a natural extension of industry growth, an innate process of capitalist development, and an inexorable process of industry formation, is to miss the extensive ways in which sectors of the adult industry engage in on-going, planned, formal organizational movement activity. This social movement activity takes the form of traditional resource mobilization whereby the businesses organize themselves into a collective organization which accumulates and controls resources in order to mobilize as an industry against common enemies and to expand their collective well-being in an often contentious social and political cultural climate. It is a panoptic social movement that is privileged and legitimate in the business world and typically has political power commensurate with this 'center' positioning. To retain their legitimacy and expand their power in the worlds of business, industry, economics, and politics, however, requires vigilance and *organized activism*.

Simultaneously, the corporate mobilizing and business organizing within sectors of the adult industry require more than simple resource mobilization; they require cultural change in the realms of sexual norms and values. We contend that corporate mobilizing between adult businesses are as much about cultural transformation and the battle to establish a sex positive identity politics as it is about watch-dogging conservative political forces, tracking legislation, lobbying for heightened state power, and litigating to protect their collective interests. Adult business organizations are new social movements. We will explore these contentions by offering

an in-depth examination of the Free Speech Coalition, the industry organization of the adult video industry, and the Nevada Brothel Association the industry organization of Nevada's legalized prostitution industry. We rely on evidence gained from interview with lobbyists, lawyers, organization officers, business owners, workers, local regulators, government officials as well as analyses of industry publications, observations of meetings, newspaper articles and archives. Specifically we analyze this evidence using concepts from resource mobilization theories—examining organizational capacities and mobilization dynamics such as linkages between members, networks and formal associations, access to resources, structure of the industry, size, and competition as well as external dynamics and political opportunity structures such as political access, alignments, alliances, state structures, agendas and state projects. We will draw on new social movement theory in examining ideology, meaning construction, struggles over symbols and collective identity.

Corporate Mobilization in Sectors of the Sex Industry: Legal Prostitution and Adult Video

Understanding the sex industries involves understanding a very diverse array of businesses that encompass legal and illegal enterprises organized around the sale of sex, sexual services, and sexual fantasies. As we define it, the sex industry sells either real, live sex, or reproduced images, sounds, or stories describing the 'real' thing. The sex industry focuses on selling sex rather than simply using sex to sell a non-sexual object or commodity as many businesses now do. We use the term sex and adult industry interchangeably. The industry itself,

in a nice example of framing, encourages the use of the term adult industry, as it emphasizes an adult's rights and responsibilities, as opposed to the more controversial term, "sex."

In the last few years the dramatic growth in some sectors of the adult industry has been parallel with a dramatic transformation within the industry. The adult industry is certainly changing in ways similar to other industries. There is increasing concentration, growth of chains, shift toward large capital investment, increasing bureaucratization and a growth in business associations, lobbyists, and formal means of interacting with the state. There is also an important cultural transformation taking place, from a self-identified sexual "outlaws" to a mainstream bureaucratic organization. But this transformation is by no means uncontested, non-conflictual, or unidimensional. In many ways, the process of business mobilization is a process not only influenced by access and use of resources, but also the collective construction of an identity that drives an active role as outsiders in the politics of sexuality in mainstream culture.

For example, the exotic dancing or gentlemen's club industry has shifted from being dominated by clandestine back room bars catering to working class men to being increasingly dominated by upscale, efficiently managed, corporate and even chain-owned businesses. Owners have had to change from dodging the limelight, vice cops, and the IRS, and having a libertarian anti-big government ideology to becoming more like mainstream businessmen, learning to wear suits and increasingly hire professional lobbyists. Deja Vu, the largest of the collectives (technically they are not a chains) offers affiliated clubs centralized services including a team of high-powered lawyers, and management consulting. A gentlemen's club association has been formed within the last five years, and their yearly conventions have revolved around educating other businesses about the benefits of working positively with government, hiring lobbyists,

learning to police themselves, their clientele and work force, even promoting computer programs to systematize paying taxes and even drawing on academic expertise and allies. Of course, it is mostly the largest businesses that provide most of the funding. In Houston, Atlanta, Miami, and other major convention cities, gentlemen's clubs are almost becoming mainstream in both their industry profile and in their relations with government. However, even in the gentlemen's club industry, most business owners and representatives we spoke with still self identify as sexual outlaws, with their biggest goal having to fight for a sex-positive culture and the same time as for their interests as a business.

While the gentlemen's club industry in many ways is becoming the most "business-like" we would like to offer two in-depth examples from two other segments of the adult industry. We will examine corporate mobilization/business organizing efforts in legalized prostitution and the adult video industry.

Diagram #3 and Table #1: The Adult Video Industry and The Nevada Brothel Industry as Social Movements

The Adult Video Industry

In many ways, the adult video industry is even more "social-movement-like" as compared to the gentlemen's club industry. The primary adult video industry association is the Free Speech Coalition. Not only is this a movement-sounding name, membership consists not only of video producers and directors, but actors and actresses as well. The web site invites anyone interested in the "right to create distribute and view adult material" to join. The president

defined the coalition this way, “We are primarily the trade association for the adult industry. Our goals are to improve the quality of life for people working in the industry, and to improve the sales climate through lobbying and medial relations”.

The adult video industry is a very loose array of businesses ranging from basement operations to large corporations. Thanks to the transformation from film to video technology in the 1970s, anyone can now make a video, and in many ways the industry allows the widest expression of entrepreneurs to enter than any other segment of the film industry. Capital investment is very small, and most films are shot in one day. There are literally thousands of producers, film artists, and actors and actresses. We spoke with a young student just graduating from a well known film school who was beginning to produce and sell adult films. He explained that it is much easier to break into the adult video market than the art film market, the only barrier is convincing a distributor to take your film. And if you choose the right fetish, your market can have relatively little competition. There are big production houses, but the industry is still a very long way from being highly concentrated. At the moment, there is one adult product company that may be the industry leader in operating with a corporate structure. But for the most part, the industry is very entrepreneurial.

The Free Speech Coalition was formed in the mid 1980s and has since become the primary adult industry association. The coalition currently has about a \$150,000 per year budget. It currently has a national focus although most of the filming activity is based in California. There is a paid lobbyist in the California legislature who attempts to monitor legislation and local censorship battles nationwide. The coalition devotes most of its resources to fighting local and statewide regulatory efforts against video businesses. It maintains a data base of censorship cases,

and provides support for local store owners in battles with local municipalities. The coalition is currently trying to raise funds to open a lobbying office in Washington D.C.

The association arose in response to the Meese Commission activities, and the increasing visibility of feminist anti-pornography movement in the 1980s. According to several founding members, porn stars and pro-sex feminists increasingly found themselves called on to be on talk shows to defend pornography against the Meese commission and other feminist anti-pornography groups. It also has an active lobbying presence in the California legislature. It remains today both an issue oriented social movement organization, and the primary industry association.

What makes the Free Speech Coalition unique is that it not only links business interests and social movement activities, it is also an organization that brings labor and management together in one group. The coalition maintains group health insurance, provides partial funding and industry guidelines for HIV testing for performers, provides outreach for performers on mental and physical health, provides counseling for adult performers, and deals with talent/management relations (Hartley 1998).

An identity as a coalition member is what binds both workers and owners together. According to a long time Free Speech Coalition activist, “I came from a union background, but here all are in the same industry together because we are all outlaws, we have to be supportive of each other.” Because of their identity as being the victims of anti-censorship campaigns, both workers and owners do come together in a social movement. Free Speech Coalition president Jeffrey Douglas after giving a rousing cheerleading speech on fighting censorship at a coalition meeting at the Computer Electronics Show in Las Vegas said, “I know I am preaching to the choir. I know that if you didn’t care you wouldn’t be here. You would be out there making

money.” Instead of framing the organizations goals as making money, the goal of shared identity and solidarity was framed in opposition to short term profits.

There is also an interesting gender politics. Much of the leadership of the coalition has been very much affected by the feminist pro-sex movement. Almost everyone we interviewed either defined themselves as feminists, or at least brought up attitudes toward women in the industry. On many occasions distributors, stars, or producers we spoke with made statements like, “There are a lot of sexist and exploitative men in the industry, but we are not one of them, and they are getting fewer.” An examination of the board of the organization shows that many women hold positions of power. The key lobbyist is a woman. And the individual that several leaders identified as the most progressive force in the industry, Phil Harvey of Adam and Eve Productions, was commended for his commitment to improving conditions for and images of women. Regardless of the truth of their assessments, the fact that Coalition leaders brought these things up was itself interesting.

Understanding the dynamics of how the industry association has mobilized resources can be helpful in understand the dynamics of the development and growth of the industry. The Free Speech Coalition arose in a political environment of increasing municipal censorship problems as a result of the Meese Commission. Resources were provided by video business owners in response to their direct fears of being shut down by local authorities. However, the industry can't be fully understood without examining the identity politics of the adult industry. The cause of fighting censorship has pulled capital and labor alike into seeing their common interests that, for the moment, transcend traditional capital-labor conflicts.

Nevada Brothel Industry

Currently, Nevada is the only state in the nation with legalized prostitution. Despite popular belief, prostitution is illegal in the counties surrounding Las Vegas and Reno. However, in most of the rural mining towns in the large desert expanse of Nevada, prostitution, as long as it is in brothels, is legal. The industry is highly regulated by city and county licensing of brothels and prostitutes, and regulations concerning health testing of prostitutes. Seven counties issue licenses to brothels and prostitutes, and five allow legalization by municipal option.

The brothel industry has been relatively understudied (exceptions include Galliher and Cross 1983; Pillard 1983; Reynolds 1986; Rocha 1975; Symanski, 1974). Most of these argue that it developed out of the dynamics of a mining economy and survived thanks to a western libertarianism that persisted in Nevada more than other western states (Rocha 1975, Symanski 1974; Reynolds 1986). Others have argued that the economic needs of declining rural economies allowed prostitution to outlive its Old West past (Galliher and Cross 1983). We argue that the development and political mobilization of the brothel industry reflects the economic dynamics of a state dependent on mining, gaming and sex, the relative resources of the gaming industry, the internal organizational dynamics of the brothel association, the political opportunities created by state/federal political dynamics, combined with a cultural, patriarchal belief that rape, drug abuse, and violence against women can be contained if men can go somewhere safe to have sex, and a culture of sexual outlaws who see themselves as fighting sexual prudery and hypocrisy .

Prostitution has historically played a major part in the economic development of the West (Goldman 1981). Historically, brothels have been a significant source of revenue in the rural areas of Nevada. Prostitution has been tolerated in Nevada in all forms since the region was

settled, as it has been throughout the West. While most counties in contemporary Nevada no longer depend on brothel income for a large percentage of county income, brothels remain, in many of the small mining towns around rural Nevada, a relatively significant and stable source of county income.

The stories of the origins of legal prostitution in Nevada are the stories of renegade individuals as well as federal/state political structure and a growing gaming industry. The popular story told in the press and some history books of how prostitution was legalized surround the efforts of one notorious brothel owner, Joe Conforte. He was a taxi driver turned brothel owner driven from California who opened a shop in Nevada in the 1950s. He incurred the wrath of, and spent most of his energies fighting, a politically ambitious district attorney (who has since become the Nevada Senate majority leader). Conforte and Sally Burgess (the prostitute/madam he subsequently married and went into business with, who probably played role that is not as widely told) had their brothel on a mobile trailer with a tractor attached which happened to sit on the border of three counties. They would simply drag the trailer into the county with the least heat. After spending time in and out of jail in the 1960s for trying to frame the Washoe county DA and for tax evasion, Joe took over the famous Mustang Ranch in Storey County. A district judge ordered the brothels shut and instructed Conforte to repay Storey County \$5,000 in monthly installments of \$1,000 to offset patrol costs to make sure the brothel remained closed. Conforte kept paying beyond the five months while pursuing keeping the brothel open. Three years later, a county DA finally told Storey commissioners they needed an ordinance to make the money coming in legal. On Dec. 5, 1970, two commissioners passed the first brothel-licensing ordinance in the nation (Sion 1995, Flint 1997, Elliot 1973).

The enabling statewide legislation that actually allowed prostitution to spread came as a result of the dynamics of local versus federal politics and an increasingly organized gaming industry. The Nevada economy, in addition to being dependent on a local economy of mining and prostitution, grew dramatically in the years during and after World War II largely thanks to federal dollars through military spending and Hoover Dam. Dependence on federal largess, particularly in Las Vegas, was the driving force to shut down prostitution in the city. During World War I, and again more strongly in World War II, the Federal Security Agency pressured county governments throughout the west to pass ordinances to close down prostitution to prevent “the spread of venereal disease to the detriment of members of the armed forces of the United States sojourning in said city or in the neighborhood” (Symanski 1974:354). The rural counties rebelled and reopened brothels as soon as the war was over. But Las Vegas city managers had to promise to keep brothels closed before the federal government would build Nellis Air Force base. This base proved to be the beginning of Las Vegas’ growth. In the 1960s, casinos were booming as a result of the Air Force base. At the same time, Attorney General Robert Kennedy was cracking down on the mob, an increasingly organized gaming industry and cooperating county government had a very strong desire to legitimate itself. As one long time brothel activist said, “Everyone thinks you have to have some no-no’s,” so the gaming industry increasingly came to sell itself as clean and legitimate by distancing itself from prostitution (Vogliotti 1975, Rocha 1997, Symanski 1974, McMillan 1986).

So when word came that Joe Conforte was going to try and open a brothel in Clark County in the late 1960s, county legislators introduced a state bill to make prostitution illegal. However, brothels were too much a part of the local economy in rural areas to gain enough

legislative support for a statewide ban. So the bill made prostitution illegal in counties with populations over 250,000. The Nevada Supreme Court ruled in 1978 that this explicit mention of brothel prostitution tacitly allowed the 16 counties not mentioned to license brothels. In the following years both Joe Conforte and local brothel owners individually lobbied county commissioners to get brothel licensing ordinances in 13 of 17 counties (Sion 1995; Pillard 1983, 1991; Symanski 1974).

While the folklore is based on battles between notorious individuals, in many ways it is this combination of politics, economics and odd personalities that makes the politics of sexuality surrounding the legalization of brothels so interesting. There is no doubt that Joe Conforte played and continues to play a key role in Nevada's brothel industry. However, it is his role as the symbolic core of the brothel industry in Nevada that unifies much of the industry. The story goes that the best of the current managers and owners at one time worked under Joe and Sally. The Nevada Brothel Association was formed when a believer and experienced lobbyist George Flint offered to take over Joe's work for \$35,000 a year. In an industry that, while highly regulated, is still mostly controlled by an informal set of norms and values, it is still Joe's legacy that dominates. At the same time, a Joe Conforte as a rugged individualist, to-hell-with-the-system role model also explains the resistance within the industry to state-wide organizing. There is mistrust of outside investors as much as there is mistrust of big brothels and big organization. At the same time, the dynamics of statewide business organizing in the brothel industry have been highly affected by both political opportunities as well as economic contests with a much stronger gaming industry association.

Brothels as business

The brothel industry statewide grosses about \$35 million a year according to the Nevada Brothel Association. The few largest brothels are located in the counties closest to Reno and Las Vegas. These 14 brothels bring in around 80% of the state's brothel income. The largest is the Mustang Ranch outside of Reno which employs around 80 women on a normal weekend. The remaining 21 or so rural county brothels bring in under \$2 million per county, and most employ two to ten women at a time.

Competition within the industry is very much controlled by the licensing process. Most counties only license two or three brothels and regulate and limit the areas in which brothels can be located. The only way a new business can open is to buy out an existing license. In some counties, one owner may buy all the licenses and operate as many or as few as the demand will allow. The most serious competition owners mentioned is for quality, reliable women. Competition is from other brothel owners and from illegal prostitution. Small owners charge the larger brothels with unethically enticing the best workers away. The Brothel Association, which as we shall see below represents mostly the urban brothels, sees the biggest competition from escort services and topless dancing in Las Vegas and Reno.

The Nevada Brothel Association was formed in 1984. The lobbyist for the Association is George Flint, who is clearly the most visible of the advocates for brothel prostitution. Flint is seen as an institution in the Nevada legislature, and is a seasoned and respected lobbyist, according to most of the legislators and lobbyists we spoke to.

The Nevada Brothel Association has been successful by some measure, in maintaining the brothel industry's current legal status. This is no small feat in a country where the religious

right has fought to contain most sexually oriented businesses, and in a climate where few legislators feel comfortable advocating for a sex positive culture. But as an organization that brings together capitalist interests to gain legislation to further industry growth, the association has not been successful. Despite the large amounts of profits in the industry, there has been little effort to advocate for legislation to grow in the same way as other sex industry businesses. In fact, the laws regulating the location and number of licenses could conceivably be overturned as restraint of trade. Restrictions on advertising may be unconstitutional. But, according to Flint, other than the core member of the association, many owners would rather fold and open other businesses than spend money to take on these battles. The last meeting of the association was in 1989, and Flint was able to bring in 50 managers and owners from brothels statewide. But as Flint maintains, most of these individuals had been in business 20 years and never met each other, and they remain geographically and physically isolated. Yearly meetings bring in roughly 1/3 of brothel businesses in the state. The brothel industry as a whole is in a holding pattern. The brothel's current legal status may have more to do with the individual relationships the association lobbyist has with legislators and the revenues each business brings to their locale than collective efforts of a mobilized industry. As the brothels become smaller percentages of the businesses in the rural counties, and as gaming grows in its economic and political power, and as the balance of power shifts from rural to urban areas, the brothels, without further mobilization, may be in trouble.

Why has the Brothel Association been relatively unsuccessful in unifying brothel interests statewide, or in gaining legislation allowing a potentially lucrative business to grow? The collective mobilization of resources explains part of the reason. In terms of the internal

organizational dynamics, around 55% of the resources to fund the Brothel Association come from the Mustang Ranch, and the largest nine brothels are the primary supporters. Of the smallest 20 brothels, only six are members. Any impetus to statewide mobilization must overcome huge geographical barriers.

The political environment has certainly affected organizing. As Flint points out, only when a bill threatening to outlaw prostitution is in committee do most of the brothels send in a check. Currently, the brothels have a strong supporter in a rural Senator who controls the Finance Committee who has managed to kill every bill threatening to outlaw brothels. a state level political threat to a complete ban on prostitution at this point is remote, and most of the owners know it. Most of the individual brothel owners can control individually, without the help of their association, the politics of their local county commissions. But many don't feel much of a threat. One small brothel owner commented that she used to know all her county commissioners on a first name basis. "We don't anymore, but we still feel confident that they agree it is legal and we aren't breaking any laws." There is also little economic incentive to change the system, since thanks to the licensing restrictions there is little competition, and much profit to be made, even with only two or three women employed.

However, resource mobilization only explains part of the picture for the brothel association's failure to move the industry ahead. As mentioned above, while the symbol of renegade Joe Conforte struggling against sexual prudery pervades, there is an interesting cultural dynamic that divides brothel owners as well. There is a very unique culture of brothel owners, and analysts have noted that informal norms regulate the system as much as legal regulations (Pillard 1983). Insiders talk of a bifurcation between "traditionalists" and "squares." For a long

time, most of the business owners have been individuals who have grown up in the industry, working as either prostitutes or madams themselves, or were trained by these individuals. These were the traditionalists. And before legalization, many of these were women, as it was considered inappropriate for anyone other than a woman to run the business. This was driven by a fear of men acting as pimps who may unduly exploit the women. Today there remains a general mistrust of men in the business, expressed either as a mistrust of men who haven't been trained about sexuality by a woman who had worked, or a fear that you have to sleep with the owner to get a job. In addition, many of the trusted traditionalists were descendants of or trained under Joe Conforte and Sally Burgess. While many of the true traditionalists have died, there is much to that culture that remains.

Along with this traditional, almost feudalistic sense of propriety there is a fear of outsiders driven by a profit motivation. There was a strong sense that newcomers posed the largest threat to the continued existence of brothels. Several owners we spoke with claimed that their greatest fear was outside businessmen who see brothels as an investment. Flint referred to one owner who came in who had previously been a condo developer. "He scared me to death because he wanted to operate it like a regular business. Conforte says these new people don't know the business. They work like they are selling cough drops...In some ways, when you see a business run by a square, it puts us on edge. The delicateness, the sensitiveness, the tenuousness of it. Aggressive marketing frightens us all...They jeopardize their ability to survive and make legislatures very nervous." (Flint 1997). In speaking of another outsider who has since become a core member of the association, Flint asserts that he "has an understanding of sexuality" which came, in large measure from a former madam he hired to teach him the business.

Probably the most interesting potential development is the fact that the Brothel Association has expressed an interest in turning to a labor organization, of sorts, for assistance in assuring its future as a legal sex industry. The Brothel Association fears that if the current configuration of rural/urban power shifts, and the threat from an increasingly organized gaming industry continues, the industry may be in trouble. The Association is currently inquiring into setting up a meeting with members of the prostitutes right's movement. The prostitutes rights movement is by all accounts a new social movement. COYOTE, Call Off Your Tired Old Ethics, is an organization of prostitutes fighting for decriminalization of prostitution, and has historically fought against the legalized brothels system for violating the rights of working women (Jenness 1993). Flint hopes to get the movement to begin looking at the common ground between the two groups in their fight for a more open politics of sexuality.

Conclusion

We have argued that we ought to view the activities of all businesses to collectively mobilize themselves to act on the political landscape using insights of social movement theories. While businesses have resource advantages to get their political will by virtue of being privileged and legitimate in a capitalist system, the process by which various businesses get that center power is contested and contingent. The ways in which both resource mobilization and new social movement theories argue that subordinated groups mobilize and gain power can be applied to growing businesses. At the very least, we argue that understanding the dynamic growth of the sex industries ought to be analyzed using this model. The relative success of

various segments of the industry to organize to gain favorable legislation can be understood using resource mobilization theories. The adult industry organizations are also, in many ways, new social movements, and the ways in which they construct identities that go beyond traditional labor-capital dichotomies are important to analyze. Ultimately, however, the adult industry is based on the commodification of sexuality, on the ability of labor, capital, technology, and cultural meanings to be organized in ways that not only can people freely express their sexuality, but in ways for someone to make a profit. The future of the sex industry, and the continuing contests to define its contours will express this relation.

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