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Constructing Female Prostitution: The Body as Commodity and Bawdy Houses in the Early National U.S.

Illicit sexual activity has a long history in the West, but at least in the United States one specific illicit practice – the exchange of sex for money – is of more recent vintage. Through the seventeenth and much of the eighteenth century, sexual activity outside of institutionally recognized marriages was invariably construed as a sin, and it was not recognized as prostitution but as fornication. Fornication was also ungendered; both men and women engaged in it and were condemned for it. Both the discourse in which illicit sex was located and its social context changed dramatically in the final decades of the eighteenth and the early years of the nineteenth-century, however. The predominantly religious discourse in which it appeared gave way to a legal one; what had been a sin became a crime; the site shifted from back room or field to bawdy house; the subject became a woman, who sold her body for money.

Based on court records, laws, diaries, and newspapers, this paper explores the construction of female prostitution in post-Revolutionary America, weighing both material and discourse. For the most part, prostitution appears to have emerged in urban areas as a fundamentally economic activity of women who saw no other options for self-support, perhaps as early as mid-eighteenth century. In the final decades of the century the convergence of three related processes underlay the expansion and institutionalization of prostitution in specific sites, the bawdy houses: the commodification of the body, the reduction (and in some cases, elimination) of other economic activities among women in the course of the transition to capitalism, and the emergence of a legal discourse replacing the older religious one. By the 1820s prostitution was a viable economic, if criminal, activity for some women, and an adjunct practice for sportsmen.