



Swedish Abolitionism as Violence Against Women

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IN MEMORY OF
Petite Jasmine 1986–2013

<http://jasmineanddora.wordpress.com>

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Background and Summary of this Paper

This paper provides a brief overview of selected elements of my PhD research, which explored the outcomes of Sweden's criminalisation of the purchase of sex, as well as Sweden's criminalisation of the use of drugs; here, I focus solely on the former law. This paper was presented at the SWOU Sex Workers' Rights Festival in Glasgow, 2013, and an earlier version of this paper was presented in Kansalaisinfo, Little Parliament, Parliament of Finland, Helsinki, in 2012. This paper is intended to be accompanied by a recording of the talk given (available from the SWOU website: www.swou.org) where, with a view to maintaining conciseness, I have limited verbatim quotations here, and have omitted some content. The talk was presented by way of response to current attempts to adopt the sex purchase criminalisation in Scotland, Scotland being one of the most recent of many countries to do so. Below is the summary of the results of my PhD research, modified to discuss issues pertaining only to the sex purchase law (please note that not all elements of the summary below were presented in this paper):

With the purchase of sex criminalised in 1999, Sweden aspires to create a prostitution-free society. Drawing on the author's fieldwork undertaken in Sweden over three years, this research explored the impacts of this law (the sexköpslagen) and its justifying discourses upon the dynamics of Swedish sex work and upon the lived realities of sex workers in Sweden today. Prostitution in Sweden has been (re)defined according to a 'radical feminist' discourse as a form of gendered violence against women, something that cannot be freely chosen by

those who sell sex. These constructions have resulted in the exclusion of sex workers from political debate, excluded using various modes of silencing; this has contributed to the maintenance of a striking political consensus on usually conflict-ridden issues. What have thus become mainstream understandings of prostitution in Sweden have come to impact service provision and the attitudes of healthcare and service providers. Harm reduction initiatives are seen to endorse, encourage, and facilitate sex work, and are therefore seen to damage efforts to abolish prostitution. Furthermore, the harms of the sexköpslagen's undermining of service provision are considerable, resulting in increasing difficulties and dangers. Additionally, though the sexköpslagen has been portrayed as legislation that protects sex workers from legal repercussion, sex workers report losing child custody due to their sex work, domestic harassments by police and social services, and difficulties with tax and immigration authorities. These all serve to reduce the likelihood of sex workers seeking state-sponsored assistance. In addition to all of these harms, legislation and discourse serving to redefine Swedish norms have distracted from the sexköpslagen's failure to achieve its ambition: there is no convincing evidence that overall levels of prostitution have declined since 1999. Instead, some sex work has simply been displaced from public space by targeted policing and advances in telecommunications technologies. Yet the 'Swedish model' is advocated as a success to be exported to other countries. These efforts should be regarded with scepticism, given the failure of the sexköpslagen to accomplish its stated aim of reducing sex work, and given its substantial negative outcomes.

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Introduction

With the purchase of sex criminalised in 1999, Sweden aspires to create a prostitution-free society by attacking demand. Swedish law and policy is striking firstly in its failure to demonstrably diminish prostitution¹ since 1999, and secondly in its resulting in actually increasing the harm and danger in certain forms of sex work. In the context of the abolitionist² failures and detrimental outcomes of the Swedish model, Sweden's consistent and continuing effort to export its law to other states, alongside countries such as Scotland advocating the introduction of the law, is nothing short of remarkable.

Today, I will present the results of fieldwork I have conducted in Sweden since 2008 for the purposes of my PhD at the University of Cambridge, which was completed in 2012. Overall, I have conducted around three years of research in the field. First-hand research primarily involved a mixed methodology of formal and informal interviewing, and participant observation. Interviewed respondents numbered around 90,

and included sex workers, drug users (where research additionally focussed on the impacts of Swedish drugs prohibitionism on the lives of drug users, though that is not discussed here), politicians, NGO workers, spokespeople for lobby, activist, and rights groups, police, healthcare providers, and social workers. Transcribed interviews came to a total of over 400,000 words.

I will focus on how prostitution has come to be socially constructed in Sweden. I will then move on to a discussion of how these understandings have come to impact service provision, and sex workers' experiences of service providers. This will be followed by an analysis of the effects of the sex purchase law on the dynamics of prostitution. I will then briefly evaluate other legislation and policy that is used to directly destabilise prostitution. Finally, I will address whether the criminalisation of the purchase of sex has resulted in a decreasing of prostitution, as intended.

1 Though the term 'sex work' is advocated as emphasising the legitimacy of labour and as being less reductive than 'prostitution', the latter term is used here as indicative of the absence of 'sex work' from mainstream Swedish debate and discourse, which has been comprehensively shaped by radical feminist understandings. I will not, however, use the term 'prostitute', due to its being derogatory and pejorative.

2 Abolitionist/abolitionism in this context should be taken to mean an aspiration to abolish prostitution.



Constructing Prostitution

The 1999 sex purchase law, or *sexköpslagen*, is justified by a backdrop of a ‘radical feminist’ discourse which constructs prostitution as a form of patriarchal violence against women, as notably argued by Catharine Mackinnon, Andrea Dworkin, Janice Raymond, Melissa Farley, and Sheila Jeffreys, for example. According to this understanding, female sex workers are seen as passive, disempowered victims of violence, their clients as male exploiters. Sweden’s own radical feminist movement was significantly responsible for establishing support for a criminalisation of the purchase of sex, and for establishing political consensus on the often contentious topic of prostitution. Ties between the Swedish shelter movement, the Swedish Social Democrat Women, and international radical feminist writers (including some of those mentioned above) and organisations have led to a cycle of political influence that was discussed by many key respondents who have been involved in the legal debate; broader radical feminist discourse has comprehensively informed mainstream Swedish political discourse.

Consensus has been concretised further by excluding those with divergent perspectives. Sex workers are generalised to have histories of abuse and trauma, believed – alongside a perceived failure to see through apparent patriarchal subjugation and oppression – to distort sex workers’ objectivity, resulting in their having a ‘false consciousness’ regarding their apparent exploitation in prostitution. The narratives of sex workers who diverge from the mainstream Swedish understanding of prostitution are therefore argued to be unreliable. Furthermore, sex workers are argued to simply ‘put on a brave face’ or to lie and ‘act’ when

arguing sex work to be unproblematic, thus further undermining some testimony. This argument was used to discredit interviews I might conduct with sex workers by respondents at the Stockholm Prostitution Unit, who affirmed the sex purchase law’s discursive backdrop during interview.

“if someone interviews me, if I’m a sex worker... most of us put on a brave face, and to be frank, who wants to buy a sad whore? I mean prostitution is about playing a role, I am being what you want me to be, I am horny, I am happy... they would never get any buyers if they were crying in the streets right, but it’s all an act. And that is the difficult thing about interviewing people who are active in prostitution and everything”.

INTERVIEW, 2009, SOCIAL WORKER,
STOCKHOLM PROSTITUTION UNIT

Some conflicting voices of sex workers have proved harder to silence. Instead of using models of false consciousness, or arguing that the sex worker is acting or putting on a brave face, their narratives are undermined by portraying them as misinformed or unrepresentative.

“you have to find the right people... if you put an ad in the paper saying ‘if you are a prostitute, or in the sex industry, please answer this question’, it’s the wrong people who is answering”.

INTERVIEW, 2009, NATIONAL COORDINATOR
AGAINST TRAFFICKING AND PROSTITUTION

Where one simply has to find ‘the right people’ to consult, it begs the question – who is to decide who the right people are?



The last exclusion I want to mention, but that I do not have time to discuss at length today, is the exclusion of male and trans sex workers from political debate. This has continued following from the *sexköpslagen*, since the law is a facet of ‘women’s peace’ *kvinnofrid* legislation and prostitution is constructed as a form of violence against *women*.

Thus, the input of certain sex workers has not been prioritised, sex workers silenced using models of:

- 1 ‘false consciousness’
- 2 ‘acting or lying’ and
- 3 being ‘unrepresentative’

The inclusion in debate of some groups alongside the active exclusion and silencing of others is what appears to have resulted in the maintenance of a striking political consensus on usually conflict-ridden issues.

Impacts on Service Provision

HARM REDUCTION

What have thus become mainstream understandings of prostitution as a form of violence that needs to be abolished have come to impact service provision and the attitudes of healthcare and service providers. Harm reduction – efforts to reduce the harm that may be experienced during sex work – is seen as incompatible with Sweden’s abolitionism, with efforts to eliminate prostitution.

At the national level, three Prostitution Units are mandated to decrease levels of prostitution. The Stockholm Prostitution Unit’s alignment with the discourses justifying the *sexköpslagen* has informed their policy and service provision. Harm reduction is seen to legitimise and endorse sex work, undermining the abolitionist ambition of the Unit and the law. Harm reduction initiatives are perceived in Sweden as encouraging and facilitating people to continue their sex work where they otherwise may have stopped.

Condoms

The Swedish National Board of Health and Welfare specifies sex workers and their clients as target groups for HIV/AIDS prevention initiatives. In spite of this, provision of condoms to sex workers is not seen to be the Stockholm Unit’s or the state’s responsibility. Social workers at the Unit oppose condom distribution and the National Coordinator Against Trafficking and Prostitution – previously with the Stockholm Unit – agreed, noting in interview (2009):

“If they make so much money maybe they could buy their own condoms.”

The Stockholm Unit do not provide condoms during outreach. Though condoms are provided at the Stockholm Unit’s offices, these are closed at night when street sex work levels are highest, and are inconveniently located at least a half hour walk from street sex work areas. Where the Stockholm Unit fails to provide condoms on the street, sex worker respondents reported having to provide one another with condoms, with additional reports of shoplifting for condoms around Stockholm’s street sex work area.



Though sex buyers are also specified in terms of HIV prevention initiative, with the purchase of sex criminalised and constructed as an act of violence, providing condoms to buyers is compared to the provision of tools with which to commit a violent offence. None of the Prostitution Units provide people who buy sex with condoms, and the Malmö Unit's attempt to give condoms to buyers of sex met with national outcry amongst politicians and in the Swedish media, in spite of the Unit only having provided eight condoms to sex buyers.

Safer Sex Selling Guide

The Malmö Unit have thus attempted to diverge from a more mainstream Swedish model on service provision and, indeed, ideology. In addition to condom provision for sex workers during outreach, they hand out a harm reduction pack and safer sex selling guide. Again, these harm reduction packs were felt by the Stockholm Unit and other key respondents to encourage prostitution. Since the purchase of sex is criminalised, providing information on how sex can be bought or sold more safely is seen to be 'very strange', with concern that the safety guides may even encourage individuals to begin to sell sex:

“ maybe some young girls who is not in the prostitution for the moment, they find this on the internet, and say ‘Ah, maybe it could be really safe, because I have this handbook, and I have these things, so nothing could happen’ ”.

INTERVIEW, 2009, NATIONAL COORDINATOR AGAINST TRAFFICKING AND PROSTITUTION

“ since it's illegal, you can't, it becomes very strange if you are informing of something that not legal in Sweden, it would be the same thing as (if) you would inform of buying and selling drugs ”.

INTERVIEW, 2010, INGER SEGELSTRÖM, PROPOSER OF SEKKÖPSLAGEN; POLITICIAN - SOCIAL DEMOCRATS

Furthermore, as prostitution is seen to be inevitably harmful, providing information on how to avoid danger is fatalistically seen to be futile: abolishing prostitution is felt to be the only way of reducing the associated harms. Sex worker respondents therefore had to learn how to avoid harm directly from one another, or from experiencing it personally.

SEX WORKERS' EXPERIENCES OF SERVICE PROVIDERS

Where discourses framing the sex purchase law have determined an opposition to harm reduction, social constructions of sex workers have additionally come to impact sex workers' experiences of service providers. The Stockholm Prostitution Unit appears to be a high threshold organisation, catering only for people for whom sex work is problematic, or who want to cease sex work. Those who have not experienced difficulties or do not wish to stop selling sex are not seen as areas of concern, not deserving the 'energy' of targeted, state-sponsored attention:

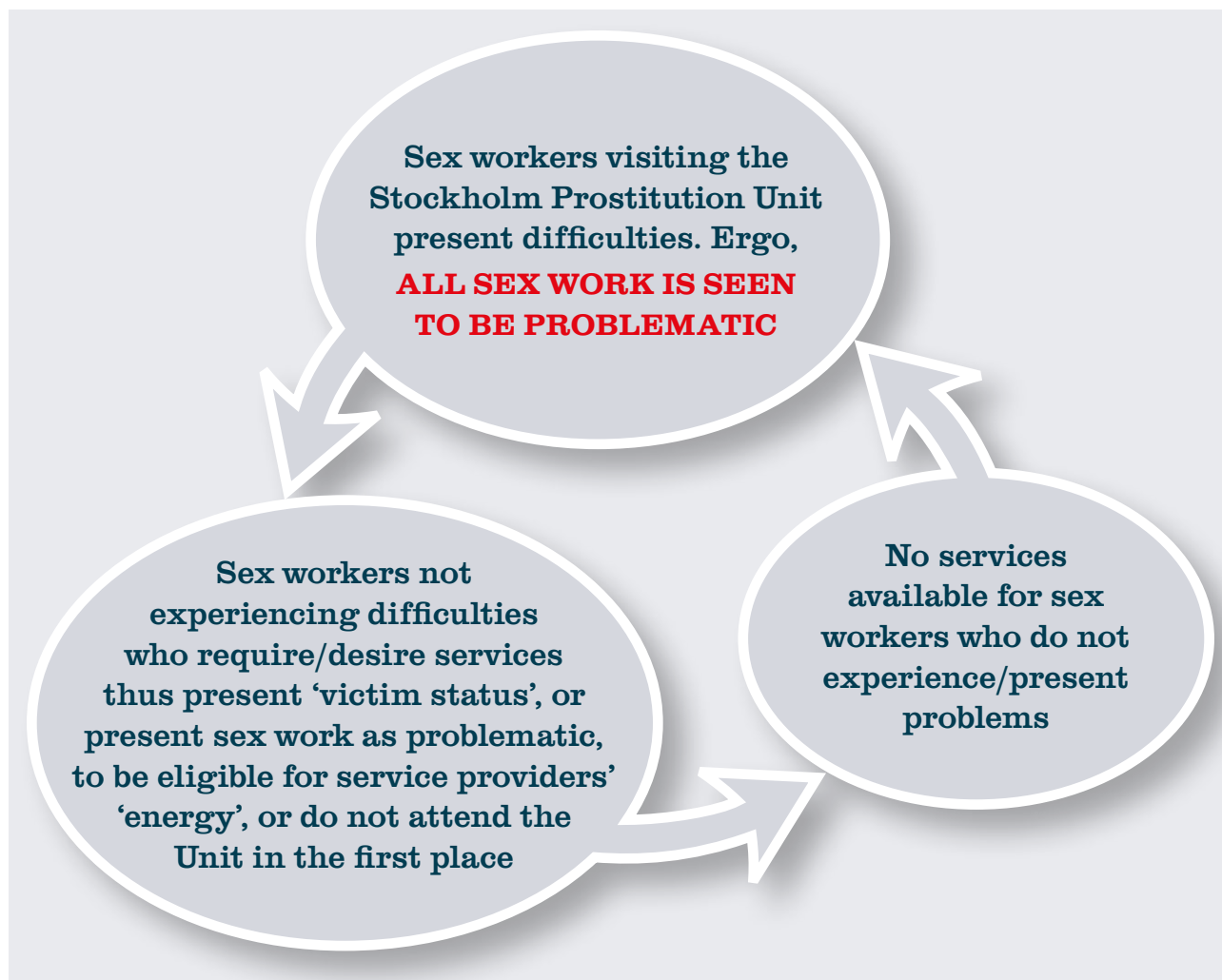
“ We are not here for people who feel good. We're here for the people who... experience problems with (prostitution) ”.

INTERVIEW, 2009, SOCIAL WORKER, STOCKHOLM PROSTITUTION UNIT

“ as far as they feel well, and like to be in this situation, fine with me, I mean, the day when they don't like it anymore, they can come to me. So I don't spend my energy on this group of people ”.

INTERVIEW, 2009, NATIONAL COORDINATOR AGAINST TRAFFICKING AND PROSTITUTION

Sex workers may therefore feel that they have to construct a 'victim' status to access service providers' 'energy' and resources. This goes some way to explaining why the Stockholm Prostitution Unit assert that sex workers almost universally experience problems with their sex work: those who do not have difficulties or who do not wish to cease selling sex are simply unwelcome.



Since sex workers are expected to desire to cease their work in order to be provided with services, one respondent was told by the Unit that they would not assist her in getting a sick note unless she ceased her sex selling for three months. Some have encountered judgemental and disempowering responses, expected to adopt a victim status in order to be eligible for assistance. One respondent had such difficulties with the Stockholm Unit, who attempted to induce feelings of victimisation and humiliation:

“I had so many questions. Is this wrong? What will happen if I get sick? What happens if I get robbed? What happens if I get killed with a customer?... I am really a good girl. I just like to do this on the other side. And they were not talking about the good things, they were only doing (making) things worse. So when I go home from them, I was crying, and I was feeling like, ‘Oh my god, what a bad dirty people I am’... I like to do this. I’m not a bad girl... they should really be able to understand how we’re thinking, and why we are thinking, and why we exist. Not to push us out back on the street, and (say) ‘you’re a bad person’. I’m not a bad person, I just needed some help”.

INTERVIEW, 2010, SEX WORKER [INTERNET ESCORT]



Danger

Further to difficulties with service provision, there are voices that emphasise that other problems in sex work have increased since the 1999 law was introduced. Increasingly hurried negotiations with agitated and stressed clients who are concerned about being arrested impinge on the time available for street sex workers to negotiate transactions and to take stock of the potential risks of the situation, thus exacerbating danger.

“ twenty seconds, one minute, two minutes, you have to decide if you should go into this person’s car... now I guess if I’m standing there, and the guy, he will be really scared to pick me up, and he will wave with his hand ‘Come here, we can go here round the corner, and make up the arrangement’, and that would be much more dangerous ”.

INTERVIEW, 2010, SEX WORKER
[INTERNET; ESCORT; STREET]

A drop in clients willing to buy sex publicly following the *sexköpslagen* has further exacerbated pressures, increasing competition and pushing down prices. With street sex work becoming less profitable, respondents noted sex workers stealing to buy drugs and alcohol previously financed by selling sex. Offering less safe sex and services is argued to be more common due to the *sexköpslagen*’s exacerbating competition and financial pressure in street sex work. Reports of sex workers offering diverse and risky services are especially concerning given the Stockholm Prostitution Unit’s failure to provide street working sex workers with harm reduction initiatives in situ.

In addition to increased difficulties in street work, some clients buying sex online are more reluctant to give sex workers any identifying information, fearing police detection. For sex workers who need money more urgently, accepting these untraceable clients leaves them all the more vulnerable to abuse. Having been forced to take anonymous clients following the *sexköpslagen*, one respondent had lost count of the number of times she had been raped and assaulted by men who were thus untraceable. She had not been raped in the context of her sex selling before 1999.

It should, however, be noted that the law may also be used to threaten poorly behaved clients with police involvement. Furthermore, although the *sexköpslagen* may have decreased prices and increased competition in street sex work, it is argued to have conversely pushed up the prices of indoor escort work. One respondent had migrated to Sweden to sell sex for precisely this reason.

“just because it’s illegal, and it’s not so many (much) of it, so you can take good pay, I get around 3000 crowns [approximately £300] for an hour, and that’s good pay I guess, compared to (other jobs) ”.

INTERVIEW, 2009, PREVIOUSLY A SEX WORKER
[ESCORT; INTERNET; STREET {ONCE}]

“ these anti-prostitution laws in Sweden... I mean the prices, you can put very, the hourly rate is like, I don’t know, two or three times more times more than the rest of Europe ”.

INTERVIEW, 2010, SEX WORKER [INTERNET ESCORT]



Authoritative Interference

Difficulties are not only experienced during sex work itself. Sex workers report losing child custody due to sex work, experiencing domestic harassments by police and social services (as well as police violence and abuse, which can be informed and/or accompanied by a disempowering 'victim labelling', as per the radical feminist discourse informing the sex purchase law), with sex worker respondents additionally noting difficulties with tax and immigration authorities. This notably contradicts the *sexköpslagen* being portrayed as legislation that protects sex workers from punishment and state involvement.

“ the police definitely don't interfere, I mean because selling is not criminalised. That is not a police issue, if you want to sell it's okay. We don't target the women, or the person in prostitution ”.

INTERVIEW, 2010, POLICE [NATIONAL RAPPORTEUR FOR PROSTITUTION AND TRAFFICKING]

Contrary to assertions that “police definitely don't interfere” with sex workers, police can use pimping laws to ‘interfere’ with sex workers directly. Where it is illegal to provide premises for prostitution, landlords are obliged to evict sex workers, or face prosecution themselves. Police have been known to inform landlords that their tenant(s) sell sex, thus forcing the eviction. Sex workers working together for safety, as well as anybody cohabiting with a sex worker, can also be targeted, prosecuted for pimping one another or sharing in the income of prostitution, respectively. Police have furthermore been known to report sex workers to hotels and venues, with the sex workers then barred from returning. In stark contrast to the assertion that sex workers are not ‘interfered’ with by police, police have also harassed sex workers directly at home. One respondent was visited by police on three occasions, who threatened her with police involvement and pursuit of her clients.

Disincentive to Report Abuse

Thus, due to difficulties with service providers and the authorities, the majority of my sex worker respondents were disinclined to seek state-sponsored assistance, both from the police and from social services. Furthermore, the *sexköpslagen* can act as disincentive for sex buyers to report suspected trafficking or abuse, for fear of essentially confessing to the crime of buying sex. One sex buyer I interviewed recalled two or three instances where he had not contacted the police to report suspected trafficking, for fear of legal consequences.

He had left the premises without buying sex, and had tried to make other clients aware of the situation via online forums.

“ Then (if I reported it to the police) they would ask how I know... I don't think I can get caught for that, but I will still be in a record somewhere, and then if I pop up again somewhere somehow... Just avoid it. Put a post on it on the forums that says ‘This is trafficking’ ”.

INTERVIEW, 2011, CLIENT



No Decline in Sex Work

Further to all of the harms that have seemingly resulted from the *sexköpslagen* and its justifying backdrop, there is no convincing evidence that overall levels of prostitution have declined since 1999.

“It is... difficult to discern any clear trend of development: has the extent of prostitution increased or decreased? We cannot give any unambiguous answer to that question”.

THE NATIONAL BOARD OF HEALTH AND WELFARE 2008: 63

“to be able to tell how many people that are engaging in sex trade according to this definition of the sex purchase law, within any particular period of time in the country as a whole, of course that’s a very common political expectation but is nonsensical to anyone with basic knowledge of scientific methodology”.

INTERVIEW, 2010, SENIOR ADVISOR REGARDING PROSTITUTION - THE NATIONAL BOARD OF HEALTH AND WELFARE

Some, however, assert that there has been an overall decrease in levels. It has to be emphasised that these assertions, apparently demonstrating the success of the *sexköpslagen*, seemingly derive from levels of *street* sex work; though these did decline following the law, they are importantly not representative of the vast majority of Swedish prostitution, which is off street (and some respondents with long experience of working on the street disagreed with assertions of a long-term diminution in

street sex work). Moreover, declines in levels of street sex work appear to signal a displacement of public sex work, with sex workers selling sex indoors as opposed to from the street to avoid authoritative detection and involvement.

“I think I stopped work there when the sex law came... I mean first of all you were still able to get clients after (the law). But you had to stand that much longer”.

INTERVIEW, 2010, SEX WORKER [INTERNET; ESCORT; STREET]

“You hide on the internet, it’s not visible anymore. It’s not visible. Go out on Malmkillnadsgatan, where it’s the most famous place. Not every night there is someone. Not every minute there is someone there. 24/7 there are people on the web. There are people everywhere, but you don’t see them. It’s all hidden. ‘Cause we don’t wanna get caught.”

INTERVIEW, 2011, SEX WORKER [INTERNET ESCORT]

Whether it was the sex purchase law or the rise in popularity and use of the internet and cellular phones following 1999 that accounted for the observed decline in street sex work is debatable. Irrespective, a movement of sex work into more hidden space is concerning, making police and social service surveillance, outreach, and assistance more difficult, and exacerbating risks of isolation.



Conclusions - An Exportable Law?

And so, to conclude, in spite of there being no evidence demonstrating that the sex purchase law has succeeded in decreasing prostitution, and in spite of the law's negative impacts, Sweden postures internationally. The *sexköpslagen* is touted as having conclusively addressed the apparent problems of prostitution, advocated as a success to be exported to countries like Scotland.

“ I’d say that this is the one purpose of the law that the government has fulfilled... that the law (*sexköpslagen*) should be exported to other countries... irrespective of the fact that the knowledge base was so poor, I mean the empirical (knowledge) was very poor, very weak... on the actual sex trade in Sweden ”.

INTERVIEW, 2010, SENIOR ADVISOR REGARDING PROSTITUTION - THE NATIONAL BOARD OF HEALTH AND WELFARE

Indeed, as noted by Inger Segelström, a proposer of the legislation:

“ I’ve had contacts with the UK government too, and I think that sooner or later they will get a Swedish legislation... when I’m meeting people from all over the world, I’m saying ‘This is how we solved it’ ”.

INTERVIEW, 2010, INGER SEGELSTRÖM, PROPOSER OF *SEKKÖPSLAGEN*; POLITICIAN - SOCIAL DEMOCRATS

Sweden's claim, as per Segelström's assertion, to have 'solved' the apparent problem of prostitution, should be challenged and regarded with scepticism, given the failure of abolitionist laws to accomplish their stated aims, and given the substantial negative outcomes of legislation and discourse.

Thank you.