

Preventing Violence Against Women or Violence Work? -- The Swedish Model of Prostitution

Written Abstract NSfK Research Seminar, 2021: Sexual Violence in the Nordic Countries

Author: Niina Vuolajärvi, PhD

Affiliation: The Zolberg Institute of Migration and Mobility, The New School of Social Research

Contact: niina.vuolajarvi [at] gmail.com

Introduction

Due to heightened concerns about trafficking and the globalization of commercial sex, a new trend has taken place in global prostitution policies in the mid-2010s. In 1999, Sweden was the first country to aim at abolishing the sex trade through criminalizing buying (rather than selling) of sex. Criminalizing the buying of sex has its roots in the Nordic feminist movement on violence against women and its understanding of prostitution as part of this violence. The legislative change was meant to advance gender equality and well-being at both societal and individual levels through using the law as a normative tool to "end demand" for sexual commerce. Finland adopted partial criminalization of sex buying, banning sex buying in a situation where there is a third party involved in 2006, and Norway and Iceland fully criminalized the buying of sex in 2009. This policy approach commonly known as the "Swedish" or "Nordic" model has started to dominate the way several international organizations, nation-states and civil society think not only about prostitution policies but the overall sex trade. Drawing on a large-scale three-country ethnography conducted in the Nordic region (Sweden, Norway, Finland) between 2012 and 2018 including 210 interviews with migrant and national sex workers and people in the sex trade, policy-makers, the police and social workers this paper discusses how the Swedish model and the popularization of the understanding of commercial sex as a form of violence against women affects people who sell sex.

My fieldwork findings demonstrates that understanding of prostitution as violence that needs to be abolished has led to repressive practices that perpetuate violence and stigma towards people who sell sex especially in Sweden and Norway where the full criminalization of sex buying is implemented (Vuolajärvi 2019, 2021). In this paper, I follow Ruthie Wilson Gilmore's (2002) understanding of violence as production of vulnerability to "premature death." Crucial about this conceptualization is that moves beyond the "perpetrator perspective" - focus on interpersonal physical coercive violence - and extends the conception of violence to include state violence and production of vulnerability. I argue that despite its feminist-humanitarian aura the Swedish model functions as a form of violence in a Gilmorean sense, as it increases the vulnerability of sex workers and people in the sex trade and puts them in many ways in harm's way. Following Gilmore's definition, a wide range of people from the police to hotel receptionists and NGOs advancing increased policing of marginalized communities engage in what Micol Seigel (2018) calls "violence work," production of vulnerabilities.

Findings

My findings show that the abolition of prostitution has become the ultimate goal of societal efforts in Norway and in Sweden. Contrary to the claims of the proponents of the Swedish model of shifting focus to the buyers and protection of people who sell sex, sex workers remain the main

targets of policing and become *de facto criminalized* through the enforcement of third party laws, immigration laws and ambiguous fiscal policies leading to deportations, forced evictions and overall police harassment on sex workers. As Lina, a Latin American trans woman summarize the de facto criminalization of sex workers:

This is a contradictory law. They kind of let you work but they control you – at the end, they force you not to work. If you are on the streets, they will control you [check papers] and this is kind of a trap because this will result in your name ending into the police records. It is also a form of intimidation, a psychological pressure. Also, when you are in an apartment, they can come to your apartment, control you and force you to leave, either by using intimidation or calling the owner and telling [the landlord] that he is doing a crime. They say you can work, but you cannot work in an apartment because then the owner is a criminal, you cannot work in a hotel because then the hotel is criminal. They force you out of the apartments, they force you out. [...] Here, you cannot call the police if you are in trouble, if somebody is violent, robbing you or something. [...] Maybe if you are foreign, the police will put you out of the country. You don't know really. [...] The situation when you are in front of the police, it looks like they are the law. [...] They say that this law is for the women, but it isn't. It affects our work.

The policing of sex work in the countries focuses on migrant sex workers and is racialized targeting especially those of color (Vuolajärvi 2019, 2021). However, nationals cannot fully escape the punitive policing of sex work either and are targets of forced evictions and police harassment such as police constantly false booking and visiting a sex workers' apartment, outing a sex worker to hotels, apartment and booking companies. Also, client criminalization hampers sex workers' safety practices and makes client screening difficult. As a Swedish sex worker who has worked in various national contexts stated: "Swedish people don't want to screen. They're afraid of the police which makes the whole thing – it doesn't feel very safe. You need to go to people's homes." On the streets clients hurry negotiations, they want to move the transaction further away from the street working location, or in general clients avoid public locations such as hotels which are safer for sex workers than going to client's premises. A migrant sex worker met in Sweden described the situation: "It flips the power position; I have to focus on making them feel safe."

Despite the original aim of the Sex Purchase Act of being a normative supplement to social measures directing people out of sex trade (Florin 2012; Skilbrei and Holmström 2013), the Swedish state has mainly invested in police resources and knowledge production.¹ There are no low-threshold STI testing², health, or legal services available and none of the state service providers

1 Instead of social measures, Sweden invested in law enforcement, knowledge production, and normative transformation around prostitution after the passing of the Sex Purchase Act (Florin 2012; Östergren 2018). Between 1999 when the law was passed and 2010, the government has directed 77 million Swedish Crowns (9.3 million USD) to the National Police Board for the enforcement of the law and 20 million SEK (2.41 million USD) for the National Board of Health and Welfare to take a leading role in developing work on violence against women (including prostitution), monitor the extent and development of the field of commercial sex in Sweden, as well as to compile knowledge of social interventions in Sweden so that these interventions can be further developed (Florin 2012; Government of Sweden 1998; Skarhed 2010). The efforts of the National Board of Health and Welfare have focused on education of officials and health and social service providers through guidance manuals and trainings related to prostitution and trafficking.

2 In Stockholm, the state service provider Mika Stockholm at the time of this study offered a drop-in on Thursdays from 14-15.30 for STI testing or health information. In comparison, in Norway and Finland, the centers are open for drop-in meetings with nurses, doctors and social workers several weekdays from 4 to 8 hours a day (Vuolajärvi 2021).

market their services in other language than Swedish despite majority of sex workers - 70-90% - in the region being migrants. This means that migrants are practically excluded from state services. Prioritizing therapeutic support at the cost of harm reduction services also means that sex workers have hard time access specialized health and legal services.

In Sweden and Norway, the aim of abolishing prostitution and trafficking has also justified the forging of public-private partnerships that extend policing of commercial sex to private individuals, hotels, taxis, and landlords. A Swedish police officer explained: "We have produced e-learning tools for the hotels, they could train their staff. So, they call us or otherwise sometimes they throw them [women] out, because we can't always come, so then they throw them out." These efforts have resulted in a dire housing situation for migrants which means that they need to rely more in third parties, increasing their vulnerability for exploitation.

What is more, the Swedish law and the discourse of sex work as a form of violence that the society needs to eradicate, has increased stigma towards sex work in Sweden. In 1996, 30% of Swedes believed that a woman selling sexual services should be criminalized, whereas in the 2002 survey and 2012 study, 59 % and 52 %, respectively, believed it should be prohibited by law (Kuosmanen 2011; Svedin et al. 2012). Stigmatizing views of sex work as violence prevalent in Sweden translate into sex workers' experiences of victimization, lack of societal protection and overall discrimination in interactions with officials, service providers and the media. Also, sex workers whose experiences and interpretations do not coincide with the state understanding of sex work as violence are excluded from public discussions and decision-making in Sweden (Vuolajärvi 2021)

The official definition of sex work as violence and the consequent lack of recognition of sex work as legitimate work also results in a situation where income from sex work is taxable, but there are no clear directions from the tax officials how to do one's taxes. Sex workers in Sweden and Norway reported cases where tax officials had investigated them and they have been taxed heavily afterwards. Also, due to the broad pimping definition, sex workers report inability to open bank accounts and hiring accountants.

Conclusion and Discussion

This examination reveals how in many ways the Swedish model expose sex workers and people in the sex trade to vulnerability. In addition to justifying deportations, forced evictions and increased policing of especially migrants engaging in sexual labor, the Swedish model results in sex workers' increased exposure of interpersonal violence as sex workers need to prioritize making the client feel safe. Moreover, this study elucidates how "the systems of meaning" (Spade 2015:171) that the Swedish model produces, silences the multiplicity of experiences in the sex trade and results in sex workers' experiences of increased stigma, as well as exclusion from state services, fiscal policies and political space. Also, some of the interviewees, such as Alina introduced earlier, described experiences of state-sanctioned sexual violence, like strip-searches at the border. Taken together, these results demonstrate that through creating an ideological landscape that defines sex work as a form of men's violence against women to be combatted, the Swedish model legitimates policing and state violence towards migrant and sex working women and enhances their social exclusion which in turn exacerbates their already precarious lives.

Feminists of color and queer scholars (INCITE! 2016; Spade 2015) have for long criticized the mainstream (white) antiviolence movement for its focus on interpersonal violence at the cost of institutional violence. White middle-class feminists shape feminism's political grammar, the way feminist movement's narratives are told (Hemmings 2005; Mulinari et al. 2009; Phipps 2020). In

relation to violence against women, this has led to narratives of sexual violence being perpetuated by 'bad men' who need to be punished through state criminal justice systems. In these narratives, which are predominant in Nordic feminist discourses, the state is protective rather than oppressive. These critiques have highlighted how the criminal justice system has been used to repress marginalized populations such as women of color, migrants, sex workers and trans women, hence demonstrating how the police is more often a source of violence than protection for them. Following this critique, I argue that the Nordic anti-violence movement needs to adopt a more intersectional and holistic analysis of harm and violence that does not rely on criminal justice and demands of increased police presence in marginalized communities but that would rather be based on solidarity and enforcing basic rights of marginalized groups. Without attention to what Angela Davis (2016) calls the intersectionality of struggles, the Nordic feminist anti-violence movement ends up perpetuating and justifying state violence towards marginalized women and enhancing their vulnerability.

References

- Davis, Angela Y. 2016. *Freedom Is a Constant Struggle: Ferguson, Palestine, and the Foundations of a Movement*. edited by F. Barat. Chicago, Illinois: Haymarket Books.
- Florin, Ola. 2012. "A Particular Kind of Violence: Swedish Social Policy Puzzles of a Multipurpose Criminal Law." *Sexuality Research and Social Policy* 9(3):269–78. doi: 10.1007/s13178-012-0086-1.
- Gilmore, Ruth Wilson. 2002. "Fatal Couplings of Power and Difference: Notes on Racism and Geography." *The Professional Geographer* 54(1):15–24. doi: 10.1111/0033-0124.00310.
- Government of Sweden. 1998. "Regeringens Proposition 1997/98:55 Kvinnofrid." Retrieved November 22, 2019 (<https://www.regeringen.se/contentassets/1733625e719c43b28f073fa9cdec90f2/kvinnofrid-prop.-19979855>).
- Hemmings, Clare. 2005. "Telling Feminist Stories." *Feminist Theory* 6(2):115–39. doi: 10.1177/1464700105053690.
- INCITE!, ed. 2016. *Color of Violence: The INCITE! Anthology*. Durham: Duke University Press.
- Kuosmanen, Jari. 2011. "Attitudes and Perceptions about Legislation Prohibiting the Purchase of Sexual Services in Sweden." *European Journal of Social Work* 14(2):247–63. doi: 10.1080/13691451003744341.
- Mulinari, Diana, Suvi Keskinen, Sari Irni, and Salla Tuori. 2009. "Postcolonialism and the Nordic Model of Welfare and Gender." Pp. 1–16 in *Complying with colonialism: gender, race and ethnicity in the Nordic region*, edited by S. Keskinen, S. Tuori, S. Irni, and D. Mulinari. Farnham, England ; Burlington, VT: Ashgate.
- Östergren, Petra. 2018. "Sweden." in *Assessing Prostitution Policies in Europe*. London & New York: Routledge.
- Phipps, Alison. 2020. *ME, NOT YOU: The Trouble with Mainstream Feminism*.
- Seigel, Micol. 2018. *Violence Work: State Power and the Limits of Police*. Durham: Duke University Press.
- Skarhed, Anna. 2010. *Förbud mot köp av sexuell tjänst: en utvärdering 1999 - 2008 ; betänkande*. Stockholm: Fritzes.

- Skilbrei, May-Len, and Charlotta Holmström. 2013. *Prostitution Policy in the Nordic Region: Ambiguous Sympathies*. Farnham, Surrey ; Burlington, Vermont: Ashgate.
- Spade, Dean. 2015. *Normal Life: Administrative Violence, Critical Trans Politics, and the Limits of Law*. Revised and expanded edition. Durham, [North Carolina]: Duke University Press.
- Svedin, Carl Göran, Linda Jonsson, Cecilia Kjellgren, Gisela Priebe, and Ingrid Åkerman. 2012. *Prostitution i Sverige. kartläggning och utvärdering av prostitutionsgruppernas insatser samt erfarenheter och attityder i befolkningen*. Linköping: Linköping University Electronic Press.
- Vuolajärvi, Niina. 2019. "Governing in the Name of Caring—the Nordic Model of Prostitution and Its Punitive Consequences for Migrants Who Sell Sex." *Sexuality Research and Social Policy* 16(2):151–65. doi: 10.1007/s13178-018-0338-9.
- Vuolajärvi, Niina. 2021. "Governing in the Name of Caring: Migration, Sex Work and the 'Nordic Model.'" Rutgers University - School of Graduate Studies.