

Sex workers Critique of Swedish Prostitution Policy

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In this article I will not deal with the complex issue of whether prostitution is socially or otherwise desirable. Rather this article seeks to document some of the experiences and opinions of female sex workers in Sweden. I have been concerned by the fact that the very women who are at the center of prostitution policy are so rarely heard and so often feel discriminated against. If equal rights for women is important, then the experience of sex workers themselves must surely be central to our discussion, regardless of what position one takes on prostitution.

The law against procurement of sexual services (promotion or deriving profit from prostitution) and a recent law prohibiting the purchase of sexual services introduced in 1999 are the two main ways the Swedish state sees itself as "combating" prostitution. Swedish politicians and feminists are proud of the state's prostitution policy. They insist that it has positive effects. Sex workers are of a different view. Most of the female Swedish sex workers I have interviewed voice a strong critique of their legal and social situation. They feel discriminated against, endangered by the very laws that seek to protect them, and they feel under severe emotional stress as a result of the laws.

The material in this article stems from my interviews, informal talks and correspondence with approximately 20 sexworkers since 1996, as well as published and broadcasted interviews with sexworkers in Swedish media. It is also based on interviews with people working with women selling sex to support a drug habit (most whom also are homeless).

This article also contains a summary of reports conducted by Swedish authorities after the introduction of new legislation (the criminalization of clients).

Selling sexual services is not work

Sex work is officially not considered work in Sweden. Rather, prostitution is seen as a social ill and a form of men's violence against women. Women who sell sex are considered victims who need protection by the state. Male or transgendered sex workers are rarely spoken of. In the task of creating a better and more equal society, the Swedish state has determined that prostitution has to be abolished. This is an opinion rarely called into question.

The law against procurement

The law against procurement renders it illegal to work indoors, work with others, to profit from the sexual labour of others, and advertise. Some women interviewed express satisfaction with the effect this law has had on exploitative pimps, since there have been relatively few of them in Sweden the last two decades. Other sex workers find this law discriminatory. They believe that they, like any other worker or businessperson, should have the right to a reasonable work environment, work collectively, advertise or open a business etc.

Due to the law against procurement, sex workers are forced to lie in order to rent premises, or alternatively they have to pay exorbitant rent. Either way, they constantly worry about being discovered. They also report often having to move (when discovered) and being treated badly

by landlords and "rent pimps". Some women prefer to make contact with their customers on the street. Other sex workers find this too humiliating.

Most of the women I have spoken to wish to be able to work together with others. This is to ensure safety and to support each other. They find it unfair that they cannot do this and feel scared when they have to work alone.

This law also makes it difficult for sex workers to cohabit with a partner since it is illegal to receive any of a sex worker's income. It is hard for a sex worker to have a family at all since sex workers are considered to be unfit parents and therefore can lose custody of their children if it emerges that they sell sex.

The law against purchasing sexual services

The new law which prohibits the act of buying sexual services is severely criticized by sex workers. They find the law paradoxical, illogical and discriminatory. It further obstructs their work and exposes them to stress and danger.

The women I have spoken to say that the reasoning behind the law does not make sense to them. How can the politicians claim that only the clients are being punished and that they are being protected? The effect of the law is mostly negative for the sex worker. Some point out that even if a few men might get fined, the majority will continue buying sexual services as usual - and as usual it is women and sex workers who will be the most adversely affected.

As a result of the new legislation, the sex workers say it is now harder for them to assess the clients. The clients are more stressed and scared and negotiation outdoors must be done in a more rapid manner. The likelihood of ending up with a dangerous client is thereby greater.

Due to the law, sex workers feel hunted by the police, social workers, media and sometimes even anti-prostitution activists on the streets. They find this unacceptable. One sex worker commented that no other vocational group would accept that the police "patrolled their workplace".

Another consequence is that the sex workers are now more apprehensive about seeking help from the police when they have had problems with an abusive customer. They do not want to be forced to report the client.

Since the number of sex workers on the streets has decreased and they are more scared, previous informal networks amongst the sex workers have weakened. The result is that they are no longer able to warn each other about dangerous clients or give each other the same support.

Women also report that another consequence of the law is lower prices on the streets since there are less customers and more competition. This means that women in more desperate need of money will engage in unsafe sex and sexual activity they usually would not perform. This in turn leads to poorer self-esteem and exposure to infection. Other women who have turned to the Internet to advertise claim a positive effect insofar as they have been able to raise their prices. But note that this only benefits some sex workers. The more vulnerable sex workers seem to be the ones most negatively affected by the law.

Women working on the streets in some bigger cities claim that there is now a greater percentage of "perverted" customers and that the "nice and kind" customers have disappeared. A "perverted" customer is someone who demands more violent forms of sex, sex with faeces and urine and who is more prone to humiliate, degrade and violate the sex worker. He also more often refuses to use condoms. Since there are fewer customers on the streets many women who sell sex in order to finance a drug habit can no longer refuse these customers, as they were previously able to. These women say the "kind" customers have either turned to the Internet to find sexual services or have been arrested by the police. On the contrary, the "perverted" customers know what to do to not be arrested and fined - they just have to deny it since there is rarely hard evidence.

Societal treatment

Another often mentioned grievance is how sex workers feel treated by the authorities and by society at large. All sex workers I have spoken to mention the stigma attached to prostitution where the sex worker is seen as weak, dirty, mentally ill, addicted to drugs and alcohol and viewed as a victim. Along with the difficult legal situation, this makes the sex workers afraid that it will be brought to public attention that they sell sex, so they do all they can to ensure their anonymity. This includes for some women lying to friends, family and neighbours.

The sex workers say that they feel incapacitated by the state and not respected. They maintain that their rights as citizens are violated. Several of them state that they are an important part of society, that they contribute to it, but that they are actively excluded from it. They also think sex workers are denied the benefits of the welfare state - something that is granted all other Swedish citizens.

Several sex workers say that they feel used by politicians, feminists and the media. They think that sex workers are only listened to and being paid attention to if they say the correct things, i.e. that they find prostitution appalling, that they are victims, that they have stopped selling sex and will never go back, and that they are grateful to the current prostitution policy and to the policy makers.

Sex workers feel overlooked in decision-making processes regarding juridical changes etc., something they find undemocratic. They question whether any other social group would have been so consistently excluded from any relevant policy making process

The sex workers report having had very little or no help from the social authorities and in any case, they would rather be left alone by them. Some believe women wishing to leave sex work can in some instances get adequate help from the social authorities.

Most of the sex workers I have interviewed reject the idea that there is something intrinsically wrong with their profession, or that they should be subjected to therapy or retrained in order to work as something else. They also consider this to be a treatment that would not be foisted upon other professional groups. Sexworkers say that contrary to the official belief, they are not the victims of their customers, but victims of the state. This is not only because they are not listened to, or that the state puts them into dangerous situations and forces some of them to become affiliated with the criminal world, but also because the overall situation makes it impossible for them to be open about their work, speak out against injustice and to organize themselves.

Health issues

All the women I have spoken to report feelings of emotional stress due to the legal situation and how they are treated socially. They have to hide, lie and keep double identities. They fear harassment and ostracism for themselves, their children and their partners.

The emotional stress also stems from a vulnerable and unclear financial situation. Since most women do not pay taxes they are scared of what will happen to them once they retire. Their pensions will be low and barely adequate to live on. When they fall ill, they still have to work or rely on what savings they may have, instead of relying on a right to workers compensation. The legal situation regarding taxation is unclear and varies from city to city. Some tax authorities will leave sex workers alone, others will seek them out and tax them according to an arbitrary estimate. This worries sex workers. Some of them have been subjected to this procedure with disastrous financial consequences. Others have only heard about it and worry it will happen to them.

Sex workers report an increase in their emotional stress subsequent to the introduction of the new law. The sexworkers say that they now feel more worried about being found out as well as more worried about future income. Several report that they now have more anxiety, sleeping problems, concentration problems as well as problems related to eating disorders, alcohol and drugs.

The sex workers I have interviewed report greater feelings of powerlessness and resignation than before the introduction of the new legislation. They feel as if there is "no point" in trying to change the system (or its direct effects on their lives) and that no one supports them or speaks for them.

What they want

Sex workers express anger about Swedish politicians who, in their opinion, brag and tell lies about the effect of the new law vis-à-vis other countries. They wish that other countries might find out "the truth" about the effects of the law. They also strongly discourage other countries from adopting similar legislation.

Even if few of the sex workers I have spoken to claim to know the details of the new legislation regarding prostitution in the Netherlands and Germany, they all speak positively of it. They wish that prostitution in Sweden would be legalized (or at least decriminalized), that there would be unions and organizations for sexworkers, that the stigma around them would be lifted and that they would be granted the same rights and obligations as other women and citizens.

Women selling sex to support a drug habit seem to be less likely to regard sexwork as a positive experience or as a work. But they are just as critical of the Swedish legislation and policy. They would like to have better access to a methadone or subutex program, currently something only a fixed number of people have.

Official reports

Criticisms similar to those made by my respondents were voiced in the three official reports made since the law against purchasing of sexual services was introduced. One year after the

law was passed, the National Council for Crime Prevention (Brottsförebyggande rådet), conducted a survey of the practice of the new law and what problems had been encountered. The National Board of Health and Welfare (Socialstyrelsen), also published a report one year after the law was introduced. Their task was to document existing knowledge of the spread of prostitution. The National Police Board (Rikspolisstyrelsen) published a report based on information from the first two years of practice of the new law. Their task was to evaluate the practice of the law and make suggestions about new methods in police work against prostitution.

All of these reports find that street prostitution dropped immediately after the introduction of the law. They also suggest that recruitment was lower, although the National Council for Crime Prevention means that the exact number of prostitutes in for example Stockholm was hard to estimate because street prostitution had moved to other streets and took place in a larger area than before. All of the authorities say that there is no evidence that prostitution was lower overall. Instead hidden prostitution had probably increased.

All of the reports address the problems emerging after the new law was introduced. The National Police Board writes that the sex workers that are still in street prostitution have a tough time. This, they explain, is because customers are fewer, prices are lower and competition harder for the women. This leads to the sex workers selling sex without protection of condoms for a higher rate, and it leads to them having to accept more customers than before (since the prices are lower). The respondents in the National Board of Health and Welfare's study (of which none are sex workers themselves) believe female sex workers now experience more difficulties and are more exposed than before. The buyers are "worse" and more dangerous, and the women who cannot stop or move their business are dependent on these more dangerous men, since they cannot afford to turn them down as before. Even the buyers that were interviewed believe that the law mostly affected the already socially marginalised women. According to the National Police Board, the healthcare system has worries about declining health among sex workers and spreading sexually transmitted disease.

The National Police Board has also found the law an obstacle to prosecuting profiteers who exploit the sexual labour of others. Earlier legal cases against such men could sometimes be supported by the testimonies of sex-buyers. But these men are no longer willing to assist, since they themselves are now guilty of committing a crime. The Police Board report also points out that sex workers have fallen into a difficult, constructed, in-between position with regard to the new law. The female sex worker sells sex, but this is not a criminal act. However, because purchasing sexual services is now a crime, the sex worker can be made to appear as a witness in the trial process. She therefore has neither the rights of the accused or the victim. The Police Board report also discusses the fact that sex workers are subject to an invasive searches and questioning, so that evidence against the clients might be obtained in flagranti.

Official reports

RPS (Rikspolisstyrelsen) 2001. Rapport. "Lag (1998:408) om förbud mot köp av sexuella tjänster. Metodutveckling avseende åtgärder mot prostitution." Av Nord, Anders och Rosenberg, Tomas. Polismyndigheten i Skåne. ALM 429-14044/99. 2001. POB -429-4616/99
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