



Article

# Sweden's abolitionist discourse and law: Effects on the dynamics of Swedish sex work and on the lives of Sweden's sex workers

Criminology & Criminal Justice  
2014, Vol. 14(5) 593–607  
© The Author(s) 2014  
Reprints and permissions:  
sagepub.co.uk/journalsPermissions.nav  
DOI: 10.1177/1748895814528926  
crj.sagepub.com  


**Jay Levy**

Consultant & Researcher, London, UK

**Pye Jakobsson**

Rose Alliance, Sweden

## Abstract

The Swedish criminalization of the purchase of sex aims to abolish prostitution through targeting the demand, while decriminalizing those selling sex in an ostensible effort to protect sex workers – constructed as passive victims of gendered violence – from criminalization. Drawing from authors' research and that of others, this article discusses the sex purchase law (*sexköpslagen*), exploring some of its impacts on the lives of sex workers and the dynamics of Swedish prostitution.

We argue that the law has failed in its abolitionist ambition to decrease levels of prostitution, since there are no reliable data demonstrating any overall decline in people selling sex. Furthermore, we argue that the law has resulted in increased dangers in some forms of sex work. Dangers are exacerbated by a lack of harm reduction services, which are seen to conflict with Swedish abolitionism. Moreover, discourses and social constructions informing the *sexköpslagen* have informed the attitudes of service providers. In addition to specific outcomes of the law, we note evictions of sex workers, problems with immigration authorities, child custody and the police, and briefly discuss these themes. Where Sweden continues to attempt to export the *sexköpslagen* to other parts of the world, these elements should be carefully considered.

## Keywords

Abolitionism, harm reduction, prostitution, *sexköpslagen*, sex work, Sweden

---

## Corresponding author:

Jay Levy, 15 -18 White Lion Street, London N1 9PD, UK.

Email: j.levy.03@cantab.net

## Background: The Swedish Abolitionist Construction of Prostitution

In 1999, Sweden criminalized the purchase of sex, while simultaneously decriminalizing its sale. This piece of legislation ostensibly places the onus on the masculinized client, with the feminized sex worker supposedly protected from legal repercussion.

In Sweden, prostitution is seen in political discourse to be a form of men's violence against women (MIEC, 2005; also see Danna, 2012; Hubbard et al., 2007a; Svanström, 2004). It has therefore been asserted that prostitution needs to be abolished in order for Sweden to achieve a state of 'gender equality' – a long-standing aspiration of Sweden's (Danna, 2012; Svanström, 2004). This social construction of the 1999 *sexköpslagen* (sex purchase law) is informed by a radical feminist understanding of prostitution as a form of patriarchal violence, one of the ultimate exemplifications of women's subjugation (see, for example, Jeffreys, 1997). Sex work is seen, according to this radical feminist discourse, not only as *a form* of violence in and of itself, but additionally as being *surrounded* by violence, fatalistically seen to be immutably violent (not simply violence) and exploitative (Jeffreys, 1997). It is compared to slavery and to torture (Farley, 2004), and those in the sex industry are generalized and conflated as unstable, traumatized, passive and exploited (Farley, 2004; Jeffreys, 1997; Raymond, 1998), with these pathologizations seen as *resulting in* their sex selling (and undermining their agency exercised in a 'decision' to sell sex), and additionally resulting *from* their apparently traumatizing and violent sex work.

With these discourses framing the *sexköpslagen*, the 'liberal' case – promoting a construction of prostitution as 'sex work' and as a form of potentially legitimate labour in which lived experiences and motivations of sex workers and their clients alike are asserted to be nuanced and variable – did not get much airtime during the political debate leading up to the law's introduction. This opposing narrative was simply rejected (Gould, 2001), and alongside this imbalance in the debate have been the exclusions of the voices of those to whom legislation pertains, sex workers themselves, despite an emphasis that sex workers should have their voices heard in the debate (Dodillet, 2004; Östergren, 2004; Östergren and Dodillet, 2011). Where a radical feminist understanding of sex work as inevitably violent is something of a binary and a generalizing one, voices of sex workers claiming agency in their sex selling, for example, and diverging from radical feminist understandings, have been excluded from the mainstream political debate in Sweden (Levy, 2014), much as they have been excluded from general abolitionist radical feminist discourse, using various modes of silencing.<sup>1</sup>

Evaluation of, and consultations on, the legislation have additionally been biased. In the first political evaluation of the *sexköpslagen* (SOU, 2010), conducted more than a decade after the law's inception, it was specified that the directive of the evaluation was that the law would remain and was not to be challenged. Thus, the conclusions of the evaluation were essentially forgone. Though the evaluation allowed for sex worker contribution, some sex workers were disinclined to submit their reflections on the effects of the law, knowing that their testimony, if critical of the sex purchase law, would not be presented on equal footing to that which conformed to mainstream discourse (Levy, 2014). Other stakeholders have been excluded: notably, when the Malmö Prostitution

Unit – one of three government-sponsored organizations tasked with reducing levels of sex work through social work interventions – expressed concern over the impacts of lengthening the custodial penalty of the *sexköpslagen*, their response to the political consultation was altered by their management before it was allowed to be submitted (email correspondence between Levy and the Malmö Unit in Levy, 2014). Furthermore, sex workers who are not cisgender women have been excluded from a construction of prostitution as a form of violence against *women*. Trans and male sex workers are thus also conspicuous through their absence from dominant discourse and contribution to debate (Dodillet, 2004; Kulick, 2004; Östergren, 2004; Svanström, 2004).

In short, the debate and official evaluation process in Sweden has been asymmetrical; it has been difficult to ascertain to what extent the law has been successful in its abolitionist ambition to decrease levels of prostitution, and what the outcomes of the law have been on the lives of people working in the sex industry today. We aim in this article to establish what some of the outcomes of this legislation – paraded and exported globally as a success, with varying degrees of success (Harrington, 2012; Kulick, 2003; Östergren and Dodillet, 2011) – have been. We will make reference to our own research and that of others on the Swedish sex purchase law, discussing levels of sex work and whether these have decreased, and then moving on to a discussion of a possible spatial displacement of Swedish sex work. This will follow through into a discussion of increasing dangers and difficulties in some types of sex work as a result of the law, alongside an exploration of targeted service provision – and how this has come to be impacted by the sex purchase law – as well as authoritative interference and disruption of sex workers' lives.

## Methods

Our discussion will take the form of a presentation of secondary research, as well as the authors' research and experiences of the Swedish model informing our discussion. Much research and discourse has served to silence the voices of those to whom it pertains, as discussed above. We wish, in contrast, to promote collaboration between those with academic, activist and sex work experience, and for sex workers themselves to be positioned as active, not passive, in presentations of research on the subject.

Before we go further, we must stress that it is methodologically extremely difficult to achieve a representative sample of sex workers, a notably clandestine group due to stigmatization, social exclusion and marginalization, and criminalization (Sanders, 2006; Shaver, 2005). Though care has been taken to access a wide cross-section of respondents with diverse experiences, respondent testimony should be generalized only with extreme caution: it is impossible to show a full, complete, generalizable and uncomplicated 'truth' in relation to sex workers in Sweden. It is clear from our research, however, that on an individual level there have been demonstrable (and negative) outcomes of the sex purchase law on the lives of some sex workers living in Sweden.

Though we have overlapping knowledges, experiences, contacts and friends who have informed our research and this article, our work has been conducted independently, and thus our results will be distinguished from one another. We will refer to ourselves in the third person, as 'Levy', and as 'Jakobsson'. The bulk of raw empirical data will take

the form of quotations from interviews conducted by Levy, with Jakobsson's recently co-conducted survey serving to augment these data.

Jay Levy's experience that informs this article stems predominantly from fieldwork, undertaken in Sweden between 2008 and 2012 for the purposes of an ESRC-funded PhD (Levy, 2012; this research and these findings on Swedish sex work are discussed fully in Levy (2014), and elements of it in Levy (2013), which are both referred to in this article). Though the PhD investigated the outcomes of Sweden's sex work abolitionism *and* drug use prohibitionism, the latter is omitted here as it is beyond the scope of this special issue. Research involved methodologies of ethnographic participant observation alongside qualitative interviewing – with interviews coming to over 400,000 words in transcription. Respondent quotations used throughout this article are verbatim (interviews that are quoted from were conducted in English), and themes discussed here were drawn from the research and interviews using a Grounded Theory categorization of data (Glaser and Strauss, 1967 in, for example, Marks and Yardley, 2003). Quotations are used here illustratively due to constraints in word limits (see Levy, 2014 for a full presentation of quotations and research).

Respondents who had sold or bought sex included 22 (cisgender) female sex workers (including five street sex workers, 15 escort workers and eight who worked in stripping),<sup>2</sup> two male sex workers, two transgender sex workers and four sex workers' clients. Many respondents were interviewed due to their expertise surrounding sex work and/or the debates and discourses surrounding prostitution in Sweden; these included politicians, NGO workers, spokespeople for activist and rights organizations, police and healthcare and social service providers. Respondents also included representatives of the sex worker rights organization Rose Alliance, the Malmö Prostitution Unit, the Stockholm Prostitution Unit, radical feminist shelter organization ROKS and the LGBT rights organization RFSL.

Needless to say, ethical issues, positionality, respondent sampling, safety and many other considerations were paramount to this research, and are far too involved and intricate to discuss at length here. A thorough overview of methodological considerations in terms of this research is presented in Levy (2014).

Pye Jakobsson is the founder and coordinator of Sweden's sex worker rights organization, Rose Alliance, is a project manager for HIV-Sweden and has been a Sex Work Expert Consultant for Harm Reduction International. Bar her personal experiences and interactions with sex workers, policy-makers and politicians, and NGOs, she draws here from a recent internet-based survey (Jakobsson and Edlund, 2014), with 124 respondents; 87.5 per cent sold physical sex, 4.2 per cent other forms of sex including striptease, phone sex and BDSM, and 8.3 per cent were former sex workers. The survey is a facet of a project on peer-to-peer HIV-prevention initiatives, conducted by HIV-Sweden in partnership with Rose Alliance. The survey was conducted in collaboration with HIV-Sweden, and distributed and undertaken over six months in 2012 with the assistance of three peer workers. Sampling was opportunistic, with online invitations sent to sex workers' work email addresses in order to ensure respondents were all sex workers. In addition to the survey, 13 further respondents were interviewed (seven current sex workers (five cisgender female, two male)), four former sex workers (two female, one male and one trans) and two sex work clients.

## Prostitution in Sweden

### Levels of sex work

In criminalizing the purchase of sex in 1999, a primary ambition was to decrease levels of sex work; therefore, the key question to be answered in order to assess whether this *sexköpslagen* has been a success is whether levels of prostitution have declined as a result of Sweden's focus on demand. In short, there is no convincing evidence that levels of prostitution in Sweden have decreased since 1999 (also see Östergren and Dodillet, 2011; *Socialstyrelsen*, 2008). In these terms, the law is not a success. Some writers, invested in the success of the sex purchase law (arguably due to their advocacy of it in the first place; for instance, see feminist writers Ekberg, 2004 (who worked for the Swedish government) and Farley, 2006), have emphasized that the law has been successful in reducing levels of sex work, that levels of sex work decreased considerably and permanently following the law's introduction in 1999. The above-critiqued biased Swedish governmental evaluation (SOU, 2010) emphasizes that levels of sex work have 'at least'<sup>3</sup> not increased due to the law.

However, since it can only be demonstrated that levels of *street* sex work declined when the law was introduced, it seems that street sex work figures have been assumed to be indicative of overall levels of sex work (Hubbard et al., 2007a). Street sex work is considerably easier to measure than indoor sex work, which is clandestine by default (Cusick et al., 2009; Hubbard, 1999). It is simpler to argue that levels of visible and public street sex work are indicative of overall levels, but in Sweden (and many countries besides) this is simply not the case. We should emphasize also that it is not even certain that levels of street sex work decreased on a permanent basis (though a permanent decrease is stated to have been the case by some; see SOU, 2010), where some actors stress that levels increased after the initial decline, and that current levels of street sex work are more or less in line with those previously (Kulick, 2003, 2004; Levy, 2014). Variable estimates of levels of street work in Sweden serve to highlight difficulties with estimating even this most visible element of sex work (Hubbard et al., 2007a).

Furthermore, there are no data that we know of suggesting that levels of indoor and/or online sex work have decreased. Estimates of figures for overall levels of sex work nationally have remained fairly static over time at around 2500 (see, for example, Gould, 2001; Subrahmanian, 2007), but again it should be stressed that these estimates of populations of sex workers are notoriously unreliable due to this group often being hidden, marginalized, stigmatized and criminalized. Indeed, the Swedish National Board of Health and Welfare (*Socialstyrelsen*, 2008: 63) stress that they have been unable to establish concretely whether levels of sex work have changed: '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.'

In summary, then, what figures are available are unreliable estimates, and even these figures do not point to any sort of decline in numbers. As is noted by Danna (2012), a lack of increase is not the same as the law having succeeded in decreasing levels, as it so outspokenly intends to do. This is, perhaps, unsurprising, given that criminalizing legislation and policing that focuses on demand rarely impacts levels of sex work (Harcourt

and Donovan, 2005) or other problematized and moralized activities, such as drug use (Global Commission on Drug Policy, 2011; UNODC, 2011).

### *Increased danger and difficulties in sex work*

Where the *sexköpslagen* has failed in its ambition to decrease levels of prostitution demonstrably, what is more concerning are reports of some public sex work having been displaced into more hidden and underground space by the enforcement of the *sexköpslagen* resulting in an increase in policing following 1999, and thus resulting in a drop in clients willing to buy sex publicly. Where mobile phones and internet usage also became widespread in Sweden at around the same time the sex purchase law was introduced (Levy, 2014; Östergren and Dodillet, 2011), it is likely that both this and the sex purchase law played a role in spatial displacement; we are both aware of individuals who moved indoors in response to the *sexköpslagen* taking effect, though we would not be so bold as to estimate a number, given the above-mentioned difficulties in accurately estimating population sizes:

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))<sup>4</sup>

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 (for street sex work in Stockholm). 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))

Criminalizing legislation of this type generally has the effect of relocating an activity (Hubbard, 1999; McKeganey and Barnard, 1996), and it is all but surprising that such a displacement has taken place in Sweden. Internationally, prohibitions on gambling, drug use and prostitution historically have had various effects of displacing the activity, diversifying markets, creating informal economies and moving the phenomena underground (Sanders and Soothill, 2011); Sweden's historical control of the sex industry has indeed focused in the 19th and 20th centuries on the control of *public* space through spatial discipline, realized through vagrancy and venereal disease law and policy (Blom, 2006; Hubbard et al., 2007a; Levy, 2014; Svanström, 2006). Today in Sweden, the sex purchase law has seemingly been favoured to realize such spatial displacements/containments.

Sweden's mainstreaming of radical feminism appears, therefore, to be used to justify a law that has resulted in the policing and moralizing of public space, ridding Sweden of the perceived aesthetic and social blight of prostitution by displacing visible prostitution, while Sweden postures as a progressive state that recognizes prostitution as a form of violence (Levy, 2014; Levy and Jakobsson, 2013). Whether displacement is resultant of the *sexköpslagen*, of improvements in telecommunications technology, or a combination of these factors, any displacement that has taken place is worrying in that it serves to increase the gap between service and healthcare provision and the police, and sex

workers, reducing opportunity for contact, intervention and protection (Hubbard et al., 2007b; Kulick, 2003).

Moreover, there are reports of increased competition among those sex workers left selling sex on the street in the face of a reduction of clients willing to buy sex publicly for fear of legal repercussion (Levy, 2014; Östergren, 2004; Östergren and Dodillet, 2011; *Socialstyrelsen*, 2008). This has led to animosity between some sex workers (Levy, 2014; *Socialstyrelsen*, 2008), with reports of disagreements and conflict over clients, as well as sex workers stealing to acquire money previously earned from sex work (Levy, 2014); there has additionally been reported to have been an increased propensity towards riskier behaviours among some sex workers, with reports of higher risk sexual services being provided due to sex workers having less in the way of choice of client and bargaining power, as well as less negotiating time with clients who are fearful of arrest (Östergren and Dodillet, 2011; *Socialstyrelsen*, 2004). Those involved in street sex work are often resource poor (and thus less able to sell sex from indoor space, due to lack of mobile telephone or internet access, for example), with this type of sex work often marked by higher levels of alcohol and drug use in Sweden (Levy, 2014), and elsewhere (Cusick et al., 2009). The sex purchase law has thus increased the difficulties experienced by 'survival' sex workers, those who are most vulnerable and who most need the money from their sex work (Doezema, 2010).

As per the below quotations, Levy's respondents noted less time to negotiate with clients, who fear arrest, exacerbating the dangers of street sex work:

women says [*sic*] that the law made it more like a client market, because of the law they (have) got to work fast, they got to do it very kind of like a secret, you know, and don't get caught, so if they (the client) open the (car) door and you got to jump in and you never know what really's going to happen. (Interview, 2010, Social Worker, Malmö Prostitution Unit KAST)

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))

It should be noted, however, that some of Levy's respondents emphasized that the *sexköpslagen* has resulted in actually increasing prices in indoor sex work; some sex workers are argued actually to prefer to migrate to Sweden to sell sex for this reason, something of an irony given that the sex purchase law aims to discourage and reduce levels of prostitution (Levy, 2014).

Fear of police detection and prosecution has also resulted in clients being unwilling to leave contact information with sex workers by which they may be identified. Where many sex workers insist on obtaining such information for safety (indeed, many online commercials stress this as a requisite (see [sexwork.net](http://sexwork.net))), those who are in most desperate financial need are not so well placed to pick and choose their clients with such care. Again, those who are vulnerable, 'survival' sex workers, are those affected. One sex worker, known personally to both authors over a period of many years, had been forced to accept clients who refused to leave contact information, where prior to the sex

purchase law, clients had been more willing to provide said information. She noted in interview (see Levy, 2014) that she had lost count of the number of times she had been raped by men in the context of her sex work who were, for this reason, untraceable, following the introduction of the *sexköpslagen*. Having been able to demand contact information before 1999, she had never been raped in the context of her sex work before the law was introduced.

Those who have been left selling sex on the street following 1999, those who are most vulnerable and resource poor and have been unable to establish themselves off-street, those who now face greater competition, depreciated prices due to fewer clients buying sex publicly, shorter negotiating times and increasingly anxious clients, are thus in great need of assistance and service provision. Yet the dangers in sex work are exacerbated by Sweden's lack of sex worker-targeted service provision and harm reduction initiatives. Harm reduction strategies are initiatives and interventions designed to decrease the harm that can surround sex work (such as the provision of condoms, safer sex-selling information, rape alarms and so forth; Rekart, 2005) without actively seeking to decrease *levels* of sex work. As discussed in interview, these initiatives appear to be felt by state-sponsored service providers including the National Coordinator against Trafficking and Prostitution, as well as social workers at the Stockholm *Prostitutionsenheten* (Prostitution Unit), to endorse, encourage and facilitate sex work, thus being at odds with Sweden's abolitionism (Levy, 2014). One respondent made direct connections between providing harm reduction strategies and keeping women in prostitution: 'harm reduction is many times a way of, I mean it, it tends to keep people in the problem, instead of helping them to leave' (Interview, 2009, Social Worker, Stockholm Prostitution Unit).

Where condoms are not provided during the Stockholm Prostitution Unit's outreach work, respondents reported street sex workers having to steal condoms, providing one another with condoms and learning how to sell sex more safely by educating themselves and sharing knowledge with one another, or by experiencing danger personally (Levy, 2014):

we don't hand out condoms, out in the street ... we don't just hand out condoms. People are welcome to come here, because we want to, what do you say, not just hand out the condoms, but try and, you know, catch the person. (Interview, 2009, Social Worker, Stockholm Prostitution Unit)

Indeed, in Jakobsson and Edlund's (2014) survey, though the vast majority of respondents felt that it was less safe to perform oral sex without a condom, around half of the respondents provided this service, arguably highlighting a dearth in harm reduction initiatives designed to translate knowledge to practice. Only 5.2 per cent of respondents had received information pertaining to safer sex selling for sex workers from one Sweden's three Prostitution Units, and those who had received information on general safety for sex workers made up 6.1 per cent. In total 67.8 per cent of respondents had never received condoms as an element of sex worker-targeted STI prevention initiatives, and only 5.2 per cent had received condoms from the Prostitution Units.

Where respondents from the Stockholm Unit did not provide condoms to sex workers during outreach, their Malmö counterpart have incorporated some harm reduction initiatives, including condom provision for sex workers, the provision of rape alarms and the

provision of a safer sex-selling guide. These initiatives were, too, felt by respondents from the Stockholm Unit and the National Coordinator against Trafficking and Prostitution to encourage prostitution, seen additionally to be futile, where sex work is seen to be *immutablely* dangerous per abolitionist radical feminist discourse:

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)

prostitution in itself attracts strange people, and I think prostitution has always been, and always will be really, really dangerous ... in what way can you help someone then, what kind of information would you give to help people? (Interview, 2009, Social Worker, Stockholm Prostitution Unit)

Furthermore, where the Malmö Unit attempted to provide sex workers' clients with condoms in 2009, this was met with national outcry in the media and in politics, perhaps unsurprising given that sex purchase is constructed in mainstream discourse as a form of violence (Levy, 2014):

We tried with condoms, and it became a national issue. Not a local, but a national issue. It is very funny if you think about it, 'cause we, you gotta remember, we gave out ... Eight condoms. And it became a national issue. (Interview, 2010, Two Social Workers, Malmö Prostitution Unit KAST)

if you give someone a condom, the purpose of that act is to prevent (the) spread of disease, it's not to encourage the person to pay for sex. So there are several interesting inconsistencies that have not been recognized. (Interview, 2010, Senior Adviser Regarding Prostitution – *Socialstyrelsen*)

The provision of condoms to people who buy sex is no longer undertaken by any of Sweden's three Prostitution Units, with the Malmö Unit now not performing this service as policy following the above-mentioned criticism (Levy, 2014).

Those visiting the Stockholm Prostitution Unit can find that the discourses framing the *sexköpslagen* have not only informed the Unit's anti-harm reduction stance, but additionally the attitudes and expectations of the Unit's staff; indeed, radical feminist discourse has served to frame comprehensively mainstream understandings of sex work in Sweden politically and among some service providers, with sex workers generalized as disempowered and traumatized victims (Levy, 2014):

what they have in common is that they all of them have been abused when they were (young). Not always sexually abused, but many times, I would say between 60 and 70 per cent of the people we meet here have been sexually abused when they were (young). But some kind of abuse. (Interview, 2009, Social Worker, Stockholm Prostitution Unit)

Sex worker respondents visiting the Stockholm Prostitution Unit report having to conform to a mainstream understanding of sex workers as disempowered victims in order to be eligible for services (Levy, 2014); indeed, the National Coordinator against

Trafficking and Prostitution noted in interview that those who do not experience difficulties in sex work are simply unworthy of his 'energy' as a service provider:

I mean, 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)

Furthermore, with the Unit's mandate being to decrease levels of sex work and Sweden's abolitionism seeming to inform policy and perspective of the Unit's staff, abolitionist conditions for service provision are reported to have been applied to sex workers seeking assistance, with one respondent noting that the Unit had informed her that they would only assist her in acquiring a doctor's sick note if she ceased her sex selling for three months; they thus appeared to fail to engage with the dynamics, intricacies or motivations for her sex work, which was undertaken out of absolute financial necessity:

I was going to talk to them for some months, and she (Stockholm Prostitution Unit Social Worker) also told me that if she was going to help me, to write a paper, that I needed to *sjukskrivning* (sick note) ... she was going to write a paper to help me to get the doctor to write that paper, because I have been waiting for three years ... so she said 'If you are stopping prostitution for three months, and you don't do anything for three months, then I will write that paper ... So I was angry, because if you are not working in sex work, what (how) am I going to get the money? I need first money, then I can stop. (Interview, 2009, Sex Worker (Street; Escort; Internet))

Another of Levy's respondents noted that she had been expected to adopt a victim status – thus buying in to what has been established as a normative understanding of sex work – to be eligible for assistance:

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 [*sic*] 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))

### *Other laws and policies*

Where there have been the above-mentioned impacts of legislation and its justificatory discourses, it may still be claimed that Sweden has legislatively protected sex workers from authoritative intervention and criminalization, that their clients – constructed as exploiters and perpetrators – are the focus of Sweden's law enforcement. The National Rapporteur for Prostitution and Trafficking from the Swedish police in fact emphasized during interview that the police do not 'interfere' with sex workers themselves, since selling sex is not criminalized: 'the police definitely don't interfere, I mean because selling is not criminalized. 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)). This claim contrasts with reports that there *are* laws and policies used directly to destabilize the lives of sex workers themselves (Östergren and Dodillet, 2011). Sex workers report difficulties with evictions, immigration authorities, child custody and tax authorities (Levy, 2013, 2014); in fact, the most concerning issue for sex worker respondents to Jakobsson and Edlund's (2014) study was worry surrounding prejudice from the authorities. Contacts of both authors have lost custody of their children, with problematization of elements of their sex work as the cause, notably of a failure to engage with the harms that are seen to be intrinsic to sex work. Though it is important to emphasize that this is perhaps not widespread, it is particularly striking that the discourses that frame the *sexköpslagen* have come to justify the state removing sex workers' children. One contact of both authors, who had joint custody of her daughter and sole custody of her son, lost custody of her children to her ex-partner when social services learned of her sex work, despite the fact that there was a record of the father's abusive behaviour; seemingly, her status as a sex worker was believed to be more detrimental than his violence. It appears that the week before the time of writing these words (July 2013) this same partner was arrested on suspicion of her murder (Simon, 2013). With the state seemingly not accepting that sex workers can be appropriate mothers in some instances, sex workers being concerned as to the safety/security of having children in Sweden seems well justified: 'if you want to be 100 per cent safe, you should not have any children in Sweden if you are a prostitute' (Interview, 2010, Sex Worker (Internet; Escort; Street)).

Where the sex purchase law appears to be used to displace sex workers from public space, immigration legislation and trafficking rhetoric is used to displace migrant sex workers. Indeed, despite sex work being constructed as a form of violence against women, and despite conflation of consensual sex work migration and non-consensual human trafficking (Ekberg, 2004), one sex worker – known to Rose Alliance – was deported as a dishonest criminal, with 'She has not maintained/supported herself in an honest manner/way'<sup>5</sup> stamped on her deportation order (Levy, 2014; Levy and Jakobsson, 2013: 337). This appears to be the standard practice (see Danna, 2012). A more seemingly sympathetic (albeit disempowering and infantilizing) construction of sex workers as victims lacking self-determination is not, therefore, mutually exclusive from a construction as deviant and undesirable, with these understandings used interchangeably as whichever best justifies sex workers' exclusion and displacement (Levy, 2014; Levy and Jakobsson, 2013; also see Doezema, 2010 for a discussion of this more generally).

Further to deportations of migrant sex workers, there are reports that sex workers have been reported to hotels and venues by the police as selling sex from said premises, thus forcing another dislocation, since it is illegal to provide premises within which sex work will take place. This is a far cry from legislation that purports to protect sex workers from police disturbance. There are also reports of the police reporting sex workers to their landlord, again forcing an eviction. Such reports are strikingly at odds with governmental claims that '[t]he women ... who are victims of prostitution and trafficking do not risk any legal repercussions' (MIEC, 2005: 1). There are even reports of police visiting sex workers at their homes, threatening them with authoritative attention and

harassment; one respondent of Levy noted that she had been visited three times by the police, who she said had told her explicitly that they would go after her clients:

they come to my door and, you know, ask for my ID and so forth so it's like harassment ... The third time it's like, 'We know what you're doing, I mean, what you're about. We're going to go after your clients' ... I make a living out of this, so I was really paranoid for a very long time after. (Interview, 2010, Sex Worker (Internet Escort))

## Conclusions

The Swedish criminalization of the purchase of sex has seemingly been used as a tool with which to displace public sex work. Assurances that the law will not be of detriment to those selling sex do not ring true, since Sweden's abolitionism, as well as other laws and policies, has harmed sex workers themselves. In contrast to assertions that sex workers are protected from legal repercussion and authoritative interference by only the sex buyer being criminalized, there are reports that sex workers experience difficulties with the authorities, law enforcement, and have further difficulties with social services and in gaining access to service provision, fed by the discourses framing the sex purchase law. It may be well argued, therefore, that the *sexköpslagen* has succeeded in its goal of redefining normative social construction and understanding of the sex industry (Florin, 2012; Hubbard et al., 2007a; Levy, 2014), since the discourses framing the law have so profoundly informed the views of state-sponsored Swedish service providers and the authorities alike. The legislation has clearly been introduced with this redefining of norms – and the abolition of prostitution – in mind, and not the interests of sex workers.

However, sex workers seem to be seen as *both* passive victims (according to the discourse that justifies the *sexköpslagen*), and additionally – and along the lines of a, perhaps, more entrenched 'whore stigma' – as unwanted, deviant nuisance (also see Doezema, 2010). Radical feminist discourse appears to be used to (partially) justify legislation and policies that are used to target and destabilize the lives of sex workers themselves and displace them from public space, in addition to targeting their clients (also serving to destabilize the lives of sex workers).

Furthermore, there is no evidence demonstrating that the sex purchase law has succeeded in decreasing levels of prostitution as was intended. In spite of this, and the *sexköpslagen*'s negative impacts, and the detrimental results of the law's justifying narratives, Sweden essentially internationally markets the *sexköpslagen* as having conclusively addressed the apparent problems of prostitution, with the law advocated as a success to be exported:

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 Adviser Regarding Prostitution – *Socialstyrelsen*)

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, Proposer of *Sexköpslagen*; Politician – Social Democrats)

This marketing has been successful, where Norway and Iceland have adopted a sex purchase criminalization since 1999 (see the Editorial of this issue for a discussion of this). Though Scotland has recently rejected the Swedish model (in 2013), Northern Irish and French Parliaments are currently considering adopting the law. This is all in the context of the Swedish model being heralded as a 'solution' not only to the constructed problem of prostitution, but also in terms of concern surrounding human trafficking (Ekberg, 2004; *Socialstyrelsen*, 2004). Where the law was introduced in Sweden in a context of concern surrounding immigration during the 1990s (Hubbard et al., 2007a), the sex purchase law may also be used as a means with which to posture as a state that takes immigration and issues of trafficking, as well as issues of 'gender equality', seriously.

Yet the above-quoted assertion that Sweden has 'solved' prostitution has been challenged in this article. We challenge this claim in the context of the failure of this abolitionist law (and the law's justificatory narratives) to accomplish its aim of decreasing levels of sex work, and given the substantial negative outcomes of both legislation and discourse on the individual lived realities of many sex workers in Sweden.

## Funding

Jay Levy's research was funded by the ESRC (Economic and Social Research Council). Pye Jakobsson's research used in this article was funded by *Smittskyddsinstitutet*.

## Notes

1. One of us (Levy, 2013, 2014) has summarized these 'modes of silencing' as (1) the sex worker in question is claimed to be speaking from a position of 'false consciousness', which invalidates claims of self-determination and autonomous agency; (2) being unrepresentative of sex workers generally, or actively misrepresenting sex workers (with caricatured accusations of being in league with human traffickers and pimps, for instance (Doezema, 2010)); (3) the sex worker in question lying and/or acting.
2. Some respondents engaged/had been engaged in several types of sex work.
3. 'At least' arguably implies that levels of sex work could have diminished.
4. All Interview quotations are from Levy (2014).
5. In Swedish, '*Hon icke har försörjt sig på ett ärligt sätt*'.

## References

- Blom I (2006) Fighting venereal diseases: Scandinavian legislation c.1800 to c.1950. *Medical History* 50: 209–234.
- Cusick L, Kinnell H, Brooks-Gordon B and Campbell R (2009) Wild guesses and conflated meanings? Estimating the size of the sex worker population in Britain. *Critical Social Policy* 29(4): 703–719.
- Danna D (2012) Client-only criminalization in the city of Stockholm: A local research on the application of the 'Swedish model' of prostitution policy. *Sexuality Research and Social Policy* 9(1): 80–93.

- Dodillet S (2004) *Cultural clash on prostitution: Debates on prostitution in Germany and Sweden in the 1990's*. Paper presented at the First Global Conference 'Critical Issues in Sexuality', Salzburg, Austria, October.
- Doezema J (2010) *Sex Slaves and Discourse Masters: The Construction of Trafficking*. London: Zed Books.
- Ekberg G (2004) The Swedish law that prohibits the purchase of sexual services: Best practices for prevention of prostitution and trafficking in human beings. *Violence against Women* 10(10): 1187–1218.
- Farley M (2004) 'Bad for the body, bad for the heart': Prostitution harms women even if legalized or decriminalized. *Violence against Women* 10: 1087–1125.
- Farley M (2006) Prostitution, trafficking, and cultural amnesia: What we must not know in order to keep the business of sexual exploitation running smoothly. *Yale Journal of Law and Feminism* 18: 101–136.
- Florin O (2012) A particular kind of violence: Swedish social policy puzzles of a multipurpose criminal law. *Sexuality Research and Social Policy* 9(3): 269–278.
- Global Commission on Drug Policy (2011) Report of the Global Commission on Drugs Policy. Available at: <http://www.globalcommissionondrugs.org/reports/> (accessed 18 October 2011).
- Gould A (2001) The criminalisation of buying sex: The politics of prostitution in Sweden. *Journal of Social Policy* 30(3): 437–456.
- Harcourt C and Donovan B (2005) The many faces of sex work. *Sexually Transmitted Infections* 81: 201–206.
- Harrington C (2012) Prostitution policy models and feminist knowledge politics in New Zealand and Sweden. *Sexuality Research and Social Policy* 9(4): 337–349.
- Hubbard P (1999) *Sex and the City*. Aldershot: Ashgate.
- Hubbard P, Matthews R and Scoular J (2007a) *Regulating the Spaces of Sex Work in the EU: Regulation of Sex Work in Sweden*. Loughborough: University of Loughborough.
- Hubbard P, Matthews R and Scoular J (2007b) *Regulating the Spaces of Sex Work: Assessing the Impact of Prostitution Law: Full Research Report*. Swindon: ESRC.
- Jakobson P and Edlund C (2014) *Another Horizon; Sex Work and HIV Prevention in Sweden*. Sweden: HIV Sweden & Rose Alliance.
- Jeffreys S (1997) *The Idea of Prostitution*. Melbourne: Spinifex Press.
- Kulick D (2003) Sex in the New Europe: The criminalization of clients and Swedish fear of penetration. *Anthropological Theory* 3: 199–218.
- Kulick D (2004) Problems encountered so far in Sweden. In: *Hidden Stories: Male Sex Work in Northern Europe*. Proceedings of ENMP, Stockholm, 23–24 May.
- Levy J (2012) *Second class citizens of Sweden: Sex work and drug use in the people's home*. PhD Thesis, University of Cambridge.
- Levy J (2013) Swedish abolitionism as violence against women. Sex Worker Open University Sex Workers' Rights Festival, Glasgow, 6 April. Available at: [http://www.sexworkeropenuniversity.com/uploads/3/6/9/3/3693334/swou\\_ec\\_swedish\\_abolitionism.pdf](http://www.sexworkeropenuniversity.com/uploads/3/6/9/3/3693334/swou_ec_swedish_abolitionism.pdf) (last accessed 23 November 2013).
- Levy J (2014) *Criminalising the Purchase of Sex: Lessons from Sweden*. Routledge, forthcoming.
- Levy J and Jakobsson P (2013) Abolitionist feminism as patriarchal control: Swedish understandings of prostitution and trafficking. *Dialectical Anthropology* 37(2): 333–340.
- Marks DF and Yardley L (2003) Qualitative analysis of experience: Grounded Theory and case studies. In: Marks DF and Yardley L (eds) *Research Methods for Clinical and Health Psychology*. London: SAGE.
- McKeganey N and Barnard M (1996) *Sex Work on the Streets: Prostitutes and Their Clients*. Buckingham: Open University Press.

- MIEC (Ministry of Industry, Employment and Communications) (2005) *Prostitution and trafficking in human beings*. <http://www.sweden.gov.se/content/1/c6/04/28/96/88110928.pdf> (no longer available; last accessed 5 January 2008).
- Östergren P (2004) *Sexworkers critique of Swedish prostitution policy*. Available at: [http://www.petraostergren.com/pages.aspx?r\\_id=40716](http://www.petraostergren.com/pages.aspx?r_id=40716) (last accessed 31 March 2012).
- Östergren P and Dodillet S (2011) *The Swedish Sex Purchase Act: Claimed success and documented effects*. Presented at the 'International Workshop: Decriminalizing Prostitution and Beyond: Practical Experiences and Challenges', The Hague, 3–4 March.
- Raymond J (1998) Prostitution as violence against women: NGO stonewalling in Beijing and elsewhere. *Women's Studies International Forum* 21(1): 1–9.
- Rekart ML (2005) Sex-work harm reduction. *The Lancet* 366: 2123–2134.
- Sanders T (2006) Sexing up the subject: Methodological nuances in researching the female sex industry. *Sexualities* 9(4): 449–468.
- Sanders T and Soothill K (2011) The policing of pleasure: 'What kind of police service do we want?' *The Police Journal* 84(2): 110–124.
- Shaver FM (2005) Sex work research: Methodological and ethical challenges. *Journal of Interpersonal Violence* 20(3): 296–319.
- Simon C (2013) The bloody state gave him the power: A Swedish sex worker's murder. *Tits and Sass*, 16 July. Available at: <http://titsandsass.com/the-bloody-state-gave-him-the-power-a-swedish-sex-workers-murder> (last accessed 30 August 2013).
- Socialstyrelsen (Swedish National Board of Health and Welfare) (2004) *Prostitution in Sweden 2003: Knowledge, beliefs & attitudes of key informants*. Available at: [http://www.Socialstyrelsen.se/lists/artikelkatalog/attachments/8806/2008-126-65\\_200812665.pdf](http://www.Socialstyrelsen.se/lists/artikelkatalog/attachments/8806/2008-126-65_200812665.pdf) (last accessed 30 September 2013).
- Socialstyrelsen (Swedish National Board of Health and Welfare) (2008) *Prostitution in Sweden 2007*. Available at: [http://www.Socialstyrelsen.se/Lists/Artikelkatalog/Attachments/10488/2004-131-28\\_200413128.pdf](http://www.Socialstyrelsen.se/Lists/Artikelkatalog/Attachments/10488/2004-131-28_200413128.pdf) (last accessed 30 September 2013).
- SOU (2010) *Förbud mot köp av sexuell tjänst: En utvärdering 1999–2008*. 2010:49. Stockholm: Regeringskansliets Förvaltningsavdelning.
- Subrahmanian R (2007) Sexual politics and social policy: Swedish policy reviewed. In: Kabeer N, Stark A and Magnus E (eds) *Reversing the Gaze: Global Perspectives on Nordic Approaches to Gender Equality*. Oxford: Routledge, pp. 198–243.
- Svanström Y (2004) Criminalising the john – a Swedish gender model? In: Outshoorn J (ed.) *The Politics of Prostitution: Women's Movements, Democratic States and the Globalisation of Sex Commerce*. Cambridge: Cambridge University Press, pp. 225–244.
- Svanström Y (2006) Prostitution as vagrancy: Sweden 1923–1964. *Journal of Scandinavian Studies in Criminology and Crime Prevention* 7(2): 142–163.
- UNODC (United Nations Office on Drugs and Crime) (2011) *World Drug Report 2011*. Available at: <http://www.unodc.org/documents/data-and-analysis/WDR2011/WDR2011-ExSum.pdf> (last accessed 18 October 2011).

## Author biographies

Jay Levy is a consultant and researcher and has conducted fieldwork over several years on the outcomes of Sweden's sex work and drug use legislation. His further research foci include feminist-, gender- and queer-theory; harm reduction, HIV/AIDS, STI and blood-borne infection policy and law.

Pye Jakobsson is a sex worker activist, the co-founder of the Swedish sex worker organization, Rose Alliance, and is the president of NSWP, the Global Network of Sex Work Projects. She works as a project manager at HIV-Sweden.