



LUND
UNIVERSITY

Lost at the intersections: a postcolonial approach to the Swedish Sex Purchase Act

Daniela Badaraco Basto da
Silva

Lund University
Sociology of Law Department

Master Thesis (SOLM02)
Spring 2020



Supervisor: Martin Joormann

Examiner: Måns Svensson

abstract

This study focuses on the Swedish Sex Purchase Act and their claims of help and support to prostitutes, as outlined by two propositions: *Kvinnofrid* (proposition 1997/98:55) and in the 10-year evaluation of the Act (SOU 2010:49). It investigates these claims through an ethnography of law method and data collected from fieldwork is interpreted and reflected through the conceptual framework of postcolonial feminist legal theory and intersectionality. My findings uncovered the rather inclusionary and exclusionary practices of the Swedish welfare state, where victimhood is contingent upon the identity of the sex worker. As the overwhelming majority of prostitutes in Sweden are either migrants and/or homo-, bi-sexual, and transgender, this study demonstrates that the Sex Purchase Act is concerned with immigration practices, and where applicable, displays a lack of specialized needs due to the misrecognition of one's identity.

Keywords: Sweden Sex Purchase Act, prostitution, sex workers, postcolonialism, intersectionality

Word count: 21,975

acknowledgements

First and foremost, to my supervisor, Martin Joormann, who has, since the onset, shown patience and a genuine interest in supporting me throughout this endeavour. He encouraged me and granted me academic freedom with the ways in which I approached my subject. Martin, thank you for showing me what it truly means to be passionate, and for restoring what was almost a lost faith I had in academia.

To my co-supervisor, Cansu Bostan, who has lent me her time and contributed with critical feedback throughout. Our meetings, in person and online, and email conversations sincerely cleared some of the doubts and frustrations I was having in those moments.

Without the support of my friends, this accomplishment would not have been possible. I am thankful to those I have met in the gender program here at Lund. I sometimes say I learned more from you than I did in class. These women have all sustained me in their own ways. Days and hours of online writing retreats on zoom, I will miss seeing your faces on my screen, Franziska S. and Keea K. (Jenner). Yang C., Lisa S., Tatiana T.C., Annie C., and Birce P. have always found the time to read over my work and provide me with words of encouragement – *M.A.S!*

Elise KF., and Alexander M. have guided me around the Swedish system, a task necessary for several parts of this project. Christelle T. also consistently helped my project with language barriers.

I am also especially grateful to those that I have met on the field, notably the five participants, who have afforded me the opportunity to speak with them.

Lastly, a special acknowledgement to my professor John Lowman. I had the privilege of being his student in the last course he ever taught at university. The topic of prostitution was inspired by his work and critical teachings. Professor Lowman was at that time, the leading expert on prostitution in Canada. He was always defiant and provocative, qualities of his I continue to look up to.

Lund, 08/09/2020

Daniela B.

mais uma,
para a minha saudosa mãe
(1949-2016)

Table of contents

[I] Introduction.....	1
Aims & research question	2
Conceptualizing prostitution	3
Delimitations.....	4
Positionality & reflexivity: situating knowledge	5
Outline of the study.....	6
[II] Literature review.....	8
[III] Theoretical framework	12
The role of theory in ethnography.....	12
Postcolonial feminist legal theory.....	14
Intersectionality.....	17
Ethnography of law	18
[IV] Methodology	20
Sociological and anthropological approaches to ethnography	21
Multi-sited ethnography	22
Constructing the field.....	23
Analysis.....	26
Limitations of ethnography	27
Reliability & validity in sociological ethnography	28
Ethical considerations	29
Informed consent.....	30
[V] Law in context: The Sex Purchase Act.....	32
Historical context	32
The vagrant woman.....	33
1970s paradigm shift.....	36
1999 implementation of the law.....	37
Framing of prostitution as trafficking	38
[VI] “Targeting demand?” – the role of the police authority.....	43
The Swedish Police Force.....	43
Internal controls – on what grounds?	45

Border control	47
Postcolonial policing.....	50
[VII] “Help & support” – the practices of social services.....	53
Social services – Malmö Evonhuset	54
National Methods Task Force (NMT).....	55
Asylum-seeking	58
Exclusion under the guise of support	58
(in)visibility of gender/sexual orientation.....	59
Constructions of victimhood	61
[VIII] Sex buying in the Swedish media.....	63
The struggle for recognition.....	65
[IX] Conclusion.....	67
References.....	70

[I] Introduction

What does it mean to put the ‘law on the side of women?’ In a statement published by the Swedish government, Åsa Regnér and Margot Wallström announced their priority to push other countries to adopt the Sex Purchase Act “so that more girls and women can get the legislation on their side” (Regnér & Wallström, 2016). The veracity of this statement is the focus of this study.

In 1999, Sweden became the first country to enact the Sex Purchase Act. Under this regime, the only acceptable legal approach would be to criminalize buyers and third-party actors who seek to manage and profit from the exploitation of the prostituted women. The latter, otherwise known as procurement laws, includes brothels, pimps and the rental of an apartment or room where the act takes place. Aside from these criminal measures, the *Kvinnofrid* proposition of 1999 (roughly translates to “the Bill of Women’s Peace”) states that the person who sells sex “should under no circumstances bear responsibility for transactional sex but, instead, be assisted and offered help out of prostitution by social interventions to which the sex purchase ban is a *mere complement*” (my emphasis, Månsson, 2017: 3). In other words, social services are the foundation to Sweden’s prostitution policy, and not the law in and of itself (ibid.). Accordingly, the essence of this project is to uncover how the law is socially practiced.

I investigate this topic using an ethnography of law method to explore the weight of such statements, although at no point in this study was I able to speak with those directly affected by the law. While the common assumption of an ethnography entails long periods of studying a specific group or culture, contemporary ethnographic inquiry no longer encompasses this “idealized notion” (Darian – Smith, 2007: xiii). This ethnography is situated with an analytical and theoretical framework and is reflexive upon the empirical data collected.

Throughout this study, I make references to the methodological design and the role of theory in ethnography.

The issue of prostitution is one of the most polarized in legal feminism and in feminism in general (Bernstein, 1999: 91). Its debates have been notably explored within academia and feminists have seen improvements with their pursuits. Traditional feminist debates about prostitution are invested in the symbolic value of the policy and the social value of such (for example, the moral or ethical implications of women's sexuality). This project does not seek to cover such moral values concerning appropriate regulations to prostitution, nor is it a discursive meaning to the law. The varying interpretations and enactment of legal regimes make for debates on where prostitution should lie on the spectrum of legalization or criminalization futile. In line with other critical legal realists, I contend to the belief that looking at the life of the law, rather than the language of the law, serves as addressing the best interests of sex workers/prostitutes.

Aims & research question

The primary aim of this thesis is to explore the Swedish governments claims to assist and offer help out of prostitution through social interventions (as put forward by the *Kvinnofrid* proposition 1997/98:55 and the 10-year evaluation of the law SOU 2010:49). There is often a concern that some feminist approaches reinforce existing power systems and the status quo (Scoular, 2004). This legal regime, albeit a feminist one, has been criticized along similar lines of reasoning (ibid.). Like any other critical study, this one challenges institutional power structures by making visible the workings of the law. Through a socio-legal approach, the main research question for this thesis is as follows:

How is the Sex Purchase Act, with its claims to help and support those in prostitution, socially practiced?¹

¹ Taking from Banakar (2014), “[m]ost scholars agree that doctrinal studies are *of* the law, i.e. they are born out of the practical needs of the law and serve certain normative needs of legal practice.

Furthermore, this thesis on the Sex Purchase Act and its implications on prostitutes contributes to the academic literature on migration/citizenship and its relationship to the law and welfare. In other words, the different layers of one's identity and how these dimensions are markers of power intersects with how one is treated under the eyes of the law. Additionally, this thesis contributes to the methodological discussion on doing ethnography of law. Flood (2005) states how the field of sociology of law is 'relatively empty' (37), acknowledging that anthropology of law was 'well-stocked,' there are marked differences between these two fields (I go into more detail in chapter (4) four - methodology).

Conceptualizing prostitution

The sex industry is vastly dynamic, with prostitution only forming part of what is considered sex workers. In their study of mapping 'legal geographies,' Hubbard *et al.* (2008) draw on the spatiality of the law, pointing out that in the Swedish context, the police focus highly on visible spaces of street prostitution, resulting in a rise of 'hidden' prostitution as a consequence of such (147). The most obvious was the increase in advertising of escorts on the internet, pornographic magazines, and via networks of taxi drivers (SoS, 2004, as cited in Hubbard *et al.*, 2008: 147). Johansson and Persson (2004) claimed that the law served primarily as a symbolic value, since it "merely altered the balance between 'visible' street working and 'invisible' off-street work," thus having negligible impact on overall prostitution rates (as cited in Hubbard *et al.*, 2008: 147).

However, we find little agreement on how jurisprudence, which appears to be *about* the law, is related to legal practice. Some theorists see much of it as "theory-talk," which at best conveys *a better understanding of the context in which law is practiced*, albeit without helping to shape those practices" (32), in Banakar (2014) *Normativity in legal sociology: Methodological reflections on law and regulation in late modernity*.

In other words, by stating how the law is "socially practiced" is stating something that people do, or that people do together. The law can be understood as "systematically unified activities" – legislative and administrative institutions (like the police) are, for the most part, social practices. "Legal institutions are...relatively stable integrated social practices that make possible the creation and/or application (interpretation and/or enforcement) by formal agents..." (7), in Smith (2006) "The law as a social practices: are shared activities at the foundation of law?"

The Sex Purchase Act does not conceptualize what specifically falls under ‘buying sexual services.’ A legal grey zone exists to what is considered “sexual relations.” However, according to Ekberg (2004), prostitution includes brothels, strip tease clubs, street prostitution, escort services, internet marketers of prostituted women and children, mail-order-bride agencies, phone sex operations, sex tourism agencies, as well as distributors and creators of pornography (1210).

Throughout this study, the concepts sex work/prostitution and sex worker/prostitute are used interchangeably. One distinction that structural/radical feminist make in this debate is that “sex work” implies the real sense of the word “work.” Under this view, since there is no meaningful consent to prostitution, one should steer away from using the word “work.”²³ I do not make such distinctions in this study - at times I will use the concept as given by the author I am referencing, at other times they are used mutually.

Delimitations

Delimitations are factors that may restrict the design of this study and therefore the inferences I draw from the findings. This study is situated within a specific time and location frame. I have collected data between the fall of 2019 to the summer of 2020, and I have interpreted my findings mostly based on literature and data from English sources. Where applicable, I have used computer-mediated translation tools and had these translations confirmed by native-speaking Swedish colleagues.

² Margot Wallstöm rejects “any notion of prostitution as a form of work. We do not accept and will fight the use of the term ‘sex work’” in “We’re taking up the fight against prostitution”. Article available at: <https://www.government.se/opinion-pieces/2019/03/were-taking-up-the-fight-against-prostitution/>

³ The lack of conceptualization brings forth this study’s first intersectional analysis. The lack of distinguishing between the types of prostitution is an issue of *class*. The common image of a prostitute is in its most visible form - street prostitution. I would argue that any legislation on prostitution is directed to this group. It is the visible, lower-class group of prostitutes that is considered the most deviant and where the law is easier to apply. It would be more difficult to practice the law in the same way to a high-class escort.

The scope of this study is limited to the practices of only some official institutions in Sweden, namely the police and social services. I also limit this to the location where I reside and focus more on institutions in Southern Sweden, namely Malmö. With that being said, I recognize a variety of non-governmental institutions that fill in the “gaps” where governmental institutions do not attend to (e.g. non-documented persons, those awaiting refugee status, to name some groups). Therefore, the research question posed on how the act is socially practiced is only within the scope of some government institutions.

Lastly, this study focuses on the law and its implications on adults. There is an intersectional approach to the marker of *age*. The law differentiates support systems depending on age restrictions, and legal regulations differ when concerning the trafficking of or buying from minors. I acknowledge the existence of minors in prostitution; however, this falls outside the scope of this study.

Positionality & reflexivity: situating knowledge

I start this section with a story about an experience during the first thesis seminar of my program. A comment was directed to me in concern with my choice of topic, and a question that went something along these lines: “what is going to be different from your study on prostitution that is special from previous studies?” To which I replied, my positionality.

In her article on the importance of reflexive analysis, Nencel (2014) discusses feminist epistemology, that is, the researcher’s relationship to the ‘colonial legacy’ and ‘messy texts’ – “reflexivity is both epistemological – how we learn about knowledge, as well as methodological – how we should do research to obtain this knowledge” (76). My assumptions are constructed based on my experiences (my position) and self-reflexivity requires me to reflect upon said assumptions. Accordingly, whatever I produce is, in a sense, situated between these two concepts and therefore, no two studies, especially in the social sciences, will have the same outcome.

Now, having to speak about my positionality is actually, quite a difficult undertaking. I am inspired by Mohanty's (2003) "what's home got to do with it?" and her struggles of identity and belonging - what it means to be a south Asian (brown) immigrant woman in North America, and an expatriate Indian citizen in India - "it is a genealogy that I find emotionally and politically enabling" (Mohanty, 2003: 136). I too find myself connected to this statement. Born in a city (Macau) where I am considered "white," my family's Portuguese heritage in an East Asian majority context enabled us to have a privileged social position. When we immigrated to Canada, this privilege disappeared, and our identity as an immigrant from Asia rendered us (in)visible in a post-colonial hierarchy. When I later moved to Portugal, colonial legacies are still felt, and although all my formal documents, maternal language, name, and culture are attached to this nation, I will never reach a standard of belonging. What matters now, within this study, is where I am present at the moment. However, having said a (brief) genealogy about myself, I am able to (or at least I believe I am able to), understand identities and experiences much differently than my (Swedish) colleagues.

Moreover, my position within this project as an EU-migrant in Sweden, limited by language barriers and connections has shaped my research endeavours. My position as a master's student is in relation to the participant, and I was reminded at several moments of this journey that I was the one depending on people for material during the collection of my data. My ways of knowing on this topic are restricted by mostly that of language, and what I produce is for mainly an international audience. Again, I want to challenge Sweden's power position in global politics, but ultimately my heart lies in improving the lives of those who are denied rights merely based on one's identity.

Outline of the study

In Chapter (2) two, I situate this study within the current debates on the practices of the legal regulation of the Sex Purchase Act. To show both sides of this debate, this chapter discusses previous studies that position themselves both for and

against the Act. In chapter (3) three, I begin to narrow down the design of this study, explaining how I frame my analysis within the theories of postcolonialism and intersectionality, the role of theory, and how this is reflected within an ethnographic method. Methodological considerations are presented in chapter (4) four, where I summarize varieties of ethnographies where upon I set my research design and the construction of the field. Establishing the Sex Purchase Act as a law in context, chapter (5) five provides a brief socio-and historical background to the 1999 implementation of the law. I also specify various legal regulations that will be referenced to throughout the empirical chapters. In chapter (6) six, I begin presenting the data on the role of the police and then interpret this within the study's theories. Continuing with the presentation of the data, chapter (7) seven investigates the practices of social services. Lastly, chapter (8) eight focuses on the portrayal of the law through the mass media and is followed by a final discussion in the conclusion in chapter (9) nine.

[II] Literature review

Research regarding prostitution often focus on the types of regulatory approaches with which different modes of investigation and theory are based upon. The three distinct regulatory approaches are prohibitionist (prohibits prostitution and penalizes prostitutes, pimps, but not necessarily clients), regulationist (seeks to regulate rather than to prohibit or abolish prostitution, often through legalization), and abolitionist systems (seeks to abolish prostitution by penalizing clients, pimps but not prostitutes) (Scoular, 2010: 12). This literature review is situated within the debates in Sweden between proponents of and opponents to, the Sex Purchase Act, an abolitionist system.

As Scoular (2010) has pointed out, this “neat” classification of three distinct approaches is problematic in that considerable gaps exist within the implementation of any regulation, let alone one within particular socio-historic and ethical contexts (13). I found that much of the literature highlighting the positive aspects on the *practices* of the Act were limited during my initial attempts – whether this be a matter of language (as well as a delimitation), advocates of the abolitionist system consistently remarked on the ideals of Sweden’s radical feminist position. Although a vast selection of literature on this topic highlight the symbolic value of sexuality and prostitution (for example, Jeffreys, 1997), this literature review summarizes the perceived positive and critical outcomes and enforcements of the Act.

Prostitution is seen as women’s oppression and is unacceptable in a progressive, gender-equal society (Ekberg, 2004; 1188). In terms of showing two sides of the debate, I borrow mostly from Gunilla Ekberg, who at the time of writing and publishing her paper, was employed under the Ministry of Industry, Employment and Communications in Sweden. Gunilla Ekberg was also, at the time of her article, a special advisor on issues of prostitution and trafficking in

human beings to the Division of Gender Equality of the Swedish Government (Ekberg, 2004: 1218). Ekberg's article "The Swedish Law That Prohibits the Purchase of Sexual Services: Best Practices for Prevention of Prostitution in Human Beings," is listed under the European Commission website as the main relevant report for a comprehensive overview of trafficking and prostitution in Sweden.⁴

The Sex Purchase Act is considered a fundamental part of the Swedish strategy to combat prostitution and trafficking in human beings since these issues cannot, and should not, be separated and are intrinsically linked (1189-1191). According to the Swedish government, which claims to defend feminist positions in the interest of women, by prohibiting the purchase of sexual services, women have full control of their bodies.

Regarding the number of women in prostitution in Sweden, the statistics are generous. Ekberg (2004) stated that since the implementation in 1999, and five years after writing this article, "the number of women involved in street prostitution has decreased by at least 30% to 50%, and the recruitment of new women has come almost to a halt (1193)." Furthermore, she states that the number of women in street prostitution is no more than 500 and that there is no evidence that the sale of sex has moved from the streets to the internet (Gripenlöf, 1991-2002, as cited in Ekberg, 2004: 1194). A research project titled NetSex Project at the University of Gothenburg concluded in its report that the number of Swedish women in prostitution via the Internet remains stable at around 80-100 women, with the same women advertised on many different Web sites (*ibid.*). Accordingly, the presence of foreign women in street prostitution has come to an end, and the number of buyers has decreased by 75% to 80% (IOKSP, 1999-2001, Kärroman, 2000, as cited in Ekberg, 2004: 1194).

It has been suggested, and there has been a proposed law insisting that Sweden should take jurisdiction over all cases involving Swedish citizens buying sexual services abroad (Du Bois-Pedain & Ulväng, 2017: 44). The normalization

⁴ Accessed on February 13, 2020 on the European commission website. https://ec.europa.eu/anti-trafficking/member-states/sweden_en

of the Act, according to Ekberg (2004), has even been said to apply to sex-tourism, stating that there has been no notable increase in the number of Swedish men who travel to other countries as sex tourists (1197).

However, findings from several authors have rebutted the credibility and the authenticity of the claims made in Ekberg's article (see for example, Levy & Jakobsson, 2014; Dodillet & Östergren, 2011). Levy and Jakobsson (2014) have found evaluations and consultations to be biased (594). Contrary to the positive numbers described by Ekberg (2004), Levy and Jakobsson (2014) found that public (street) prostitution was displaced into more hidden and underground spaces, sex workers have an increased propensity towards riskier behaviour, fear of arrest, police detection and prosecution (599).

Notions of gender-equality have received its fair share of criticisms in Sweden, and in many ways, appears paradoxical. In *challenging the myth of gender equality in Sweden* (Martinsson, Griffin & Nygren, 2016), the authors argue that gender equality is mainly a myth (1). Through a collection of essays, this book problematizes the rhetorical construction of gender equality through critical feminist and postcolonial theories. Some of the key issues emphasized include the recreating of a hierarchy, as nationalism may develop boundaries between 'us' and the 'other.' Authors such as Gould (2003), Levy (2013, 2014) and Vuolajärvi (2019) argue that the Act displaces prostitution through immigration legislation and trafficking rhetoric, stating that the national identity of Sweden and its values are under threat.

Most importantly, the gender equality policies are criticized for being neo-liberal and heteronormative, dismissing race, class, and sexuality issues (of or relating to global inequalities) (Martinsson, Griffin & Nygren, 2016: 13). Controversies over citizenship and belonging, contrary to their image of tolerance, is not particularly welcoming across several ethnic, gender or class identities. As Shamir (2019) remarks, a critique of the entire legal framework on the premise upon which prostitution is "men's violence against women" is the fact that it "blatantly ignore male sex workers" (103). Levy (2014) and Östergren (2004)

voice similar arguments, stating male and trans sex workers are absent in the dominant discourse.

Following her ethnographic fieldwork, Vuolajärvi (2019) found that while nationals are targeted with social welfare policies, foreigners are excluded from them and are dealt punitive measures such as deportation and eviction (152). Migrants are prioritized in policing measures (as compared to national prostitutes) and police use immigration laws to deport third-country nationals (Vuolajärvi, 2019: 159). For example, Vuolajärvi (2019) found that immigration police pretend to be clients and call phone numbers on escort advertisements, make appointments and then check women's papers, detain, and deport them (159). In another example, women are denied entry, experience intimidation at borders and are harassed, and at the extreme, are even strip searched if they refuse to answer questions (ibid.). Deportability is further enforced through racialized policing and third-country nationals report less violence to police, have limited benefits to the welfare system and restricted access to the labour markets (ibid.).

I believe there exists a gap in the literature on postcolonial perspectives regarding the Act. I aim to develop theoretical reflections that critique the hegemonic discourse, one that is contradictory and exclusionary in its practices. In the words of Kapur (2013), I want to “continue to inform feminist understanding of women and the subaltern subject” (4).

[III] Theoretical framework

A theoretical framework determines how one uses and interprets the data and cannot be separated when discussing methods from theory (Banakar & Travers, 2005: 31). Ethnography as an interpretative, reflexive approach requires some considerations on how theory is performed in ethnography. In this section, I introduce the role of theory in ethnography before beginning my own epistemological standpoint. I then end this section with an overview on an ethnography of law.

The role of theory in ethnography

Ethnography is both a technique for gathering evidence, as well as a theory and analysis of how research should proceed (Harding, 1989: 2). The role of theory in qualitative studies, especially when analyzing data, is practiced differently amongst researchers. For example, in some instances, data is presented as “raw unmediated data” or the “data speaking for itself” findings where one is not trapped by theoretical underpinnings (Willis & Trondman, 2000: 12).

Banakar and Travers (2005) describe competing sides on the use of theory, that which is “characteristic of two paradigms” (38). In one position, Klaus A. Ziegert’s support of Niklas Luhmann’s systems theory, believes that a theory on social organization is best equipped for conducting genuine empirical research (Banakar and Travers, 2005: 38). In short, Luhmann’s system theory is ‘closed’ in that all parts of the system are interdependent and communication, that which is observable and interpreted, is more important than ‘action’ (ibid.).⁵ Contrasting to

⁵ “It means that what turns law into an integrated whole is neither legal norms nor social actors and institutions, but the unity of legal communications. From an empirical point of view, the communicative events ‘occur whenever people express themselves in terms of lawful/unlawful,

Ziegart, Flood is an interpretivist and committed to addressing the perspective of the social actor (ibid.: 13). Simply put, while the former is focused on structures, the latter is focused on action.

Without focusing too heavily on theory, but rather on its relation to ethnography, Willis and Trondman (2000) call their argument, “theoretically informed” ethnographic studies (11). These authors explain that theoretical sites, such as class, race, gender, age, and nationality may be relevant to the phenomenon at hand - to understand the position of various social actors and the consequences of a particular action (ibid.: 13). Therefore, ethnography should balance this ‘raw’ collected data, alongside my interpretation of this data which has, as its foundation, a postcolonial theory.

Wilson and Chaddha (2009) explain how theory may play an inductive role in ethnographic research (550). With this approach, theory informs the interpretation of the data, a view generally agreed upon amongst sociologists (ibid.: 557). A deductive approach in theory building is involved in testing a hypothesis – a researcher seeks to validate their arguments using ethnographic data (ibid.: 550). Since ethnography, as a method is open “to all sorts of stimuli” as Flood (2005) put it, I am not entirely convinced of a purely deductive approach to theory building as being possible in an ethnography. Although I agree with the point that “too much” theory informed data collection may be detrimental to the open method of ethnography, I came into this research with a specific theoretical framework in mind. I believe that it is important to hold some beginning foundations to one’s research as a way of directing the attention and energy as to where and how one construct the field. Otherwise, one may steer too far away from their initial aims. At various stages in this research, I too found myself ‘swaying away.’ I acknowledge that my investigations in this study may very well be partial and biased, however, and in the words of Darian – Smith (2007), this “foregrounds and acknowledges the existence of multiple perspectives and positions (xii).” While I have outlined here several aspects on the role of theory

legal/illegal, and whenever their communicative acts are directed towards claim-making and claim-defending” (39) in Banakar and Travers (2005) *Method Versus Methodology*.

and theory-building in ethnography, there is no orthodox way to fit into a correct platform.

In order to sustain both the descriptive and rich data of an ethnography as well the interpretive approach with theory, I have attempted to make my analysis as transparent as possible, explicitly showing where my data is retrieved and my interpretations of it. In the following section, I introduce the theory that informs my data.

Postcolonial feminist legal theory

I hold as a foundational thought to this study that laws often serve the interests of only some groups of people and individuals, while systematically excluding “others.” Sally Falk Moore, a prominent legal anthropologist states “the idea that the law should mean equal rights and treatment for everyone...obviously often does not, either because of lack of access, judicial bias, or other obstacles (Moore, 2001: 104). This statement guides my motivations with studying the law ethnographically and is one pillar to postcolonial feminist theory.

In her article, Moore (2001) traces over fifty years of legal anthropological studies and addresses several themes on how the law is studied, to list some examples: law as domination which explains the law as furthering the interests of the powerful, and generally is a capitalist tool (96), the rationales of judges and the discretionary power of criminal justice actors (as studied by Gluckman)(98), and the questioning of authority within issues of class and interpretation of the law (103). What is common within these is the formation of the “other,” that is the dichotomy of who is included and excluded, the dominant and the dominated. For instance, Just (1992) borrows from Nader, understanding law as an “hegemonic ideational control,” an apparatus “whereby the state and dominating classes reinstatiates and enforces relations of political, economic, ethnic and gender superiority (390).”

Darian – Smith’s (2007) *Ethnography of Law* anthology is grounded in postcolonial thought – one should keep in mind the colonial backdrop that

influences socio-legal research (xiii). According to her, much of legal ethnographic scholarship was deeply biased up until the 1960's, since historic studies in this area showed an interest in studying other cultures due to the European intention to "teach" the uncivilized "other" their modern, enlightened system. These ways of thinking have, over time, become internalized where one often does not question the very rule of law we are living in. It is necessary to reconnect the present with the precolonial and colonial past, which leads to the insight that much of modern law itself is an outcome of colonialism. The past remains in the present and the material subordination continues with the West controlling forms of power over weaker states through legal, economic, and cultural processes (Kapur, 2013: 22).

Ratna Kapur's *Erotic Justice* (2013) engages with trafficking, violence against women, sexuality and culture and their complex relationship with the law in a postcolonial context. Situating her research in India and the influences of British imperialism, Kapur questions the narratives of progress and the Eurocentric discourse as a linear and modern assumption of human development (21). She does so by challenging the historical accounts that position themselves as good governance – using an example of the British imperial project and how liberalism legally subjugated certain groups of "uncivilized" people.

Furthermore, the theory is used to assess additional North-South power relations when approaching the identities of those affected by the law. Kapur (2013), again drawing upon the discourses of certain acceptable forms of gender violence in India, illustrates how legal regulations are based on the dominant sexual ideology (33). This means that the construction of women's victim testimonies is influenced by her perceived character. Women who do not adhere to certain perceptions, for example, as not falling within the "authentic victim" label will not be held credible.

In the empirical chapters, I consider the "victimhood" discourse that is often attributed to those in prostitution.⁶ Since the Swedish discourse considers all

⁶ In chapter (5) five, law in context, I situate the discourses of the law in how those in prostitution are portrayed, with the term "victimhood" consistently used in the dominant narrative. In chapter

forms of prostitution as coerced, a divide rests due to the lack of recognition between forced (trafficking) and voluntary prostitution and displaces representation of women in the first world and third world (Kapur, 2013: 118).⁷ Coerced prostitution is equated with poverty and a lack of economic opportunities, while choice is equated with wealth (ibid.).

Kapur (2013) continues this argument, giving women more agency in their choice to sell sex, or other consensual arrangements that may be free from coercion and violence – a woman is a market actor who understands the economic opportunities or lack thereof and that the normative stance is overly simplistic and patronizing. The purpose of the migration is often conflated with the conditions under which they cross, reinforcing arguments against sex work rather than support the rights of those to move (Kapur, 2013: 130). Women's victimhood status is further reinforced to assume they are vulnerable, incapable of decision making and in need of protection (Kapur, 2013: 147). This renders almost all types of migration movements suspect, especially concerning women coming from the global South. For migrants who have been able to cross, irrespective of legality, Kapur mentions two categories of the "other:" The "other" must either assimilate and be part of the flow of capital (for example, the need for low-wage and domestic workers), otherwise they fall under the "demonized other" category, such as the asylum seeker.

Regarding migration and trafficking, Kapur (2013) points out that the most serious gap within international protocols of trafficking is due to "government reluctance to make any commitment to provide services and protections to undocumented migrants" (119). Several governments use trafficking protocols for prosecution and trafficked persons are needed witnesses but that they should be deported immediately after trial (ibid). In the final chapter of her book, Kapur retraces postcolonial and subaltern theories to depict how national government produce the "other" and thus resulting in immigration policies. These policies act

(7) I theoretically inform this data by showing the reproduction of North/South, East/West binaries.

⁷ Prostitution and trafficking are considered almost mutually exclusive labels, is explained in chapter (5) five.

in accordance with international and national protocols on trafficking and often conflate all migrants as victims of trafficking. There is a social construction of labelling trafficking as an illegal, criminal activity that is deserving of punishment. Kapur (2013) shifts this to perceive trafficking as a market for irregular migration services since the option for legal opportunities is limited (146).

In any case, what is witnessed throughout Europe and North America is the manufacturing of fear of the “other” by portraying them as a threat. In sum, there are three legitimacy claims: (1) claims through which the “other” is viewed; (2) the migrant women movement as within the framework of trafficking, perpetuating her victimhood and her legitimacy resides in her status as a victim, and; (3) the migrant poses a challenge to boundaries and the law, constructed as legitimate, regulates cross-border movements (174-175).

In light of the above, I use postcolonial feminist legal theory in the following: (1) Sweden as a cultural power in producing knowledge about regulations and perceptions of prostitution and how this is permeated; (2) the socio-historical construction of the “other,” where those who sell sex are portrayed as victims, and the migration/trafficking discourse is conflated as a challenge to state boundaries.

Intersectionality

Introduced by Kimberlé Crenshaw and emphasizing the “multiple jeopardy” of several identity of categories (Simien, 2007: 265), Kerner (2017) argues that postcolonial theory and intersectionality are complementary and contribute to an analysis when combined (847). She notes that these two theoretical tools are different in their relation to localism or nationalism, while postcolonial theory works at transcending boundaries of difference (ibid.). I explained in the previous section how postcolonial theory is transnational in that the historical processes conceptualizes the very identities that are formed. It is through postcolonialism where we understand the basis for the multiple forms of inequality, while

intersectionality, I would argue, is more empirically grounded. The former “presupposes the nature of such relations,” and the latter “empirically studies whether meaningful inequalities among groups even exist in the first place” (Kerner, 2017: 850).

In this study, I examine how one’s social position, their identity categories as, but not limited to, their gender, ethnicity, class, age, and sexuality are mutually constituted. I also observe that through intersectionality and postcolonial feminism, the gendered class of women that are grouped in the Swedish discourse is not a monolithic group. Intersectionality is iteratively analyzed since the identity of a person is at the core of the topic. The basis of this study revolves around issues of citizenship, immigration, and the law and therefore, the identity of ethnicity and citizenship (or naturalization) are particularly pronounced. Gender and sexuality are treated dichotomously, as the Act is repeatedly portraying women as victims and prostitution as “men’s violence against women,” thereby eliminating or making invisible a considerable number of prostitutes of who do not fit the standard image.

Ethnography of law

Ethnographic legal studies are an interdisciplinary endeavour wherein the analysis is not limited to administrative, official law but rather to any form of perceived social control (Flood, 2005: 37). Darian-Smith’s anthological *Ethnography and Law* (2007) presents a series of publications and essays in anthropology of law, stressing the significance of ethnography as a methodology, rather than focusing on anthropology as a discipline (xi). What is significant about this statement is that, there are not many studies that which to analyze that are under the direct term of an ‘ethnography of law’ but rather several sub-disciplines of social sciences which investigate the law ethnographically (Bens & Veters, 2018: 240).

Throughout her volume, she clarifies this by stating that socio-legal scholarship, that has as its background, various disciplinary fields and degrees of investigations, all amount in some form or another to socio-legal ethnography. In

the methodology chapter, I describe differences in ethnography between disciplines such as anthropology and sociology as well as the variety of ways of constructing a field. Although anthropologists have historically led the way in ethnographic explorations of legal practices, they no longer occupy a privileged position within the method (Darian-Smith, 2007: xi). Up until the 1960's, there was a division between legal sociology and legal anthropology, the logic being that sociology was more responsible for law in the 'Global North,' while anthropology investigated 'premodern' societies in the 'Global South' (Bens & Vetter, 2018: 240). The former was associated with thinkers such as Émile Durkheim, Max Weber and their works on the European nation and its law, while Bronislaw Malinowski and Max Gluckman, legal anthropologist that were interested in non-state legal systems outside of Europe (ibid.: 241).

Traditionally, they have tried to maintain disciplinary boundaries, but since the 1990's, these boundaries have become more or less 'porous' (Bens & Vetter, 2018: 239). There are a number of subfields that emerged from legal anthropology and legal sociology; however, all these fields have ethnography as their research method which bring to light the under-investigated dimensions of statehood and governance (ibid.: 242). In a series of articles collected by Bens and Vetter (2008), three thematic points of ethnography of law are emphasized: (1) observing the practice of official legal institutions, both informal and formal practices; (2) investigation of the materiality of legal settings and the ways such legal settings are interlinked; (3) investigating official norm-making as a wider field of practice (243). In the empirical chapters of this project, I outline the practices of official legal institutions that implement the Sex Purchase Act. As I examine the Act, I view these practices and their consequences through my theoretical framework.

[IV] Methodology

When I first embarked on this project on prostitution and the Swedish Sex Purchase Act, I admittedly had little to no access to the field I was attempting to study. I began writing my first thesis proposal in the fall of 2019, by then I was living in Sweden for just over a year, with scarce knowledge of the language and had not formed merely enough local contacts to gain access to any field, let alone one surrounding prostitution. Obtaining access to a research field on highly stigmatized and marginalized groups poses several methodological barriers. In some instances, a researcher may have already gained access through former positions, take for example Hulusjö's (2013) previous job as a social worker in the prostitution unit of Gothenburg. In Sweden, social workers are considered 'experts' in the field of prostitution (Hulusjö, 2013: 23), and this opened certain advantages with mapping the field and recruiting participants. Some other examples of ethnographic studies praised for being able to "penetrate the barriers" include Kelly's (2008) one-year participant-observation teaching English to a group of sex workers in the *Zona Galactia*, 1 of 13 legal and regulated prostitution areas in Mexico; Padilla's (2007) three-year study on male prostitution in the Dominican Republic; Trotter's (2008) 15 month participant-observation on dockside prostitution in South Africa; and Zheng's (2009) three year fieldwork study in karaoke bars in Dalian, China (as cited in Weitzer, 2010).

What is common amongst all these researchers, and in ethnography generally, is time. Many researchers spend a considerable amount of time gaining access (Sandberg & Copes, 2013: 181). As a master's student, time is not on our side during a thesis project. Nevertheless, a multi-sited ethnography grants a sort of personalization according to the researcher's design. In this section, I describe the differences between the classical image of anthropological ethnography and the more contemporary way of conducting what is sometimes considered a

sociological ethnography. I then go into more detail on the multi-sited ethnography, its limitations, ethical considerations and how I constructed my field.

Sociological and anthropological approaches to ethnography

While ethnography may be most traditionally associated with anthropology, Atkinson *et. al.* (2001) do not equate ethnography with only one disciplinary, orthodox tradition (2). Contemporary ethnography is diverse, stretching across multiple fields and methods - this section will briefly outline some of the historical 'past' methods (*ibid.*) before narrowing down to the design of this project. In her article on the differences between sociology and anthropology, Vered Amit (2000) stated that the most determining piece between these two subjects is to the extent one experiences 'the field' (1). Extensive fieldwork is a defining characteristic of anthropology and intensive participant observation is understood as the main form of gathering data (Amit, 2000: 1). Standards such as being physically present in the field for long, extended periods of stay and the expectation of a researcher to travel away from 'home' are distinguished features in anthropology (*ibid.*). Today, most anthropologist no longer define their research sites or 'fields' exclusively in these 'exotic' terms (Atkinson *et. al.*, 2001: 2).

The linguistic or interpretative turn (as noted by Clifford and Marcus, 1986) created an awareness of reflective fieldwork rather than confidently accepting field notes as closed, completed texts (Atkinson *et al.*, 2001: 3). The more conventional form of total participant-observation and its 'gaze' of the 'other,' which was mostly executed by (usually) white, Western men, became increasingly scrutinized in its representations. Such positivist science of other cultures seems rather implausible in contemporary fieldwork methods (*ibid.*: 4). Sociological ethnography was developed along with the rise of the Chicago School ethnographic urban fieldwork (*ibid.*: 9). Depending on a mixture of local

social setting and organizational cultures, sociological ethnography became a combination of theory, method and empirical research.

That said, there is no distinctive definition for ethnography in either of the disciplines (anthropology and sociology), the point being that a range of investigative practices are available to those who wish to engage in ethnographic research. Darian-Smith's (2007) anthology of legal ethnographic studies illustrate these diverse perspectives. In her view, for socio-legal scholarship to be relevant, one must acknowledge the limits and deficiencies of disciplines and be open to new theoretical explorations (Darian-Smith, 2007: xii). According to her, ethnography is only relevant in a post-colonial world by implementing a 'multi-local' fieldwork,' that which I present in the next section.

Multi-sited ethnography

In a 2016 interview, George Marcus explains that although multi-sited ethnography was first proclaimed in 1995, this methodology has been embedded in research several decades prior (Marcus, 2016). Throughout this interview, as well as in his 1995 article, Marcus shows that all research is part of a world system and could never be understood in terms of a single-site location. Arguing along similar lines, *Constructing the Field* shows how interconnected fieldwork must be – “the appreciation of context and social relationships shape anthropology and thereby the crucial contributions it can make to an understanding... (15).”

In her article, Amit (2000) questions the meaning of 'field' or 'fieldwork' in contemporary ethnographic studies. Due to the 'fields' fluidity, or what she calls 'a world in motion,' the ethnographic 'fields' explores the multi-sited, transnational circulation of people, practices, and objects (ibid.: 13). Amit contends that there is the need to adapt a more flexible approach to circumstances that may arise which defines the method, rather than the method defining the circumstance (ibid.: 11). Furthermore, she describes how anthropological fieldwork has always been characterized by absences and therefore necessitated a

variety of corresponding methods, such as interviews, archival documents, census data, artefacts, and media materials (12).

In another article, Hannerz (2003) states that multi-sited ethnography does not rely entirely on interviews and participant observation (211). Participant observation may be limited and often must be combined with other sources and materials – fieldwork may include material extracted from telephone calls and emails, and collecting data ‘eclectically’ from sources such as popular culture references, newspapers, and official documents (ibid.: 212). Multi-sited ethnography, in the context of a world-system context, usually requires that one locate both the social and historical contexts of the desired subjects of study (Marcus, 1995: 96).⁸

Constructing the field

Multi-sited ethnography begins by defining the object of study (Marcus, 1995: 106), for my case, the Swedish Sex Purchase Act, or rather the law is at the ‘center’ of this research. How this law is practiced determined what techniques were necessary to construct the ‘complex cultural phenomenon’ (ibid.). Marcus (1995) labels this specific type of ethnography as the ‘following of conflict,’ as it generally involves contested issues in contemporary societies (110). Also known as the extended case study method in anthropology of law studies, multi-sited ethnography usually includes spheres of everyday life, legal institutions, and mass media – and according to Marcus (1995), this type of study requires multi-sited construction perhaps more than any other (110). Given this remark, a detailed account of the law in context is preceded prior to beginning the empirical chapters in chapter (5) five. This chapter presents a socio-historical description of the Sex Purchase Act and the Swedish welfare state as interconnected entities. The subsequent analysis will invariably make references to this chapter.

⁸ I go into more details of this in chapter (5) five- law in context.

From the end of November 2019 up until the 8th of May, the day of the last interview I conducted, I investigated how the Sex Purchase Act is socially practiced within state and non-state institutions. While seeking to untangle the complex reality of prostitution and navigate the Swedish bureaucracy, my aim was not only to map the ways in which the system took measures to ‘help and protect prostitutes,’ as is claimed in the legislation, but also how this permeates in everyday life. As Flood (2005) accurately describes, “[w]e live in a normatively pluralistic world (36).” Not only does an ethnography of law reveal how the law is imposed by the state, but also how the law forms and acts through which people make sense of everyday life (ibid.).

Seeing that one of the main critics of the Swedish Sex Buyer’s Act, Petra Östergren, is herself a doctoral student, my first plan was to speak with her. She was, however, away on a fieldwork trip. I was instead able to have a conversation with another doctoral student working alongside Östergren. I often describe my encounters as conversations instead of interviews, Hannerz (2003) suggests this indicates a more personal quality (209). In our almost 90-minute engagement at her office, I was acquainted with a harsher reality of the Act than I had initially perceived. She also introduced me to a variety of authors, articles, and potential participants. This conversation led to a much firmer aim and plan towards the construction of my field.

At this point, I would like to outline the organizations I attempted to get in contact with:

- (1) organizations with a stance on policy reformations of the current legislation: *intedinhora*, *fuckförbundet*, and Rose Alliance;
- (2) organizations that claimed they offered services and help to sex workers: *talita*, *Riksorganisationen för kvinnojourer och tjejjourer i Sverige* (ROKS) – the National Organization for Women’s Shelters and Young Women’s Shelters in Sweden, *Noomi Malmö*, *Evonhuset Malmö* as one branch of the social services from Malmö municipality;
- (3) criminal justice actors: the police force generally (*Polisen*), as well as the prostitution unit (*Prostitutionsenheten*), *Brottsförebyggande rådet* – the Swedish

National Council for Crime Prevention Council (*Brå*), *Nationellt Metodstöd mot prostitution och människohandel* - National Methods Task Force (NMT);

(4) feminist organizations + human rights organizations, both governmental and non-governmental: *Jämställdhetsmyndigheten* – the National Gender Equality Authority (Jamy), Amnesty International Sweden, *Riksförbundet för homosexuellas, bisexuellas, transpersoners, queeras och intersexpersoners rättigheter* the Swedish Federation for Lesbian, Gay, Bisexual, Transgender, Queer and Intersex Rights (RFSL), Unizon - women's protection services representing over 140 women's shelters, NCK – the National Center for Knowledge on men's violence against women (forming part of a research initiative from University of Gothenburg)

Apart from receiving no responses to many of my attempts, I was also denied interviews. What is often a very messy research process with the experiences of failure and rejection, is also perhaps seen as the 'beauty' of qualitative research. Nonetheless, I was able to speak with five (5) participants, which I outline here and briefly describe our interactions:

- scholar working within prostitution policy and anti-trafficking policy in Sweden ([INT1], November 2019, in person, approx. 1.5 hours);
- women's rights and sexual, reproductive rights expert at Amnesty International Sweden ([INT2], December 2019, phone call, approx. 1 hour);
- research and investigative council at *Brå* ([INT3], December 2019, phone call, approx. 5 minutes);
- social worker/sex counsellor at *Evonhuset* ([INT4], February 18th 2020, in person, at *Evonhuset*, approx. 2 hours);
- Malmö municipality and regional coordinator against trafficking in human beings, south region (NMT), also forming part of *Evonhuset* ([INT5], May 2020, video call, approx. 1 hour).

Aside from this, I had email interactions with several other scholars working within the field (such as feminist legal theorists), and workers/volunteers at organizations. I regularly kept up to date with the posts of the organizations that had available Facebook pages and collected information from both government and non-governmental publications. Hannerz (2003) describes this as 'polymorphous engagements' – interacting with informants across a number of

dispersed sites, doing fieldwork by telephone and email, collecting data in many different ways from a disparate array of sources, attending to popular culture, reading newspapers and official documents (212).

Due to the nature of the topic, I decided to forego taping any of the interview material and instead took hand notes for all the material I collected (field notes). Since interviews are not the primary source of data collected, I did not feel that it was necessary to take the extra steps within informed consent and transcribing interviews for the purposes of this project. Direct quotations will appear sparingly in the analytical section of this study; however, I will include paraphrases where applicable. All forms of communication were done in English, although some of the participants were concerned with this aspect and at times apologized that their English was “not very good.” Aside from this issue, I did not observe difficulties with any of the participants in terms of expressing themselves.

Text material collected was also mostly available in English – many official government, NGO and non-NGO websites provide their information in either Swedish or English. Furthermore, concerning the Sex Purchase Act, legislation and publications released by the government are also available in English. Where necessary, I had friends translate for me from Swedish to English, and I also depended on friends to search up material I thought may have been easier to type on a search engine in Swedish. Other pieces of data from mass media sources, such as newspaper articles and Facebook posts (from organization page) were translated with the help of computerized translation tools, and thesis translations were confirmed by native-speaking friends.

Analysis

The analysis of data permits ethnographers to tell a story that is the focus of their research, while the interpretation of that story allows ethnographers to describe to a reader what that story means (LeCompte & Schensul, 1999: 2). In an analysis, the researcher looks for patterns from the collected data which may occur at different stages during fieldwork. In my case, I quickly realized the exclusionary

practices of the Sex Purchase Act due to one's social identity (or several intersecting identities) influenced by power relations. The law is imposed depending on the context, and while prostitution in itself is not criminalized, several other laws come into place that may criminalize the seller (or one who is presumed to be selling). The discretionary power within several criminal justice actors (e.g. police + border police + judges) also interpret the law depending again on one's identity and/or circumstances of the event.

In the empirical chapters, I want to illustrate to readers what may happen to prostitutes during the different encounters they face. Griffith's (2005) labels this approach as 'law as process' – socio-legal research interrogates who is 'inside' and 'outside' the law and highlights the "frontiers of legality (107)." This methodology is concerned about issues of race, class and gender and exposes the inadequacies of legal systems in dealing with them both in theory and in practice (ibid.).

Limitations of ethnography

“...ethnography is an art of the possible, and it may be better to have some of it than none of it at all. And so we do it now and then, fitting it into our lives when we have a chance (Hannerz, 2003: 213).”

I begin this section by quoting Hannerz who, in his reflections on multi-sited ethnography, acknowledges the contemporary aspects of fieldwork as fitting between several spheres of one's life. Ethnography is limited in that one collects only so much that can be achieved in the time and space granted. I recognize that this ethnography is restricted in the data I was able to collect, in a topic that finds itself extensively studied and written upon.

The generalization I have made in my analysis from the data I have collected, the authors, articles and books chosen for several parts of this project depend upon my interpretations. And while one is supposed to enter the field as open as possible, a limitation to this is observer bias. In the following section, I

outline measures to obtaining reliability and validity in ethnography so to ensure the transparency in my findings and analysis.

Reliability & validity in sociological ethnography

The concepts of reliability and validity vary amongst the type of research design one undertakes. In a quantitative paradigm, reliability and validity measure in positivist standards, while in qualitative research, they are contextualized against the background of a reflexive, interpretive standard (Golafshani 2003: 602). Raymond Gold (1997) demonstrates various requirements to achieve this standard of fieldwork within the ethnographic method in sociology, this includes: appropriate sampling procedures, systematic techniques for gathering and analyzing data, validation of data, avoidance of observer bias, and documentation of findings (388).

In sociological ethnographic research, sociological sampling is predominately employed (Gold, 1997: 390). This sampling assumes that the very people who occupy the space that is being studied are most knowledgeable about the phenomenon at hand. This sampling snowballs as it allows informants to participate in telling the researcher where and how to locate further persons of interest in the study (ibid.: 391). Thereafter, the researcher must depict the participants' social world as "faithfully as possible," while continuously developing different versions of reality which pertain to individuals who represent social categories (ibid.: 393). In so doing, the researcher presents the ethnographic findings with proper documentation – the process of obtaining such data, how one developed (or failed to develop) a relationship with each participant, and overall relationship to the data (ibid.: 399).

In this study, I was often faced with contradictory information from participants. This provided alternative realities on the study of prostitution which shaped the empirical chapters. I was also keen with discussing my findings, whether it be from previous literature or from earlier interviews, with each participant.

Ethical considerations

Ethical concerns have shaped this study, including the ways of defining, initiating, carrying out and the reporting of this research (Horner, 2002: 561). Horner (2002) points out that “critical ethnography,” research that bases its epistemology in feminist, postcolonial or poststructuralist perspectives, rely on the partiality of knowledge and must pay greater attention to multivocality and self-reflexivity (562). In the previous section, I already considered some ethical concerns on the reliability and validity of this study. I take into consideration other ethical matters, starting with a dilemma I faced with my research design.

The preliminary research proposal I initially planned was to interview prostitutes in Sweden. As an interdisciplinary gender studies student, I wanted to focus more on feminist methodologies. The pursuit of knowledge is most valued from the perspective of those directly affected by existing structures. How does one experience the practical implications of the Sex Purchase Act? As I further delved into the field, it soon became clear that I would not be able to reach this population.

Logistical issues such as time and gaining accessibility to the field was one factor. However, when I came to realize that the majority of prostitutes in Sweden are migrants, recruiting this group would assume further hurdles than involving those with Swedish citizenship and/or immigration status. In Hulusjö’s (2013) dissertation, only prostitutes with Swedish citizenship participated in her study due to the “additional set of ethical and practical considerations” (69). Prostitutes involved in transient sex work and/or supposed⁹ victims of human trafficking would assume further obstacles. Although master’s students are not required to go through ethical boards in the same standard as doctoral students, I was nonetheless informed of the ethical aspects with my initial proposal. As will become evident in the empirical chapters, I place significant space in my

⁹ It will become clearer in the empirical chapters the usage of the word ‘supposed’ in this statement. Prostitution and trafficking are often conflated to any migrant prostitute that may or may not be coerced into the trade. The lack of recognition between voluntary and involuntary prostitution poses challenges to the Act.

interpretation of the Act in its relation to migrant groups. This entails ethical concerns related to the first draft of this study, naturally shaping the construction of fieldwork.

Informed consent

The nature of ethnographic research, given its emergent and unfolding process, whereby the aims and outcomes of the study are unanticipated, make the issue of 'informed consent' rather difficult to establish (Atkinson, 2009: 22). Practically speaking, neither the participant nor the researcher knows how information will be analyzed and represented in studies based on complex social life research. As Atkinson (2009) argues, rather than translating ethics as 'ticking all the boxes,' one should ensure social research to be based on mutual trust (28).

When approaching potential participants for my study, I introduced myself as a master's student at Lund University. All preliminary forms of communication were executed through email correspondences to the email addresses of organizations and institutions I was able to locate on the internet. Each email was catered specifically to the organization I was attempting to reach. Due to the varying stances on this topic, I was careful when using terms such as, for example, "decriminalization and abolitionism." A scholar studying a similar topic warned me about using such terms when approaching groups with strong viewpoints. For example, *intedinhora*, as an abolitionist group in Sweden would most likely not take kindly an email stating the "decriminalization of prostitution," a phrase I mistakenly used at the start of this project. In hindsight, this also displayed my own stance towards the subject matter. I became more careful and broadened up each email so to not "step on anyone's toes."

Depending on the organization, I also switched between stating that I was a gender studies student or a sociology of law student. I believed that I would have more chances of grabbing one's interest depending on my position. For example, I stated I was in sociology of law when emailing the police force and its prostitution units. I assumed that a criminal justice institution would be more

willing to speak on ‘the practicalities of the law’ rather than to a seemingly ‘radical’ gender studies student. When approaching women or gender-equality organizations, it was obvious that I used my position as a gender studies student. Perhaps I overthought on these preconceived notions, however, I constantly felt the need to remind myself to be more ‘neutral’ when attempting to land an interview.

Aside from sending emails and follow-up emails to those which I received no responses, I also completed, where applicable, online forms that were available on organizational website as well as the messenger option on their Facebook organizational profiles. Once I was able to secure an interview, all questions posed to the participants were formulated at the outset of their organization. This was necessary as questions directed to a criminal justice institution would look relatively different than when speaking to a participant at a human rights organization. I prepared for each interview by carefully examining information published on the topic and those related to the organization. Without a standard interview guide to use throughout this study, this process proved to be more time-consuming than the interviews I had done in previous research. Nonetheless, the development of all the interview material was a personally satisfying experience and further deepened the knowledge within this ethnography. Giving an example on how some interviews went, I started with general questions to understand the role of each association (“can you tell me the role of x? what do you do within x?”), to more specific questions, such as those regarding concepts (“what is the legal definition of sex work? / what are the methods of evaluation?”) as well as critical comments (“this sounds more concerned with criminal proceeding than helping women...”). As my research developed, I felt confident enough to comment or question the participant when necessary, as Gold (1997) mentions, sometimes ethnographers challenge responses (398). I was after all, conducting fieldwork on a contested issue, speaking with participants in higher positions of power and my research had an emancipatory motive.

[V] Law in context: The Sex Purchase Act

In this section, I situate the Act in a brief socio-historical context that has shaped the official outcome of the 1999 Sex Purchase Act. Aside from this, I also outline not only the criminal provisions of the Act, but also several legal regulations revolving around the Act where an individual may or may not be retributed.

Historical context

Forming part of feminist theory and feminist legal theory, a historical material approach to understanding contemporary normative and legal stances to prostitution in Sweden takes place here. Although the concept of materialism varies in terms and in practice, for this portion of the project I am mostly influenced by a socialist historical feminist approach. This draws upon a historical discourse where gender and race produce social subjects, embodied subjectivities, and political standpoints (Hennessy, 2014: 322). Unlike the historical materialist approach rooted in Marxist thought and one that classically delimited the role of gender in labour structures, the socialist feminist approach intertwines patriarchy and capitalism to women's oppression. Sexuality as a political issue has been historically analyzed extensively, as women's bodies and sexual activity have always been controlled (Jackson & Scott, 1996: 3, as cited by Hennessy, 2014: 309). By bringing in a summary of the prostitution and vagrancy laws in Sweden in the 19th century up until the present, it can be understood that throughout the course of history, women have been subjugated or viewed as a group who must either be helped, controlled or protected. I hold the view that women, as a

gendered class,¹⁰ have been and continue to be subjugated in all forms of social relations and institutions. Furthermore, viewing the issue in a historical context illustrates how prostitution was problematized, the changing social attitudes on the supposed issue and how, during different time periods, it would disrupt order – it threatened major social institutions, ‘such as the division of labour in the home and the work-place, the organization of human reproduction and sexuality and citizenship rights’ (Outshoorn 2004: 2, as cited in Svanström, 2006: 143). Throughout history, prostitution was controlled by the state and its political discourse was framed in several ways, yet the underlying ideals were similar on social and criminal policy, as we will see in the following section.

The vagrant woman

In her article, Svanström (2006) argues that the criminalization of the purchase of ‘sexual services’ was not a linear development of early Swedish welfare ideas (142). Rather, it was a constant struggle of women’s movements that voiced their concerns over the demand side to prostitution (ibid.). Since the end of the 19th century, when vagrancy laws were already in place, women’s movements had already insisted on punishing the buyer. Vagrant was ‘a person who loitered from place to place without means of subsistence,’ a person who did not earn an honest living and led a life considered dangerous to public safety, order and vice (Svanström, 2006: 144).¹¹ The Swedish term *försavarslös* designated an

¹⁰ Although I want to steer away from the notion of women as an all-encompassing specific group and take into account the many identities, I quote from Hartstock (1983) “[m]y effort here takes a similar form, in an attempt to move toward a theory of the extraction and appropriation of women’s activity and women themselves. Still, I adopt this strategy with some reluctance, since it contains the dangers of making invisible the experiences of lesbians or women of color. At the same time, I recognize that the effort to uncover the feminist standpoint assumes there are *some things common to all women’s lives in Western class societies* (my emphasis) (233-234). Hartstock’s (1983) “The Feminist Standpoint: Towards a feminist historical materialism approach” in *Money, Sex and Power*.

¹¹ Vagrancy laws as a point of analysis has historically been present since ancient times (for example, vagrancy is mentioned in religious texts). According to Ocobock (2008), it is unique since these laws make no specific actions or inaction illegal, rather they are based on personal condition, state of being, social and economic status. See Beier, A.L., Ocobock, P., & Ocobock, P. R. (Eds.). (2008). *Cast out: vagrancy and homelessness in global and historical perspective* (Vol.

individual without legal means of supporting oneself (ibid.). Women in prostitution, regardless of whether they had means of substance or not should be treated as vagrants since money from prostitution was not considered as legitimate (145).¹²

Two legislations-controlled women in prostitution: the vagrancy law (enacted in 1885) and the *Lex Veneris* (enacted in 1918). The latter made it illegal to knowingly pass on venereal diseases and if a woman was apprehended and suffered from a sexually transmitted diseases, she was confined to coerced care (Svanström, 2006: 146). Between 1926 to 1964, six official commissions on vagrancy were undertaken (1923, 1926, 1929, 1939, 1949, 1964). The 1920s treated prostitution as a matter of social hygiene – a prostituted woman should be corrected rather than punished and the appropriate measures included: an imbecile or public asylum, placement in public or private work, sent to a relative, or to ‘an institution or other such measures’ (147). Interestingly so, the three reports conducted in the 1920 also stated that prostitution had its roots in unsatisfactory social and economic conditions, aside from the characteristics mentioned above (ibid.).

Reading the report published by the fourth commission of 1939, a shift from treating prostitution as social hygiene to psychopathology is witnessed. Sweden had established sterilization since 1935 and it was indicated that 93% of those who were sterilized during 1935-1975 were women (Tydén 2002: 535, as cited in Svanström, 2006: 149). Women described as immoral, unbridled and lecherous (Runcis 1998: 121) and degenerated women who were labeled mentally, physically or morally corrupt were sterilized to prevent the psychopathological mind to be passed on to other generations (Svanström, 2006: 152). Sweden’s history of sterilization, based on eugenic ideals and racial purity,

8). Ohio University Press. Vagrancy, such as prostitution, was considered a threat to the status quo, or the public order, ‘the dominant values posed by working-class’ and forcing those to assimilate to the ideals of the middle-class (Lucas, 1995). See Lucas, A.M. (1995). Race, class, gender, and deviancy: The criminalization of prostitution. *Berkeley Women's LJ*, 10, 47.

¹² This view is still held today. Earnings from prostitution are considered illegitimate and can be taken by the police if one is caught and may be reason for deportation. More on this in chapter (6) six.

deemed those who did not conform to a progressive nation could not have children (see Tydén, 2002). During the 1930s, when the Swedish welfare system was said to originate, there was a motive to force legal sterilization to the most “undesirable” part of the population (Ratzka, 1997).¹³

By the fifth commission of 1949, women were viewed similarly as the preceding commissions, however a criminal element was added, stating that those who were not pathological could be handled as a criminal (154). During a 1950 government bill, prostitution was seen as a ‘problem of its own,’ focusing less on the ‘sexually unreliable imbecile women’ and perceiving the problem as the demand side of prostitution (155). The general consensus in parliament supported condemning the actions of the buyers and approved of the committee’s request to a final commission on vagrancy that was appointed in 1958 (Svanström, 2016: 156).

In 1962, the sixth and final commission on vagrancy law was replaced by legislation on antisocial behaviour (Svanström, 2016: 156). Prostitutes were now perceived as ‘sociopaths,’ (rather than ‘psychopath’) that is, a person who had problems adjusting to society without necessarily suffering from a mental deficiency (ibid.).

One can see the varying shifts of pathologizing and criminalizing women in just 38 years. The social construction of labelling illustrates how many actions are never inherently wrong or deviant. Rather, it depends on who has the authority to label said actions.

The question of earning an ‘honest living’ or being a citizen doing ‘honest labour’ was central to the original 1885 vagrancy law, its resulting six commissions and the 1964 antisocial legislation. This question is still apparent today and is witnessed in the Swedish Aliens Act (2005:716).

¹³ Sterilization remained a condition for sex reassignment until 2013 – “In the early 1970s Sweden became the first country in the world to allow transgender people to reassign their sex legally. It enforced a strict sterilization policy though, on the ground that such people were mentally ill and unfit to care for a child” (M.H., 2017). Available at: <https://www.economist.com/the-economist-explains/2017/09/01/why-transgender-people-are-being-sterilised-in-some-european-countries>. Sweden was also the first country to ever open a national institute on racial biology (eugenics) that later shaped German and Nazibopolitics. See Björkman, M. & Widmalm, S. (2010). Selling eugenics: the case of Sweden.

1970s paradigm shift

The political discourse of prostitution shifted its focus from one's apparent individual deficiencies to a more system-based perspective during the latter part of the 1960s. Societal problems were a reflection of the inadequacies of the welfare system, as materialized in one of the most influential socio-political books of the 1960s in Sweden, *the unfinished welfare* (Månsson, 2017: 4). The term *residual poverty* was used to describe the perception that general poverty issues would be permanently resolved through the efforts of social services, welfare regulations and interventions (ibid.). This book highlighted the fact that empirical knowledge of the living conditions of person in prostitution were almost non-existent at that time (ibid.).

The 1970s represented a decade of sexual freedom and openness. Forming part of a wider sexual revolution during the time periods between the 1960s and 1980s, liberal social attitudes unfolded and so called deviant sexual behaviours and sexual minorities were tolerated. Several radical and seemingly controversial proposals for new legislation on sex offenses took place in 1976. The committee proposed modernizing sexual offenses, such as lowering the age of consent, abolishing special provisions relating to same-sex relations with young people, abolishing provisions against sexual relations with offspring and siblings and reducing the penalty for obtaining sex by violence (rape) (Månsson, 2017: 5). The growing women's movement in Sweden criticized aspects of this sexual liberalization movement – the mainstreaming commercialization of the sex industry ('adult entertainment') was not compatible with the idea of human sexual liberation (Månsson, 2017: 6).

By the end of the 1970s, the critical discourse on prostitution, with the increasing normalization of the sex industry, prompted an interest in the role of the sex buyer. The government-initiated inquiry of 1977 sparked several studies exploring sex buying (Månsson, 2017: 7). When the results of the inquiry were made public in 1981, it was stated that prostitution was incompatible within a gender equal society. During the next 15 years, prostitution was discussed mainly

as a ‘social policy frame’ and not a ‘legal frame.’ In the 1990s, a criminal law discourse on punishing buyers became politically charged. And in 1998, the Bill on Women’s Peace (*Kvinnofrid*) was presented to parliament and came into force the following year.

1999 implementation of the law

The current legal status of the Sex Purchase Act is under two sections of the Criminal Code which I present below. Since 2020, the Swedish Criminal Code has been available online in English. The act that appears on Chapter 6 on sexual offences, section 11 states that it is illegal to buy, or attempt to buy “sexual service:”

A person who, in cases other than those previously referred to in this Chapter, obtains casual sexual relations in return for a payment, is guilty of *purchase of sexual services* and is sentenced to a fine or imprisonment for at most one year. The provision in the first paragraph also applies if the payment was promised or made by another person (Act 2011:517).

Third-party activities who seek to manage and profit from the exploitation of the prostituted women, also known as procurement laws, falls under chapter 6 on sexual offences, section 12. This includes brothels, pimps and the rental of an apartment or room where the act takes place:

A person who promotes or, in an improper manner, financially exploits another person’s engagement in casual sexual relations in return for payment is guilty of procuring and is sentenced to imprisonment for at most four years.

If a person who has granted a right of use of a flat learns that the flat is used wholly or to a substantial extent for casual sexual relations in return for payment, and fails to do what can reasonably be required to terminate the right granted, they are, if the activity continues or is resumed in the flat, considered to have promoted the activity and are held responsible under the first paragraph.

If an offence referred to in the first or second paragraph is considered gross, the person is guilty of gross procuring and is sentenced to imprisonment for at least two and at most ten years. When assessing whether the offence is gross,

particular consideration is given to whether the offence concerned large-scale activities, brought considerable gain or involved ruthless exploitation of another person. (Act 2018:601).

Under this legal approach, and as it is contained in the Criminal Code, only the act or attempted act of buying and/or exploiting the prostitute is illegal. The discourses that framed this law and the *Kvinnofrid* proposition 1997/98:55¹⁴ underlined that “social measures were to be the primary tool used in attempt to reduce prostitution (Dodillet & Östergren, 2011: 6). The Social Services Act (2001:453)¹⁵ and the Health and Medical Service Act (1982:763)¹⁶ would govern the legislation on these measures, but neither contain specific provisions to those who sell sex (ibid.). In three of the major cities of Sweden, social service agencies have specialized services for people who buy and sell sex, and according to Dodillet and Östergren (2011), since there are no guidelines on how to govern this activity or any earmarked public funds, the interpretations on how to “reduce” prostitution differs (6).

Situating this within the context of citizenship and belonging, support measures are limitedly applied to Swedish nationals, and migrants with legally recognized immigration status are faced with punitive measures. I describe this in detail below.

Framing of prostitution as trafficking

An estimated 400,000 to 1,000,000 people are trafficked globally and annually, with a significant, yet immeasurable number ending in prostitution (Hubbard *et al.*, 2008: 139). Human trafficking for sexual exploitation is often convoluted with state laws that regulate prostitution, and this hold especially true in Sweden. As

¹⁴ This proposition was not available in English.

¹⁵ The Social Services Act (2001:453) can be found in English: https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/social_services_act_sweden_en_1.pdf. After scoping out this document, I was unable to find any provision related to those selling sex.

¹⁶ Similar to 15, The Health and Medical Service Act (1982:763) can be found in English: <https://www.ilo.org/dyn/travail/docs/1643/health%20a%20nd%20medical%20insurance%20act.pdf>.

Hubbard (2008) has put it, “while not all prostitutes are trafficked, the conflation of exploitation and prostitution in policy discourse has ensured that prostitution and trafficking laws have now become inseparable” (140). Since prostitution in Sweden is framed as “forced and coerced” and that there can be no meaningful consent to, or ‘voluntary’ prostitution, the conflation of prostitution and trafficking is applied to anyone who has crossed borders (following this same line of argument, it would seem that national (Swedish) prostitute is more equated to choice than to coercion). The label of being trafficked can apply to both EU-migrants as well as third-country nationals. Anti-trafficking laws in Europe started to receive more spotlight after 2010, and the first EU-Anti-trafficking Directive was adopted in 2011. Anti-trafficking laws have been established since 2002 in Sweden, three years after the Sex Purchase Act was enacted (The Trafficking law (2002: 436)).

It is suggested that non-EU nationals constitute the majority of prostitutes in the EU (Hubbard *et al.*, 2008: 139).¹⁷ In the Nordic region, Vuolajärvi (2019) argues that anywhere from 70-85% of prostitutes are migrants (152). Therefore, it is imperative to look at immigration policies and citizenship theories regarding welfare systems to conceptualize (1) the identity of the prostitute and (2) how one’s identity is dialectically affected by laws. Hubbard *et al.* (2008) applies Giorgio Agamben’s (1998) term *homo sacer* to conceptualize how sex workers exist within the “threshold of the sovereign state, excluded from the law, yet subject to its power (149).

For those who have been ‘caught,’ albeit the selling of sex technically being decriminalized, I underline here some of the processes that may occur, alongside the organization in charge. Two factors that would disrupt the welfare system are, (a) a non-EU national/third national (b) one who does not make an “honest living” and therefore, should not have a right to be in Sweden. The Swedish Aliens Act (2005:716), upon assumption on the suspicion of selling sex and that “he or she will not support himself or herself by honest means,” considers

¹⁷ At the time of publication. 27 European states formed part of the EU, Croatia being the last nation recognized in 2013. However, I also point out an apparent “us” vs “other” bordering even within EU nationals.

this to be grounds for deportation (Swedish Migration Agency). One can also be denied entry (by the border police), even if the person would otherwise be in the country legally (e.g. has a residence permit from another EU country) or would have otherwise the right to travel to the country (e.g. tourist visa). At any one of these stages, a migrant sex worker may apply for asylum. This falls under the Sweden Aliens Act, chapter 8, refusal of entry and expulsion, section 2.2:

An alien may be refused entry if it can be assumed that during the stay in Sweden or in some other Nordic country he or she will not support himself or herself by honest means or will engage in activities that require a work permit, or without having such a permit. (Act 2005:716).

Furthermore, if a non-EU sex worker is identified, an investigation¹⁸ will occur to identify if (1) the person has the necessary documents to be in Sweden, that is, residence permit from another EU/Schengen/EES country, a tourist visa; or (2) is identified as a victim of trafficking. In the case of (1), this often leads to deportation in line with the Dublin Regulation (if it concerns an asylum seeker with a pending application and a temporary residence permit in another EU/Schengen/EES country) (see Jormann, 2019). If a prostitute is identified as a victim of trafficking, the Swedish Prosecution Authority oversees the investigation of the organized crime alongside the police and the Swedish Migration Agency. The Swedish Platform Civil Society against Human Trafficking can provide compensation and supplementary help (such as safe housing).

Once a victim has been identified, they *may* be offered secure accommodation and emergency healthcare. The social worker expressed that emergency healthcare meant gynecology, dental care and abortions, amongst some other services [INT4]. Protective shelters are also up to its availability and are based on individual risk assessments by the police and by social services. It is also important to note that this protection and services should be offered within

¹⁸ I have received this information from two of my participants, INT4 and INT5, and is further supplemented by the National Referral Mechanism brochure. This is available in English here: <https://www.nmtsverige.se/publikation/national-referral-mechanism-0>

the first few hours or days after identification, and a police investigation *must* be carried out.

A reflection period of one month (30 days) is given to identified victims of trafficking to determine if they wish to go to trial and otherwise cooperate with Swedish Authorities, and a residence permit is granted from the Swedish Migration Agency. If they decide to not go to trial or cooperate, the two options left are (1) apply for asylum, or (2) ‘voluntary return’ through the International Organization for Migration (IOM), which arranges this. The regional coordinator of human trafficking [INT5] informed that IOM also helps reintegrate migrants in their home country.

For those who wish to cooperate with authorities and move forward within criminal proceedings after the reflection period, an additional (6) six-month residence permit may be granted by the Swedish Migration Agency. The Swedish Aliens Act (2005:716) lays out these details under chapter 5, residence permit section 15:

Upon application from the person in charge of a preliminary investigation, a temporary residence permit valid for at least six months shall be granted to an alien staying in this country, if

1. it is necessary to enable a preliminary investigation or a main hearing in a criminal case to be carried out,
2. the alien has shown a clear intention to cooperate with the investigating authorities,
3. the alien has severed all relations with the persons who are suspected of crime concerned in the preliminary investigation, and
4. considerations of public policy and security do not indicate that a permit should not be granted. If the alien wants a reflection period so as to recover and be able to take a decision on whether he or she wants to cooperate with the investigating authorities, on application from the person in charge of the preliminary investigation a temporary residence permit valid for 30 days shall be issued, provided the conditions specified in the first paragraph, points 1 and 4 are satisfied.

A residence permit issued under the first paragraph may be renewed if the person in charge of the preliminary investigation requests this and the conditions specified there are still satisfied. A residence permit issued under the second

paragraph may be renewed if the person in charge of the preliminary investigation requests this, a longer reflection period is needed on special grounds and the conditions specified in the first paragraph, points 1 and 4 are satisfied (Act 2005:716).

During the one-month reflection period, and the additional six-month residence permit, individuals are entitled to the same rights, with regard to accessing welfare benefits, as any other national. After this six-month period, the choices revert become the same options had one not decided to partake in an investigation.

[VI] “Targeting demand?” – the role of the police authority

Even though the selling of sex is not criminalized, many sex workers are constantly dealing with police interactions. Although the focus of this study was geared towards the claims of help and support portrayed by the Act, my fieldwork uncovered various other legal regulations that sex workers could face.

There are no systematic workings within the law, and experiences of it are rather under the “discretionary effects of the enforcement of the law” (Banakar, 2014: 73). Darian – Smith (2007), along similar lines, states that while researchers have gained access to the status of normative ideas, “what authorities and others do with them is something else” (11). Therefore, in this chapter, I relay information from participants as well as material I found through secondary sources to demonstrate the ways the law is socially practiced. I then turn the gaze on postcolonial theory.

The Swedish Police Force

During numerous times throughout my fieldwork I attempted to enter into contact with staff of *Polismyndigheten*. My first attempt in December of 2019, I filled out a contact form on the *Polisen* website for the Southern region of Sweden (where I was currently residing).¹⁹ A few days after, I received an email from the superintendent stating that he has tried to get a hold of someone to answer my request²⁰ and to call the National Operative Divisions. I was informed that no ‘prostitution unit’ existed in Malmö. My initial impression from my readings was that specific prostitution units within the police authority existed in the three

¹⁹ The *Polisen* website is available in several languages, however I found this form only available in Swedish <https://polisen.se/kontakt/region-syd/> -

²⁰ December 17th, 2019, email received by a superintendent at Lund, where I directed the form to.

major cities in Sweden (Stockholm, Gothenburg, Malmö). I came to realize that the references to ‘prostitution unit’ in articles and publications were referring mostly to the social service units, and that only one prostitution unit exists in Stockholm. After several days and weeks of waiting, no one had gotten back to me.

For my second attempt, I located one personal email address on a PowerPoint presentation for the European Parliament website published by a Stockholm police detective,²¹ only to find that the email was no longer in service. My third and final attempt was to Simon Häggström, a police detective and published author who has received a great deal of media attention - both for his work at finding buyers in the capital of Stockholm and his crime novels describing his stories of fighting in the ‘underworld.’ Again, luck was not on my side.²²

According to the above-mentioned PowerPoint, the police are coordinated with social services in that (1) social workers do outreach work together with the police and are a part of the police unit, (2) *committed to motivate and help women and men out of prostitution by giving them correct tools and assistance*, and (3) work as a direct link between the person in need and authorities or/and NGO’s.²³ During my conversation with the social worker at *Evonhuset* [INT4], she expressed to me how they [social workers] accompany police on their city-run, usually around the area of *industrigatan* in Malmö, a well-known area connected to street prostitution. She mentions that there exists good relationships between the women and the police, and that some feel comfortable enough to tell on “bad customers.” When I asked how often this run was done, or how many street prostitutes are approximately around, her reply was that street prostitution is “very low nowadays.”

²¹ European Parliament, 2015-11-12 Brussels PowerPoint:

https://www.europarl.europa.eu/cmsdata/92653/Detective-Sergeant-Jonas-Henriksson_EN.pdf

²² February 19th, 2020, Facebook message to Simon Häggström’s page,

<https://www.facebook.com/simon.haggstrom>

²³ This information was also stated in the National Referral Mechanism:

<https://www.nmtsverige.se/publikation/national-referral-mechanism-0>

As with any experiences and encounters with the police, we always hear about the good and the bad. Researcher from Jay Levy (2015), based on his fieldwork and interviews with prostitutes, expose verbal and physical abuse from the police, difficulties with reporting crime to authorities (especially the reporting of rape), and a total disincentive to seek help in the first place (due to evictions, child custody, employment and stigma) (212-219). Prostitutes in Sweden often feel “hunted” by the police and are subjected to invasive searching and questioning and are unclear of their legal position (Dodillet & Östergren: 2011: 22). One of my research participants, who studies sex buyers, told me that police have even taken earnings when they ‘catch’ a buyer to later “use it as evidence” [INT1].²⁴

So, how does the police enforce the law and provide ‘outreach’ within ‘hidden’ prostitution, where seemingly a much higher portion of prostitutes are present? One participant tells me about the various stake-outs in hotels and how taxi drivers and hotel staff are encouraged to tip the police [INT1].²⁵ Hotel staff have been said to take copies of identification, that which is given during reservations and bookings and have “snitched” on people [INT1]. Simon Häggström also describes how his team have followed, stalked, and spied on sex workers having sex and catching them, and have pretended to be prostitutes online (*fuckförbundet*, 2019: 23). I was also told that casinos tip off the police [INT4].

Internal controls – on what grounds?

...when they enter apartments, the police check women’s papers and can contact the landlord or send them an information sheet stating that if they do not evict

²⁴ The taking of “transactional money” in prostitutes’ earnings has received some media attention. According to this article, there is case law stating that one must not take earnings from those who sell. See *prostituerad får tillbaka pengarna* (Prostitute gets her money back) in *SVT Nyheter* (1 February, 2018, translated by friend) available at:

<https://www.svt.se/nyheter/lokalt/vasternorrland/prostituerad-far-tillbaka-pengarna>

²⁵ RealStars is a non-profit organization teaching awareness on the signs that someone is trafficked or is a prostitute: <https://realstars.eu/en/realstars-och-taxi-goteborg-tar-stallning-mot-prostitution-och-trafficking-under-volvo-ocean-race/>

people selling sex from their apartments, they can be accused of pimping (Vuolajärvi: 2019, 161).

...they use escorts' online advertisements to figure out the location of the apartment where commercial sex takes place by pretending to be clients and then waiting outside the apartment to "catch" a few clients. After this, they visit the apartment, talk to the woman, and check her papers (including her immigration status) (Vuolajärvi: 2019, 157).

Upon reading excerpts from research on police checking identification during their investigations, I wanted to better understand the extent of police powers regarding this matter. According to the Swedish Police Act, it is illegal for police to stop anyone in Sweden without suspecting them of another crime.²⁶ If the act of selling is not criminalized, then on what grounds do the police have with checking papers? After some digging, I came across the regulation that grants police the right to do so.

The Swedish Aliens Act, chapter 9, section 9, controls during the stay in Sweden:

It is the duty of an alien staying in Sweden, when requested to do so by a police officer, to present a passport or other documents showing that he or she has the right to remain in Sweden. It is also the duty of the alien, when summoned by the Swedish Migration Board or the police authority, to visit the Board or the authority and provide information about his or her stay in this country. If the alien does not do so he or she may be collected by the police authority. If, in view of an alien's personal circumstances or for some other reason, it can be assumed that the alien will not obey the summons, he or she may be collected without prior summons.

Controls under the first and second paragraphs may only be undertaken if there is good reason to assume that the alien lacks the right to remain in this country or there is otherwise special cause for controls.

²⁶ Section 14 of the Police Act – police may request that a citizen present identification when there is special reason to suspect one is wanted. (translated from Swedish), Act available at: <https://lagen.nu/1984:387#R8>

In this case, how does one pass off as an “alien?” Internal control checks by the police on who falls under the identity of an ‘alien’ have been scrutinized.²⁷ Criticized on discriminatory grounds and profiling people who look “foreign,” despite a percentage of Swedes who are foreign-born or have foreign-born parents. When it comes to racial profiling and encounters with migrant prostitutes, a study by *fuckförbundet* (2019) found that prostitutes from Central-Eastern Europe and Central Asia report that they are policed even when they are not working, and many non-white Swedes such as Afro-Swedish and Turk-Swedish Muslims believe they have been stopped because of their ethnic background (20). Vuolajärvi (2019) findings concluded that police almost always check the papers of the sex worker, even during the enforcement of third-party activities (161).

Border control

The criminalization of migration has become central to the policy of governing through crime. It creates criminals to be able to punish them. Redefining a social issue as a crime, categorizing an affected group as criminals, is a political strategy to legitimate further interventions into matters not previously regarded as criminal (Khosravi, 2010: 4).

Issues of deportation have received a considerable amount of spotlight in Sweden over the last decade.²⁸ Concerns over migration and anti-immigration attitudes have taken precedent across Europe, with far-right wing and populist governments framing the rhetoric over the sanctity of the homeland, the rise of crime by immigrants and the shattering social blanket of the country.

Since 2009, the Police authority, the Migration Board, and the Swedish Prison and Probation service received an assignment to increase the number of

²⁷ See for example, Leander, P. (2014) ”*skyldig tills motsatsen bevisats? – en granskning av polisens inre utlöanningskontroller*” (guilty until proven otherwise? – an examination of the police’s internal alien checks); Philipson, S. (2016). Policing Swedishness: Analysing discourses of suspicion in police narratives on internal controls of foreigner; and Bätelson, M. (2015). Crimmigration in Sweden? A study of internal control of foreigners.

²⁸ See for example project REVA (*Rättssäkert och Effectivt Verkställighetsarbete*) which stands for Legally Secure and Efficient Enforcement – also known as internal control of foreigners. In Bätelson, M. (2015). Crimmigration in Sweden? A study of internal control of foreigners

enforced removal (Båtelson, 2015: 7). Forced or voluntary deportation from Swedish territory may be due for reasons such as failed asylum-seeking applications, criminal offenses, or based on “being unauthorized” (Båtelson, 2015: 27). The latter, “being unauthorized” or rather, the illegality of being in Sweden, is regulated in the Aliens Act. Most prostitutes are faced with their (unknown) illegality position in Sweden. Under chapter 8, section 2.2 it is stated that one must “support himself or herself by honest means” if one does not want to risk being expelled from the country or denied entry. This example from a 2010 event illustrates the enforcement of this Act.

In 2010, about twenty women in Western Sweden were deported because they had worked as prostitutes, 15 of them were sent back to an EU country (sverigeradio, 2011).²⁹ A Swedish migration court ruled that prostitution cannot be deemed as making an ‘honest living:’

Police and migration authority had argued that - although prostitution is not illegal in Sweden, it is illegal to buy sex. And considering the women earned her living from prostitution, someone else would have to commit a crime for her to be able to afford staying here. Thereby, her way of life meant a threat to law and order in Sweden. And according to Swedish law, a foreign national can be deported if it can be assumed that he or she will not make a living in an honest way (sverigeradio, 2011).

In this ruling, the court had to consider the Freedom of Movement granted to citizens of the EU, and since there is no serious threat, there is a halt to the deportation of all EU citizens who have been in Sweden for less than three months. When the border police were questioned about why a prostitute should be punished by deportation since it is not illegal, Marianne Paulsson answered “the point is not to punish them, the point is to make the life more difficult for those who profits, the traffickers” (sverigeradio, 2011).

The above excerpt represents the Stockholm and Western Sweden regional border police; however, I believe this can still be applied to the essence of

²⁹ This article available in English, “Court ruling halts deportation of prostitutes from EU” (2011 October 11) *sverigeradio*, available at: <https://sverigeradio.se/sida/artikel.aspx?programid=2054&artikel=4742034>

reasoning behind Swedish deportations and the Aliens Act. Notice the interpretation of the Act in the second sentence of the excerpt -“someone else would have to commit a crime” implying in some sense that it’s the sellers fault that, by chance, a criminal buyer has appeared and decided to enter into an illegal transaction. This entails that the responsibility and the fault of the phenomenon, reverts to the seller, opposing the portrayal that was put forward by the law. “Someone else would have to commit a crime for her to afford staying here” is awfully similar to the “what was she wearing” questions posed in rape narratives. This exudes victim-blaming discourses and hold women to a moral double standard – “why was she there?”

The statements on threatening “law and order” and “making life more difficult for those who profit” illustrate how the Sex Purchase Act, through its abolitionist stance, solely pushes the ‘problem’ elsewhere. In another article by *TheLocal*,³⁰ “police have been actively deporting prostitutes, regardless of their citizenship, arguing they represent a threat to the “basic interest of society.” In other words, even EU citizens can, according to this account, be deported from Sweden if they are considered prostitutes.

Reminding me of one of the participants expressing how Sweden is “too busy defending the law” [INT2], I was struck by the obvious: enforcing migration laws has often taken precedent above other legal considerations, i.e. other human rights violations. I mentioned to the regional coordinator [INT5] that this Act, alongside the anti-trafficking laws, seems more concerned with criminal proceedings, using women as victim testimonies in trafficking court trials and to an outsider seemed to display an overall lack of interest in supporting women. To my surprise, she was very receptive of my comments, acknowledging that the laws can be harsh.

There are also stories of border police denying entrance to women on mere suspicion that one will sell sex (again, enforcing the Swedish Aliens Act chapter 8 section 2.2) and therefore not able to support himself or herself by honest means

³⁰ Available in English, “Court slows EU prostitute deportation efforts” (2011 October 10). *TheLocal*, available at: <https://www.thelocal.se/20111011/36664>

(see Vuolajärvi, 2019). In one example, two women were questioned because they were carrying “a lot of condoms” (Vuolajärvi, 2019: 159). As Båtelson (2015) notes, external borders are more heavily guarded than before (35).

Postcolonial policing

The legitimacy of police institutions, the coercion, and the violence within police powers is culturally and historically configured through practice (Garriot, 2013, as cited in Jauregui, 2013: 548). Jauregui (2013) critiques the Western normative ideal of the rule of law, fairness and democratic policing and instead, calls for attention to be focused on “political exigencies, historical contingencies, and cultural differences” (549). Drawing attention to the importance of postcolonial theory for policing becomes clear when we consider law enforcement across racial and gender lines. This is embodied in the structural and institution workings where police powers are negotiated in the political and social environment it is situated in.

In his presentation on “Sweden, the time of border,” Shahram Khosravi illustrates how Sweden, a country that is usually associated with tolerance and human rights, actually encourages policies of detention and deportation (Wuergler, 2019). They do so through their euphemisms of care, one that frame immigration matters as a form of protection, both for the migrant (who deserves to be home, who was taken coercively from their home), and the righteous duty of police to enforce such laws.

Police have always played a major role in migration control in Sweden – in 1937, the police could decide on matters of expulsion of aliens, in the 1970s and 1980s, they were key in securing investigations in asylum cases (Båtelson, 2015: 29). By the 1990s, separation of responsibility was implemented and only in 1992 were applications and investigations for asylum cases transferred to an immigration authority (ibid.: 30). This change was deemed necessary since migration was considered outside the scope of their “core activities” which was to

maintain order and security in society (ibid.). However, three main tasks stayed with the police: internal control of foreigners, passport control and enforcement of removal decisions, as this was all considered part of the scope of their main objective (ibid.).

One explanation for the criminalization of migration patterns is that it is used as a tool towards criminal investigations (the anti-trafficking laws and having women provide testimonies is described more in the next chapter) (Båtelson, 2015: 75). Another explanation is a rise in anti-immigration attitudes as displayed by the currently thriving political party in Sweden - the nationalist 'Sweden Democrats' (*Sverigedemokraterna*). Lastly, I discuss the social-democrat ideal of the Swedish 'People's Home' (*Folkhemmet*).

In chapter (5) five, I briefly mentioned the historical aspects of this ideal within the emergence of laws controlling prostituted women – the one who needs to be helped or protected or is otherwise an unruly figure in the Swedish welfare system. *Folkhemmet* represents the foundational concept for Swedish welfare, a political project that, when carefully planned and socially engineered, would provide a roof for the (homogenous) Swedish people (Norocel, 2016: 375). The development of the Swedish welfare system worked under the basis that everyone was equally expected to contribute to society and therefore are all free, equal, and equally worthy of security (Barker, 2017: 127). These dimensions are often overlooked when speaking about the Scandinavian, 'socialist,' and gender-equal welfare state. Gender-equality in the Swedish context meant that women gained more opportunity to enter the labour-market, from child-care welfare programs to even the out-sourcing of migrant care-workers.

Remnants of the past - forced sterilization, eugenics, and the question of earning an "honest" living may still hold true today as it was in the past vagrancy laws. Levy (2015) concisely summarizes this thought:

Sweden's 'liberal' reputation is not an accurate reflection of the country's history of eugenics, violent social engineering and containment and control of problematized people, which has fed into how prostitution has come to be controlled and conceived today. Sweden is a paternalistic welfare state that

continues to embark upon project of modernist social engineering in its ambition to create a disciplined and ordered society, where the presence of sex work points to a failure to create this *folkhemmet*. Contemporary abolitionist legislation is one response to failure, fed as it is by Sweden's continuing struggle with concerns of the perceive dangers of un-Swedish foreign influence (231).

Another interesting point of discussion was the 1994 referendum on whether or not Sweden should join the European Union (Kulick, 2005: 221). Prostitution emerged as an argument for staying out as it was claimed that Sweden would be flooded by tens of thousands of foreign prostitutes (ibid.). Sweden ended up voting to join the European Union, however the law prohibiting the purchase of sexual services was passed a few years later (ibid.).

As an response to the question posed for this chapter title – “targeting demand?” my findings painted a much meeker picture of the Act. The construction of women as sex workers who are victims in need of assistance is almost immediately dismissed when her immigration status is considered a threat. The data in this chapter concludes that those who are deemed in need of assistance are the (white) Swedish national, and those who fall outside this ethnic identity marker are often dealt with by applying punitive immigration measures.

[VII] “Help & support” – the practices of social services

Criminalization can never be anything other than a supplement to other efforts to combat prostitution. It is therefore necessary to ensure continued and sustained social work to prevent and combat prostitution and human trafficking for sexual purposes. It is important to increase the measures directed at buyers of sexual services. Further research is needed with regard to who purchases sexual services and suitable treatment methods. It is also important to give support to children and young people at risk of ending up in prostitution and to continue information initiatives to influence public opinion in this area. The professional groups working with these issues must be assured access to greater knowledge in order to be *able to offer vulnerable people adequate help and support* (my emphasis, excerpt from Chancellor of Justice Anna Skarhed, 2010).³¹

As stated in the original *Kvinnofrid* (proposition 1997/98:55) and in the 10-year evaluation on the Act (SOU 2010:49), social services are considered the foundation to the Sex Purchase Act. This paragraph exemplifies what is being portrayed. However, the availability of such help and support are dependent upon not only inclusionary, but also exclusionary grounds, that which I will go into detail in this chapter.

Specialized social services centers are located in the three major cities of Sweden: MIKA in Stockholm (*Mikamottagningen*),³² MIKA in Gothenburg (also *Mikamottagningen*),³³ *Evonhuset* in Malmö,³⁴ and KAST in Gothenburg (only aimed at sex buyers).³⁵ The names of these centers have changed various times – formerly known as the “prostitution unit” (*Prostitutionsenheten*,

³¹ Selected extracts of the Swedish government report SOU 2010:49 “The Ban against the Purchase of Sexual Services. An evaluation 1999-2008.” Published by the Swedish Institute, available in English:

<https://www.government.se/contentassets/8f0c2ccaa84e455f8bd2b7e9c557ff3e/english-translation-of-chapter-4-and-5-in-sou-2010-49.pdf>

³² <https://socialstod.stockholm/missbruk-och-beroende/sex-mot-ersattning/>

³³ <https://goteborg.se/wps/portal/start/social--och-familjefragor/familj-barn-och-ungdom/mikamottagningen/>

³⁴ <https://malmo.se/Service/Stod-och-omsorg/Brott-hot-och-vald/Evonhuset---for-dig-som-saljer-koper-konsumerar-eller-skadar-dig-med-sex-eller-ar-utsatt-for-manniskohandel.html>

³⁵ <https://goteborg.se/wps/portal/enhetssida/kast-kopare-av-sexuella-tjanster/om-kast>

Prostitutionsgruppen), the reason for the change was to avoid further stigmatization.³⁶

During my fieldwork, I met with a social worker and the regional coordinator of human trafficking at *Evonhuset*. This chapter will present my findings from this specific Malmö unit, and, as Levy (2015) pointed out, there are different practices and thus interpretations of the Act across the three units. Due to the confidentiality agreement between client and counsellor, most of the data collected concerned more general information on what they do, how and where they provided their services.

Social services – Malmö *Evonhuset*

Formerly known as the Prostitution Knowledge Center and forming a part of the social services offered under Malmö municipality, *Evonhuset* offers a variety of services including counselling to both sex buyers and sellers, outreach educational seminars (targeting younger generations and risk groups, rehabilitation centers and in jails), harm reduction measures (such as handing out safety packages to street prostitutes), and supporting those subjected to sexual trafficking. Social workers at *Evonhuset* are the links between police authorities, safe housing, health and medical care, and the Swedish Migration Agency (*Migrationsverket*).³⁷

The social worker explained that buyers and sellers have contacted them willingly, are otherwise recommended by workers from safe houses and rehab homes, by the police and by their partners in relationships. In addition to this, social workers actively communicate their services on the internet where two coworkers at *Evonhuset* reply to advertisements on the internet. However, this approach is not well received. I was also informed that the social service in Malmö continues to employ harm reduction strategies by approaching street prostitutes and giving them care packages (condoms, rape whistle) alongside

³⁶ *Prostitutionsgruppen blir Mikamottagningen* (The prostitution group will be Mikamottagningen) (2013, 27 of May, translated by friend) Retrieved from:

<https://vartgoteborg.se/ovrigt/prostitutionsgruppen-blir-mikamottagningen/>

³⁷ Interview with social worker, February 18, 2020.

offering their services. This finding defies some of the previous literature that states the non-existence of harm-reduction strategies in Sweden (see Vuolajärvi, 2019). Moreover, since street prostitution has decreased, these care packages are scarcely given:

about 5 years ago it seemed that women were getting more afraid of street prostitution ... we still give packages, this has never stopped and has been happening for over 10 years since I've worked here ... we try to build rapport with the women, some are willing to receive help [INT4].

The different approaches and amount of resources vary amongst the three major cities around Sweden, with Malmö the only one engaging in these harm-reduction strategies.

Two of the participants [INT1, INT2], relaying secondary information on their interviews with sex workers informed me that prostitutes were sometimes given conditions. In one example, a woman wanted to receive therapy and once it was established that she was a prostitute, she was denied any more help [INT2]. This finding is in line with the results of past research (see Levy & Jakobsson, 2014). In an attempt to delve more into this matter, I asked the social worker about such conditions, to which she replied “we never have a demand on stopping them,” and that the counselling was to give inner motivation for people to leave. Levy’s (2015) fieldwork also found that the Malmö unit was the most inclusive (170).

National Methods Task Force (NMT)

Established in 2009, NMT is a task force against prostitution and all forms of human trafficking, and works in collaboration with the following Swedish authorities: prosecutor’s office, police authority, border police, Swedish migration board, health and medical services, and social services. They are divided into seven regions across Sweden (north, ‘mountains,’ Stockholm, east, west, and

south).³⁸ I was in contact with one of the two south regional coordinators and was informed that both coordinators work alongside the social workers at *Evonhuset*. Much of our conversation was on the outset of the human trafficking protocol, that which is described in detail in chapter (5) five under the framing of prostitution as trafficking. By May, when I conducted this interview, I started to become much more confident and felt the need to challenge responses with participants. I asked several critical questions revolving around conceptual issues during an investigation, that is, after a trafficked person is identified. For example, when I asked whether there exists voluntary prostitution, or is it always conflated to trafficking, she replied along the lines of saying that it is not up to how they see it or how women see it, but how the government does, and when there is a lack of choices, there exists no voluntary prostitution. I followed up with a reply asking how one is identified as a victim of human trafficking – what fits this assessment of being a “victim?” Her response went “everyone who is trafficked is a victim, and I’ve never heard of a resident permit being denied...these people are doing us [Sweden] a big favour by putting themselves in that position.” To which I replied, what favour? – “fighting organized crime” [INT5].

Uncovering more of the investigation processes as outlined in chapter (5) five, the regional coordinator states the attempts to place those who decide to cooperate with authorities in separate locations as they are likely to be more responsive [INT5]. I expressed that it might be more sensitive if people who are familiar with each other stay together, to which she replied that they are more likely to talk [INT5]. This leads the research to a central question: Is it about the needs of the sex workers, the needs of the Swedish nation-state, or both?

During the one-month reflection period, and the additional six months residence permit, individuals are entitled to the same rights as any national. After this six-month period, the choices revert become the same options had one not decided to partake in an investigation. Again, I commented by saying that this seemed like a way to ‘buy time,’ and that I continue to see limited help. However, the participant ensured me that there are “happy stories” and there are people who

³⁸ National Methods website: <https://www.nmtsverige.se/om-oss/regionkoordinatorer>

may have the possibility to integrate into Swedish society, that many are willing to voluntarily go home, but that deportation was more common (mainly due to the Dublin Regulation). I asked if there are any numbers or data to support these claims, she replied by saying there was not, and that the Migration Board did not keep track of these statistics [INT5].

According to Shamir (2006), “the U.S. Trafficking in Persons Report points to an improvement in Sweden’s victim assistance between 2004 and 2005...[H]owever, this report also notes that while in 2004 ten to fifteen victims of sex trafficking received shelter and assistance, in 2005 there was an incredibly small increase in the number of women assisted – a total of twenty women received government assistance” (397). Noomi, an association and safe house for people in prostitution and trafficking wrote that the last assessment in 2003 by the National Crime Police states that between 400-600 women / girls per year are transported to Sweden for exploitation in prostitution, meaning that only a small percentage of those are lucky enough to receive shelter and assistance.³⁹

Following a 2019 report by the U.S. Trafficking in Person Report, municipalities, in collaboration with NGOs and other government agencies that provide victim services were allocated 800,000krona (approx. 77,5000 euros) by the government in 2018. In 2017, no allocation was made, and in 2016, 500,000krona was allocated (approx. 48,400 euro).⁴⁰

I should mention this before I end the section – my overall impressions with the two coworkers at *Evonhuset* was not that they wholly agreed with the criminal proceedings, but rather, they could only do so much with the limited resources with assisting sex trafficking victims.

³⁹ Noomi Malmö is a non-profit organization that work alongside *Evonhuset* and offers safe housing for victims of trafficking, amongst many other services: <http://www.noomimalmo.se/fakta-om-sexhandel/>

⁴⁰ U.S. 2019 Trafficking in Persons Report: Sweden. Available at: <https://public-preview-server.prod.cstreetsandbox.com/reports/2019-trafficking-in-persons-report-2/sweden/>

Asylum-seeking

During various stages of a trafficking investigation a person has the right to apply for asylum. A person also has the right to apply for asylum upon entering Sweden at the border. However, and according to the regional coordinator, asylum-seeking procedures and granted refugee status are extremely difficult to achieve for any third-country national who is a victim of sex trafficking [INT5].

It is most often the case that asylum seekers are eligible for an international refugee status due to armed conflict and/or persecution (Joormann, 2019: 28). The Dublin Convention regulates which EU member the application is to be processed in and therefore gives a country the authority to expel the asylum applicant to the first country they came into (ibid: 39). The deportation of prostitutes is much more common due to the Dublin Convention, either back to their country of origin, or to the first country they “entered” Europe [INT4]. The Feminist Juridicum students at Lund University stated that there has only been one successful sex trafficking asylum case ever, which led to an international (refugee) protection status granted in Sweden. In an attempt to access this case, I was in contact several times with the students at Feminist Juridicum. However, neither this student organization nor I could locate its exact details. As I mentioned before, the Migration Agency also lacks accessibility to statistics regarding who is deported, types of asylum applications and denials (INT5).

It appears that Sweden does not find “imminent dangers” as pertaining to victims of sex trafficking. While the option is available, asylum-seeking applications are a lost cause.

Exclusion under the guise of support

“you can’t get help under an abolitionist system” [interview, November 2019, scholar]

“if you are Swedish, you have access to everything” [interview, February 2020, social worker *Evonhuset*]

Feminist legal analysis addresses the law as a site of discursive engagements and not merely as capable of promoting universal norms and values which everyone *will ultimately be included* (my emphasis, Kapur, 2013: 20). In one sense, the postcolonial approach to the law is to make visible the exclusionary, structural workings of socially diverse groups. Intersectionality, as an analytical tool, explores the inter-related forms of oppression based on social identities, such as, but not limited to, ethnicity, gender, class, sexual orientation, and religion.

(in)visibility of gender/sexual orientation

With regards to the discursive binaries of “men’s violence against women” and “women as the victims of prostitution/sex trafficking,” there remains several groups and individuals who are outside the Swedish considerations of who needs protection. Levy (2015) states the noticeable absence in male sex workers, where even no cases of trafficking of men or boys have been reported (at the National Criminal Investigation Department in 2008) and acknowledges that very little attention appears when it is directed towards men selling sex to men (207).⁴¹

Serving only one instance to the vast array of transactional sex, the Sex Purchase Act portrays prostitution as a relationship between mostly a cis-gendered woman as the seller and men as the buyers. There maintains a heteronormative understanding of the phenomenon in Sweden, considering the omission of male sex workers from mainstream discourse (Levy, 2015: 208). Moreover, there is a growing research interest with women as buyers of sex (see for example Berg, Molin & Nanavati, 2020).

⁴¹ In one example, in a 2016 article, the Gothenburg Rescue Mission (*Göteborgs Räddningsmission*) reported that “more and more young refugee boys and young men are selling sex to older men” (The Local, 2011).

In another example by TheLocal (2012) “more men in Sweden sell sex than women: study.”

Regarding sexual orientation, the organization RFSL holds strong views within this debate, stating that “LGBTQ people have sex for compensation to a greater extent than the population at large” (RFSL, 2019). In a 2019 survey by the public health agency of Sweden, 7.5% of homo- and bisexuals and 10% of trans people had experiences of having sex for compensation, compared to 1.5% of women and 1% of men in the population.⁴² When I inquired about these numbers with the social worker, she agreed with this statistic, stating that the larger group of prostitutes are transgender [INT4]. Acknowledging that *Evonhuset* wants to be a more inclusive space, the social worker notices that more cis-gendered women go through their organization [INT4]. Again, the homogeneous, heteronormative understanding of transactional sex results in limited attention and support across several gender and sexual orientation lines. Even if accessibility is granted based on citizenship (that is, access to the welfare system), one encounters a lack of specialized support. With this also being said, there is over-policing or a spotlight towards women, since their visibility becomes rather pronounced in the discourse. Bringing all of this together, the Swedish Sex Purchase Act, with its claim of decriminalizing the selling of sex and offering support services is limitedly applied to: (1) cis-gendered hetero women; and (2) Swedish nationals. Subsequently, any of those who fall within the margins of the intersections are faced with either (1) a lack of services based on their personal needs due to misrecognition; or⁴³ ⁴⁴ (2) immigration control enforcement.

Thus, the victim status portrayed by the Act is secondary to whether one is in Sweden legally. Identity markers rooted in different dimensions of power relations, with citizenship (often intertwined with ethnicity and immigration status) as one of the main indicators (alongside gender), take precedent over who can claim such (true) victim status and who can, accordingly, receive the help and

⁴² RFSL on sex for compensation, available in English: <https://www.rfsl.se/en/organisation/health-sexuality-and-hiv/rfsl-om-sex-mot-ersattning/>

⁴³ I refer to Nancy Fraser’s concept of recognition under her critical social theory

⁴⁴ In another example on lack of services based on personal needs, the U.S. Trafficking Persons Report of 2019 state that there is currently no protected housing available to male trafficking victims. Available at: <https://public-preview-server.prod.cstreetsandbox.com/reports/2019-trafficking-in-persons-report-2/sweden/>

support from the Swedish state. Victim-status and ‘gender-equality’ values are contingent on one’s identity as it is situated within complex power relations at – and beyond – intersections of race, class, and gender. Vulnerability is conditional.

Constructions of victimhood

The normative stance of the Swedish government sets the legal framework and general perspective regarding sex work. Sweden has positioned itself as opposing prostitution as it is “sexual domination and the essence of women’s oppression” (Outshoorn, 2004: 9, as cited in Jakobsson & Kotsadam, 2011: 32). The discourses of help and support are correlated with the use of the term “victim” and is seen throughout official and non-official documents and the mass media.

Therefore, prostituted women and children are seen as *victims* of male violence who do not risk legal penalties. Instead, they have the right to assistance to escape prostitution. Pimps, traffickers and prostitution buyers knowingly exploit the vulnerability of the *victims* cause by high rates of poverty, unemployment, discriminatory labor practices, gender inequalities, and male violence against women and children. (my emphasis, Ekberg, 2004: 1189).

Postcolonial analysis on the representation of victimhood finds the construction problematic as it strips away one’s agency. As I will show, this justice-seeking legislation, such as acknowledging “women’s oppression based on male violence,” reinforces power dichotomies between the east/west, north/south divide. One must look at the law not just in its national context but also at its effects that go beyond boundaries.

The dominant discourse in Sweden does not view any form of prostitution as voluntary, but rather, as one’s lack of choices. Even if one were to ‘choose’ to sell their bodies, the radical feminist perspective claims a woman has internalized the patriarchal structures and that it is nothing more than “false consciousness” (Shamir, 2019: 115). This is exemplified by the question I had posed to two of the participants [INT4 & INT5] – Does voluntary prostitution exist or is it always conflated to trafficking? The participant replied along the lines of saying that it is

not up to how they see it or how the women see it, but how the government does, and that the government sees it as a lack of choices [INT5].

Since the trafficking discourse has conflated forced prostitution with any form of voluntary prostitution that may exist, then any migrant women that resides outside of Sweden, who is caught selling sex in Sweden, is considered to be trafficked and to take part in (organized) crime. The idea that women in the third world, who have no options available to them given their grinding experience of poverty, and are ‘forced’ to go into sex work is a pervasive one (Kapur, 2013: 118). Choice is equated to wealth, while lack of choices is equated to coercion.

The struggle for rights is, in this sense and context, only a first world phenomenon (Kapur, 2013: 118). This divide is based on the lack of recognition between forced (trafficking) and voluntary prostitution and displaces representations of women in the first world and third world (ibid.). As Kapur (2013) also argued, women have agency in their choice to sell – she is a market actor who understands the economic opportunities or lack thereof. The victimizing view also tends to label all types of migration patterns as ‘flows’ of people incapable of decision making, people who are often in need in protection and one that has been coerced through organized crime (Kapur, 2013: 147).

Given this perspective, the Swedish narrative is to not punish the women in the trade, and, thus, to de-criminalize the seller. However, as depicted numerous times in the preceding sections, women who migrate to sell sex (whether voluntarily or forced) are hit with punitive immigration measure. This discourse reinforces inequalities rotted in citizenship and immigration status. It does little to acknowledge structural issues and, in the worst case merely pushes the problem out of sight.

[VIII] Sex buying in the Swedish media

“Did you hear about Paolo Roberto?” – I was asked numerous times during my fieldwork, upon mentioning my subject matter and either a friend or a colleague would ask me if I heard about the most recent news on the police catching a buyer. My first thought was usually, “well, that’s not really the point of my project...” however, I realized the extent of how attracted people are to stories on law, order, and crime. The focus of this study was on the practices with the claims of help and support to those who sell, not about how many buyers, pimps, and brothels the police cracked down on. Nevertheless, I collected data from the media and situated them into the analysis of this study. The mass media is an institution – it has the power to produce discourses and frame particular social realities.

Paolo Roberto was the subject of an “attention-grabbing” story published during my fieldwork due to his status as a celebrity. A former boxer, TV host and movie star, Roberto was one of 28 people caught and arrested during an operation by the Stockholm police.⁴⁵ In another sensationalized news story during the same period, 41 sex buyers were arrested in apartment brothels in Stockholm.⁴⁶

In his chapter on *Law and Regulation in Late Modernity*, Banakar (2014) describes how normative forces are dependent on the mass media (276). Socio-legal analysis of the law is “de facto generated through social practices and how it operates as a social system” (Banakar, 2019: 2). In other words, a discussion on the mass media may be able to “describe and analyze how law, as a system of

⁴⁵ 28 sexköpare avslöjade av polis i “Insats torsk” (28 sex buyers exposed by police in ‘operation torsk’) *Expressen* (2020, May 19, translated by friend), available at:

<https://www.expressen.se/nyheter/28-sexkopare-avslojade-av-polis-i-insats-torsk/>

⁴⁶ 41 sexköpare gripna i insats på Södermalm (41 sex buyers arrested in action on Södermalm) *sverigeradio* (2020, February 12, translated by friend), available at:

<https://sverigeradio.se/sida/artikel.aspx?programid=103&artikel=7406167>

rules, operates at the level of social organization, or alternatively, how legal rules are translated into normative practice” (12).

Analyzing large quantities of mass media sources were beyond the scope of this paper, however, I want to show a few pieces I gathered to highlight a discourse that has undertones of shame and moral guilt linked to sex buying.

The Swedish Institute is a Swedish state’s public agency which promotes Sweden and Swedish issues globally (Vuolajärvi, 2019: 153) and in 2011, their promotional material began and ended their brochure with the following paragraph:

He could be your neighbor, even your best friend. Or perhaps he is a colleague at work, or someone you talked to at a party last weekend. He appears to live a normal life—he’s married, has children, a good job—in other words, he’s a regular guy. But he also buys sexual services and thereby supports the market for sexual exploitation, prostitution and trafficking. And under Swedish law he is a criminal.⁴⁷

Sweden distinctly sets themselves apart from countries, like Germany, and the Netherlands, whose legal models represents the decriminalization on various aspects of buying and selling (Vuolajärvi, 2019: 153). There is a governing “in the name of advancing higher moral principles,” which research has found is particularly resonant in countries where they take pride in their welfare model (Mulinari, Keskinen, Imi, & Tuori, 2009, as cited in Vuolajärvi, 2019: 154).

In another example where one encounters moral principles, a 2002 government-financed campaign to promote public awareness of the law included billboards throughout the country stating, “one man in eight have bought sex” (Kulick, 2005: 205). In another billboard from the late 1990s, posters with the slogan “violence against women is men’s responsibility” (ibid.: 224), and in 1996, a book titled *The Sex Buyers* was published by four social workers and has been used as *the* authoritative text in newspaper articles when the topic is being highlighted (ibid.: 217).

⁴⁷ ⁴⁷ You can access the Swedish Institute brochure here: https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/targeting_the_sex_buyer_en_1.pdf

Throughout his paper, “four hundred thousand Swedish perverts,” Kulick (2005) demonstrated the almost pathologizing ways the Swedish government portrays the sex buyer – one who is situated “outside the moral universe of Swedishness” (225). As Banakar (2019) states, it is the moral justifications for the validity or enforcement that organizes society and is accepted as legitimate in political and legal authority (224).

Why is this important when it comes to postcolonialism and this study? Sex workers are repeatedly pushed to the margins and their voices silenced. Levy (2015) exemplifies this point that he terms ‘modes of silencing,’ on that is used to exclude sex workers’ voices from political and popular debate – “thus allowing for something of a monopoly in establishment of an contribution to normative understanding” (47).

The struggle for recognition

Hidden behind the dominant discourses in the media is a power struggle for voice and recognition. As previously discussed within the framing of prostitution, one does not sell by choice but is rather forced, emerges through a model of ‘false consciousness’ (Levy, 2015: 47). Even if one were to ‘choose’ to sell their body, the radical feminist perspective claims a woman has internalized the patriarchal structures and that it is nothing more than “false consciousness” (Shamir, 2019: 115). Therefore, and according to the arguments by Levy (2015), the Swedish paternalism comes into place by deciding what is the ‘right’ way of doing good for people. The Swedish discourses of feminism, gender-equality and their paternalistic approach is hypocritical in the sense that one decides what is best for a group of people due to the way it views ‘oppression.

A similar line of argument is used in the veil and burqa ban, governments (such as Germany, France and Austria) view the act of women wearing one as “backwards,” “forced,” and inconsistent with a nation’s values of gender-

equality.⁴⁸ The concerns of several postcolonial authors, that is, the thought that women are oppressed, based on a Western perspective and standard, that to which one has the power to decide and control the manner best for said groups or individuals (see Spivak, 1986; Mohanty, 2007; and Sharma, 2006). Sharma (2006) states this as rituals of *white empowerment* – “the belief in their possession of power to talk and make decisions about the Third World-looking people” (22). Researchers have been critical about the exclusion of the voices for whom legislation is ostensibly drafted (Levy & Jakobsson, 2014: 594). What is highlighted in mainstream media is a focus on law and order and hardly on the voices of those affected by the very structures that are supposedly in place to help and support them.

⁴⁸ The Islamic veil across Europe in *BBC News* <https://www.bbc.com/news/world-europe-13038095>

[IX] Conclusion

Retracing back to the question I posed in the introductory chapter, “what does it mean to put the law on the side of women?” I now conclude this study by sharing some final thoughts within the analysis on the weight of such claims. Sweden’s legal regime, or in other words, regulatory approaches to prostitution, is abolitionist in that sex work is never considered acceptable in a progressive, gender-equal society (Ekberg, 2004). In chapter (2) two, I briefly went over regulatory approaches and how the framing of prostitution, that which the phenomenon is constructed upon, accordingly determines the perceived appropriate measures. In the case of Sweden, by considering the demand side, punishing the buyers or any third party that facilitates transactional sex, and by supporting the seller, prostitution will eventually be eliminated.

Evaluating such effects of an abolitionist system is complex since the social phenomenon occur in part in secret (Skarhead, 2010). This secretive, and rather controversial topic on stigmatized groups lead me, at various times of this study, to be uncertain as to whether an ethnography would even be plausible. With that being said, I believe this study does add methodological contributions to studying the law in its social practice. An ethnography of law is an appropriate method of exploring any contingent enactment of laws, despite the lack of time one may be afforded. Methodological considerations were given significant weight in this project, as was the focus in chapter (4) four.

In chapter (3) three, I situated this study within a postcolonial analysis and using this theory, alongside intersectionality, as tools to explain boundaries of difference. As Kapur (2013) mentions, the law is not capable of promoting universal norms and values to which everyone will ultimately be included (20). Through historical processes, postcolonial theory can conceptualize the identities

that are understood as markers of inclusion and exclusion, while intersectionality empirically studies inequalities amongst groups and individuals.

My findings concluded that, by virtue of one's identity, access to help and support was limitedly granted to: (1) Swedish nationals; and (2) cis-gendered hetero women. By contextualizing the Sex Purchase Act as a law emerging from a specific socio and historical process, I pointed out the ideals of a strong welfare system and the Swedish *folkhemmet* (People's Home), which, under careful 'social engineering' (Levy, 2005: 2), would control those seen as deviant and disruptive to the system. Societal problems were a reflection of the inadequacies of the welfare system and therefore was the responsibility of the state to 'help' prostitutes. Placing this argument in a more contemporary, globalized setting, the welfare system seems to only be afforded to those whose identity belongs within the *folkhemmet*, despite a national and international image of being distinctively feminist and gender equal.

This argument is agreed by several authors, such as in Levy (2015), who concluded upon the various social exclusions in this 'Swedish Model.' As some of my data implied, the policing of migrant or foreign sex workers appear to be important methods of control, since some of the main tasks of the police, as a way to maintain Sweden's 'order and security,' are tasked with internally controlling foreigners, passport controls and the enforcement of removal decisions. Linking this within the perspective of who is rather 'deserving' or not of help in the welfare system, citizenship and/or ethnicity become prominent markers of identity.

Following within the same line of argument for the above point (2) two, there is a noticeable absence of male sex workers and transgendered sex workers - those who do not fit into the heteronormative discussion on transactional sex. Although it has been found that homo-, bi-sexual and transgendered people make up the largest group of those who sell,⁴⁹ the discourses revolving around "men's violence against women," that which is so heavily pronounced in mainstream

⁴⁹ RFSL on sex for compensation, available in English: <https://www.rfsl.se/en/organisation/health-sexuality-and-hiv/rfsl-om-sex-mot-ersattning/>

portrayals of prostitution in Sweden, has rendered several groups invisible. This would entail that, even if one were to hold the status of a Swedish national, and therefore, accessibility is granted based on citizenship (access to the welfare system), there may still very well be a lack of specialized support according to their needs.

I now ask the readers – is this a law that is on the side of women? With victimhood as contingent upon one’s identity, and preferential treatment given to usually cis-gendered Swedish women, can this be a fair portrayal of Sweden’s feminist and gender-equal image? Ultimately, this led to the chosen title for this study - *lost at the intersections*. Various standards of how one is treated are established based on the social identity of a person or a group. Individuals and/or groups of people are either privileged or placed at a disadvantage depending on the social context that one is looking at. One is “lost” when excluded, made invisible, or hidden from the protection of the state.

References

- Atkinson, P. (2009). Ethics and ethnography. *Twenty-First Century Society*, 4(1), 17-30.
- Atkinson, P., Coffey, A., Delamont, S., Lofland, J., & Lofland, L. (2001). *Handbook of Ethnography*. doi:10.4135/9781848608337
- Barker, V. (2017). Nordic vagabonds: The Roma and the logic of benevolent violence in the Swedish welfare state. *European Journal of Criminology*, 14(1), 120-139. doi: 10.1177/1477370816640141
- Banakar, R. (2014). *Normativity in legal sociology*. Springer.
- Banakar, R. (2019). On Socio-Legal Design. Available at SSRN 3463028.
- Banakar, R., & Travers, M. (Eds.). (2005). *Theory and method in socio-legal research*. Bloomsbury Publishing.
- Båteson, M. (2015). Crimmigration in Sweden? A study of internal control of foreigners.
- Beier, A. L., Ocobock, P., & Ocobock, P. R. (Eds.). (2008). *Cast out: vagrancy and homelessness in global and historical perspective* (Vol. 8). Ohio University Press.
- Bens, J., & Vettters, L. (2018). Ethnographic legal studies: Reconnecting anthropological and sociological traditions. *The Journal of Legal Pluralism and Unofficial Law*, 50(3), 239-254. doi:10.1080/07329113.2018.1559487
- Berg, R. C., Molin, S. B., & Nanavati, J. (2020). Women Who Trade Sexual Services from Men: A Systematic Mapping Review. *The Journal of Sex Research*, 57(1), 104-118. doi: 10.1080/00224499.2019.1624680

- Bernstein, E. (1999). What's wrong with prostitution--what's right with sex work comparing markets in female sexual labor. *Hastings Women's LJ*, 10, 91.
- Clifford, J., & Marcus, G. E. (1986). *Writing culture: The poetics and politics of ethnography*. Berkeley, CA: University of California Press.
- Darian-Smith, E. (2007). *Ethnography and Law*. Ashgate.
- Dodillet, S., & Östergren, P. (2011, March). The Swedish sex purchase act: Claimed success and documented effects. In *Conference paper presented at the International Workshop: Decriminalizing Prostitution and Beyond: Practical Experiences and Challenges. The Hague* (Vol. 3).
- Du Bois-Pedain, A., Ulväng, M., & Asp, P. (Eds.). (2017). *Criminal Law and the Authority of the State*. Bloomsbury Publishing.
- 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. doi: 10.1177/1077801204268647
- Expressen. (2020, May 19). "28 seköpare avslöjade av polis i "insats torsk" (28 sex buyers exposed by police in operation "torsk"). *Expressen*. Retrieved from: <https://www.expressen.se/nyheter/28-sexkopare-avslojade-av-polis-i-insats-torsk/>
- Flood, J. (2005). Socio-legal ethnography.
- Fuckförbundet* (2019). Twenty years of failing sex workers: a community report on the impact of the 1999 Swedish Sex Purchase Act. Available at: https://www.nswp.org/sites/nswp.org/files/20_years_of_failing_sex_workers.pdf
- Griffiths, A. (2005). Using ethnography as a tool in legal research: An anthropological perspective. *Theory and Method in Socio-Legal Research*, Oxford, Hart Publishing, 113-131.
- Golafshani, N. (2003). Understanding reliability and validity in qualitative research. *The qualitative report*, 8(4), 597-607.

- Gold, R. L. (1997). The ethnographic method in sociology. *Qualitative inquiry*, 3(4), 388-402.
- Gould, A. (2001). The Criminalisation of Buying Sex: The Politics of Prostitution in Sweden. *Journal of Social Policy*, 30(3), 437-456. doi:10.1017/s0047279401006316
- Halley, J., Kotiswaran, P., Shamir, H., & Thomas, C. (2006). From the international to the local in feminist legal responses to rape, prostitution/sex work, and sex trafficking: Four studies in contemporary governance feminism. *Harv. JL & Gender*, 29, 335.
- Hannerz, U. (2003). Being there... and there... and there! Reflections on multi-site ethnography. *Ethnography*, 4(2), 201-216.
- Harding, S. (1989). Is there a feminist method. *Feminism and science*, 18-32.
- Hartsock, N. C. (1983). *Money, sex, and power: An essay on domination and community*. New York: Longman.
- Hennessy, R. (n.d.). Thinking Sex Materially: Marxist, Socialist, and Related Feminist Approaches. *The SAGE Handbook of Feminist Theory*, 308-326. doi:10.4135/9781473909502.n18
- Horner, B. (2002). Critical ethnography, ethics, and work: Rearticulating labor. *JAC*, 561-584.
- Hubbard, P., Matthews, R., & Scoular, J. (2008). Regulating sex work in the EU: prostitute women and the new spaces of exclusion. *Gender, Place & Culture*, 15(2), 137-152. doi: 10.1080/09663690701863232
- Hulusjö, A. (2013). *The multiplicities of prostitution experience: Narratives about power and resistance*. Faculty of Health and Society, Malmö University.
- Jauregui, B. (2013). Cultures of Legitimacy and Postcolonial Policing: Guest Editor Introduction. *Law & Social Inquiry*, 38(03), 547-552. doi:10.1111/lsi.12026
- Jakobsson, N., & Kotsadam, A. (2011). Gender equity and prostitution: An investigation of attitudes in Norway and Sweden. *Feminist Economics*, 17(1), 31-58. doi: 10.1080/13545701.2010.541863

- Jeffreys, E. (1997). "Dangerous amusements": Prostitution and Karaoke halls in contemporary China. *Asian Studies Review*, 20(3), 43-54. doi:10.1080/03147539708713125
- Joormann, M. (2019). *Legitimized Refugees*. Lunds universitet, Media-Tryck.
- Just, P. (1992). History, power, ideology, and culture: current directions in the anthropology of law.
- Kapur, R. (2013). *Erotic justice: Law and the new politics of postcolonialism*. Routledge.
- Kerner, I. (2016). Relations of difference: Power and inequality in intersectional and postcolonial feminist theories. *Current Sociology*, 65(6), 846-866. doi:10.1177/0011392116665152
- Khosravi, S. (2010). *'Illegal' traveller: an auto-ethnography of borders*. Springer.
- Kulick, D. (2005). Four hundred thousand Swedish perverts. *GLQ: A Journal of Lesbian and Gay Studies*, 11(2), 205-235. doi: 10.1215/10642684-11-2-205
- Leander, P. (2014). *Skyldig tills motsatsen bevisats?: en granskning av polisens inre utlänningskontroller*. Arena idé.
- LeCompte, M. D., & Schensul, J. J. (1999). *Analyzing & interpreting ethnographic data* (Vol. 5). Rowman Altamira.
- Levy, J. (2015). *Criminalising the purchase of sex: Lessons from Sweden*. Abingdon: Routledge.
- Levy, J., & Jakobsson, P. (2014). 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*, 14(5), 593-607. doi: 10.1177/1748895814528926
- Levy, J., & Jakobsson, P. (2013). Abolitionist feminism as patriarchal control: Swedish understandings of prostitution and trafficking. *Dialectical Anthropology*, 37(2), 333-340. doi:10.1007/s10624-013-9309-y
- Lucas, A. M. (1995). Race, class, gender, and deviancy: The criminalization of prostitution. *Berkeley Women's LJ*, 10, 47.

- Månsson, S. (2017). The History and Rationale of Swedish Prostitution Policies. *Dignity: A Journal on Sexual Exploitation and Violence*, 2(4). doi:10.23860/dignity.2017.02.04.01
- Marcus, G. E. (1995). Ethnography in/of the World System: The Emergence of Multi-Sited Ethnography. *Annual Review of Anthropology*, 24(1), 95-117. doi:10.1146/annurev.an.24.100195.000523
- Marcus, G. E. (2016). The Ambition of Fieldwork. *Terrains/Théories*, (5).
- Martinsson, L., & Griffin, G. (Eds.). (2016). *Challenging the myth of gender equality in Sweden*. Policy Press.
- M.H. (2017, September 1). "Why transgender people are being sterilized in some European countries." *The Economist*. Retrieved from: <https://www.economist.com/the-economist-explains/2017/09/01/why-transgender-people-are-being-sterilised-in-some-european-countries>
- Mohanty, C. T. (2003). *Feminism without borders: Decolonizing theory, practicing solidarity*. Durham: Duke University Press.
- Moore, S. F. (2001). Certainties undone: fifty turbulent years of legal anthropology, 1949-1999. *Journal of the Royal Anthropological Institute*, 7(1), 95-116.
- Nencel, L. (2014). Situating reflexivity: Voices, positionalities and representations in feminist ethnographic texts. *Womens Studies International Forum*, 43, 75-83. doi:10.1016/j.wsif.2013.07.018
- Norocel, O. C. (2016). Populist radical right protectors of the folkhem: Welfare chauvinism in Sweden. *Critical Social Policy*, 36(3), 371-390. doi: 10.1177/0261018315621991
- Ocobock, P. R., & Beier, A. L. (2008). *Cast Out: Vagrancy and Homelessness in Global and Historical Perspective*. Ohio State University Press.
- Östergren, P. (2004). Sexworkers critique of Swedish prostitution policy. See <http://www.petraostergren.com/content/view/44/38>.
- Philipson, S. (2016). Policing Swedishness: Analysing discourses of suspicion in police narratives on internal controls of foreigners.

- Ratzka, Dr. Adolf (1997). "Eradication of 'deviants': the dark side of the Swedish Model. Available at: www.independentliving.org/docs5/Sterilization.html
- Regnér, Å., & Wallström, M. (2016). "We must teach more countries about our Sex Purchase Act." *Government of Sweden*. Retrieved from: <https://www.government.se/opinion-pieces/2016/04/we-must-teach-more-countries-about-our-sexual-purchases-act/>
- RFSL. (2019, August 10). RFSL on sex for compensation. *RFSL*. Retrieved from: <https://www.rfsl.se/en/organisation/health-sexuality-and-hiv/rfsl-om-sex-mot-ersattning/>
- Sandberg, S., & Copes, H. (2012). Speaking with Ethnographers. *Journal of Drug Issues*, 43(2), 176-197. doi:10.1177/0022042612465275
- Scoular, J. (2004). The subject of prostitution: Interpreting the discursive, symbolic and material position of sex/work in feminist theory. *Feminist Theory*, 5(3), 343-355. doi:10.1177/1464700104046983
- Scoular, J. (2010). What's law got to do with it? How and why law matters in the regulation of sex work. *Journal of law and society*, 37(1), 12-39.
- Simien, E. M. (2007). Doing intersectionality research: From conceptual issues to practical examples. *Politics & Gender*, 3(2), 264-271. doi:10.1017/s1743923x07000086
- Skarhead, A. (2010). Prohibition of the purchase of sexual services: an evaluation 1999-2008. *Government of Sweden, Committee of Inquiry to Evaluate the Ban against Purchase of Sexual Services*.
- Shamir, H. (2019). Feminist Approaches to the Regulation of Sex Work: Patterns in Transnational Governance Feminist Law Making. *Cornell International Law Journal*, 52.
- Sharma, N. R. (2006). *Home economics: Nationalism and the making of migrant workers' in Canada*. University of Toronto Press.

- Smith, M. N. (2006). The law as a social practice: Are Shared Activities at the Foundations of Law? *Legal Theory*, 12(3), 265-292. doi:10.1017/s1352325206060095
- Spivak, C. Gayatri. (1986). "Can the subaltern talk?". *Post-Colonial Studies Reader*.
- Svanström, Y. (2006). Prostitution as vagrancy: Sweden 1923–1964. *Journal of Scandinavian Studies in Criminology and Crime Prevention*, 7(2), 142-163. doi: 10.1080/14043850601025065
- Sverigeradio. (2011, October 11). "Court ruling halts deportation of prostitutes from EU." *Sverigeradio*. Retrieved from: <https://sverigesradio.se/sida/artikel.aspx?programid=2054&artikel=4742034>
- Sverigeradio. (2020, February 12). "41 sexköpare gripna i insats på Södermalm" (41 sex buyers arrested in action on Södermalm). *Sverigeradio*. Retrieved from: <https://sverigesradio.se/sida/artikel.aspx?programid=103&artikel=7406167>
- TheLocal. (2011, October 11). "Court slows EU deportation efforts." *TheLocal*. Available at: <https://www.thelocal.se/20111011/36664>
- TheLocal (2016, December 19). "Refugee boys in Gothenburg selling sex to survive, charity says." *TheLocal*. Available at: <https://www.thelocal.se/20161219/refugee-boys-in-gothenburg-selling-sex-to-survive-charity-says>
- TheLocal (2012, November 13). "More men in Sweden sell sex than women: study." *TheLocal*. Available at: <https://www.thelocal.se/20121113/44386>
- Vered, A (2000) "Introduction: Constructing the Field". In, *Constructing the Field: Ethnographic Fieldwork in the Contemporary World*. London: Routledge, pp. 1-18 (18 pages)
- Vuolajärvi, N. (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), 151-165. doi: 10.1007/s13178-018-0338-9

Weitzer, R. (2010). The ethnography of prostitution: New international perspectives.

Wallstöm, M. (2019). "We're taking up the fight against prostitution." *Government of Sweden website*. Available at: <https://www.government.se/opinion-pieces/2019/03/were-taking-up-the-fight-against-prostitution/>

Willis, P., & Trondman, M. (2000). Manifesto for ethnography. *Ethnography*, 1(1), 5-16, doi:10.1177/14661380022230679

Wilson, W. J., & Chaddha, A. (2009). The role of theory in ethnographic research. *Ethnography*, 10(4), 549-564. doi:10.1177/1466138109347009

Wuergler, A. (2019). Disturbing Research on Immigration Detention, Deportation, and Degradation in Sweden and Denmark. Available at: <https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2019/03/disturbing>