

Indentured sex work migration in an anti-immigration paradigm

**A qualitative case study on the effect of immigration laws on
migrant street-based sex workers in Copenhagen, Denmark.**



LUND UNIVERSITY

Cecilie Smed Dawids

Abstract

This thesis is a qualitative case study that explores how the anti-immigration paradigm in Denmark has affected migrant street-based sex workers in the Red-Light District of Copenhagen. Denmark has been chosen as the geographical location of this thesis because the country is regarded as having one of the world's strictest immigration laws. Additionally, this thesis focuses specifically on street-based sexual commerce, as I understand it as the most vulnerable type of sex work. I situate my thesis within feminist standpoint theory, as it seeks to challenge the dominant ways of knowledge production.

This thesis is critical of the Danish state's construction of migrant street-based sex workers as either 'victims' of human trafficking or 'illegal' migrants – guilty of violating the Aliens Act. The analysis is based on a collection of policy documents from the Danish state, an interview with the chairwoman of the civil society organization the Red Van, and observations of their work. The findings show that migrant street-based sex workers in the Red-Light District of Copenhagen have become increasingly vulnerable, due to Denmark's strict immigration laws. However, vulnerability is difficult to measure. Therefore, this thesis suggests that future research should engage further with the concept of vulnerability, as a common understanding of the concept is still missing to this date. Furthermore, a key finding was that the Danish state's narrative and assumptions about sex work migration do not mirror the reality on the ground. It is argued that understanding sex work migration as indentured migration, instead of as a division between human trafficking and smuggling, makes it possible to study it in new ways.

Keywords: sex work, indentured sex work migration, anti-immigration paradigm, immigration policies, human trafficking.

Word count: 9821

Table of content

1 Introduction	5
<i>1.1 Research problem</i>	<i>5</i>
<i>1.2 Relevance.....</i>	<i>6</i>
<i>1.3 Aim.....</i>	<i>6</i>
<i>1.4 Definition of concepts</i>	<i>7</i>
<i>1.5 Thesis outline.....</i>	<i>7</i>
2 Background	9
<i>2.1 Danish laws</i>	<i>9</i>
<i>2.2 The Red-Light District and ‘safety policing’</i>	<i>10</i>
<i>2.3 The Red Van.....</i>	<i>11</i>
3 Literature review	13
<i>3.1 Anti-immigration paradigm.....</i>	<i>13</i>
<i>3.2 Indentured sex work migration.....</i>	<i>14</i>
4 Theoretical framework.....	17
<i>4.1 Feminist standpoint theory</i>	<i>17</i>
<i>4.2 The legal production of migrant illegality.....</i>	<i>18</i>
5 Methodology.....	20
<i>5.1 Research design.....</i>	<i>20</i>
<i>5.2 Epistemology</i>	<i>20</i>
<i>5.3 Research method.....</i>	<i>20</i>

5.4 Data collection method.....	21
5.4.1 Desk-based data collection.....	21
5.4.2 Unstructured interviews	21
5.4.3 Interview process	22
5.4.4 Observations	22
5.4.5 Observation process	23
5.5 Translations	23
5.6 Limitations	24
5.7 Data analysis	24
5.7.1 What's the Problem Represented to Be?	25
5.7.2 Thematic analysis	25
6 Analysis.....	27
6.1 The standpoint of the Danish state	27
6.2 The standpoint of the Red Van.....	31
7 Conclusion	35
9 Bibliography.....	38
10 Appendices	45
10.1 Appendix: Interview guide.....	45
10.2 Appendix: Table of secondary data collection	46
10.3 Appendix: Table of primary data collection.....	47
10.4 Appendix: Bacchi's six analytical questions	47

1 Introduction

1.1 Research problem

Migrant street-based sex workers are one of the most vulnerable groups in Denmark. Being subjected to violence without the ability to report it, having obtained a huge amount of debt on the journey to Europe, and not being protected by labor rights, or the general rights of the citizens of Denmark, makes the life of migrant street-based sex workers very precarious. This thesis takes a closer look into how the immigration policies in Denmark have affected migrant street-based sex workers in Copenhagen. Denmark has been chosen as the geographical location of this thesis, because of the government's stand on immigration. Over the last two decades, Denmark has been highlighted as a unique case for migration studies as it is said to have one of the world's strictest immigration laws (Logan, 2019). In addition, Denmark is often praised to be one of the world's safest countries, however, this thesis raises the question of 'safest for who?', as the Danish state systematically neglects one of the most vulnerable groups in the Danish society. Copenhagen has been chosen as a geographical delimitation for two reasons. Firstly, because Copenhagen is the biggest city in Denmark and therefore where the majority of migrant street-based sex workers are located. Secondly, because the Red Van is operating in Copenhagen. The Red Van is a civil society organization that has been praised all over the world, for its work in reducing harm to street-based sex workers in the Red-Light District of Copenhagen (BBC, 2021).

1.2 Relevance

Migration studies have engaged with the phenomena of labor migration, however, migrant sex workers have rarely been included in the category of ‘workers’ (de Haas et al., 2020). The same can be argued about development studies, where migrant women have been praised as drivers of development, paying little attention to remittances from migrant sex workers (Hennebry et al., 2017; Lansink, 2009). In contrast, gender studies have engaged with the concept of sex work, but rarely focused on how stricter immigration laws have affected migrant sex workers, or the role immigration laws play in producing vulnerable gendered workers (Durisin et al., 2018; Mai et al., 2021). Many questions about women’s migration, revolve around consent, both in academic literature, politics, and mainstream discourses. The overarching question of whether women, who migrate to sell sex, have been ‘forced’ into the sex industry has made it difficult to study sex work migration from any other perspective, for almost two decades (Durisin et al., 2018). This thesis combines the fields of migration studies, gender studies, and development studies and adds to the emerging and evolving field of sex work studies. In Danish media, a lot of attention is given to the buyer of sex work, while the seller is either ignored or constructed according to the trafficking-smuggling division (Jatuparisakul, 2022). This thesis is therefore also contributing to moving the focus away from the buyer.

1.3 Aim

This thesis aims to analyze how the increasingly restrictive immigration policies in Denmark have affected migrant street-based sex workers in Copenhagen. Through feminist standpoint theory, I explore the standpoint of the Danish state and the Red Van. Inspired by de Genova’s (2002) theoretical conceptualization of the ‘legal production of migrant illegality’, this thesis aims to understand how Danish immigration policies have produced ‘illegality’ and ‘deportability’ of migrant street-based sex workers. The aim of this thesis is not to generalize, but rather to provide an extensive insight into this specific case. While the results of the thesis might indicate how migrant street-based sex

workers could be affected in other countries, differences in legal frameworks make it impossible to generalize. The research question is the following:

How has the anti-immigration paradigm in Denmark affected migrant street-based sex workers in Copenhagen?

1.4 Definition of concepts

I acknowledge the power of language in theorizations of sex work migration. Therefore, I have chosen to use the words ‘sex work’, ‘sex worker’, and ‘indentured sex work migration’ to connote and recognize women’s work and migratory trajectories without undermining vulnerabilities, and the risk of violence, abuse, and exploitation. When I apply the words ‘trafficked’ and ‘smuggled’, it should be understood in relation to a categorical division developed by the United Nations¹ and adopted by the Danish state. Furthermore, when de Genova’s concepts ‘illegality’ and ‘deportability’ are used, it is not to reproduce the language of the Danish state, but rather to criticize and problematize it theoretically and practically. The concepts ‘illegal’ and ‘deportable’ are only used in relation to a state-produced narrative, while the term ‘undocumented’ is used to describe all other situations.

1.5 Thesis outline

The thesis is organized as follows. The thesis is introduced in section one. In section two I provide contextual background information on the topic. In section three I introduce and review the two concepts ‘anti-immigration paradigm’ and ‘indentured sex work migration’ through scholarly literature. Following that is my theoretical framework which is presented in section four. First, clarify how I use the feminist standpoint by Harding (2004). Thereafter, I introduce de Genova’s (2002) theoretical

¹ United Nations Convention against Transnational Organized Crime and the Protocols Thereto

conceptualization of ‘the legal production of migrant illegality’ and expand on how I situate my thesis within these two theories. Section five is devoted to my research methodology. In section six the analysis is presented. The analysis is divided into two parts. In the first part, I use Bacchi’s (2009) data analysis method to analyze the standpoint of the state through policies, laws, action plans, and press releases. In the second part of the analysis, I use thematic data analysis to analyze the standpoint of the Red Van, through the primary data I have collected. Finally, I conclude the thesis with a discussion and suggestions for future directions in sections seven.

2 Background

2.1 Danish laws

Sex work is partially decriminalized in Denmark and one can legally sell and buy sex, however, it is illegal to financially benefit from other people's prostitution (KFUK, 2022). Thus, the law criminalizes all kinds of third-party activities. Sex workers are obligated to register as self-employed and must pay taxes. However, sex workers are not allowed to be a part of a labor union, and are therefore not protected by any labor rights (KFUK, 2022). Migrants who sell sex in Denmark need a residence permit (either in Denmark or in another European country) and a working permit to sell sex legally (Municipality of Copenhagen, 2007). In Denmark, sex work is regarded as a social 'problem', rather than a profession (SIO, 2022). Because of this, the state does not grant working permission to migrant sex workers.

Within the Danish legal framework sex workers without a residency permit are seen as either 'victims' of human trafficking or 'illegal' migrants (Municipality of Copenhagen, 2007). Undocumented migrant sex workers in Denmark are to be either 'returned' or 'deported', whether they are identified as 'victims' of human trafficking or 'illegal' migrants. The Danish Immigration Service has set a deadline for the 'return' of victims of human trafficking to 30 days². This is 15 days longer than the deadline for the 'deportation' of migrants without a residency permit specified in the Danish Aliens Act §2 section 33 (Ministry of Gender Equality, 2002; Ministry of Immigration and Integration, 2019). It is worth noting that the word 'return' is used in the case of 'victims' of trafficking, while 'deported' is applied in the cases of 'illegal' migrants. Those categorized as 'illegal' migrants will be put in deportation centers, while those categorized as 'victims' of trafficking will stay in a trafficking shelter, where they have

² Aliens (Consolidation) Act §2 section 14.

access to “psychological, social and medical support if needed” (Ministry of Gender Equality, 2002, p 16).

The sex workers that work in the street in the Red-Light District are predominantly women from West Africa and Eastern Europe, especially Nigeria and Rumania (Jatuparisakul, 2022). Migrant sex workers from these two countries have different immigration statuses due to intersecting legal frameworks. However, three categories of immigration statuses among the migrant street-based sex workers in Copenhagen can be put forward: 1) those who have residence and working permits, 2) those who have residence permits but do not have a working permit, 3) those who do not have a residence permit (Jatuparisakul, 2022 ; Dyrvig Henriksen et al., 2021). The two latter categories are the most common. In those cases, it is illegal to work no matter the profession and if discovered by the authorities they will face ‘return’ or ‘deportation’ (Ministry of Gender Equality, 2002).

2.2 The Red-Light District and ‘safety policing’

Copenhagen’s Red-Light district is an area located in Vesterbro that centers around the street Istedgade. This is the main area where migrant street-based sex workers work. The Red-Light District is a very policed area. Stenbroens Jurister³ argues that the Red-light district is characterized by a high degree of ethnic profiling and discriminatory policing (Justitsministeriet, 2022). Furthermore, they argue that migrant street-based sex workers are targeted harder by the Ordensbekendtgørelse (Police Law), especially by §3 section 2 which states that “it is prohibited to display indecent or offensive behavior, that is apt to offend or harass others or create public indignation” (Justitsministeriet, 2005). Breaking this law can result in a 500 kr. fine (approximately 70 USD) that is to be paid on the spot (SIO, 2010). During a political consultation about a proposed aggravation of fines for breaking the Police law the Minister of Justice, Lars Barfoed, stated that street-based sex workers should get fines when they “display noisy and

³ Stenbroens Jurister [translated: Stone Bridge Layers] a NGO that offers free legal guidance to vulnerable street-based people in Vesterbro.

annoying behavior” (Justitsministeriet, 2022, p. 6). Gadejuristen⁴ and Sexarbejdernes Interesse Organisation⁵ adds to the claim that there is a high degree of discriminatory policing in the Red-Light District by reporting that the police, as a ‘safety measure’, do not allow people to stand in certain places of Vesterbro for more than five minutes at a time. The two organizations account that this rule is only enforced against certain vulnerable groups, e.g. migrant street-based sex workers (SIO, 2010).

2.3 The Red Van

The Red Van is an organization run by volunteers that seek to help street-based sex workers in Copenhagen through harm-reduction methods. The Red Van is quite literally a red van, that also functions as a mobile safe space where sex workers can bring their clients. The van is furnished with a bed, a chair, dimmed light, fake candles, and plastic plants. The main goal of the organization is to “make working conditions less precarious by providing a safer space for street-based sex workers and sellers” (The Red Van, 2022). The Red Van (previously called Sexelancen) used to be fully financed by the municipality, however, now the municipality only donates condoms due to a fear of supporting transnational criminal networks (BBC, 2022). Thus, the Red Van is now only financed through private donations. In addition to creating a safer working space for street-based sex workers, the organization also has the aim to debunk the myth of the ‘trafficked women’ (Jatuparisakul, 2022). They do this by offering information on social media platforms like Instagram.

Through this background section, I have illustrated how different legal frameworks intersect and from that, it can be argued that the Red-Light District in Copenhagen constitutes a legal ‘grey zone’, where certain bodies are targeted differently by law enforcement. Furthermore, the intention of the background section was to present the Red Van. All the above-listed information is crucial to understanding how the anti-

⁴ Gadejuristen [translated: Street Layers] was a NGO that offered free legal guidance to vulnerable street-based people in Vesterbro.

⁵ Sexarbejdernes Interesse Organisation [translated: Union for sex workers’ interests] An NGO that fights for sex workers’ rights to unionize.

immigration paradigm in Denmark has affected migrant street-based sex workers in Copenhagen. In the next section, I examine the concepts of the ‘anti-immigration paradigm’ and ‘indentured sex work migration’ through scholarly literature.

3 Literature review

3.1 Anti-immigration paradigm

Critical border and migration scholars have called attention to the paradigmatic shift in migration policies, that has taken place during the last two decades (de Genova, 2002; Logan, 2019). The paradigmatic shift describes how immigration laws have become stricter, national borders have been securitized, migrants' access to the formal labor market has been restricted, and how there has been an increase in xenophobic and racist discourses (de Haas et al., 2020). De Genova emphasizes how the shift in policies has produced migrant 'illegality' and 'deportability' both through law, practices, and discourses (de Genova, 2002). Adding to this, Anderson and Hughes emphasize how state policies are facilitating the construction of migrants as 'criminal', 'illegal', and 'deportable' objects (Anderson and Hughes, 2015, pp. 72-89). Many scholars do not put a geographical location on the anti-immigration paradigm but argue that negative attitudes toward cross-border migration can be observed worldwide (de Haas et al., 2020; Logan, 2019). However, the most studied cases have been about the United States and countries within the European Union. Additionally, Denmark is often highlighted as a unique case, as it has one of the world's strictest immigration laws (Logan, 2019). Most of the literature written in English on the anti-immigration paradigm has been conducted from the standpoint of the state and with policy purposes (de Genova, 2002). There has been a tendency to only use quantitative methods and the top-down approach. Critical scholars argue that most of the literature on the anti-immigration paradigm is grounded in uncritical ethnocentrism (Anderson and Hughes, 2015; de Genova, 2002).

Research that engages with the anti-immigration paradigm critically, takes many forms. A lot of literature focuses on the economic aspect of the anti-immigration paradigm and on the development of what is labeled as the 'migration regime' or the 'migration industry' (Gammeltoft-Hansen and Nyberg Sørensen, 2012; Plambech et al., 2022).

These studies draw special attention to the commercialization and neo-liberalization of migration policies, such as the privatization of border security, deportations, and detention centers.

Other scholars such as Yuval-Davis (2011), Anderson (2015), Hughes (2015), and de Genova (2002, 2017) have engaged in theoretical discussions of the policies of belonging, the conceptualization of borders, and the production of migrant ‘illegality’ and ‘deportability’. These scholars predominantly work from a top-down approach. Moreover, other scholars emphasize the importance of ethnography to understand the lived experience of undocumented migrants. This type of study is often based on standpoint theory and can be seen as a part of activist scholarship. Some of the important scholars in this field are Sager (2011), Plambech (2017), Andrijasevic (2010), and Suárez-Krabbe (2018). These scholars work from a bottom-up approach and use interviews and observations as their main methods. While this type of research provides an insight into the lived experience of undocumented migrants, it tends to leave out legislative history, immigration law, and how ‘illegality’ and ‘deportability’ are produced (de Genova, 2002).

The existing literature on the anti-immigration paradigm, critical or not, generally ascribes solely to either a top-down approach or a bottom-up approach, but rarely both approaches in tandem. My thesis contributes to the existing critical literature on the anti-immigration paradigm by combining a top-down analysis of the standpoint of the Danish state, with a bottom-up analysis of the standpoint of the Red Van. In this way, this study aims to understand the real effects of the anti-immigration paradigm on sex work migration.

3.2 Indentured sex work migration

The literature written on indentured sex work migration is very limited and predominantly located within the trafficking-smuggling debate (Plambech, 2017). It is a part of the emerging field of sex work studies that “critiques conventional discourses on sex work and is a reflection of the rapid growth of a robust global movement actively

advancing sex worker rights and justice” (Durisin et al., 2018, p. 4). Most of the research within this evolving field is based on ethnographically informed work, that foregrounds the lived experience of sex workers. The concept of indentured sex work migration was developed by Plambech (2017). The concept emerged as a critique of the conventional academic literature on sex work migration, which predominantly focused on transnational crime, human trafficking, and the overarching question of whether women who migrate to sell sex are forced to do it (Durisin et al., 2018, p. 4).

Some of the prominent scholars who have developed this critique are Anderson (2007), Andrijasevic (2010), Bernstein (2018), and Jordan and Burks (2011). These scholars understand human trafficking not only as a legal term, but as a narrative, a social term, and a political topic that increases and decreases in interest and support. These scholars argue that the legal division between the concept of human smuggling and human trafficking is inadequate (Anderson, 2007; Andrijasevic, 2010; Bernstein, 2018; Jordan & Burke, 2011).

The legal definition of human trafficking and smuggling comes from the United Nations Convention against Transnational Organized Crime and the three supplementing protocols all from 2000. The protocols are not human rights tools, but instruments to facilitate cooperation between nation-states through the securitization of borders (Anderson, 2007). The protocols point out two different groups of people: traffickers and smugglers. This distinction produces two additional categories: trafficked ‘victims’ and ‘smuggled’ migrants. Through ethnographic work Andrijasevic (2010), Bernstein (2018), and Plambech (2017) have illustrated how the lived reality of migrant sex workers rarely fits into either of the two categories.

In an attempt to develop a more accurate term to capture the lived experience of migrant sex workers, critical scholars began using Salazar Parreñas’s concept of ‘indentured mobility’. This concept has been used to “label a middle zone between human trafficking and labor migration” (Plambech, 2017, p. 155). ‘Indentured mobility’ describes a process of debt-financed labor migration, where migrants incur large debts to access certain labor markets. In this way, Salazar Parreñas foregrounds migratory trajectories and highlights how migrants exercise agency within structural constraints

(Iwata, 2013). The concept covers the complexity of migrant workers' social position and how their legal statuses and premigration contracts create "varying levels and kinds of risks, vulnerabilities, and material gains" (Iwata, 2013, p. 424). Plambech draws on Salazar Parreñas' concept of 'indentured mobility' in her ethnographic study of Nigerian sex workers in Europe and develops the concept of 'indentured sex work migration'. Plambech's concept gives special attention to the way sex work migration is organized around debt and how it has been affected by changes in immigration policies (Plambech, 2017).

Plambech (2017) illustrates that there is a relationship between increased border control and migrant sex workers' level of indebtedness. The more Europe restricts its borders, the more debt will women arrive with (Plambech, 2017). Jordan and Burks add to this by arguing that the trafficking-smuggling debate ignores how immigration control plays a central role in creating vulnerable workers and how changes in immigration laws play a role in making smuggling a profitable business (Jordan and Burke, 2011).

I have chosen to use Plambech's concept as it offers a more precise understanding of the lived experience of migrant street-based sex workers than the conventional trafficking-smuggling division. Until now, the concept of indentured sex work migration has mainly been analyzed from an economic perspective. My thesis adds to the existing literature on the concept by examining how the Danish immigration policies have affected indentured migrant sex workers. The conceptualization of indentured sex work migration is linked to the anti-immigration paradigm, as it entails a relationship between immigration policies and the indebtedness of migrant sex workers. Therefore, I understand the two concepts as complementary. In the next section, I present the theoretical framework that is guiding me to answer my research questions. I start by presenting feminist standpoint theory and thereafter I introduce de Genova's theoretical conceptualization of 'the legal production of migrant illegality'.

4 Theoretical framework

4.1 Feminist standpoint theory

Standpoint theory is a critical feminist theory that seeks to challenge the dominant ways of knowledge production (Harding, 2004, p. 1). The theory understands scientific knowledge as being dependent on social positions. Standpoint theory questions mainstream approaches to social science and the social neutrality that it claims to have, while emphasizing the validity of other forms of knowledge, especially knowledge that is produced from marginalized positions or within social movements (Sager, 2011). Thus, academic knowledge is regarded as no better than local knowledge, folk knowledge, or knowledge generated by everyday practices and experiences (Sager, 2011, p. 96). Standpoint theory understands mainstream knowledge as a project of “the dominant Western, bourgeois, white-supremacist, androcentric, heteronormative culture” (Harding, 2004, p. 5). Furthermore, Harding argues that the mainstream culture of knowledge has created conceptual frameworks to ensure “systematic ignorance and error about not only the lives of the oppressed, but also the lives of the oppressors” (Harding, 2004, p. 5). As the mainstream culture of knowledge has claimed to be socially neutral, it has oppressed all alternative forms of knowledge, especially knowledge from marginalized groups and social movements. Standpoint theory can be used not only as a theory but also as a method, methodology and epistemology (Harding, 2004, p. 1). Therefore, it would be misleading to present standpoint theory as a single critical feminist theory. While feminist standpoint theory can take many different shapes, I have chosen to use Harding’s theoretical approach to the standpoint theory. I use standpoint theory as a part of my theoretical framework and an overall epistemology in my thesis.

Standpoint theory can be used to understand how conventional narratives about sex work migration have claimed to be socially neutral. An important factor in studying sex

work migration is to understand how words are used to describe and construct it. I use standpoint theory to analyze the standpoint of the Danish state through policy documents and thereafter to analyze the standpoint of the Red Van through interviews with the chairwoman of the organization.

4.2 The legal production of migrant illegality

Nicolas P. de Genova has developed a theoretical conceptualization of the ‘legal production of migrant illegality’. De Genova understands migrant ‘illegality’ and ‘deportability’ as an “epistemological, methodological, and political problem” (de Genova, 2002, p. 419). Therefore, he sees the need to engage with the concepts and formulate them as theoretical problems. De Genova understands migrant ‘illegality’ as a “product of immigration laws - not merely in the abstract sense that without the law, nothing could be construed to be outside of the law; nor simply in the generic sense that immigration law constructs, differentiates, and ranks various categories of "aliens" - but in the more profound sense that the history of deliberate interventions that have revised and reformulated the law has entailed an active process of inclusion through illegalization” (De Genova, 2002, p. 439). The concept of ‘deportability’ should be understood in relation to the sociopolitical processes that produce migrant ‘illegality’, which he labels ‘the legal production of migrant illegality’ (de Genova, 2002, p. 419). ‘Deportability’, is understood as “the possibility of being removed from the space of the nation-state” (de Genova, 2002, p. 439). Theoretically, ‘deportability’ can be seen as a defining distinction that separates those who ‘belong’ *inside* the space of the state and those who belong *outside*. The ‘deportability’ of migrants produces an institutionalized ever-present vulnerability. Migrants who are categorized as ‘illegal’ and ‘deportable’ can become subjects to severe forms of exploitation, due to the lack of legal protection. Therefore, immigration policies are regarded as producing a hierarchy of belonging that builds the nation-state’s desire.

De Genova argues that there is a need to not only understand how undocumented migrants experience ‘illegality’ and ‘deportability’, but also how the concepts are produced. Migrant ‘illegality’ is both theoretically and practically inseparable from its

social relation to citizenship (de Genova, 2002). According to de Genova, migrant ‘illegality’ and ‘deportability’ are first and foremost produced by the state. Through processes of differentiation, criminalization, interiorization, and dehumanization laws, such as the Danish Aliens Act, can produce the idea of ‘illegal’ and ‘deportable’ lives. Hence, migrant ‘illegality’ and ‘deportability’ are produced as an “effect of the law, but it is also sustained as an effect of a discursive formation” (de Genova, 2002, p. 431). The production of migrant ‘illegality’ and ‘deportability’ is therefore not regarded as a natural process. Instead, it is linked to state power, and immigration laws are seen as instruments that produce subjects through tactics (de Genova, 2002, p. 422).

De Genova’s two theoretical concepts have so far only been used in relation to immigration laws. In this thesis, I use de Genova’s concepts in relation to migrant street-based sex workers. The concepts of ‘illegality’ and ‘deportability’ are used as analytical themes throughout the analysis. I analyze the ‘legal production of migrant illegality’ in relation to intersecting legal frameworks created by the Danish state and from two different perspectives. In this way, I am contributing to de Genova’s theoretical concepts by utilizing them in a new way.

Together, Harding’s version of the feminist standpoint theory and de Genova’s theoretical conceptualization constitute my theoretical framework. The two theories are complementary as both are critical of state power and draw attention to unequal power relations. Furthermore, they deal with processes of exclusion and marginalization. My theoretical framework guides me in answering my research question and to analyze the standpoint of the Danish state and the Red Van.

5 Methodology

5.1 Research design

This thesis is designed as a single qualitative case study. This research design was chosen because it allows for an intensive and flexible analysis of the given phenomenon (Robson & McCartan, 2016, p. 150). One of the strengths of choosing this research method is that case studies have a “relatively high level of internal validity” (Halperin & Heath, 2020, p. 208). Despite the strengths of the case study, the chosen method also entails limitations. One of the limitations of the research design is that it may be difficult to generalize the findings due to context-specific factors (Halperin & Heath, 2020, p. 208)

5.2 Epistemology

As mentioned in my theoretical framework, the epistemology of this thesis builds on feminist standpoint theory. My methodological choices are inspired by critical feminist epistemology, and I locate myself within the critical tradition of thought, that sees knowledge as socially situated (Sager, 2011, p. 95). My epistemological approach has influenced the methodological choices that I have made throughout the research process.

5.3 Research method

To answer my research question, I have chosen to use a mixture of different qualitative methods and approaches. This thesis is a result of a desk-based data collection, an interview, and observations. All the research methods have been carefully selected to provide an answer to my research question. I combine an analysis of immigration

policies with an analysis of how the Red Van works on the ground. Thus, this thesis combines a top-down approach with a bottom-up approach. The intention of using both approaches is to really understand the effects of immigration policies on the lives of migrant street-based sex workers.

5.4 Data collection method

Three different data collection methods have been used in this thesis. Below my methods of data collection are described individually.

5.4.1 Desk-based data collection

My desk-based data collection has focused on gathering data from the standpoint of the state. I used the Danish government's website, the official website of the Danish parliament, and the websites of relevant ministries to search for data. Different types of secondary data have been collected to be able to answer my research questions which include legal documents, official government documents, and press releases. The secondary data were found through the method of 'snowballing' (Punch, 2005, p. 184; Robson & McCartan, 2016, p. 359). My starting point was the Danish Aliens Act and the Return act, but as I got more information on the reality on the ground from activists who work with migrant street-based sex workers in Copenhagen, I decided to include the action plans, policy proposals, and press releases.

5.4.2 Unstructured interviews

As a part of my primary data collection, I have conducted an unstructured interview with the chairwomen of the Red Van, Aphinya Jatuparisakul. The chairwoman is understood as a 'knowledge holder', with significant insight into how immigration policies affect migrant street-based sex workers. The situated knowledge that is generated from the interview is essential in exploring the standpoint of the Red Van. In preparation for the interview, I developed a semi-structured interview guide with 10-15

questions inspired by Kvale's guide to conducting an interview (Kvale, 2007). However, in practice, the interview ended up as a 6-hour conversation loosely guided by my interview questions. The initial questions are listed in appendix 10.1. Consent for the interview was oral and approximately three and a half-hour were recorded. Notes were taken before, during, and after the interview to combat the limitations of relying solely on transcriptions (Loubere, 2017). When referencing the interview in the analysis, I reference the name of the interviewee, the year the interview was conducted and the page number of the transcript.

5.4.3 Interview process

I was introduced to Jatuparisakul through a mutual friend, whom I had done border-related activism with for several years. My friend told her about my thesis and afterwards, I contacted Jatuparisakul over email. We set up a meeting to discuss my thesis topic and the potential boundaries of their involvement. Jatuparisakul chose the location of the interview and on the 31st of April, we greeted each other at a local café in Nørrebro. During the next six hours, we talked about the Red Van, Danish immigration policies, harm reduction, and much more. The recorded parts of the interview took place in café Dzidra and in Jatuparisakul's apartment. During the unrecorded parts of the interview, we move around in Nørrebro. After the interview I noted down initial thoughts, impressions, and potential analytical themes. The following days I transcribed the interview and noted down additional themes.

5.4.4 Observations

As a part of my data collection, I observed the Red Van's work. I use observations to produce rich details and descriptions of the practices of the Red Van, in the context of their everyday lives (Valentine, 2001). The observations are used to supplement the interview and to strengthen the contextual understanding of my thesis. The understanding gained from the observations is used as background knowledge throughout the thesis.

5.4.5 Observation process

On the 13th of May, I was asked if I could participate in a night shift on the same day. I met with Jatuparisakul and another volunteer in Frederiksberg at 23:30. We biked together to the Red-light district where the van was parked. During the four-hour shift, I learned how the Red Van operates and participated in the volunteers' work. After 'opening' the van we walked around Vesterbro to tell the street-based sex workers that the van was open. We served coffee, tea, and water to those who were interested. During the rest of the shift, we were standing approximately 3 meters from the van. Close enough to hear if a sex worker was in need of help. When the shift was over at 04:00 we debriefed the night and biked home. After the shift, I noted my initial thoughts and impressions on paper. The next day I revisited my notes with a fresh mind.

5.5 Translations

Language bias is an inherent part of this thesis which can be seen as a limitation (Robson and McCartan, 2016). The interview conducted for this thesis was done in Danish. I have attempted to translate the cited primary and secondary data without inserting a personal interpretation of the translation. I acknowledge that my research cannot be free from language biases and interpretation errors, however, as a native Danish speaker with three years of higher education in English, I see my own language skills as sufficient to translate an interview, policy proposals, action plans and laws from Danish to English. When doubtful of specific translations I have used Danish-English dictionaries and sought advice from Danish peers. Language biases could have been countered partially, if I had the time to conduct a follow-up interview with Jatuparisakul, to discuss my analysis of the data generated from the interview and observations.

5.6 Limitations

Through the process of writing this thesis, various limitations have been faced. I chose not to directly involve or interview migrant sex workers due to ethical reasons. I did not want to expose an already vulnerable group to increased vulnerability. Therefore, I decided to interview and study data from the Red Van, which I see as an organization that amplifies the standpoint of sex workers. The fact that I, prior to conducting this research, was a part of the activist community in Copenhagen, allowed me to not only get in contact with the Red Van but to establish a level of trust and understanding with my interviewee. My positionality can be seen as a personal bias and therefore it should be considered (Robson and McCartan, 2016). Prior to the writing of this thesis, I had gained significant knowledge about the consequences of immigration laws through activist work. For the last five years, I have been a part of an activist group working with harm-reduction in detention and deportation camps. My motivation to explore how the immigration law affects gendered types of migration stems from conversations with people who are subjected to them. In the last two years, I have obtained situated knowledge about the work of the Red Van from fellow activists that volunteer for the organization. Through conversations during events and protests they have shared knowledge with me as a friend and comrade, but not as a researcher. Because of my positionality, I wish to locate my thesis at a “crossroads of academia and activism” (Sager, 2011, p. 97).

Despite its importance, it is beyond the scope of this thesis to account for the complexities of how immigration laws target and affect migrant sex workers of color differently. It should be acknowledged that the construction of migrant ‘illegality’ and ‘deportability’ is a complex process that targets migrants from Nigeria differently than migrants from Rumania.

5.7 Data analysis

To answer my research question, I have chosen two different data analysis methods. The first method is Bacchi’s theory ‘What’s the Problem Represented to Be’ and the second is a thematic analysis by Kvale (2007) and Braun and Clarke (2006). I use

Bacchi's theory in my analysis of Danish immigration policies, and thematic analysis for analyzing the interview with Jatuparisakul. The data I use in my analysis of the standpoint of the Danish state is listed in appendix 10.2 and the data I use in my analysis of the standpoint of the Red Van is listed in appendix 10.3.

5.7.1 What's the Problem Represented to Be?

Bacchi's theory 'What's the problem represented to be' (WPR) engages with how policies create problems. Conventional approaches to social science understand policies as political tools to solve social problems. Social problems are seen as something created or existing outside of the policy-making process, rather than something that is created within the process. Bacchi argues that "we are governed through problematizations" (Bacchi, 2009, p. xxi). The WPR theory criticizes the conventional understanding of policies by directing our attention to the "ways in which particular representations of 'problems' play a central role in how we are governed" (Bacchi, 2009, p. xi). Through an understanding of how Danish immigration policies represent migrant street-based sex workers as 'problems', I can analyze the standpoint of the state. The WPR theory is a helpful tool when analyzing how processes of problematization take place and how the state has produced migrant street-based sex workers as 'illegal' and 'deportable'. Bacchi's theory put forward six analytical steps that can be found in appendix 10.4.

5.7.2 Thematic analysis

Thematic analysis is a very flexible method of data analysis that identifies, analyzes, and reports themes and patterns within the collected data (Braun & Clarke, 2006, p. 6). Thematic data analysis is very useful when "investigating an under-researched area, or with participants whose views on the topic are not known" (Braun & Clarke, 2006). I use thematic data analysis to analyze the transcription of my interview with Jatuparisakul and I apply Kvale's six analytical steps as a guiding framework (Kvale, 2007). A 'bottom up' approach is applied to the data analysis which means that the analysis is data-driven. By using thematic analysis, I analyze the standpoint of the Red

Van and how the Red Van deals with the state's problematization of migrant street-based sex workers.

The two methods of data analysis are different, however, both generate themes that can be used to identify the standpoint of the Danish state and the Red Van. I use the methods of data analysis holistically, rather than following the guides by Bacchi and Kvale step-by-step. My holistic approach to the data analysis methods makes it possible to compare the two standpoints, while engaging with the concept of 'illegality' and 'deportability' from two separate perspectives.

6 Analysis

In this section, I analyze how the standpoint of the Danish State and the Red Van. The standpoints are analyzed separately for analytical purposes. Later in the concluding section, they are discussed and compared. I use de Genova's theoretical concepts of migrant 'illegality' and 'deportability' as analytical themes throughout the analysis.

6.1 The standpoint of the Danish state

Non-western migration has during the last two decades been framed as a 'problem' and the migrant has become a contemporary manifestation of a 'problematic' figure (The Danish Government, 2016). Migrants as a category, cannot be claimed to be uniform, however, it can be argued that the Danish state use generalizations in its representation of migrants as a 'problem'. The representation of undocumented migrants as a 'problem' can be identified in the Aliens Act which makes it 'illegal' for any person without a residence permit to be on national territory (Ministry of Immigration and Integration, 2019). Additionally, the problematization of migrants can be identified in the government's action plans and policy proposals that are produced to enforce the laws. In the action plans 'A stronger Denmark – Control the influx of refugees'⁶, 'A strategy of foreign and safety policy'⁷, 'United for the future'⁸, and the policy proposal 'Fair and Realistic'⁹ the government presents undocumented migrants as 'illegal', 'criminals', and in relation to 'transnational crime'. In the action plan 'United for the future' the government presents its plan to "take action against cross-border crime and illegal immigration" (The Danish Government, 2015, p. 21). The reasoning for the action plan is that "the criminals [undocumented migrants] must know that Denmark is

⁶ translated from Danish: 'Et stærkere Danmark – Styr på flygtningestrømmen'

⁷ translated from Danish: 'Udenrigs- og sikkerhedspolitik strategii'

⁸ translated from Danish: 'Sammen for Fremtiden'

⁹ translated from Danish: 'Retfærdig og Realistisk'

not a sanctuary for cross-border crime” (The Danish Government, 2015, p. 22).

Furthermore, in relation to migrants in Denmark with a residency, the action plan states:

“The government must also take action against aliens who commit crimes during their residence in Denmark. They abuse the trust of the Danish society. Criminal aliens must be deported or returned to their home”
(The Danish Government, 2015, p. 21)

This construction is used to delegitimize the mobility of all migrants, and exclude them from society and the rights possessed by citizens. The government presents undocumented migrants as a ‘threat’ to the Danish society and the “safety and security of Denmark” (The Danish Government, 2016, p. 9). It is emphasized how undocumented migrants create “insecurity in streets and alleys” and challenge the public order (The Danish Government, 2016, p. 11).

Generally, the action plans and policy proposals center around the need to “protect Denmark” in order to “keep the Danish cohesion and values” (The Danish Government, 2016, p. 3). Therefore, it can be argued that the standpoint of the Danish state illustrates a sympathy for protectionist and nationalist values. The Danish state makes use of an ‘us’ and ‘them’ dichotomy, which can be regarded as a process of ‘othering’ (Griffith, 2015, p 72). The representation of undocumented migrants as a ‘problem’ illustrates processes of criminalization, interiorization, and dehumanization. Thus, there is a clear distinction between how the Danish state constructs and treats undocumented migrants and how it constructs its citizens.

The representation of undocumented migrants must be understood in relation to citizenship, as undocumented migrants are seen as ‘aliens’ who are intrinsically different from the citizens of the state. One thing that separates the ‘alien’ from the ‘citizen’ is ‘deportability’. The Danish solution to overcome the ‘problem’ of undocumented migration, has been to increase the state’s use of deportations (The Ministry of Justice, 2014). The high use of deportations is justified through the narrative that “illegal migration and crime committed by foreign criminals pose a significant challenge for Denmark” (The Ministry of Justice, 2014, p. 1). A policy proposal from the 10th of February 2022, which has passed the first review, wants to make it possible

to “deport foreigners that help undocumented migrants in Denmark” (The Danish Parliament, 2022, p. 1). This policy proposal builds on the idea that helping undocumented migrants is equal to betraying the state and can therefore constitute a reason for withdrawal of residency. While it is unsure whether this law will pass, it can be used to illustrate how the State uses ‘deportability’ as a tactic to control and discipline both citizens and non-citizens.

As explained in the background section, migrant sex workers without a residency permit are regarded as either ‘victims’ of human trafficking or ‘illegal’ migrants (Ministry of Gender Equality, 2002; The Ministry of Justice, 2014). This distinction builds on an assumption of trafficked migrants being ‘weak’ and without agency, while smuggled migrants are ‘criminals’ and a ‘threat’ to the state (Socialdemokratiet, 2018). The Danish strategies to combat sex work migration have primarily taken place at the Danish borders (The Government, 2015; The Ministry of Justice, 2014). The rationale behind this is that if migrant sex workers, trafficked or not, cannot enter the Danish territory, there is no ‘social problem’. Migrant street-based sex workers are therefore only regarded as a ‘social problem’ if they are on the national territory of Denmark.

The state does not use the concept of indentured sex work migration to understand the situation of migrant street-based sex workers in the Red-light district. Instead, it ascribes to the conventional division of trafficking-smuggling¹⁰. In this way, they disregard migratory trajectories and agency. As the government regards sex work as a ‘social problem’, there is an underlying assumption that all types of sex work are ‘forced’. This illustrates a significant controversy within the government’s narrative of migrant street-based sex workers. As the government regards all sex work as ‘forced labor’, they understand all sex workers as ‘victims’ of human trafficking. However, in reality, it is not all migrant sex workers that fit within this narrow category (Anderson, 2007; Plambech, 2017).

Those whose situation fit within the state’s definition of human trafficking are not represented as a ‘problem’, but rather as a ‘victim’ related to the ‘problem’ of

¹⁰ By the conventional division I refer to the United Nations Convention against Transnational Organized Crime and the Protocols Thereto (OHCHR, 2000).

transnational crime. Therefore, ‘victims’ of human trafficking are not seen as ‘deportable’ subjects but represented as objects, that need to be saved through a ‘return’. Even though these two categories are represented as different, in practice it is 15 days of permitted stay on Danish territory that separates the two politically constructed groups from each other. I argue that the Danish state uses a humanitarianism framing to distinguish the ‘return’ of victims of human trafficking from the ‘deportation’ of undocumented migrant sex workers. While in practice the ‘return’ of victims of human trafficking and the ‘deportation’ of undocumented migrant sex workers are the same reality in a nicer wrapping.

Theoretically, it can be argued that the Aliens Act and the Return Act constitute the foundation of the anti-immigration paradigm (The Ministry of Immigration and Integration, 2019; The Ministry of Immigration and Integration, 2022). However, other laws such as the Police Law and the law on sexual commerce produce different and intersecting types of ‘illegality’. I argue that the state produces ‘illegality’ of migrant street-based sex workers in two different ways. The first type of ‘illegality’ is linked to being on the national territory without a residency permit, and to be working without a working permit. In practice, this ‘illegality’ is produced through the Aliens Act part 1, which defines the rules for “aliens’ entry into and stay in Denmark”, and part 2 which defines the rules for “alien’s work permits” (The Ministry of Immigration and Integration, 2019, p. 2 and p. 41). The Aliens Act can therefore be understood in relation to de Genova’s concept of ‘the legal production of migrant illegality’. However, the production of ‘illegality’ and ‘deportability’ goes beyond what is written in Danish law.

The second type of ‘illegality’ is produced through the discursive framing of sex work as a social ‘problem’. The construction of the migrant sex worker as a ‘victim’ of human trafficking makes the embodiment of the migrant sex worker into a social ‘problem’ of moral character. Even though selling sex does not constitute a crime, it is constructed as a social ‘problem’ that is linked to transnational crime and gender inequality. In this way, the construction of the migrant street-based sex worker becomes an embodiment of an ‘illegal’ and ‘deportable’/‘returnable’ figure, regardless of immigration status.

Through laws, action plans, and policy proposals I have analyzed the standpoint of the state. By deploying Bacchi's data analysis method, I have illustrated how the Danish state represents undocumented migrants as a 'problem' and how this representation influences the way migrant sex workers are constructed. Furthermore, I have theorized how the 'legal production of migrant illegality' can be understood within the Danish context. It is argued that the migrant street-based sex workers are a specific figure of the 'illegal' and 'deportable' migrant, due to intersecting legal frameworks.

6.2 The standpoint of the Red Van

The Red Van started as a political experiment – a kind of gimmick – in 2016. Back then it was fully funded by the municipality of Copenhagen and the goal was to draw attention to the vulnerability of street-based sex workers in the Red-Light district. Jatuparisakul, explains how “people thought it was outrageous to have a place that street-based sex workers could use for free. Even the people who started the project regarded it as a ‘political stunt’ and it was not supposed to continue” (Jatuparisakul, 2022, p. 1).

At the time the project started in 2016, the immigration policies of Denmark were becoming increasingly protectionist, and nationalist and anti-immigration attitudes were visible in mainstream discourses. Jatuparisakul started in March 2017 and a few months later the municipality of Copenhagen announced that they were going to end the project. A small group of 8 volunteers decided to go on with the project, without the municipality. The municipality does not want to fund the project because some of the women might be 'trafficked'. Additionally, the state does not fund harm-reduction methods because of the narrative that if the state helps migrant sex workers, more might migrate to Denmark to sell sex (Socialdemokratiet, 2018). According to Jatuparisakul, this narrative does not mirror the reality as she states, “more women are not going to cross the Atlantic Ocean in an inflatable boat because they can have sex in a van” (Jatuparisakul, 2022, p. 13).

On the streets in the Red-light district, there is a good and trusting relationship between the volunteers of the Red Van and the women selling sex on the streets. Selling sex is

one of the most vulnerable types of labor and the Red Van tries to decrease the sex workers' vulnerability by providing a safe space for the women to bring their clients. While the organization cannot decrease the 'illegality' and 'deportability' of migrant street-based sex workers, it can provide a sense of safety and security.

“Our presence in the streets is deescalating. The fact that the women can use our van means that they do not have to sell sex in secluded alleys and streets. If you are in a secluded or private place you cannot shout for help if something happens” (Jatuparisakul, 2022, p. 4)

'The legal production of illegality' is a theoretical concept, nonetheless, it becomes a concrete process in the Red-Light District of Copenhagen. Jatuparisakul states that restrictions of the Danish immigration laws can increase the vulnerability of migrant street-based sex workers' lives. She explains how many of the migrant sex workers that use the Red Van “will rather accept violence than report it”. In relation to that Jatuparisakul states, “it is difficult to help people who fear deportation” (Jatuparisakul, 2022, p. 5). The Aliens Act and the Return Act make it unsafe for migrant street-based sex workers to report violence and abuse to the police. She adds: “We have tried to call the police to report an incidence, where we asked if it was possible to ignore the woman's residence status. They said no. It is not the police fault it is the law” (Jatuparisakul, 2022, p. 4). If a migrant street-based sex worker wants to report a sexual assault, it is regarded as a crime committed in the 'past'. But because the woman who reports the assault is in Denmark without the right documents, her presence on Danish territory is regarded as a current and ongoing crime, which within Danish law is a more significant 'problem'. This illustrates a hierarchy within the Danish criminal law and how 'the legal production of illegality' is multilayered.

Plambech's concept of indentured sex work migration is useful when describing the lived experience of migrant street-based sex workers in Copenhagen. According to Jatuparisakul most of the women who use the Red Van are heavily indebted. Restrictions on immigration laws and the ongoing gentrification of Vesterbro, make the lives of the migrant street-based sex workers increasingly vulnerable and dangerous. It can be argued that the gentrification of the Red-light District pushes migrant sex

workers further underground. Jatuparisakul explains how the Red Van is being challenged by new establishments, that do not want sexual commerce in front of their businesses. She reports how these new establishments “weaponize the immigration law and the law on human trafficking against us [the Red Van]. They accuse us of creating an unsafe atmosphere because we, some young women, stand in front of a van and drink coffee” (Jatuparisakul, 2022, p. 8). This example illustrates how the ‘illegality’ and ‘deportability’ of migrant sex workers' bodies are not only enforced by the state. Furthermore, it shows how the narrative of the ‘illegal’ and ‘deportable’ migrant is reproduced throughout Danish society and how it can manifest itself on the ground.

While the organization has become bigger in the last few years, it continues to face new challenges due to political changes. Jatuparisakul explains how changes in immigration policies and action plans can make her unsure of the Red Van’s future. The municipality of Copenhagen has developed an action plan called ‘Copenhagen free from human trafficking, forced prostitution, and gender violence’. While it is unsure how this action plan will be enforced, it worries Jatuparisakul. Politically sex work is constructed as an occupation that people are not involved with voluntarily. A consequence of this action plan could be further criminalization of the migrant street-based sex workers in the Red-Light District of Copenhagen. Another policy proposal that worries Jatuparisakul is the proposal to “deport foreigners that help undocumented migrants in Denmark”, as many volunteers, including Jatuparisakul, do not have Danish citizenship (The Danish Parliament, 2022 ; Jatuparisakul, 2022). While the policy proposal remains silent on what constitutes ‘help’, it indicates how the concepts of ‘illegality’ and ‘deportability’ could develop in the future.

Denmark is regarded as one of the safest countries in the world, however, in the last few years, it has been the task of voluntary people to decrease the vulnerability of migrant street-based sex workers with no funding from the state. Jatuparisakul states “it's crazy because there's a lot of focus on women's safety in the nightlife, but no one focuses on the safety of the women we work with. It is like they do not count.” (Jatuparisakul, 2022, p. 2) To this date, the work that the Red Van do is still regarded as controversial. The standpoint of the Red Van is based on experiences from the streets in the Red-Light District. The organization’s narrative and standpoint stem directly from its practices.

Jatuparisakul states “we are the only actor whose work takes place on the streets non-stop. There is so much to learn from being out on the streets” (Jatuparisakul, 2022, p. 2) The situated knowledge from the Red Van is significant, because of the social position it is produced from. While the goal of each nightshift is to decrease the vulnerability of street-based sex workers, the organization's long-term goal is that one day there will not be a need for them.

7 Conclusion

The purpose of this thesis was to understand how the anti-immigration paradigm in Denmark has affected migrant street-based sex workers in Copenhagen. Through my two qualitative methods of data analysis, I have analyzed the standpoint of the Danish state and the Red Van separately. The two standpoints illustrate a significant incoherence between state-produced narratives and the experiences on the ground. The findings of the analysis show how the standpoint of the state is rooted in an ideology, while the standpoint of the Red Van stems from everyday practices on the streets in the Red-Light District. There is a significant incoherence in the way the Danish state and the Red Van describe and construct migrant street-based sex workers. The Danish state is concerned with the safety and security of Danish citizens and represents migrant street-based sex workers as a ‘threat’ to the state and creators of an unsafe atmosphere. In contrast, the Red Van is concerned with the safety and security of migrant street-based sex workers.

The standpoint of the Danish state assumes that if migrant street-based sex workers have better and more secure working conditions, more women will migrate to Denmark to sell sex. This assumption stands in contrast to the standpoint of the Red Van. Jatuparisakul does not consider the possibility of having sex in a van a driving factor in women’s migratory decisions.

Another contrast between the two standpoints is the way of understanding the concept of sex work migration. While the Danish state ascribes to the conventional trafficking-smuggling division, it regards all sex work as forced labor. Thereby, from the narrative of the state, all migrant sex workers are assumed to be ‘victims’ of human trafficking. On the contrary, the situated knowledge from the Red Van indicates that the conventional trafficking-smuggling division does not mirror the reality in Copenhagen’s Red-light district. This adds to arguments presented in the literature review by Plambech (2017), Anderson (2007), and Andrijasevic (2010). Instead, the reality on the ground mirrors the concept of indentured sex work migration. Therefore, this thesis

argues that in order to understand sex work migration better in the future, we must move away from the conventional way of categorizing, describing, studying, and governing it. Understanding sex work migration as indentured migration makes it possible to recognize how Danish immigration policies affect migrant street-based sex workers.

The state's desire to keep undocumented migrants out of the national territory, and the attempt of ending sex work migration by securitizing the border of Denmark, have made the lives of migrant sex workers more precarious and vulnerable. The fact that migrant street-based sex workers are not able to report violence to the police, without having their immigration status investigated, has resulted in accepting violence from customers. This tendency among migrant street-based sex workers in the Red-light District stands in contrast to the government's efforts at making Copenhagen a 'safer' space for women. The threat of being deported without having paid one's debt, can make migrant street-based sex workers hesitant and afraid of using the Red Van and other offers available. Furthermore, fearing deportation can drive migrant street-based sex workers to live clandestinely. Together, all these factors contribute to increasing the vulnerability of migrant street-based sex workers. Another finding of this thesis is that the gentrification of the Red-light District is a contributing factor to the vulnerability of migrant street-based sex workers, and that this process pushes migrant sex workers further underground. Future studies should explore the relationship between gentrification and immigration policies more in-depth.

This thesis argues that the anti-immigration paradigm in Denmark has increased the vulnerability of migrant street-based sex workers, however, vulnerability is a concept that is difficult to measure. I argue that the vulnerability of migrant street-based sex workers is structural and relational. The structural vulnerability is due to the politically constructed position that migrant street-based sex workers have within the Danish state. The structural vulnerability can be illustrated through migrant street-based sex workers' inability to report violence to the police, without having their immigration status investigated. The relational vulnerability can be understood in relation to the absence of social support and an unequal relational framework. The relational vulnerability of migrant street-based sex workers can be understood as a result of their social position in

the Danish society. Thus, the relational vulnerability of migrant street-based sex workers entails an unequal power relation, which increases the risk of exploitation, violence, and abuse. This thesis concludes that the intersecting legal frameworks that migrant street-based sex workers are subjected to have placed them in a position of severe vulnerability. Future research should engage further with the concept of vulnerability, as a common understanding of the concept is still missing to this date.

Another central finding of this thesis is that the production of ‘illegal’ and ‘deportable’ is a complex and multilayered process. I argue that the migrant street-based sex workers have become the embodiment of an ‘illegal’ and ‘deportable’/‘returnable’ political figure, regardless of immigration status. As the Danish state continues to restrict its immigration laws, it becomes increasingly important to continue to study how the state produces ‘illegality’ and ‘deportability’ and the consequences of it. The findings of this thesis become particularly important and worrying in relation to the state’s efforts to broaden the boundaries of ‘deportability’.

This thesis has contributed to the emerging field of sex work studies. Nonetheless, sex work migration continues to be an understudied topic. While the results of this thesis might be able to indicate how migrant street-based sex workers are affected by immigration laws in other countries, differences in legal frameworks make it impossible to generalize the findings. Hence, there is a great need for future research on the relationship between immigration laws and indentured sex work migration. Despite its great importance, it was beyond the scope of this thesis to account for intersectional complexities. Future research should study the relationship between sex work migration and immigration policies from an intersectional perspective. Furthermore, attention should be given to the way immigration laws affect street-based migrant sex workers differently due to racialized and sex-gendered experiences. Additionally, as this thesis has sorely focused on cis-gendered female sex workers, future studies should pay attention to male and transgender sex workers.

9 Bibliography

- Anderson, B. 2007. Motherhood, Apple Pie and Slavery: Reflections on Trafficking Debates. *Working Paper*, [E-journal] 1(48), pp. 1–20. Available at Center of Migration, Policy & Society: https://www.compas.ox.ac.uk/2007/wp-2007-048-anderson_trafficking_debates/ [Accessed 1 March 2022].
- Anderson, B., & Hughes, V. 2015. *Citizenship and its others: Migration, Diasporas and Citizenship*. First edition. London: Palgrave Macmillan.
- Andrijasevic, R. 2010. *Migration, Agency and Citizenship in Sex Trafficking*. First edition. New York: Palgrave Macmillan.
- Bacchi, B. 2009. *Analysing Policy: What's the Problem Represented to Be?* First edition. Frenchs Forest NSW 2086: Pearson Education Australia.
- BBC, 2021. *Denmark's Red Van*. [Online] Available at: <https://www.bbc.co.uk/programmes/m0012flc> [Accessed 10 May 2022].
- Bernstein, E. 2018. *Brokered Subjects: Sex, Trafficking & the Politics of Freedom*. First edition. Chicago: University of Chicago Press.
- Braun, V. and Clarke, V. 2006. Using thematic analysis in psychology. *Qualitative Research in Psychology*, [E-journal] 3(2), pp. 77–101. DOI: 10.1191/1478088706qp063oa.
- de Genova, N. P. 2002. Migrant “illegality” and deportability in everyday life. *Annual Review of Anthropology*, [E-journal] 31, pp. 419–447. DOI: 10.1146/annurev.anthro.31.040402.085432.

- de Genova, N. P. 2017. *The borders of 'Europe': Autonomy of Migration, Tactics of Bodering*. London: Duke University Press
- de Haas, H., Castles, S. and Miller, M. 2020. *The Age Of Migration*. Sixth edition. London: Red Globe Press.
- Durisin, E., van der Meulen, E. and Bruckert, C. 2018. *Red Light Labour: Sex Work Regulations, Agency, and Resistance*. First edition. Chicago: The University of Chicago Press.
- Dyrvig Henriksen, T., Bastholm Andrade, S., Mehlsen L., et al. 2021. *Salg Af Sex i Danmark 2020 : En Kortlægning*. [Pdf] available at: <https://www.vive.dk/da/udgivelser/salg-af-sex-i-danmark-2020-16278/> [Accessed 1 April]
- Gammeltoft-Hansen, T. and Nyberg Sørensen, N. 2012. *The Migration Industry and the Commercialization of International Migration*. First edition. London: Routledge.
- Griffith, M. 2015. 'The Convergence of the Criminal and the Foreigner in the production of Citizenship', in Anderson, B. and Hughes, V. (Eds) *Citizenship and Its Others*. First edition. London: Palgrave Macmillan, pp. 72–89.
- Halperin, S. and Heath, O. 2020. *Political Research Methods and Practical Skills*. First edition. New York: Oxford University Press.
- Harding, S. 2004. *The Feminist Standpoint Theory Reader*. First edition. London: Routledge.
- Hennebry, J., Holliday, J. and Moniruzzaman, M. 2017. *Women migrant workers' journey through the margins labour, migration and trafficking*. [Pdf] Available at:

<https://www.unwomen.org/en/digital-library/publications/2017/2/women-migrant-workers-journey-through-the-margins> [Accessed 9 May 2022].

Iwata, M. 2013. Book Review: *Illicit Flirtations: Labor, Migration, and Sex Trafficking in Tokyo* by Rhacel Salazar Parreñas. *Gender & Society*, [e-journal] 27(3), pp. 424–426. DOI: 10.1177/0891243213479657.

Jordan, A. and Burke, L. 2011. *Is Human Trafficking Really the Third Most Profitable Business for Organized Crime?* [Online] Available at: <http://rightswork.org/2011/03/is-human-%20trafficking-really-the-third-most-profitable-business-for-organized-crime-3/> [Accessed 9 May 2022].

Justitsministeriet. 2022. *Tillægsbetænkning over Forslag til lov om ændring af lov om politiets virksomhed og lov om restaurationsvirksomhed og alkoholbevilling m.v. (Skærpelse af bødestrafen for overtrædelse af ordensbekendtgørelsen m.v.)* [Online] Available at: <https://www.retsinformation.dk/eli/ft/201015L00656> [Accessed 22 April 2022].

KFUK. 2022. *Lovgivning og politiske tiltag på prostitutionsområdet.* [Online] Available at: <https://kfuksa.dk/lovgivning-politiske-tiltag-pa-prostitutionsområdet> [accessed 18 May 2022].

Kvale, S. 2007. *Doing Interviews.* First edition. London: Sage.

Lansink, A. 2009. Migration and development: The contribution of women migrant workers to poverty alleviation. *Agenda: Empowering Women for Gender Equity*, [E-journal] 81, pp. 126–136. Available at Jstor: <https://www-jstor-org.ludwig.lub.lu.se/stable/27868987?seq=1> (accessed 18 May 2022).

Logan, N. 2019. DON'T TIP THE MELTING POT: A Case Study of the U.S., U.K., and Denmark's Use of Anti-immigration Laws to Shift Blame for Real Social and Economic Problems to Immigrants and the Economic and Legal Impacts of Their

Use. *San Diego International Law Journal*, [E-journal] 21(1), pp. 331–364. Available at: <https://search-ebshost-com.ludwig.lub.lu.se/login.aspx?direct=true&AuthType=ip,uid&db=edshol&AN=edshol.hein.journals.sdintl21.14&site=eds-live&scope=site> [Accessed: 18 March 2022].

Loubere, N. 2017. Questioning Transcription: The Case for the Systematic and Reflexive Interviewing and Reporting (SRIR) Method. *Forum Qualitative Sozialforschung*, [E-journal] 18(2), pp. 1–22. Available at: <https://search-ebshost-com.ludwig.lub.lu.se/login.aspx?direct=true&AuthType=ip,uid&db=edsswe&AN=edsswe.oai.lup.lub.lu.se.5ac26fa9.1863.4dad.b2b2.a5b82d438720&site=eds-live&scope=site> [Accessed: 25 April 2022].

Mai, N., Macioti P., Bennachie, C. et al. 2021. Migration, sex work and trafficking: the racialized bordering politics of sexual humanitarianism. *Ethnic and Racial Studies*, [E-journal] 44(9), pp. 1607–1628. DOI: 10.1080/01419870.2021.1892790.

Municipality of Copenhagen. 2007. *Redegørelse om prostitution i København*. [Pdf] Available at: <https://www.ft.dk/samling/20061/almdel/reu/bilag/607/389436.pdf?fbclid=IwAR0qGwGZzFuW8U5I1xQrh73o-SbgX8GwPmzcCOY7NV1NfIoj-K83SPe6smQ> [Accessed 18 May 2022].

OHCHR. 2000. *Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime*. [Online] Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-prevent-suppress-and-punish-trafficking-persons> [Accessed 2 April 2022].

- Plambech, S. 2017. Sex, Deportation and Rescue: Economies of Migration among Nigerian Sex Workers. *Feminist Economics*, [E-journal] 23(3), pp. 134–159. DOI: 10.1080/13545701.2016.1181272.
- Plambech, S. Padilla, M., Cheng, S. et al. 2022. ‘Borders and boundaries: Thinking migration, sexuality and precarity in a neoliberal age’ in Jakobsen, J. and Bernstein, E. (eds). *Paradoxes of Neoliberalism: sex, gender, and possibilities of justice*. First edition. New York: Routledge, pp.135-157.
- Punch, K. 2005. *Introduction to Social Research: Quantitative and Qualitative Approaches*. Second edition. London: Sage.
- Robson, C. and McCartan, K. 2016. *Real World Research. A Resource for Users of Social Research Methods in Applied Settings*. Fourth edition. Chichester: Wiley.
- Sager, M. 2011. *Everyday Clandestinity Experiences on the Margins of Citizenship and Migration Policies*. [E-book] Faculty of Social Sciences, Centre for Gender Studies, Lund University: Lund. Available at: <https://search-ebshost-com.ludwig.lub.lu.se/login.aspx?direct=true&AuthType=ip,uid&db=cat07147a&AN=lub.1968247&site=eds-live&scope=site> [Accessed: 1 March 2022].
- SIO. 2010. *Gadejuristen og Sexarbejdernes Interesseorganisation hjælper sexarbejdere på gaden mod politiets dummebøder*. [Online] Available at: <https://www.s-i-o.dk/gadejuristen-og-sexarbejdernes-interesseorganisation-hjaelper-sexarbejdere-pa-gaden-mod-politiets-dummeboder/> (accessed 24 April 2022).
- SIO. 2022. *About SIO*. [Online] Available at: <https://www.s-i-o.dk/english/about-sio/> [Accessed 21 April 2022].
- Socialdemokratiet. 2018. *RETFAERDIG OG REALISTISK*. [Pdf] Available at: <https://www.socialdemokratiet.dk/media/fkjkbmst/en-udlaendingepolitik-der-samler-danmark-5.pdf> [Accessed 5 May 2022].

Suárez-Krabbe, J., Lindberg, A. and Arce, J. 2018, *Stop Killing us Slowly: A research report on the motivation enhancement measures and criminalization of rejected asylum seekers in Denmark*. [Pdf] Available at:
http://refugees.dk/media/1757/stop-killing-us_uk.pdf [Accessed 5 March 2022].

The Danish Government. 2016. *Et stærkere Danmark - Styr på flygtningestrømmen*. [Pdf] Available at: https://www.regeringen.dk/media/2204/et-staerkere-danmark-styr-paa-flygtningestroemmen_weba.pdf [Accessed 5 May 2022].

The Danish Parliament. 2022. *Forslag til folketingsbeslutning om udvisning af udlændinge, der hjælper illegale udlændinge i Danmark*. [Online] Available at: https://www.folketingstidende.dk/samling/20211/beslutningsforslag/B87/20211_B87_som_fremsat.pdf [Accessed 6 May 2022].

The Danish Government. 2015. *Sammen for fremtiden*. [Pdf] Available at: https://www.regeringen.dk/media/1318/sammen_for_fremtiden_-_regeringsgrundlag.pdf [Accessed 13 May 2022].

The Danish Government. 2018. *Udenrigs- og sikkerhedspolitisk strategi*. [Pdf] Available at: <https://www.regeringen.dk/aktuelt/publikationer-og-aftaletekster/udenrigs-og-sikkerhedspolitisk-strategi-for-2017-2018/> [Accessed 2 May 2022].

Ministry of Gender Equality (2002) *The Danish Government's Action Plan to Combat Trafficking in Women*. [Pdf] Available at: <https://documentation.lastradainternational.org/doc-center/1331/the-danish-governments-action-plan-to-combat-trafficking-in-women> [Accessed 12 April]

The Ministry of Immigration and Integration. 2019. *Aliens (Consolidation) Act*. Available at: <https://www.nyidanmark.dk/en-GB/Lovstof/legislation> [Accessed 12 April 2022].

The Ministry of Immigration and Integration. 2022. *Hjemrejseloven*. [Online] Available at: <https://www.retsinformation.dk/eli/lta/2021/982> [Accessed 5 May 2022].

The Ministry of Justice. 2014. *Regeringen sætter ind over for illegale indvandrere, kriminelle udlændinge og menneskesmuglere*. [Online] Available at: <https://www.justitsministeriet.dk/pressemeddelelse/regeringen-saetter-ind-over-for-illegale-indvandrere-kriminelle-udlaendinge-og-menneskesmuglere/> [Accessed 4 May 2022].

The Red Van. 2022. *Harm reduction for street-based sex workers*. [Online] Available at: <https://trv.dk> [Accessed 18 May 2022].

Valentine Gill (2001) 'At the drawing board: developing a research design'. In: Limb, M. and Dwyer, C. (eds) *Qualitative Methodologies for Geographers*. First edition. New York: Oxford University Press.

10 Appendices

10.1 Appendix: Interview guide

General questions:

- 1) What is the story of the organization? – Hvad er historien bag the red van?
- 2) How did the organization come about? – Hvordan started organisationen?
- 3) When did you start? – Hvornår started du?
- 4) Why did the organization start when it did? – Hvorfor startede organisationen da den gjorde? Var det en reaction på noget som skete I samfundet?
- 5) What challenges do you face? – Hvilke udfordringer står I overfor? Både lokalt (mikro) og I et større perspektiv (makro)
- 6) What kind of activism do you do? – hvilken slags aktivisme udøver i? Why have you chosen harm reduction as your method? – Hvorfor har I valgt harm reduction som jeres metode?
- 7) Do you see your activism as an act of resistance? – Forstår du din activism som en form for modstand?
- 8) What do you think the red van can archive and what is beyond the scope of the Red Van? – Hvad tænker du at The Red Van's arbejde kan opnå? hvad er udenfor grænserne for jeres arbejde?
- 9) Do you face any moral dilemmas on the individual level and professional level? Står du nogensinde overfor personlige eller professionelle morale dilemmaer I forbindelse med jeres arbejde?

Questions about the organizations daily practices:

- 1) Tell me from beginning to end how your workday look? – Kan du fortælle mig om hvordan en arbejdsdag/vagt ser ud fra start til slut?
- 2) How do you use the van (the space) – Hvordan bruges bilen?
- 3) How do you use the space outside the van? - Hvordan bruger I området udenfor bilen?
- 4) Does it matter that the van is there? - Har det en betydning hvor på Vesterbro bilen står?
- 5) When people come in what do you do? – Hvad gør I når der kommer folk som skal bruge bilen?

- 6) How do you use the van when there is no one? – Hvad laver I når bilen ikke er i brug?
- 7) How do you use it when people are inside? - Hvad laver I når bilen er i brug?
- 8) What do you do during a shift? – Hvad laver I under en vagt?

10.2 Appendix: Table of secondary data collection

Selected Sources				
No.	Title	Year	Type	Additional Information
State documents				
1.	Udlændingeloven (The Aliens (Consolidation) Act)	2019	Law	Language: English
3.	B87: Forslag til folketingsbeslutning om udvisning af udlændinge, der hjælper illegale udlændinge i Danmark. (Policy proposal for the parliament on the deportability of foreigners with residence permits who help illegal foreigners in Denmark.)	2022	Policy proposal	Translated to English by Cecilie Smed Dawids
5.	Hjemsendelsesloven: Lov om hjemrejse for udlændinge uden lovligt ophold (The Return Act: Law on the return of foreigners without legal residence)	2021	Law	Translated to English by Cecilie Smed Dawids
6.	Regeringen sætter ind over for illegale indvandrere, kriminelle udlændinge og menneskesmuglere. (Action plan against illegal immigrants, criminal foreigners and human traffickers)	2014	Press release	Translated to English by Cecilie Smed Dawids
7.	Retfærdig og Realistisk (Fair and Realistic)	2018	Policy proposal	Translated to English by Cecilie Smed Dawids
8.	Et stærkere Danmark – Styr på flygtningestrømmen (A stronger Denmark – Control the influx of refugees)	2016	Action plan	Translated to English by Cecilie Smed Dawids

9.	Udenrigs- og sikkerhedspolitisk strategi (A strategy of foreign and safety policy')	2018	Action plan	Translated to English by Cecilie Smed Dawids
10.	Sammen for fremtiden (United for the future)	2016	Action plan	Translated to English by Cecilie Smed Dawids

10.3 Appendix: Table of primary data collection

Interviews and observations				
11.	Interview with the chairwomen of the Red Van, Aphinya Jatuparisakul.	2022	Transcription of interview	Translated to English by Cecilie Smed Dawids
12.	Night shift with the Red Van	2022	Ethnographic notes from observations	Translated to english by Cecilie Smed Dawids

10.4 Appendix: Bacchi's six analytical questions

1. What's the 'problem' represented to be in a specific policy or policy proposal?
2. What presuppositions or assumptions underpin this representation of the 'problem'?
3. How has this representation of the 'problem' come about?
4. What is left unproblematic in this problem representation? Where are the silences?

Can the 'problem' be thought about differently?

5. What effects are produced by this representation of the 'problem'?
6. How/where has this representation of the 'problem' been produced, disseminated

and defended? How has it been (or could it be) questioned, disrupted, and replaced?

(Bacchi, 2009, p xii)