



Sex Workers Are the Experts of Their Own Experiences

Assessing Swedish Prostitution Policy with Sex Workers

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Abstract

In this thesis, a participatory approach was used to privilege the opinions of sex workers regarding the effects of the Swedish prostitution policy. Since 1999, Sweden has criminalized only the purchase of sex, thus, this research studied the impact on sex workers, who are seen as victims by the law. The debate on the matter is extremely polarized, therefore, sex workers have been of fundamental help to unpack, examine and evaluate the feminist abolitionist discourse and the Swedish model. Their experiences and assessments were collected through interviews and participant observation and were then analyzed through a thematic analysis. This study highlighted the negative consequences that the Neo-Abolitionist approach has caused, by showing that sex workers are de facto criminalized. The law produces detrimental effects on their living and working conditions exacerbating harm. In short, Sweden fails to protect and support sex workers therefore new solutions are needed to guarantee the full realization of their human rights, including labor rights.

Keywords: Sex Workers, Sex Work, Prostitution, Sweden, Sex Purchase Act, Swedish Model, Neo-Abolitionism, Human Rights, Sex Workers' Rights.

"Nihil de nobis, sine nobis"
(*"Nothing about us, without us"*)

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List of abbreviations

AIDS	Acquired Immunodeficiency Syndrome
COVID-19	Coronavirus Disease 2019
EU	The European Union
HIV	Human Immunodeficiency Virus
ILGA	The International Lesbian, Gay, Bisexual, Trans and Intersex Association
IOM	International Organization for Migration
LGBTQIA+	Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual
NGO	Non-Governmental Organization
NSWP	Global Network of Sex Work Projects
NZPC	Aotearoa New Zealand Sex Workers' Collective
RUS	Red Umbrella Sweden
SI	The Swedish Institute
STI/STD	Sexually Transmitted Infection/Disease
SOU	Swedish Government Official Reports
UN	The United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
WHO	The World Health Organization

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1. Introduction

1.1. Introduction and Research Questions

In 1999, Sweden became the first country in the world to criminalize the purchase of sexual services while simultaneously decriminalizing its sale.¹ The feminist argument behind this choice understands prostitution as a form of male violence against women which hinders gender equality.² In the Swedish feminist discourse, sex workers are described as victims who are exploited by others or as disadvantaged people who are economically forced into prostitution. Choosing to criminalize only sex buyers and third parties is seen as a way to reduce the demand and eventually eradicate prostitution: according to the lawmakers, this system favors sex workers by counteracting the imbalance of power between buyers and sellers.³ Furthermore, from this perspective, to end prostitution it is necessary to support sex workers to leave the sex industry through exit programs and social services. This model, known as "neo-abolitionist", was strongly promoted by the Swedish government as a success to emulate and it was exported and implemented in other countries. Nevertheless, many criticisms have been raised against this approach, stating that the reports⁴ made to assess its results were not scientifically rigorous.⁵ Many researchers have indeed refuted the actual decrease in prostitution supported by the reports, and several scholars pointed out that decreasing the number of sex buyers did not coincide with a reduction in abuses since the law appeared to exacerbate harm.⁶

¹ Swedish Penal Code, chapter 6 on sexual offences, section 12.

² G. S. Ekberg, 'The Swedish law that prohibits the purchase of sexual services. Best practices for prevention of prostitution and trafficking in human beings', in *Violence against women*, Vol. 10, N.10, 2004.

³ The Swedish Institute, 'Prostitution policy in Sweden - targeting demand', 2019, p. 6, https://sharingsweden.se/app/uploads/2019/02/si_prostitution-in-sweden_a5_final_digi_.pdf, (accessed 10 May 2022).

⁴ SOU 2010:49.

⁵ P. Östergren, 'Sexworkers critique of Swedish prostitution policy', *Petra Östergren* [website], n.d., <http://www.petraostergren.com/upl/files/115326.pdf>, (accessed 31 March 2022)

⁶ J. Levy, 'Criminalising the purchase of sex. Lessons from Sweden', Abingdon, Oxfordshire, UK & New York, NY: Routledge, 2015.

In order to effectively assess this model, it is necessary to collaborate with its protagonists since their internal knowledge allows for the identification of the issues caused by the law. Sex workers are not generally invited by policymakers to share their opinions and this was reversed by placing their opinions at the core of this investigation. Through a participatory approach, this study privileged the opinions and experiences of those who sell sex in Sweden and their testimony was gathered through interviews and participant observation. The Swedish case study allows for a broad understanding of the neo-abolitionist model, currently enforced in 8 countries.

First, it was necessary to describe the law and its historical evolution and then to focus on the feminist discourse of abolitionists and non-abolitionists. Moreover, much of the literature on the Swedish case was highlighted for outlining an initial framework for this investigation. Sex workers were thus able to approve or reject what has been described, they shared what it meant to sell sexual services in Sweden and which effects the law had on their human rights, including labor rights. A thematic analysis was adopted to analyze the collected data.

The neo-abolitionist model is a conundrum that only sex workers can solve, therefore, the most accurate and ethical choice for researchers and policymakers is to include their expertise.

The thesis tried to answer these research questions:

1. What are the effects of the Swedish neo-abolitionist model on sex workers?
 - a. what impact does it have on their living conditions?
 - b. and on their working conditions?
2. How do sex workers assess the Swedish prostitution policy?
 - a. what are the pros and cons?
 - b. what are the modifications they suggest?
3. Are the narratives described by the feminist discourse on sex workers correct?
 - a. if not, what is the actual truth?

1.2. Terminology

Language is a very powerful instrument that can serve to empower or disempower,⁷ hence the choice of terms to use should be carefully considered. In particular, when it comes to sex work, language is anything but neutral.⁸ Sex work terminology is indeed very divisive⁹ and employing the formula "sex work" rather than "prostitution" is a political and ideological decision that will be placed within a specific feminist theoretical framework.

Nevertheless, this thesis tries to maintain distance from the common dichotomy "sex work vs prostitution" and to go beyond these labels since its purpose is not to explore what the phenomenon is, but rather to see what impact a neo-abolitionist model, like the Swedish one, has on the life of those who are employed in the sex industry. Accordingly, throughout this research, various terms are used as synonyms: "sex worker", "person who sells sex", "person who sells sexual services", and "person active in prostitution". Although in this thesis these terms are often used interchangeably, it is good to point out that not all people who sell sex identify as "sex workers" and not all sex workers approve the word "prostitution". In an attempt to remain neutral and inclusive, the phrases previously written are used as equal paraphrases of "sex workers". The term "sex work" is also used as analogous to the word "prostitution": "sex work" is an umbrella term that came into use in the 1970s, thanks to sex workers who demanded rights and recognition, and that now is commonly used in academia to indicate various forms of direct and indirect sexual activities.¹⁰ The term "prostitution" is the one used in the Swedish context while "sex work" is absent in policy discourses.¹¹ Terminology that commonly has a negative connotation is avoided within this thesis, such as "prostitute", "prostituted person", or "hooker".

During the data collection phase, many conversations took place with those who sell sexual services and they were asked which terms they preferred to identify

⁷ Levy, 'Criminalising the purchase of sex', p. 26.

⁸Stella, 'Language matters: talking about sex work', Infosheet, 2013, <https://www.nswp.org/sites/nswp.org/files/StellaInfoSheetLanguageMatters.pdf>, (accessed 10 March 2022).

⁹ Levy, 'Criminalising the purchase of sex', p. 23.

¹⁰ M. Bacio, 'Unpicking the sex work conundrum', in M. Bacio, et al., (eds), *Contested commodities. My body my choice?*, FEPS - Foundation for European Progressive Studies, 2021, p. 24.

¹¹ Levy, 'Criminalising the purchase of sex', p. 66.

themselves and their work, in fact, using the wrong expression can be very detrimental to the interviewer because it can be seen as offensive or provocative. What appeared interesting was that the word "prostitute" was never used by the respondents, most probably because it is still strongly stigmatized. Therefore, the terms mentioned in this thesis are those that the people who contributed to this research chose personally.

2. Prostitution Policy in Sweden

This chapter describes the Swedish legal approach to prostitution and its historical and ideological background.

2.1. Historical Evolution of the Law

In 1734, for the first time, prostitution became illegal in Sweden as it is believed that during the Middle Ages it was not a crime.¹² During this period, women had to prove that they had a profession, a money deposit for their survival, or a man who could take care of them, otherwise, they could have been arrested to prevent them from approaching prostitution.¹³ During the 19th century, the law concerning prostitution changed, and even if prostitution was not legalized, it is at least tolerated, therefore women were no longer arrested and punished with forced labor as before.¹⁴ In 1847, the first office for registering women selling sexual services was established and due to this, they needed to undergo a weekly medical examination to avoid the spread of diseases.¹⁵ In 1878, feminists and liberals obtained the repeal of the obligation for sex workers to be registered and visited since these were humiliating and stigmatizing practices.¹⁶ In 1918, prostitution was regulated by the State through two laws, one relating to the spread of diseases (*Lex Veneris*) and another on vagrancy (*Vagrancy Lax*), and for this reason, sex workers were considered criminals, just as dangerous as vagrants, and their

¹² Y. Svanström, 'Policing public women. The regulation of prostitution in Stockholm 1812-1880', Stockholm, Atlas Akademi, 2002, p. 193.

¹³ Svanström, 'Policing public women', p. 193.

¹⁴ Svanström, 'Policing public women', p. 23.

¹⁵ Svanström, 'Policing public women', p. 144.

¹⁶ Svanström, 'Policing public women', p. 422.

earnings were illegal.¹⁷ It was only in 1964 that the vagrancy law was abrogated and replaced with the law on antisocial behavior for which sex workers were no longer suffering from mental illness, as they were previously described, but remained a danger to society.¹⁸ Since 1969, this law has stopped being used but it did not imply that prostitution was therefore decriminalized. The debates on prostitution began to be more frequent during the 1970s and for the first time, the role of men was acknowledged, since all discussions so far focused only on women. The problem of women's deviance was raised and it was understood that its original cause was men and their demands. In the 1980s, anti-prostitution and anti-pornography movements become prevalent and patriarchy was blamed for the existence of commercial sex.¹⁹ In 1995, some parliamentarians drafted the proposal to ban the sex purchase which changed a centuries-old Swedish trend of blaming women for prostitution.²⁰ Thanks to the intense lobbying and research carried out on gender violence, *Sexköpslagen* ("The Swedish Sex Purchase Act") was approved by the parliament.

2.2. The Swedish Sex Purchase Act

Sexköpslagen states: "A person who, otherwise than as previously provided in this Chapter, obtains a casual sexual relation in return for payment, shall be sentenced for purchase of sexual service to a fine or imprisonment for at most one year.²¹ The provision of the first paragraph also applies if the payment was promised or given by another person".²² In 1999, for the first time, a country criminalized the sale of sexual services but not its sale and this approach is now known as "neo-abolitionist". The "Swedish model", also incorrectly called the "Nordic model", was the first model of State policy to have been influenced and introduced by feminist policymakers.²³ The

¹⁷ Y. Svanström, 'Prostitution as vagrancy: Sweden 1923-196', in *Journal of Scandinavian studies in criminology and crime prevention*, 7, 2006.

¹⁸ Svanström, 'Prostitution as vagrancy', p. 156-157.

¹⁹ P. Östergren and S. Dodillet, 'The Swedish Sex Purchase Act: claimed success and documented effects', in S. Altink, H. Amesberger, and H. Wagenaar, (eds), *Final report of the international comparative study of prostitution policy: Austria and the Netherlands*, Platform 31, 2013, p. 112.

²⁰ D. Danna, 'Donne di mondo. Commercio del sesso e controllo statale', Elèuthera, Milano, 2004, p. 161.

²¹ In 2011, the penalty for the purchase of sexual services was increased from imprisonment for six months to imprisonment for one year.

²² Lag 2005:90, Brottsbalk 6.11.

²³ Östergren and Dodillet, 'The Swedish Sex Purchase Act', p. 109.

criminal law prohibiting the purchase of sexual services was part of a package of measures called "*Kvinnofrid*" (Peace for women) which dealt with many issues related to gender-based violence, such as domestic violence, rape, and sexual assaults.²⁴ The choice to include prostitution in this package meant understanding it as a form of gender violence therefore, despite the law being gender-neutral, prostitution was perceived as male violence against women. Accordingly, the Swedish government argued that the feminist solution to address sex work was not punishing those who sell sex²⁵ since they represent the weakest part of this relationship and therefore, they need to be seen as victims.²⁶ The Swedish Institute (SI) in this regard writes that "the original idea with the introduction of the Sexual purchase act in Sweden was to mitigate the reduced agency of the seller, equalize the power balance, and lessen the exploitation of the individual, mostly women, while still disrupting the market and reducing the demand".²⁷

It is important to underline that even if the sale of sexual services is not criminalized this does not mean legitimizing the activity: the long-term purpose of the law remains the abolition of prostitution which, according to this approach, can happen only by punishing sex buyers and decreasing the demand. From this point of view, the Swedish transition from criminalization to the neo-abolitionist approach results to be consistent. The government believes that "prostitution is not a desirable social phenomenon"²⁸ and for this reason, the law wants to motivate sex workers to seek help and abandon this exploitative system. Swedish ambition is to achieve gender equality but this is hindered by prostitution which is harmful, not only to women but also to the well-being of the State.²⁹ This model has also been promoted and exported abroad and is currently enforced in 8 countries.³⁰

In addition to the sex purchase ban, other criminal laws deal with prostitution and more precisely, criminalize third parties. Law prohibits the activities of aiding and abetting prostitution and therefore, promoting or financially exploiting someone who

²⁴ Östergren and Dodillet, 'The Swedish Sex Purchase Act', p. 113.

²⁵ R. Marshall, 'Sex workers and human rights: a critical analysis of laws regarding sex work', *William & Mary Journal of Race, Gender, and Social Justice*, Volume 23, Issue 1, 2016, p. 60.

²⁶ P. Östergren and S. Dodillet, 'The Swedish Sex Purchase Act'.

²⁷ The Swedish Institute, 'Prostitution policy in Sweden'.

²⁸ Swedish Ministry of Justice, 'Evaluation of the prohibition of the purchase of sexual services', <https://www.government.se/articles/2011/03/evaluation-of-the-prohibition-of-the-purchase-of-sexual-services/>, (accessed 10 April 2022).

²⁹ Swedish Ministry of Justice, 'Evaluation of the prohibition of the purchase of sexual services'.

³⁰ Sweden (1999), Norway (2009), Iceland (2009), Canada (2014), Northern Ireland (2015), France (2016), Ireland (2017), Israel (2018).

sells sexual services is punished by up to four years in prison.³¹ Providing an apartment or running a brothel where sexual services are sold is also punished.³²

In conclusion, SI claims that "in the 20 years since the legislation came into effect, the results are overwhelmingly positive. It's no wonder other nations have started to look at ways to incorporate Sweden's initiative".³³

3. Literature Review

In this chapter, a brief overview of the literary debate that emerged following the approval of the Swedish model on prostitution is presented. The Swedish Sex Purchase Act has provoked, in Sweden as well as internationally, strong reactions and it has been "widely celebrated and widely condemned".³⁴ Some of the most known and relevant authors have been selected for this section, despite the vast literature on the subject. A few texts that are in favor of the *sexköpslagen* are described together with a couple of scholars who are against the law.

3.1. A Heated Debate on the Swedish Model

In 1999, Sweden criminalized the purchase of sexual services, influenced by the narrative of feminists who understood prostitution as patriarchal oppression, and after a short time, the first critical voices against the law began to rise. We find abolitionist scholars on the one hand and scholars who were opposed to the sex purchase ban on the other and both used personal narratives of those who sell sex to assert their reasoning.

Gunilla Ekberg is probably one of the very first authors to encounter while researching the subject of prostitution in Sweden as she played a significant role in spreading the model beyond Swedish borders. In addition to having experience as a social worker and lawyer, she worked as a special advisor on prostitution and human

³¹ Swedish Penal Code, chapter 6 on sexual offences, section 12.

³² Swedish Penal Code, chapter 6 on sexual offences, section 12.

³³ The Swedish Institute, 'Prostitution policy in Sweden', p. 36.

³⁴ O. Florin, 'A particular kind of violence: Swedish social policy puzzles of a multipurpose criminal law', *Sexuality Research and Social Policy* 9.3, 2012, p. 269.

trafficking for the Swedish government from 1998 to 2006. According to Ekberg, the Swedish sex purchase law is groundbreaking as it highlights for the first time the root of prostitution and trafficking which is the demand of men who assume to have the right to buy people for sexual purposes.³⁵ In her writings, Ekberg addresses people who sell sexual services using the female gender, despite the purchase act being gender-neutral, and she argues that the demand for sexual services is male-dominant and without it, women would not be exploited and the prostitution industry would not exist.³⁶ In her publications, she is opposing the idea of sex as work as she claims that it is, in any case, a form of exploitation and therefore, prostitution and trafficking of human beings for sexual purposes are intrinsically linked and cannot be separated.³⁷ Furthermore, she argues that prostitution is an obstacle to gender equality as it is a form of male violence against women.³⁸ Prostitution is harmful to the entire society and in particular to women and children who are therefore seen as victims and should not risk any criminal consequences.³⁹ Ekberg is strongly advocating for the Swedish approach and she claims that it has achieved, over the years, significant successes in reducing the demand for sexual services and consequently, prostitution and human trafficking.⁴⁰ She argues that street prostitution has remarkably decreased and that the presence of migrant women on the street is now almost zero.⁴¹ Moreover, she states that the Swedish model was made possible thanks to the effort of feminists and that it has received great approval in Sweden and around the world, as it is fulfilling the established expectations.⁴²

Several researchers responded to Ekberg, including Jay Levy, a researcher who conducted fieldwork in Sweden to explore the impacts of the criminalization of the purchase of sex, showing how the evaluation of the legislation was biased. Levy clarifies that historically, Sweden has had rather low levels of sex work, also considering the small number of inhabitants, and given the clandestine and hidden nature of sex workers, it cannot be demonstrated that there has been a decrease in

³⁵ Ekberg, 'The Swedish law that prohibits the purchase of sexual services', p. 1.

³⁶ Ekberg, 'The Swedish law that prohibits the purchase of sexual services', p. 2.

³⁷ G. S. Ekberg and K. Werkman, 'Swedish laws, policies and interventions on prostitution and trafficking in human beings: a comprehensive overview', 2017.

³⁸ Ekberg and Werkman, 'Swedish laws, policies and interventions'.

³⁹ Ekberg, 'The Swedish law that prohibits the purchase of sexual services', p. 2.

⁴⁰ Ekberg, 'The Swedish law that prohibits the purchase of sexual services', p. 6.

⁴¹ Ekberg, 'The Swedish law that prohibits the purchase of sexual services', p. 7.

⁴² Ekberg, 'The Swedish law that prohibits the purchase of sexual services'.

people selling sexual services.⁴³ According to Levy, there is no concrete evidence that Swedish law has served to reduce prostitution and especially human trafficking.⁴⁴ He is skeptical of the figures and statistics used to prove the efficiency of the *sexköpslagen* as they do not have a real scientific basis and a true comparable starting point. These criticisms have also been supported by the Swedish Government Official Reports (SOU) which argued that at least the levels of prostitution have not increased after the new law⁴⁵ and by the Swedish National Board of Wealth and Welfare ("*Socialstyrelsen*") which argued that they could not answer the question about whether prostitution changed numerically after 1999.⁴⁶ It is partly true that following the Sex Purchase Act there has been a decrease in street prostitution but it is not the only factor that must be considered: first of all, after the law was enforced, police started performing many controls on the streets and implemented the use of CCTV that has caused a displacement of sex workers,⁴⁷ secondly, the harsh Swedish climate generally does not favor street prostitution⁴⁸ and thirdly, the phenomenon of "spatial switching"⁴⁹ must be taken into account. Since the use of technology increased over the years and to avoid being stopped by the authorities, sex workers and customers have left the public space (outdoor prostitution). Nowadays, sexual services are mostly advertised online and meetings are happening usually in private apartments and hotel rooms (indoor prostitution). Thus, it is not possible to establish with certainty a correlation between the introduction of the Sex Purchase Act and the decrease in street-based prostitution since it seems to be due to a multitude of factors, including a general trend that does not only concern Sweden.

Finally, Levy argues that the Swedish model is actually an abolitionist failure that is not achieving its goal of decreasing prostitution and it produces only negative

⁴³ Levy, 'Criminalising the purchase of sex', p. 107-113.

⁴⁴ Levy, 'Criminalising the purchase of sex', p. 112-113.

⁴⁵ SOU, 'Förbud mot köp av sexuell tjänst: En utvärdering 1999–2008', 2010:49, Stockholm: Regeringskansliets Förvaltningsavdelning, 2010.

⁴⁶ Socialstyrelsen, 'Prostitution in Sweden 2007', 2008.

⁴⁷ Levy, 'Criminalising the purchase of sex. Lessons from Sweden', p.107-108.

⁴⁸ Danna, 'Client-only criminalization in the city of Stockholm: A local research on the application of the "Swedish Model" of prostitution policy', in *Sexuality Research and Social Policy* 9(1), 2012.

⁴⁹ P. Hubbard, R. Matthews, and J Scoular, 'Regulating sex work in the EU: Prostitute women and the new spaces of exclusion', *Gender, Place and Culture*, Volume 15, Issue 2, 2008.

outcomes that put sex workers' lives in more danger⁵⁰ even though Ekberg claims that "the ultimate goal of the law is to protect the women in prostitution".⁵¹

Several publications on this matter come from Petra Östergren, who has been researching the Swedish prostitution policy since the 1990s, bringing to light sex workers' critique and the negative effects produced by *sexköpslagen*. Östergren shows that although Swedish law does not criminalize those who sell sexual services, it still produces several negative side effects on sellers.⁵² The sex workers she interviewed told her of an increased stigma of selling sex that forced them to lie or isolate themselves⁵³ and this caused a whole series of ripple effects: compared to before, now they suffer more stress; they are more afraid of being stopped by the police, they have less time to assess customers, therefore, cases of violence are increasing; there is fear of working in one's own apartment or with other people in the house (family or co-workers) because there is a high chance to lose the property and for the people to be accused of procuring; they report less often crimes out of fear and because there is less trust in police and social services; there is more competition in the sex industry and fewer customers available which push the neediest people to lower the prices and to agree to services that generally they would not have accepted.⁵⁴ When the law passed, the consequences for those who sell sex were not taken into account and the side effects listed above show that celebrating a possible decrease in street-based prostitution is rather shortsighted as it has only moved to more hidden places and that corresponds to less protection and less support for sex workers. Nevertheless, Östergren was criticized because of the sample of 20 sex workers she selected for her research. The women she interviewed did not have any negative experiences related to prostitution and therefore, they only had a positive view of selling sex.⁵⁵ This is a selection bias that should be avoided or at least mentioned to the readers.

Another author worth bringing into this discussion is Melissa Farley: a clinical psychologist and anti-prostitution researcher. Her studies, carried out in many countries

⁵⁰ J. Levy and P. Jakobsson, 'Sweden's abolitionist discourse and law: effects on the dynamics of Swedish sex work and on the lives of Sweden's sex workers', in *Criminology and Criminal Justice*, 2014.

⁵¹ Ekberg, 'The Swedish law that prohibits the purchase of sexual services', p. 19.

⁵² Östergren and Dodillet, 'The Swedish Sex Purchase Act'.

⁵³ Östergren and Dodillet, 'The Swedish Sex Purchase Act'.

⁵⁴ P. Östergren, 'Sexworkers critique of Swedish prostitution policy'.

⁵⁵ M. Waltman, 'Prohibiting sex purchasing and ending trafficking: the Swedish prostitution law', *Michigan Journal of International Law*, Vol. 33, 2011, p. 152.

around the world, have focused on the effects of sexual violence, prostitution, and trafficking. Farley is a supporter of the Swedish model as she believes that prostitution is comparable to slavery⁵⁶ and sexual violence as it is "paid rape".⁵⁷ In her opinion, most of those who sell sexual services have been abused or neglected in the past⁵⁸ and as a result of prostitution, many women suffer from post-traumatic stress disorder.⁵⁹ According to Farley, Sweden has a feminist prostitution law⁶⁰ that finally criminalizes "Johns who buy women",⁶¹ pimps and traffickers and recognizes that women represent the weaker part which is exploited.⁶² Farley believes that there is no distinction between prostitution and trafficking, since it is due to prostitution if there is a demand for trafficking, and this false line is just a way to hinder the abolition of prostitution.⁶³ In her writings, she also mentions statistics related to the *sexköpslagen*, arguing that just two years after the law was enacted, the number of women selling sex had halved and that the number of male buyers had decreased by 75%.⁶⁴

The researcher has received a lot of criticism since her non-transparent methods raised many controversies: issues were found with the sample since marginalized women with a negative view of prostitution were mainly selected, the statistical data often seemed not rigorous and her belonging to abolitionist feminism influenced her findings to the point that many of her conclusions were already shaped before the research.⁶⁵

This was a short review of some proponents and opponents of the Swedish Sex Purchase Act and despite 23 years having passed since the enactment of this law, the debate remains heated and many still comment on this model. What is interesting to notice here is that although the authors mentioned have different views and therefore, they aspire to divergent laws to regulate prostitution, they are all equally motivated by a

⁵⁶ M. Farley, 'Prostitution, trafficking, and cultural amnesia: what we must not know in order to keep the business of sexual exploitation running smoothly', *Yale J. Law Feminism* 18, 2006.

⁵⁷ M. Farley, 'Prostitution, liberalism, and slavery', *Logos*, Vol 12 #3, 2013, <http://logosjournal.com/2013/farley/>, (accessed 31 March 2022).

⁵⁸ Farley, 'Prostitution, trafficking, and cultural amnesia', p. 105.

⁵⁹ Farley, 'Prostitution, trafficking, and cultural amnesia', p. 108.

⁶⁰ Farley, 'Prostitution, liberalism, and slavery'.

⁶¹ Farley, 'Prostitution, trafficking, and cultural amnesia'.

⁶² Farley, 'Prostitution, trafficking, and cultural amnesia', p. 131.

⁶³ Farley, 'Prostitution, trafficking, and cultural amnesia', p. 134.

⁶⁴ Farley, 'Prostitution, trafficking, and cultural amnesia', p. 131.

⁶⁵ Weitzer, 'Flawed theory and method in studies of prostitution'.

similar desire for solidarity with those who sell sex and believe that their actions are truly improving the living conditions of sex workers.

4. Theory

In this chapter, the theoretical framework used for data analysis is described. This includes: feminist theory, two sub-categories within feminist theory which are abolitionist feminism and sex-positive feminism, sex workers epistemology, and social movement theory.

4.1. Feminist Theory

"Feminist theory is a broad, transdisciplinary perspective that strives to understand roles, experiences, and values of individuals on the basis of gender".⁶⁶ Feminist theory is not a single univocal branch but many opposing theoretical camps can be found within it. To deepen our comprehension of prostitution, it is necessary to digest two different feminist theories which have diametrically opposite positions in this regard. Often this feminist debate about whether prostitution can be oppression or emancipation is referred to as "the feminist sex war" which places abolitionist feminists on one side and sex-positive feminists on the other. In the next few pages, these feminist theories will be briefly described and both strands of feminism will serve as tools to understand the narratives of those who sell sex in Sweden. The paradox that is good to keep in mind before discussing the two polar opposite feminist theories is that both claim to be in defense of those who sell sex: some feminists support them by demanding for them to be recognized as workers while the other feminists help them to leave prostitution by saving them from themselves and exploiters.⁶⁷

Although a feminist approach has been selected for this thesis, this does not mean excluding men and queer people and denying that they are also selling sexual

⁶⁶ L. Gerassi, 'A heated debate: theoretical perspectives of sexual exploitation and sex work', *journal of sociology and social welfare*, 42(4), 2015, p. 80.

⁶⁷ Bacio, 'Unpicking the sex work conundrum', p. 24.

services. Feminist theory allows to explore themes such as oppression and discrimination and its intent is to achieve gender equality that includes everyone.

4.1.1. The Abolitionist Feminist Discourse

Abolitionist feminism aims at the complete elimination of prostitution (and pornography) as it is conceived as a form of gender oppression, therefore of men against women, which cannot be consensual. Even when the choice may appear deliberate, it is actually due to reasons linked to poverty⁶⁸ or internalized sexism that make the consent invalid. Since selling sex is coercive and it can never be a choice, there is no difference between prostitution and human trafficking for sexual purposes and they are all equally victims of sexual violence. Rejecting the idea that prostitution could be a profession, this feminism does not use terms such as "sex work" or "sex worker" but rather associates the sale of sexual services with rape and slavery. Usually, this group of feminists uses expressions such as "prostitution's survivors" and "selling someone's body" since they do not believe that sexual activity can be separated from the body.

People who sell sexual services are generally described as women who are "racially and economically disadvantaged"⁶⁹ and they are often pathologized because it is believed that only those who have been abused as a child can decide to do sex work.⁷⁰ Furthermore, they argue that those who have been active in prostitution suffer from serious negative side effects,⁷¹ for instance, post-traumatic stress disorder.⁷² Abolitionist feminism blames patriarchal society, where men represent the dominant part while women are submissive to them, for the existence of prostitution and argues that all women exploited in the sex trade are victims. Prostitution symbolizes women's subordination⁷³ and it constitutes a form of gender inequality that exists due to male hegemony.⁷⁴ Therefore, patriarchal society itself obliges women to submit to sexual

⁶⁸ C. A. MacKinnon, 'Women's lives, men's laws', Harvard University Press, 2005.

⁶⁹ A. Dworkin, 'Intercourse', London Arrow Books, 1987.

⁷⁰ Farley, 'Prostitution, trafficking, and cultural amnesia'.

⁷¹ A. Dworkin, 'Prostitution and male supremacy', Michigan journal of gender & law, 1993.

⁷² Farley, 'Prostitution, trafficking, and cultural amnesia'.

⁷³ S. Jeffreys, 'Prostitution, trafficking and feminism: an update on the debate', women's studies international forum 32, 2009, p. 1.

⁷⁴ J. O'Connell Davidson, 'Prostitution, power and freedom', Ann Arbor: the university of Michigan press, 1998.

male obligations⁷⁵, and, at the same time, women by accepting this degrading imposition reinforce and legitimize patriarchy.

This theory served as the foundation of the neo-abolitionist model, currently in place in Sweden, which wants to eradicate prostitution as only in this way gender equality can be achieved. The Swedish legal framework argues not to punish sex workers but rather protect them, since they are seen as victims, by criminalizing only the purchase of sexual services.

Within the abolitionist category, it can be found another stance which is Marxist feminism. This feminist theory believes that the fight against prostitution is closely linked to the one against capitalism, being "sexuality to feminism what work is to Marxism".⁷⁶ It is because of capitalist dominance that women who are in more precarious economic situations, decide to migrate into prostitution. Prostitution is based on the oppression of women and on the misery that society, divided into classes, generates. As long as capitalism keeps existing, no choice can be truly free and women's violence and exploitation will never be eradicated.

4.1.2. The Sex-Positive Feminist Discourse

Abolitionist feminism has been heavily criticized by a group of feminists known as pro-sex work or sex-positivists. They argue that prostitution can be consensual and that it can indeed be a profession like many others and therefore, it should be normalized and recognized as such.⁷⁷ The human rights of sex workers should be respected, including labor rights. Violence and stigma suffered by sex workers are not due to prostitution but rather to the society that marginalizes and criminalizes them.⁷⁸ This explains the poor health, mental and physical, of those who sell sex. Sex work can not only be a choice but a form of self-expression, agency, and freedom thus there is a difference between voluntary and forced prostitution.⁷⁹ The legislative models that sex-positive feminism aspires to are legalization and decriminalization and they argue

⁷⁵ S. Bell, 'Reading, writing, and rewriting the prostitute', Bloomington and Indianapolis: Indiana University press, 1994.

⁷⁶ Gerassi, 'A heated debate', p. 81.

⁷⁷ A. Vicente, 'Prostitution and the ideal state. A defense of a policy of vigilance', *ethic theory and moral practice* 19, 2016, p. 476.

⁷⁸ Vicente, 'Prostitution and the ideal state', p. 478.

⁷⁹ Levy, 'Criminalising the purchase of sex', p. 38.

that the paternalistic attitude of abolitionists that wants to see sex workers as victims is deleterious. Legalizing prostitution means regulating it through laws that impose obligations and conditions, therefore, there is State-control over the activity.⁸⁰ The decriminalization of sex work means removing any law that criminalizes sex work while not being subjected to any special protection or regulation.⁸¹ It would become just like any other job and this could support combating human trafficking and gender inequality.

Sex work can be beneficial and empowering for women who become masters of their own bodies, choices, and work. Sex work is not always oppressive and can actually be a way out of poverty⁸² and this is a condition experienced by many workers, not just those who are active in the sex industry. Deciding which job is right or wrong for a woman to do is patriarchal⁸³ whilst autonomy of choice should be encouraged. Furthermore, pro-sex work feminism denies the gender narrative described by abolitionist feminists by recognizing that men can also be sex workers, and transgender people as well.

4.1.3. The Silencing of Sex Workers

Levy mentions some of the ways used by abolitionists to silence and exclude sex workers' narratives: 1) "false consciousness" is a way of discrediting those who argue that their choice to be a sex worker is free and positive by saying that they are not able to fully understand and decide because of the traumas and abuses experienced; 2) the idea that sex workers lie or pretend when they talk about their experience in a way that diverges from what is believed to be correct; 3) when the two previous ways do not work then the words of sex workers are minimized by saying that their testimony is not representative as it is not majoritarian.⁸⁴

Sex-positive discourse can also damage the real image of sex workers and create barriers to justice. Audacia Ray, author, former sex worker, and founder of the Red

⁸⁰ G. Garofalo Geymonat, 'Köpa och sälja sex. Mellan njutning, arbete och utnyttjande', Polen: Daidalos AB, 2014, p. 141.

⁸¹ Garofalo Geymonat, 'Köpa och sälja sex. Mellan njutning, arbete och utnyttjande', p. 141.

⁸² R. Beegan and J. Moran, 'Prostitution and sex work: situating Ireland's new law on prostitution in the radical and liberal feminist paradigms', *Irish Journal of Applied Social Studies* Vol. 17(1), 2017, p. 62-63.

⁸³ Gerassi, 'A heated debate', p. 82.

⁸⁴ Levy, 'Criminalising the purchase of sex', p. 47-54.

Umbrella Project⁸⁵, argues that not all people who work in the sex industry like having sex and especially with strangers. She additionally points out that for many sex workers money is the driving factor.⁸⁶ Emphasizing sex and pleasure alienates and shames those who are not enthusiastic participants in the sex work even though, it is not required to be particularly positive and energetic while working since sex work is like any other job.⁸⁷ Ray underlines the importance of listening to those who have different sex work experiences, even negative ones, otherwise, even the sex-positivist movement contributes to silencing the voices of those who sell sex.⁸⁸

4.2. Sex Workers Epistemology and Social Movement Theory

The starting point for this case study was finding out that although people who sell sexual services are the main subject of prostitution policies, they are not listened to or invited to make first-hand contributions.⁸⁹ Even Feminist theory can be a hindrance to sex workers, as shown in the previous section. Ronald Weitzer, a sociologist known for his publications on the sex industry, writes that "in no area of the social sciences has ideology contaminated knowledge more pervasively than in writings on the sex industry".⁹⁰ Regardless of the position one may have on the matter, the opinions of those who work in the sex industry should be a fundamental perspective in this discussion to understand what to improve or change. People who sell sexual services are not usually seen as actors with agency and self-determination. As a result, authorities do not directly interact with them but rather act as proxies since sex workers are perceived purely as victims for whom decisions must be made, as they are not considered capable of doing so.

⁸⁵ <https://redumbrellaproject.org/>

⁸⁶ A. Ray, 'Why the sex positive movement is bad for sex workers' right', *Momentum: making waves in sexuality, feminism & relationships*, Danesi, T., et al., (eds), 2012, <https://audaciaray.tumblr.com/post/20228032642/why-the-sex-positive-movement-is-bad-for-se>, (accessed 10 April 2022).

⁸⁷ Ray, 'Why the sex positive movement is bad for sex workers' right'.

⁸⁸ Ray, 'Why the sex positive movement is bad for sex workers' right'.

⁸⁹ P. Östergren, 'Sexworkers critique of Swedish prostitution policy', p. 1.

⁹⁰ R. Weitzer, 'Flawed theory and method in studies of prostitution', in *Violence against women*, 2005. p. 934.

The principle that guides this research is “the epistemological privileging of the sex worker”⁹¹ which was well described by Lorraine Nencel. This principle underlines the importance of collaborating with sex workers as they are experts on the subject and of placing their life experiences at the center of the study.⁹² The only way to produce experiential knowledge is to involve sex workers in research and to listen to their stories, without imposing personal thoughts.⁹³ Accordingly, the intent of this thesis is not to re-write their narratives through a personal moral lens but rather directly serve the target group. Often people who sell sexual services do not have control over what is written about them and for this reason, they are represented in ways that do not match what they actually experience.⁹⁴ Therefore, this research privileges the true voice of sex workers and acts as an echo for them.

Following sex workers' epistemology, social movements theory was selected for this research project, which arises from the idea that to combat oppression all those who are oppressed should unite in a collective movement.⁹⁵ Social movements theorists see in the figure of the sex worker a political role that, through collective action, can demand respect for the human rights of those who sell sex and therefore, overcome stigmatization and marginalization.⁹⁶ To counter these abuses, it is necessary to create communities providing peer support and develop a collective identity of the sex worker.⁹⁷ The cardinal point of this theory argues that sex workers are agentive actors that play a key role in the sex industry. Hence, they should be considered authoritative and included when doing research or designing policies. All said so far is ably summarized by the sex workers' rights maxim "nothing about us without us".⁹⁸ This phrase shows the desire to be actively included when trying to narrate and represent the world of sex work, being this the only way to generate a beneficial social change for them.

⁹¹ L. S. Nencel, 'Epistemologically privileging the sex worker: uncovering the rehearsed and presumed in sex work studies', Routledge, 2017, p. 67.

⁹² Nencel, 'Epistemologically privileging the sex worker'.

⁹³ Nencel, 'Epistemologically privileging the sex worker', p. 74.

⁹⁴ Nencel, 'Epistemologically privileging the sex worker', p. 71.

⁹⁵ S. Dewey et al., 'Sex industry research: key theories, methods, and challenges', Routledge, 2018, p. 12.

⁹⁶ Dewey et al., 'Sex industry research'.

⁹⁷ Dewey et al., 'Sex industry research'.

⁹⁸ Dewey et al., 'Sex industry research'.

Embracing this theoretical perspective in this study means seeing those who sell sex as producers of knowledge since no one else knows the topic in more detail than them. With this belief, it came naturally to decide to work together with sex workers, as partners, to raise awareness of the injustices they suffer and to try to find new strategies to improve their conditions. For this reason, this thesis requires the readers to listen carefully to the views of sex workers before shaping their own understanding of the phenomenon.

5. Methodology

In this chapter, the methods employed will be presented and the choices made during the research process will also be explained.

5.1. Researching with and for Sex Workers: a Participatory Approach

Many questions have been raised regarding the correct methodology to use for working *with* sex workers and *for* sex workers, instead of doing research *on* prostitution, as many tend to do which contributes to silencing the group by producing policies that do not reflect their needs.⁹⁹ In seeking to find an ethical and inclusive methodology that could have been sex worker-centered, participatory action research (PAR) was selected. PAR is an approach to action research which means working in collaboration with those who are being researched to analyze and solve a problem or to advance a social change.¹⁰⁰ Participatory action “offers a way to openly demonstrate solidarity with oppressed and disempowered people through our work as researchers”.¹⁰¹ Applying this social research methodology means working in an egalitarian way with the target, as co-researchers,¹⁰²

⁹⁹ Nencel, ‘Epistemologically privileging the sex worker’, p. 73.

¹⁰⁰ O. Fals Borda and M.A. Rahman, (eds), ‘Action and knowledge: breaking the monopoly with participatory action-research’, New York: The Apex Press, 1991.

¹⁰¹ P. Maguire, ‘Feminist participatory research’, in A. M. Jaggar (ed.), *Just methods: An interdisciplinary feminist reader*, Boulder, CO: Paradigm Publishers, 2008, p. 417.

¹⁰² M. O’Neill, ‘Cultural criminology and sex work: resisting regulation through

counteracting the common power imbalance in the researcher-researched relationship¹⁰³ to produce together interventionist knowledge¹⁰⁴ that is directly useful to people, therefore not purely theoretical but oriented to offer solutions to the problems experienced by the subjects.¹⁰⁵

Including the participation of key actors such as people who sell sex in research means not reinforcing the process of marginalization, stigmatization, and "othering"¹⁰⁶ of which they are victims due to standardized and homogeneous narratives that are made about them. This methodology allows sex workers to describe their own experiences, being aware that their internal perspective is actually the most valid and the only one that can inspire a change.¹⁰⁷ Action research also enables the empowerment of the marginalized group as it recognizes sex workers as custodians of in-depth knowledge; it lets them identify the topics, focus, and priorities,¹⁰⁸ and uses their insider knowledge as a resource in the production of new knowledge and to raise awareness,¹⁰⁹ without speaking for them as they are able to do so. This study recognizes the expertise of people who sell sexual services and understands that only by seeing the world through their eyes one may have a more genuine perspective on the dynamics at play. Only with an active presence of the target group, listening to their insights, it is possible to aspire to an improvement of the current policies.

The fuel that made this study possible was the many informal talks that took place with the target group during the period of collaboration with Noomi,¹¹⁰ which is an NGO that supports victims of human trafficking for sexual purposes and people active in prostitution.¹¹¹ People who sell sexual services wanted to share what they thought was wrong with the Swedish model and this is how the idea for this thesis was born. Their guidance could not remain unheard and therefore after this enlightenment,

radical democracy and participatory action research (PAR)', *Journal of Law and Society*, 37(1), 2010, p. 227.

¹⁰³ Fals Borda and Rahman, 'Action and knowledge'.

¹⁰⁴ Fals Borda and Rahman, 'Action and knowledge'.

¹⁰⁵ M. Brydon-Miller, D. Greenwood, and P. Maguire, 'Why action research?', *Action Research*, 1(1), 2003, p. 10-11.

¹⁰⁶ O'Neill, 'Cultural criminology and sex work', p. 227.

¹⁰⁷ Nencel, 'Epistemologically privileging the sex worker', p. 74.

¹⁰⁸ Fals Borda and Rahman, 'Action and knowledge'.

¹⁰⁹ O'Neill, 'Cultural criminology and sex work', p. 231.

¹¹⁰ Noomi is technically a department within the organization Hela Människan.

¹¹¹ <http://www.noomimalmo.se/>.

there was a moral obligation in attempting to amplify their voices by merging action and research.

The work carried out with the NGO, over a period of more than two years, provided a thorough understanding of the phenomenon of sex work in Sweden and has allowed the identification of key actors with whom to interact, given the "hidden"¹¹² nature of people who sell sexual services. During the preliminary phase of this research project, it was necessary to build a relationship of mutual trust in order to create a safe space that allowed for open and honest discussions. Being perceived as an "outsider" could be extremely detrimental as many sex workers decline invitations to participate in similar studies out of the fear of being personally exposed and because the results produced could be used against them.¹¹³

The decision was to challenge the more traditional research methods by opting for a more inclusive option, that was ethical and non-exploitative, with no set goals but selecting the themes with the co-creators, through a democratic relationship of mutual support. Since sex workers are excluded from law-making processes, they instead become the main contributors to this research. Giving priority to sex workers in research produces more reliable data that are more useful to those involved. Research done in different ways is less relevant and fails to avoid the objectification of the target group, thus it continues to feed othering processes.¹¹⁴ The presence of these key actors means also acting as guarantors so that the researcher does not propose inappropriate recommendations or draw false conclusions that could only harm those who sell sex.¹¹⁵

5.2. Research Design

This is a qualitative case study of the experiences and opinions of people who sell sex in Sweden in regard to the Swedish model. The methods used to develop this research are qualitative as they emphasize and explore people's lived experiences and are best

¹¹² Levy, 'Criminalising the purchase of sex', p. 12.

¹¹³ E. van der Meulen, 'Action research with sex workers: dismantling barriers and building bridges', *Action Research*, 9(4), 2011, p. 379.

¹¹⁴ Nencel, 'Epistemologically privileging the sex worker', p. 74.

¹¹⁵ van de Meulen, 'Action research with sex workers', p. 380.

suitable when working against previous studies that have silenced these groups.¹¹⁶ When the participants share their "lived experiences" they decide what to communicate, what meanings to attribute to the information, when to avoid answering and the researcher needs to respect it.¹¹⁷ Qualitative methods are most appropriate to work with marginalized people as they are able to provide a greater understanding of the wider context in which their experiences take place.¹¹⁸ Qualitative methods were undertaken to collect the data which were subsequently analyzed through a thematic analysis.

5.2.1. Data Collection and Sampling

Data collection was possible through the use of a mixed methodology of formal interviews, participant observation, and informal talks. When the one-to-one interviews were not possible, less obtrusive tools were selected such as participant observation and informal talks. The purpose of these conversations was to document the perceptions of those who are directly affected by the prostitution laws in Sweden.

In order to have a more differentiated and reliable sampling, it was necessary to increase the type and number of informants who collaborated in this research. That being said, it is important to stress that obtaining a full representative sample of sex workers is extremely difficult as the group is de facto clandestine.¹¹⁹ To avoid self-selection bias,¹²⁰ two groups were identified that could have complemented each other narratives, with their differences and similarities: 1) sex workers who are pro-sex work; 2) people who sell sex but who do not identify themselves as sex workers. The reason behind this distinction is that often these two categories do not address the exact same issues but both are subject to the same law. Furthermore, this choice was also made to avoid that only knowledgeable respondents could be selected¹²¹ since respondents from various backgrounds needed to be included. Attentive considerations were necessary to avoid homogeneity in the narratives, overcome sampling biases, and

¹¹⁶ K.-K. Bhavnani, P. Chua, and D. Collins, 'Critical approaches to qualitative research' in P. Leavy (ed.), *The Oxford handbook of qualitative research* [Online], Oxford: Oxford University Press, 2014, p. 176.

¹¹⁷ Bhavnani, Chua, and Collins, 'Critical approaches to qualitative research', p. 176.

¹¹⁸ G. Abel, 'Decriminalisation: a harm minimisation and human rights approach to regulating sex work', PhD thesis, Public Health and General Practice, University of Otago, Christchurch, 2010, p. 114.

¹¹⁹ Levy and Jakobsson, 'Sweden's abolitionist discourse and law', p. 3.

¹²⁰ Levy, 'Criminalising the purchase of sex', p. 15.

¹²¹ Levy, 'Criminalising the purchase of sex', p. 15.

guarantee the security and confidentiality of the interlocutors. It is also important to mention that victims of human trafficking for sexual purposes were excluded from this research since survivors are particularly vulnerable and they are not representatives of people who sell sexual services, without being submitted to coercion from others.

As for the "pro-sex work" category, 8 sex workers and activists who are members of the sex worker-led organization Red Umbrella Sweden (RUS) have contributed to this research project. "RUS is a Swedish organization advocating for the rights, safety, justice, and self-determination of sex workers".¹²² All members of this organization are former or current sex workers and, during the interviews, sex workers shared that the members are around 100 and about 30% are non-Swedish sex workers. The members of RUS were extremely useful informants as in addition to having first-hand experience of sex work, they were also activists in contact with many other sex workers hence, they had a full overview of the phenomenon. Members of RUS participated in the drafting of two reports¹²³ written by sex workers on the Swedish model. Sex workers referred to this material on several occasions, therefore, it was included, together with the interviews, among the data used for the analysis.

Regarding the second group,¹²⁴ no direct interviews have been carried out as some ethical concerns could have arisen. The majority of this category is made up of migrant women who have come to Sweden temporarily to financially support their families. Access to this group was possible through the work of the NGO Noomi and in this case, participant observation and informal talks were used to communicate and listen to their testimony. During the outreach activities, Noomi meets many people and in 2021, the NGO came into contact with more than 300 people, most of them foreigners, who were in Sweden to sell sex.¹²⁵ These women are not activists and most of them are vaguely aware of the law enforced in Sweden therefore, they do not easily agree to be interviewed out of shame and fear. In attempting to avoid victimization, it

¹²² <https://redumbrella.se/>.

¹²³ NSWP Global network of sex work projects, 'The real impact of the Swedish model on sex workers. Advocacy toolkit', 2015, <https://www.nswp.org/resource/nswp-publications/advocacy-toolkit-the-real-impact-the-swedish-model-s-ex-workers-AND-Fuckförbundet,-Twenty-years-of-failing-sex-workers>, 2019, https://www.nswp.org/sites/default/files/20_years_of_failing_sex_workers.pdf (both accessed 20 April 2022).

¹²⁴ The group of those who do not fit in the "sex workers" label but who are still active in prostitution.

¹²⁵ Hela Människan, 'Verksamhetsberättelse & årsredovisning 2021', 2022, <https://helamanniskan.se/malmo/verksamhetsberattelse/>, (accessed 15 May 2022).

was decided to put aside the use of formal interviews to prevent them from feeling uncomfortable and in danger. Although the conversations were not in a formal way, they were still of significant value to collect meaningful data about their experiences in Sweden. The empirical material and the deductions obtained have subsequently been tested to verify their validity through direct interviews conducted with 2 social workers who have been working extensively in the field. Their perspective constitutes a valuable contribution to understanding the Swedish phenomenon.

5.2.2. Recruitment

Noomi acted as a gatekeeper to acquire contacts and it has significantly favored the development of this research, nevertheless, much time and energy were invested to create and maintain these relationships.

People active in prostitution have been contacted through civil society and online/public space, social workers who are part of Noomi's outreach team were asked to share insights from their work, and several sex workers members of RUS have voluntarily decided to participate in the interviews after reaching out to the organization by email.

With respect to the criteria for inclusion in the research, only people who have had experienced selling sex in Sweden were invited to contribute as well as Noomi's social workers who acted as gatekeepers since they are working closely with the target group. Knowledge of Swedish law was not a prerequisite. There were no requirements for gender, sexual orientation, geographical origin, or age.¹²⁶ Despite this, all the respondents were cisgender or transgender women.

5.2.3. Interviews

Communication with people active in prostitution, with social workers, and with RUS members took place in English, Spanish and Italian. The interviews with RUS and Noomi were semi-structured, with open-ended questions, which allowed a broader and free discussion with the interlocutors. This meant that an interview guide was available

¹²⁶ Minimum age: 18.

but the process was indeed flexible according to the interviewee's preferences. The person could share any additional information even if it was not covered by the questions. Semi-structured interviews are an efficient tool to capture the experience of the participants and the use of open-ended questions allows for expanding the boundaries of the query.

Staying true to the original idea of privileging the voices of the main characters, the interviewer tried to encourage the respondents to share their opinions and perspectives since "sex workers must be positioned as active, not passive voices in research".¹²⁷ People who sell sex are experts, not passive objects without agency,¹²⁸ therefore, during the dialogues, it was clear who had the role of the teacher and who was the learner.

Conversations with sex workers focused on re-imagining the Swedish model through their testimony, putting aside stereotypes and oversimplifications as there are no universal experiences and it is much more complex and nuanced than how is often described.¹²⁹ Many are the issues addressed: sex work terminology, the motivations that led them to sell sex, their views on the Swedish system, and their experiences with other actors such as social workers, police, and clients. The questions asked during the interviews were selected to allow a comparative analysis of the different impacts that the law has on "women active in prostitution" and on "sex workers". The purpose is not to show which group is more oppressed but to highlight the various aspects of prostitution which cannot, therefore, be limited to a single unique narrative. In so doing, the study is de facto enriched and the problem of the homogeneous portrayal of sex workers is overcome.

All interviews were conducted online whereas informal talks took place both in-person and by phone. The interviews took place online for reasons related to the interviewee's security and privacy and as a consequence, the person did not have to share information related to personal location. Each interview lasted around an hour and they all started with the researcher carefully explaining her role, the purpose of the study, and providing all the information relating to the interviewee's privacy. Voluntary and informed consent was requested orally and the interlocutors were told that at any

¹²⁷ E. Jeffreys, 2010, 'Sex worker-driven research: best practice ethics', *Dialogue e-Journal*, 8(1). *Challenging politics: critical voice*, NSWP Global Network of Sex Work Projects, 2010, p. 1.

¹²⁸ Levy, 'Criminalising the purchase of sex', p. 24.

¹²⁹ van der Meulen, 'Action research with sex workers'.

moment they could have decided to skip some of the questions or to end the conversation. The issues of consent and confidentiality are of great importance when doing research with criminalized and stigmatized people.¹³⁰ The interviews were not recorded to better guarantee the privacy of the respondents but notes were taken during the conversations. Personal details were not collected. At the end of each interview, the interviewees were asked to give feedback on this experience and tell how they felt during this time.

5.3. Thematic Analysis

All the notes taken during the interviews and the records written throughout the participant observation and informal talks phase were reorganized and translated into English, when needed, in such a manner to facilitate the analytic procedure. The collected data were then examined through a thematic analysis, characterized by a comparative design, to be able to list all people's perspectives and outline differences and similarities in the experiences lived by the groups.

Thematic analysis is a method used in qualitative research to identify, analyze and report patterns in data¹³¹ and it works "both to reflect reality and to pick or unravel the surface of reality".¹³² Although thematic analysis is rarely acknowledged, it is actually widely used in multiple research fields as it is notably flexible and enjoys theoretical freedom, since it is not linked to a specific theoretical or epistemological position.¹³³

Among the criticisms raised regarding this methodology, we find the possibility of losing the context in which the oral data was expressed and the problem of data fragmentation.¹³⁴ These two aspects were considered during the analysis to prevent the occurrence of these problematics.

In this specific study, the chosen method has made it possible to work with transcriptions of oral data and to find common threads and repeated patterns within the

¹³⁰ Levy, 'Criminalising the purchase of sex', p. 19.

¹³¹ V. Braun and V. Clarke, 'Using thematic analysis in psychology', *Qualitative Research in Psychology*, 3(2), 2006, p. 79.

¹³² Braun and Clarke, 'Using thematic analysis in psychology', p. 81.

¹³³ Braun and Clarke, 'Using thematic analysis in psychology', p. 78.

¹³⁴ A. Bryman, 'Social research methods', Oxford University Press, 4th Edition, 2012, p. 578.

views and experiences lived by sex workers in Sweden. The approach used is inductive since the theoretical framework was not used to shape the analysis and select the themes.¹³⁵ Themes capture important information about the data in relation to the research question and they are not influenced only by frequency, but also by the meaning they give to the researched matter.¹³⁶ The themes identified in this study are not theory-driven but are strictly related to the data (data-driven).¹³⁷ Indeed, the data did not have to fit into pre-existing theoretical concepts, but they were left “free to speak” and to select the themes. On the other hand, it should be noted that “researchers cannot free themselves of their theoretical and epistemological commitments”¹³⁸ and the coding process will be to some extent influenced by personal theoretical and analytical interests. The analysis carried out in this thesis is influenced by the subjectivity of the writer. Despite the intent to remain objective and faithful to the words of the interlocutors, it is important to underline that subjective interpretation and personal understanding will have a decisive impact on the choice of themes.

The analysis followed Braun and Clarke’s¹³⁹ 6-phase guide: 1) Familiarizing yourself with your data, 2) Generating initial codes, 3) Searching for themes, 4) Reviewing themes, 5) Defining and naming themes, 6) Producing the report. More specifically, the analytical process was performed as follows. All the transcripts have been read multiple times to be more familiar with the data. While reading, notes were taken and a preliminary list of ideas was written. Meaningful and repeated data were identified, then the coded segments were divided into groups based on potential themes and analytical interests. The data were read and reviewed several times, checking if the themes were matching the coded extracts. A thematic map was drawn and an extensive refinement of the themes and sub-themes took place. Some of them have been excluded and others have merged. Each theme was named and described in detail using extracts from the transcriptions to prove the accuracy of the investigation. Direct quotations from the conversations could not always be used and cited in the analysis for ethical reasons and in this case, paraphrases and summaries of the conversation were used.

¹³⁵ Braun and Clarke, ‘Using thematic analysis in psychology’, p. 83.

¹³⁶ Braun and Clarke, ‘Using thematic analysis in psychology’, p. 82.

¹³⁷ Braun and Clarke, ‘Using thematic analysis in psychology’, p. 83.

¹³⁸ Braun and Clarke, ‘Using thematic analysis in psychology’, p. 84.

¹³⁹ Braun and Clarke, ‘Using thematic analysis in psychology’, p. 87.

Braun and Clarke write that this method is often used with a "social justice motivation (...) [and for] giving voice to a socially marginalized group, or a group rarely allowed to speak or be heard in a particular context, or a more radical agenda of social critique or change"¹⁴⁰ and this has further encouraged the choice of this analysis. Among the recommendations of the two authors, one was particularly relevant and acted as a warning for this research: it is important not to approach the analysis in a passive way considering that themes do not "emerge" from the data, as it is often written, but it is the researcher who has an active role in selecting them.¹⁴¹ The researcher needs to be reflexive¹⁴² when making choices in the analytical process and at the same time, it is important to clarify all the steps taken.

The results of this study are not facts but interpretations of sex workers' experiences and the aim of coding was not to merely summarize the data but rather to provide a coherent interpretation of the data.¹⁴³

5.4. Ethical Considerations and Research Limitations

This short section represents a series of thoughts and reasonings that have been elaborated in the attempt to work in an ethical, democratic, and non-exploitative way with people who sell sex. When deciding to work for and with a group that is stigmatized, marginalized, and criminalized as sex workers many ethical issues need to be thoroughly taken into consideration. Security, confidentiality, and anonymity of respondents must be of primary importance for the researcher. It is also crucial that anyone participating in the study does so voluntarily and that informed consent is requested, if not in writing, at least orally. Informed consent means having provided all the information related to the research, including possible risks and benefits,¹⁴⁴ and explaining how the data the person shares will be used. Building a safe environment

¹⁴⁰ V. Braun, V. Clarke, N. Hayfield, and G. Terry, 'Thematic analysis', in P. Liamputtong (ed), *Handbook of Research Methods in Health Social Sciences*, Springer, Singapore, 2019.

¹⁴¹ Braun and Clarke, 'Using thematic analysis in psychology', p. 80.

¹⁴² Braun et al., 'Thematic analysis'.

¹⁴³ Braun et al., 'Thematic analysis'.

¹⁴⁴ S. Sinha, 'Ethical and safety issues in doing sex work research: reflections from a field-based ethnographic study in Kolkata, India', *Qualitative health research* vol. 27(6), 2017.

based on mutual trust will allow for better communication and greater honesty, especially when dealing with sensitive topics such as prostitution.

Despite the need to collect meaningful data and information relating to the research, this should not be prioritized over the safety and well-being of the interlocutors.¹⁴⁵ Thus, it was decided not to carry out direct interviews with migrants who are active in prostitution since this could be potentially dangerous and emotionally exhausting for them. For the same reason, minors and victims of human trafficking for sexual purposes were excluded from this study.

A main dilemma to examine is related to the use of personal data or quotations during the drafting of the analysis: it was settled that no private data and no quote easily traceable to the interlocutor will be shared in this research. The interviewees' names were never requested or transcribed and no conversation was recorded to respect the privacy of sex workers.

Another element to consider is about remaining intellectually neutral and emotionally detached which is very challenging when doing similar research, especially when the purpose is indeed to support the marginalized group you work with. This study does not focus on a personal interpretation of the phenomenon but rather wants to observe and outline the opinions of those who are directly targeted by the law. Therefore, the intent is not to influence the investigation with personal biases and preconceptions, since they may limit the ability to understand others' truth, but to work in a non-political and non-ideological way.¹⁴⁶ In this regard, it is also necessary to keep in mind that researchers should not be perceived as outsiders, or even worst as exploiters, by the target group, and this did happen in previous studies where sex workers have felt used for their knowledge, without being paid for their time, and they noticed that their words were often manipulated to their detriment.¹⁴⁷

Involving sex workers in the research process is the most ethical and evidence-based practice to produce knowledge because it recognizes the expertise of the community instead of talking about prostitution without a direct testimony. At the same time, it is important to ask yourself the motivation for doing research on sex work as a

¹⁴⁵ WHO (World Health Organization), 'Putting women first: ethical and safety recommendations for research on domestic violence against women', Geneva, 2001.

¹⁴⁶ M.-L. Skilbrei and M. Spanger, 'Prostitution research in context: methodology, representation and power', Routledge, Oxon, 2017, p. 43-44.

¹⁴⁷ Jeffreys, 'Sex worker-driven research: best practice ethics'.

non-sex worker researcher¹⁴⁸ because there might be the possibility of harming the target group if the study is not conducted correctly. It is debated whether the voice of sex workers can be truly represented by those who have not had experience in the sex industry and whether it is someone else's task to speak on behalf of those who sell sex.¹⁴⁹ Pivotal is the attempt to diversify the sampling,¹⁵⁰ for this reason, both people who identify themselves as sex workers and people who sell sexual services without defining themselves as sex workers were selected in this thesis. Despite this, aspiring to a complete and total representation of all the target group's experiences is utopian as each narration is single and univocal. Anywise, trying to reduce the selection bias will make the study more reliable and the risk of reinforcing incorrect narratives and perpetuating stereotypes will be possibly avoided. One way to expand the narratives and avoid homogeneity is to involve as many people as possible of different genders, ages, countries of origin, socioeconomic statuses, and above all, to include people with a diversified background of prostitution experiences and with dissimilar motivations that drove them into the sex industry. Moreover, it is understandably difficult to estimate the size of the target group, as a matter of fact, many scholars use the formula "unknown population size"¹⁵¹ in reference to sex workers, and for this reason, it is hard to get a representative sample.¹⁵²

When researching sex work, it is essential to pay attention to a multitude of factors such as the power relationships between researcher and researched which can be overcome by using strategies such as the use of the participatory action research methodology.¹⁵³ Researchers need to be reflexive¹⁵⁴ since they are writing about someone else's life and there may be the risk of subjective interpretations and misinterpretations: this situation can be tamed using the principle of benevolence,¹⁵⁵ which is the wish to do good for the target group. If one is moved by a desire for social

¹⁴⁸ Jeffreys, 'Sex worker-driven research: best practice ethics'.

¹⁴⁹ Skilbrei and Spanger, 'Prostitution research in context', p. 6.

¹⁵⁰ Levy, 'Criminalising the purchase of sex', p. 15.

¹⁵¹ Levy, 'Criminalising the purchase of sex', p. 12.

¹⁵² F. M. Shavers, 'Sex work research: methodological and ethical challenges', *Journal of Interpersonal Violence*, 20(3), 2005, p. 296.

¹⁵³ O'Neill, 'Cultural criminology and sex work'.

¹⁵⁴ Braun et al., 'Thematic analysis'.

¹⁵⁵ T. Beauchamp, 'The principle of beneficence in applied ethics', *The Stanford Encyclopedia of Philosophy*, Spring 2019 Edition.

justice and harm minimization, it is necessary to remain faithful to the words shared by the interlocutors without cases of rewriting and misunderstanding.

Regarding the limitations of this study, there are some aspects to be highlighted. In the first place, although the purpose was to collect as many heterogeneous narratives as possible, to indeed “boycott” the stereotypes related to the sex worker’s archetype, unfortunately only cisgender and transgender women decided to participate in this research. It is important to highlight that this was unintentional as this study does not want to be associated with previous research, which often only focused on women due to the commonly held belief that women are always sex workers and men are always the buyers. The experiences of heterosexual or queer men and transgender people are often disregarded from sex work research but this was not the case.

Secondly, it was not possible to have formal interviews with all the interlocutors for ethical reasons, and therefore it was not feasible to ask the same questions to all the respondents.

Due to ethical issues and a shortage of time, it was not possible to use the participatory action research method throughout the research process, instead, it was only applied in the initial communication with the target group and during data collection. The final phase of the analysis and conclusions were not carried out together with the group and therefore might present personal interpretation of the data.

In conclusion, it must be stressed that it is difficult to reach a representative sample of those who sell sex services, mainly because they are a clandestine group due to the law enforced in Sweden,¹⁵⁶ therefore, achieving a complete evaluation of the phenomenon is impossible. This thesis does not intend to reveal a hidden truth, since there is actually no “full, complete, generalizable and uncomplicated truth in relation to sex workers in Sweden”,¹⁵⁷ but this is rather an intent to share the complex and nuanced narratives of those who sell sex.

¹⁵⁶ Levy and Jakobsson, ‘Sweden’s abolitionist discourse and law’, p. 3.

¹⁵⁷ Levy and Jakobsson, ‘Sweden’s abolitionist discourse and law’, p. 3.

6. Analysis and Findings

This chapter, through the direct experiences and narratives of sex workers, tries to explore what it means to sell sex in Sweden and how Swedish law affects their lives and work. The topics addressed are: 1) diversities and nuances of sex workers, 2) experiences and evaluations of those who sell sex in Sweden, 3) violence and protection. Each theme has sub-themes to clarify the descriptions. To make the text more interactive and to demonstrate the accuracy of the analysis, some quotations from research participants will be used when needed. To better protect their privacy, no information will be provided relating to the author of each sentence. The analytical findings will be discussed in the next chapter.

6.1. Diversities and Nuances of Sex Workers

Since the 1970s, Swedish abolitionist feminist discourse has described sex workers as victims who "sell their bodies" and are "exploited" by men, and by doing so, they have distorted reality. Even organizations that are supposed to offer support to those who sell sex often use problematic phrases such as "person exploited in prostitution" or "person who harms herself by selling sex" and in this way, they reinforce misconceptions about sex workers.¹⁵⁸ Seeing sex workers in a vacuum can be harmful and fabricates erroneous narratives that increase othering processes and marginalization. To understand the reality of sex workers it is essential to address the matter directly with them, without making assumptions purely based on personal ideologies, since they are the only ones with first-hand knowledge about their lives.

6.1.1. Terms, Meanings, and Reasons Why

Experiences are not universal and this applies also to sex work. Ray argues that "the sex industry is extremely complex, and attempting to make tidy arguments about the

¹⁵⁸ Fuckförbundet, 'Twenty years of failing sex workers', p. 10.

positive and negative sides of the business discredits both sides of the argument".¹⁵⁹ The many different voices of the people who participated in this research prove this idea. The world of prostitution is heterogeneous and generalizations are unable to represent the truth.

First of all, as already pointed out in the chapter on terminology, people who sell sexual services do not all use the same terms to identify themselves and their work. For instance, during the interviews, some members of RUS have chosen to use the terms "sex worker" and "sex work" but other members have opted for different terms like "escort" and "escorting", showing that even in the same organization there are divergent views. Those who have chosen the term "sex work" argued that it is the most appropriate to emphasize the fact that this is a job.

“We gain money, We're planning, budgeting, communicating with clients, counting and all of the things that you would do in another job so for us, it's very obvious that it's work so that's why we stick with the word sex work.”

Some participants in this research have expressed their desire for a more neutral term as all the words used are impregnated with stigma and politics. No respondent has used the word "prostitute" claiming that it had a negative connotation although, some have said that other people they know use it as a way to take back the word, as it happened previously with "queer". It is also interesting to note that some preferred to talk about the activities they carried out rather than choosing a title for themselves and accordingly, they used phrases such as "I sell services".

Several are the meanings associated by respondents with sex work: for some people, it is just a job like many others, some feel that they are also providing an emotional and listening support for their clients, others have pointed out how their self-esteem has increased since they started working in the sex industry, some others have talked about a way to express their sexuality while others said that they do it only for financial reasons. Some abolitionists argue that prostitution is caused by a lack of choices and that money coerces people into selling sex thus it needs to be addressed as

¹⁵⁹ Ray, 'Why the sex positive movement is bad for sex workers' right'.

rape.¹⁶⁰ Due to reasons related to shame, religion, and the difficulty of finding another job, some respondents were not enthusiastic about selling sexual services even though they kept doing it for financial reasons and despite this, they never spoke of paid rape but always referred to work. All experiences of sex work are legitimate and it is normal for them to differ and be unique. Forcing a consensus would mean excluding someone. Romanticizing prostitution as well as portraying it as a nightmare are both ways to trivialize the reality of those who sell sex.

“Some would have never had sex with their clients if it wasn't paid. They pretend to like it and hope it ends quickly. It is just about the money.”

There are various reasons why sex workers choose to sell sex. These include personal reasons as they enjoy the job, financial reasons, the flexibility and independence of being self-employed. Some sex workers mentioned that their previous jobs were exhausting and their salaries were not enough, others had lost their employment while many others said that they could not find better job opportunities and this is why they moved to the sex industry. For some people, selling sex is their main job while others only do it occasionally, as a second job or when they need extra money. This list is not exhaustive of all the motivations for selling sex.

It should be noted that a large percentage of people with whom Noomi has come into contact recently have approached prostitution for the first time during the Covid-19 pandemic. Due to the lockdowns, they had lost their jobs and they were not able to find other working opportunities in their countries since they were not allowed to leave their home, therefore selling sexual services in Sweden was a measure adopted by many who needed a salary for themselves and their families. For these reasons, many women, some even very young, decided to migrate to Sweden, facilitated by the lack of restrictions and bans on entry.¹⁶¹ Sex work migration should not be conflated with

¹⁶⁰ C. A. MacKinnon, 'Trafficking, prostitution, and inequality', *Harvard civil rights - civil liberties law review* 46, 2011, p. 274.

¹⁶¹ Sweden opted for softer strategies to contain the spread of Covid-19, compared to most European countries. The country avoided a lockdown and the authority in charge of public health preferred the use of recommendations instead of obligations imposed on the population. The sale of sexual services has not been affected by any type of restriction, beyond those already existing.

human trafficking as there is no coercion and migrating for work, especially migrating for sex work, has always been a common practice.¹⁶² Some people actively responded to certain difficulties in life and decided to use sex work as a way of providing for their needs and this choice must be respected. As a Thai sex workers' organization wrote: "We don't do sex work because we are poor, we do sex work to end our poverty".¹⁶³

As can be observed, there is no singular meaning and reason that encompass and explain the phenomenon of sex work. A one-size-fits-all approach is impractical because it does not take into consideration the multiplicities of the prostitution experience.

6.1.2. Identities

Swedish abolitionist discourse sees prostitution as a manifestation of violence against women, hence it focuses mostly on women and as a result, men are rarely counted among sex workers.¹⁶⁴ In addition to being gendered, this discourse is also heterocentric and cisgendered since it excludes the narratives of transgender women and queer people. The Global Network of Sex Work Projects (NSWP) states that "not all sex workers are cisgender women; not all clients are straight men"¹⁶⁵ and several RUS members, during the interviews, also mentioned this since their members have different gender identities and sexual orientations. They have also pointed out that, in their opinion, the Swedish model fails to acknowledge non-female and transgender sex workers, therefore, their specific experiences and challenges are not taken into consideration.

Hence, those who sell sex are not a homogeneous group but are represented by people of very different gender identities, sexual orientations, ages, nationalities, educational levels, and religions. Some sex workers are singles while others have partners, some have no children while others are parents. Most of the people who sell sex and who are in contact with Noomi are mothers and many of them have more than one child. Sex workers are mothers but it is common for public opinion not to recognize

¹⁶² Levy, 'Criminalising the purchase of sex', p. 88.

¹⁶³ Empower Foundation, 'We don't do sex work because we are poor, we do sex work to end our poverty', in P.G. Macioti and G. Garofalo Geymonat, (eds), *Sex works speak. Who listens?*, 2016.

¹⁶⁴ Levy and Jakobsson, 'Sweden's abolitionist discourse and law', p. 3.

¹⁶⁵ Nswp, 'The real impact of the Swedish model on sex workers', p.1:1.

them as such. Some sex workers are Swedish or residents in Sweden while others are only temporarily in Sweden to sell sex services and these two groups face different experiences which will be described in the following pages.

“At the end of the day, it is just a job to pay bills and feed kids.”

What has been described regarding those who sell sex can be perceived as banal and trivial but in reality, this is the truth. Sex workers are normal people, with ordinary lives and the generalizations often made about them are misleading. Many believe that sex workers are just women, which has been proven not to be true, some think they are pathological victims who are desperate, poor, and uneducated while others are sure that sex workers are lustful, beautiful, drug and sex addicted people. These are fanciful speculations and erroneous ideological constructions because the reality is much banaler and at the same time complex than this, for this reason, whoever decides to do this job, for whatever reason, should be normalized.

6.2. Experiences and Evaluations of Those Who Sell Sex in Sweden

While talking with people who sell sexual services, they have shared their pros and cons regarding the Swedish model and the impact it has on their lives.

The main advantage of the neo-abolitionist approach is the fact that it allows for the sale of sexual services, therefore, it is considered better than a prohibition regime, where both the sale and purchase of sexual services are illegal. As a result, sex workers are able to come to Sweden if prostitution is not allowed in their countries and this is perceived as beneficial. Some respondents positively underlined that thanks to this legislation, they have significantly increased their prices, and others that they have had better experiences with authorities and clients in Sweden in comparison with other countries where they have previously worked. Despite this, the disadvantages listed are considerably more than the advantages and in this case, a differentiation needs to be made between those identified by sex workers who are residing in Sweden and those

mentioned by people who are only temporarily in the territory just to sell sexual services. Talking to the target group was essential to understand the effects caused by the Swedish Sex Purchase Act which would otherwise remain hidden since authorities do not mention them.

6.2.1. Sex workers residing in Sweden

Sex workers who are residents in Sweden have extensive knowledge about the prostitution policy but some recognized that certain details and limitations of the laws are confusing and imprecise. Many of them are members of sex workers' communities such as RUS where they can ask for advice and information on how to manage certain aspects of this job and this is clearly a very valuable resource. Without their internal experience, most of the problems highlighted in this thesis would have never been brought to light which demonstrates the importance of having a dialogue with those who really know the matter.

“Incall is out of the question, you can only do outcall but it is way riskier.”

Incall sex work means that the client comes to the house or accommodation rented by the sex worker while doing outcall means that the sex worker meets the client in a place provided or chosen by the client.¹⁶⁶ Nowadays, many people work from home but doing sex work in a private house is made almost impossible in Sweden. Some sex workers prefer doing outcalls to preserve their privacy but many others would prefer to be in their own homes for safety reasons. Although someone might own an apartment, if the person is caught selling sex inside the accommodation, this can lead to losing the property. In the same way, a landlord must evict tenants who sell sexual services to avoid being accused of aiding and abetting. Neighbors can report sex workers in case of suspicions, believing that in doing so they are behaving as good citizens who want to

¹⁶⁶ J. Clamen, K. Gillies, and T. Salah, 'Managing sex work: information for third parties and sex workers in the incall and outcall sectors of the sex industry', in E. van der Meulen, E. M. Durisin, and V. Love, (eds), *Selling sex: experiences, advocacy and research on sex work in Canada*, Vancouver: UBC Press, 2013.

help. Not being able to work at home is seen as a major limitation for many, which means working on the street, in hotel rooms, or at clients' houses. Hotel owners also need to report those suspected of selling sex and if confirmed, they must kick the people out otherwise they could be seen as complicit.

“You need to work by yourself. If you work with someone, you can be accused of being a pimp.”

Working with other people in the same location is a great risk for sex workers. Many would prefer to work with a colleague or a family member available in case support is needed, but this is not possible since they could be prosecuted for pimping. For example, if two sex workers work together in an apartment and only one of them has the leasing contract, she could be accused of acting as a pimp to the other sex worker. Cohabiting with your life partner when you are a sex worker means risking that your loved one may be accused of exploiting you. There have been several cases of women who lived with their boyfriends or husbands, sharing their expenses as normal, and the police accused these men of being pimps. It is also very discriminatory towards men who are seen only as exploiters. Sex workers are prevented from having a love life like anyone else. All cohabitants that are 18+ can be targeted which means sex workers' kids as well.¹⁶⁷

Children were often mentioned by this group of sex workers and some of them were quite afraid of losing their kids. There are multiple cases where sex workers have lost custody of their children because social workers believed that a person selling sex was unable to be a good parent. Sex work does not make you less capable to be a good mother or father. Sex workers are not unfit parents by definition, some might be but not because of their jobs and this works for any parent. This is a critical decision that should be based on evidence and concrete facts because taking a child away from one's family should not happen based on a moral judgment.¹⁶⁸

¹⁶⁷ Levy, 'Criminalising the purchase of sex', p. 195.

¹⁶⁸ NSWP, 'The real impact of the Swedish model on sex workers', p. 7:1.

“Many sex workers want to pay taxes for social security benefits and for a future pension, like all working citizens, but that's impossible unless you lie.”

Tax declaration is an issue of concern for many respondents: the situation is quite paradoxical because those who sell sexual services are obliged to declare and pay taxes but being able to do so is actually quite complicated. Citizens who work and pay taxes in Sweden have the right to access to sick leave, maternity/paternity leave, compensation in case of occupational injuries, and a retirement plan. The same situation becomes unclear when it comes to sex work. Some interviewees explained that it is not possible to register as a sex worker to the Swedish tax agency (*Skatteverket*) since it is not a legitimate business. Therefore, one way to bypass the problem is to register your own company to hide what the real business is but this does not automatically mean that then the Swedish social insurance agency (*Försäkringskassan*) will grant the benefits deserved, which are funded by taxes. As shown, those who sell sexual services face a catch-22 situation: money earned from sex work has to be taxed but there is no way to register to *Skatteverket* your work as a sex worker. Given the complex situation, many feel forced not to pay taxes which means depriving themselves of all the benefits enjoyed by other workers, including the possibility to request deductions for their expenses. NSWP argues that Sweden is denying sex workers access to social security, as enshrined in article 9 of the International Covenant on economic, social and cultural rights, and it states that "it is contrary to the spirit of work-related human rights for the State to tax workers without protecting their basic rights of workers by law or recognizing their chosen work as legitimate".¹⁶⁹ What has been described so far demonstrates that it is possible to sell sex in Sweden but this is not actually regularized or legitimized.¹⁷⁰ Even though selling sex is not formally illegal, sex workers are in practice considered as criminals.¹⁷¹

“What affects sex workers the most in Sweden is the stigma. In the eyes of society, we are having intercourses with criminals and we

¹⁶⁹ Nswp, 'The real impact of the Swedish model on sex workers', p. 5:5.

¹⁷⁰ C. Holmström and M.-L. Skilbrei, 'Prostitution policy in the nordic region', Farnham, Surrey: Ashgate, 2013. p 119.

¹⁷¹ Danna, 'Client-only criminalization in the city of Stockholm', p. 91.

must have some problems for making such a strange choice. This means always lying, to family, to friends. Having secrets. It is exhausting. Without stigma, many more people would probably do this job.”

The stigma of prostitution corresponds to that set of opinions, behaviors, and laws that isolate, discriminate and punish anyone who sells sexual services.¹⁷² Sex workers are different from one another, and so are their experiences as was shown in the previous pages, but they share the same pain due to stigma. To protect themselves, many of those who sell sex have mentioned in the interviews that they are afraid of being discovered, thus, they hide many aspects of their reality, living a sort of double life. By doing so, they internalize this shame that distances them from society and this can have many repercussions, including abuses and lack of access to public health.¹⁷³ The "Sex workers in Europe manifesto" recognizes stigma as a problem and demands to end all the laws that create this type of discrimination and injustice.¹⁷⁴ People's human rights, including labor rights, cannot be respected based on how socially accepted and valid their jobs are.¹⁷⁵

6.2.2. Migrant People Selling Sex in Sweden

The experience of those who are temporarily in Sweden to sell sex, although to some extent similar to the one lived by sex workers residing in the country, is actually more complex and exacerbated. It is important to note that this group represents 70-80% of those who sell sex in Sweden.¹⁷⁶ Compared to the previous group, this one is less familiar with some aspects of the Swedish law concerning prostitution, often due to a language gap. They are not usually part of a community to consult in case of doubts and they tend to move to cities where it is said to be safe and profitable for sex workers. Since they are not residents in this country, they do not have many contacts in case of

¹⁷² Garofalo Geymonat, 'Köpa och sälja sex'.

¹⁷³ Garofalo Geymonat, 'Köpa och sälja sex'.

¹⁷⁴ Sex workers in Europe manifesto, it was elaborated and endorsed by 120 sex workers from 26 countries at the "European conference on sex work, human rights, labour and migration", October 2005, <https://apdes.pt/wp-content/uploads/2015/12/Manifesto-Bruxelas-2005.pdf>, (accessed 20 April 2022).

¹⁷⁵ J. O'Connell Davidson, 'The rights and wrongs of prostitution', *Hypatia* 17(2), 2002, p.93.

¹⁷⁶ Fuckförbundet, 'Twenty years of failing sex workers', 2019, p.37.

emergencies. The aspects of not knowing much about the law, not speaking any Swedish or English, and not being part of a support group to turn to make these people more vulnerable.

The target group of Noomi is precisely composed of foreign people who are active in prostitution in Malmö and has grown over time, which proves that prostitution levels do not seem to be decreasing. For this group, finding an apartment or a hotel room where to stay and work is extremely difficult because, as mentioned in the previous section, the owners of apartments or hotels need to report their presence and eventually, throw them out. In this case, losing the apartment that is being rented does not only mean being deprived of your workplace but also having no other place to stay and ending up on the street. When it comes to hotel rooms, the situation might get even more difficult, and as some respondents described, in Stockholm, once you are listed as a sex worker, you are placed in a database that will not allow you to rent another hotel room. All information relating to the occasions when a sex worker is stopped by the police, for example during police raids, is entered in a file and can be used against the person on future occasions when the police check her documents. As shown, finding private accommodation for a short period and without being a resident is not very easy in Sweden. This leads sex workers to rent from people who want to exploit them.

“Some landlords ask for 1000 or 1500 Swedish krona, per day, for one room and this is a very profitable business for these exploiters since they know that those who want to sell sexual services can hardly find anything better.”

Some landlords take advantage of the vulnerable condition of foreign people who sell sex for their own profit, by asking a very high price without providing a regular lease contract and therefore, making money illegally. The average price of an apartment in Malmö is around 10,000 sek per month and they demand up to 5 times this amount. Very often these apartments lack basic necessities and many sex workers have received aid from civil society organizations such as blankets, towels, pillows, and even mattresses. Paying such a high amount for a single room is very expensive for those who come to Sweden to save money. In addition, these landlords, knowing that many

sex workers are not familiar with Swedish law, have threatened them by saying that if they were not complying with what was requested, they would have reported their presence to the police. The situation is obviously paradoxical since the landlords are the ones who are breaking the law (*koppleri* - procuring law) by providing apartments where sex is sold.

As seen with residents of Sweden, selling sex with other people can result in being prosecuted for pimping one another. For those who come to Sweden from abroad, options are limited and in most cases, it is inevitable to live with colleagues to share the apartment's costs, to help each other with the language, and above all, for security reasons.

“As staying in Sweden is quite expensive, people try to make the best out of it and work as much as possible to earn some money and then go home.”

Migrant sex workers do not have much time to waste since they are eager to save money and this inevitably leads them to lower their guard. Furthermore, as there is much competition, many need to reduce their prices which means earning less and having to work more. This could also be due to clients often avoiding non-Swedish sex workers for fear of encountering victims of human trafficking.¹⁷⁷ The increase in competition and the decrease of sex buyers may push some sex workers to ask managers for help. Sex workers residing in Sweden have instead given mixed responses regarding competition: some had to lower their prices while others were able to demand quite high payments. This can be influenced by many factors such as the city in which the person works and the services offered.

Negotiations can often be rushed and it happens that migrant people do not carefully screen customers since they do not know how to do it due to the language barrier. Sometimes they even agree to more dangerous services and to some that they did not want to do. As a result, there have been many episodes of theft and violence suffered by this group which often decides not to report these crimes out of fear of being deported.

¹⁷⁷ Levy, 'Criminalising the purchase of sex', p. 206.

“Many migrant sex workers are robbed, raped and, in any case, they decide not to contact the police. What would they gain from it? They could be deported. It's not worth it.”

It happened that thieves targeted migrant sex workers, knowing about the presence of cash in the accommodation and being confident that they would probably not have any repercussions. Most of the people in contact with Noomi did not report similar crimes and hardly sought help because they were too frightened. The NGO has noticed an exponential increase in episodes of violence and theft since the beginning of the pandemic. Thanks to the relationship established with the social workers working at Noomi, many have received support and counseling, and eventually, they found the strength to react and report the abuses. Furthermore, the presence of social workers from Noomi served as a guarantor for the sex workers who reported crimes to receive fair treatment. The presence of local NGOs and of sex workers' communities, such as RUS, should be encouraged because civil society, which includes organizations, groups, and networks, might be the only way for sex workers to receive support.

“Some foreign people who sell sexual services have been stopped so many times by police and felt not at ease. Meeting police officers can be quite scary for some of them, especially because they do not understand the reason why.”

It is common for sex workers to travel to several countries to work, especially if this is not permitted in their country of residence. Although it is a common practice, especially for those with a European passport, this phenomenon is still of particular interest to the authorities, who often focus on migrants, suspecting they are victims of human trafficking.¹⁷⁸ Indeed, many foreign women are being stopped by police, especially by migration authorities, assuming that they were trafficked or victims of some type of exploitation. This group is stopped by the police much more often than resident sex workers and this makes them feel targeted. In this regard, another

¹⁷⁸ Levy, 'Criminalising the purchase of sex', p. 200.

contradictory situation can be pointed out: the fact that it is legal to sell sexual services does not automatically allow someone to work in Sweden, even if the person is an EU resident. According to the Aliens Act (*utlänningslag*), chapter 8 "refusal and expulsion" (*avvisning och utvisning*) section 3 paragraph 2: "an alien who is not an EEA citizen or a family member of an EEA citizen may be rejected if it can be assumed that during his or her stay in Sweden or in another Nordic country he or she will not earn a living in an honest way or will carry out activities that require a work permit, without him or her having such a permit". Police officers try to identify whether the foreign person selling sexual services may be a victim of exploitation and if the person does not match the victim's profile, she/he may be subject to deportation and a ban on returning to the country for three years.¹⁷⁹ It is not permissible to punish those who do not correspond with the idea of victims that the police believe is right and it is completely arbitrary and discriminatory because the person could be a potential victim, even if the officer does not agree with it. Several people in contact with Noomi have been deported or risked deportation and in these cases, the motivations were that they did not register their work in Sweden, they did not pay taxes, and most importantly that they were dishonestly maintaining themselves since their only income came from sex work. Making money in a "dishonorable manner" means committing a crime even though selling sex is supposedly legal in Sweden. Prostitution is therefore not a decent means of subsistence, even if it is in contrast with what is written in the Sex Purchase Act, and it becomes a ground for deportation.¹⁸⁰ Sex workers who have received a deportation order are held in detention rooms until the day of expulsion or their passports are confiscated so that they cannot escape until investigations are over, and they must come and sign at the police station, proving their presence in the city, several times a week until the final order is issued. The reality of migrant sex workers shows how naive and fallacious the feminist abolitionist rhetoric is when arguing that people who sell sex should not face any sanctions, since they are victims. Sex workers are severely punished and hampered by Swedish law and authorities, who want to "displace them and moralize public space",¹⁸¹ as their experiences show. Officers are interested in stopping exploiters and arresting criminals, therefore, it is counterproductive to scare and deport sex workers

¹⁷⁹ Danna, 'Client-only criminalization in the city of Stockholm'.

¹⁸⁰ Fuckförbundet, 'Twenty years of failing sex workers', 2019, p. 26.

¹⁸¹ Levy, "Criminalising the purchase of sex".

because, in doing so, they lose the most valuable information. Both Swedish law and law-enforcement actors appear to be misinformative, unclear, and contradictory putting a strain on migrant sex workers who do not know if what they are doing is legal or not.

6.2.3. The Different Demands of People Who Sell Sex

After showing how heterogeneous people who work in the sex industry are and their different working experiences, it is necessary to highlight their demands and hopes for the future which also turned out to be dissimilar.

“Sex workers would no longer be afraid of their clients knowing that they could call the police and that they would be helped, without any consequence. This is what decriminalizing sex work means.”

Many of the members of RUS, especially those residing in Sweden, are calling for the full decriminalization of both the sale and purchase of sexual services, emulating the system currently in place in New Zealand. In 2003, New Zealand became the first country, and currently the only one,¹⁸² to decriminalize sex work whose intent is "to promote the welfare and occupational health and safety of sex workers".¹⁸³ The law was written in collaboration with sex workers members of NZPC¹⁸⁴ which shows the importance of communicating directly with those who sell sex to improve their

¹⁸² The state of Victoria in Australia is currently in the process of decriminalizing sex work.

¹⁸³ Parliament of New Zealand, 'Prostitution Reform Act', Public Act no. 28, 27 June 2003, sec. 3.

¹⁸⁴ NZPC, 'The New Zealand model', <https://www.nzpc.org.nz/The-New-Zealand-Model>, (accessed 10 May 2022).

conditions. Decriminalization is supported by many organizations including Amnesty International,¹⁸⁵ Human Rights Watch,¹⁸⁶ WHO,¹⁸⁷ UNAIDS,¹⁸⁸ and ILGA.¹⁸⁹

Those who have expressed interest in this model explained that the main reason they would like this law to be implemented in Sweden is related to safety. They mentioned that with this law sex workers could finally properly work. For example, many could work in their own homes and with colleagues, and could call the police whenever it is necessary. There would be no more third parties who would take advantage of the vulnerability of those who sell sex by providing apartments at excessive prices. Sex workers could choose to work in private apartments or in brothels, where employers would be accountable to the State. Access to healthcare would also not be compromised and sex workers would have the same protections guaranteed to other workers.

Some sex workers, in case decriminalization was not a possible option, would be in favor of legalization which means that sex work is legal and regulated by the State. This approach is used in countries such as the Netherlands and Germany. Sex workers argued that with the legalization model their security would improve and violence would be prevented, given the strict regulations imposed by law. Sex work would be considered a job, therefore, they would be treated as employees with a regular contract and they could pay taxes. Nevertheless, other sex workers have dismissed the legalization case, arguing that only decriminalization could truly guarantee their human rights.

¹⁸⁵ Amnesty International, 'Amnesty International publishes policy and research on protection of sex workers' rights', 26 May 2016, <https://www.amnesty.org/en/latest/news/2016/05/amnesty-international-publishes-policy-and-research-on-protection-of-sex-workers-rights/>, (accessed 20 May 2022).

¹⁸⁶ Human Rights Watch, 'Why sex work should be decriminalized', 7 August 2019, <https://www.hrw.org/news/2019/08/07/why-sex-work-should-be-decriminalized>, (accessed 20 May 2022).

¹⁸⁷ WHO, 'Sex workers', <https://www.who.int/teams/global-hiv-hepatitis-and-stis-programmes/populations/sex-workers#:~:text=M odelling%20studies%20indicate%20that%20decriminalizing,reduction%20in%20new%20HIV%20infections>, (accessed 20 May 2022).

¹⁸⁸ UNAIDS, 'Protecting the rights of sex workers', June 2017, https://www.unaids.org/en/resources/presscentre/featurestories/2017/june/20170602_sexwork, (accessed 20 May 2022).

¹⁸⁹ ILGA, 'LGBTI organisations from around the world call for decriminalisation of sex work', 23 March 2019, <https://ilga.org/sex-work-lgbti-organisations-call-for-decriminalisation>, (accessed 20 May 2022).

“Legalizing sex work means putting a sticker on your chest that says "I am a sex worker" and everyone will know it. You cannot work where you prefer and you may have trouble traveling, for example to the United States because they deny entry to sex workers. In addition, older sex workers and transgender people continue to be discriminated.”

Some sex workers believed that the side effects of the legalizing are innumerable and they reinforce the stigma against them. They claimed that State-control is too invasive and since sex work has an ad hoc regulation, it is not considered like any other job. The legalization approach implies that the sale of sex can only take place in certain areas and entails that sex workers comply with obligations, such as registration and health checks.¹⁹⁰ For many sex workers, especially the most vulnerable and marginalized, it is difficult and expensive to meet the requirements to have a license and this leads them to work illegally.¹⁹¹

“Some of them would prefer to be home with their children but they cannot and they are here to provide them with what they need.”

On the other hand, there are many sex workers, especially migrants, who seem not to be attracted by the discussion relating to the various legislative models that regulate prostitution. Some of them seemed unaware of the distinction between legalization and decriminalization of sex work. Probably this is also due to the fact that many sex workers hide what they do and feel embarrassed by it, therefore, they only sell sexual services abroad and for a limited period. Migrant sex workers appeared more interested in alternative opportunities and exit programs. Currently, for those who sell sexual services in Sweden, as non-residents, who want to leave prostitution, the only program in place, able to finance the return to their country and provide support after they stop selling sexual services, is offered by the UN Migration Agency (IOM). The "assisted voluntary return and reintegration program" lasts 6 months and is intended for trafficked migrants and foreign citizens, EU nationals and third countries nationals, in

¹⁹⁰ Altink, Amesberge, and Wagenaar, 'Final report of the international comparative study of prostitution policy'.

¹⁹¹ Altink, Amesberge, and Wagenaar, 'Final report of the international comparative study of prostitution policy'.

prostitution in Sweden.¹⁹² It is important to consider that this program is designed for victims of human trafficking and foreign persons active in prostitution and this implies that these two conditions are perceived as equivalent since the target group will receive the same type of support. IOM Finland manages the program through Swedish authorities and NGOs which help the returnees to make the application and perform a risk assessment. In addition to travel arrangements, an individual reintegration program, based on the person's specific needs and situations, is evaluated.¹⁹³ This part is then managed by the IOM office present in the returnee's country or by local actors. Although the program seems apparently beneficial, according to sex workers, it proves to be very limited and naive. Firstly, only non-residents can participate and, as already shown, they are the ones with less information and knowledge of this kind. Many sex workers are not aware of this option or do not know how to apply for it. In general, people who sell sex are skeptical of similar options due to a lack of trust in the authorities. The NGO Noomi has promoted extensively the IOM program among its contacts in Malmö and in 2021, 5 women decided to participate.¹⁹⁴

According to the opinion of sex workers, the program is not able to meet their needs: the financial support provided is exiguous and can only be used for specific categories; the payments need to be proven by receipts, which is not always easy for those who are already in a situation of vulnerability; communication with program managers was insufficient and this caused stress, due to late replies and payments. The program did not seem able to fully help the returnees, who decided to try an alternative to sex work, more specifically because of the reintegration part which seemed to be lacking. Many sex workers, despite having dreams of opening a small business or going back to their studies, were not helped by evaluating an ad hoc plan and only received the economical aid. Inevitably, a few months after the end of the program, these people felt compelled to go back to sex work as they were not supported to create long-term sustainable alternative options.

Many of the sex workers who are residents in Sweden had negative experiences when trying to seek support from social services and felt personally victimized and infantilized. Therefore, some others do not even try to contact the authorities.

¹⁹² IOM, 'AVRR SWEDEN', <https://finland.iom.int/avrr-sweden>, (accessed 10 May 2022).

¹⁹³ IOM, 'AVRR SWEDEN', <https://finland.iom.int/avrr-sweden>, (accessed 10 May 2022).

¹⁹⁴ Hela Människan, 'Verksamhetsberättelse & årsredovisning 2021'.

State-guaranteed support appears to be more designed for victims of exploitation whereas sex workers, in cities like Stockholm, are offered services such as psychotherapy but not counseling to find other work opportunities.¹⁹⁵

Among the requests for a hypothetical future law, no respondent has included the possibility of criminalizing the sale of sexual services or increasing the penalties for sex buyers, which is currently being discussed in Sweden.¹⁹⁶ Although the goal of the Swedish model is to help sex workers quit and leave the industry, it does not seem to be able to provide effective exit programs and alternative support, especially for migrant sex workers. For this reason, many sex workers "exit themselves" from sex work thanks to the financial opportunities created exactly by doing sex work, without any external support.

6.3. Violence and Protection

The respondents to this research project shared their experiences related to the issues of violence and protection, exploring if and when they felt violated and/or protected in Sweden and moreover, how they dealt with violence and how they tried to protect themselves.

6.3.1. Sex Buyers

What is important to first point out is that as sex workers are not only women, in the same, identifying sex buyers exclusively with men is also wrong. Customers can also be women and members of the LGBTQIA+ community.¹⁹⁷ Swedish law is particularly concerned with this category since customers and third parties are the ones being criminalized. In this regard, many argue that the law in force in Sweden discourages the purchase of sexual services and due to this, "better" clients desist to do it out of fear of being stopped by the police¹⁹⁸ while others believe that the law is not able to work as a

¹⁹⁵ Levy, 'Criminalising the purchase of sex', p. 132-133.

¹⁹⁶ https://www.eswalliance.org/support_sex_workers_in_sweden

¹⁹⁷ NSWP, 'The real impact of the Swedish model on sex workers', p. 1:1.

¹⁹⁸ Levy and Jakobsson, 'Sweden's abolitionist discourse and law'.

disincentive.¹⁹⁹ Sex buyers, often referred to as "perpetrators" in the Swedish context or "Johns" by abolitionist feminists such as Melissa Farley, are punished with a fine in case they admit the purchase of sex, otherwise, they are imprisoned for up to one year²⁰⁰ but this possibility has rarely happened. It is necessary to prove the purchase of sexual services therefore, the client must be caught during the act and the sex worker needs to testify to prove what happened.²⁰¹ Considering these circumstances, sex buyers are reluctant to share information with the authorities on possible cases of abuse and trafficking, as this could rebound on them.²⁰² The government has been discussing the possibility of increasing the penalties for sex buyers since they are seen as the ones that make prostitution and trafficking exist.

“Swedes, foreigners, husbands, fathers, singles, rich, poor, young, old, with important or average jobs, good looking, ugly, and of course, some are good people while others are not.”

We are speaking again of a clandestine group thus, it is difficult to really know much about sex buyers. The descriptions made by the sex workers were very heterogeneous, showing that anyone could buy sexual services regardless of their characteristics. The experiences with sex buyers were also extremely different from sex worker to sex worker. Some had stable clients with whom they have been in contact for several years and in this case, no negative terms have been used to describe them. Many spoke of kind and respectful customers: some were shy whilst others were more charismatic, and sometimes some were embarrassed. In general, they are not described as pathologized as abolitionist feminism does, and to many, they appeared to be ordinary people. Some clients also seemed to be interested in why sex workers have decided to do this job and wanted to be of help. Many accepted the rules imposed by sex workers on contact methods, booking systems, rates, and services, without trying to get around this. Some sex workers reported that many clients wanted to talk or spend time together because they felt lonely and sex was not always involved. It also happened that some sex buyers were disabled.

¹⁹⁹ Östergren and Dodillet, 'The Swedish sex Purchase Act', p. 14.

²⁰⁰ SOU 2010:49.

²⁰¹ Danna, 'Client-only criminalization in the city of Stockholm'.

²⁰² Levy, 'Criminalising the purchase of sex'.

On the other hand, some other sex workers had negative experiences with customers. Some sex buyers were reluctant to share their personal information to protect their privacy: although this seemed fair to some sex workers, this became a source of stress and fear for others, because it is difficult to identify and report someone in this way. Some had rude and hurried manners, did not respect boundaries, demanded discounts, tried to negotiate prices, or did not respect time limits, and if some buyers did not appreciate the service, they required part of the money back. It also happened that they demanded services that the sex worker had already clarified would not have done, putting her in an uncomfortable situation. Sex workers have also described rather dangerous situations where clients turned up to be criminals and they have robbed, assaulted, and threatened them. A few sex workers have also described being filmed without their consent. These crimes don't always get reported to avoid being discovered by authorities, especially if the victims are not living legally in Sweden.

6.3.2. Police

“It all depends on which cop will stop you.”

Although experiences vary, the conversations with those who sell sex show that it is necessary to make a distinction between migratory police, local police, and the human trafficking group (*Människohandelsgruppen*). Some people who sell sex services have talked positively of their meetings with the police, especially when dealing with groups that had been effectively trained and educated on the subject of prostitution and trafficking. In these cases, following the view that women selling sexual services are victims who should not be blamed and that the sale of sexual services is legal, these officers appeared understanding and helpful to the people stopped and asked if they wanted support through social services and if they wanted to report crimes. These police officers were clearly instructed on how to behave in similar situations and this is highly valued by sex workers who, after being scared at first, were able to calm down and cooperated with the police, since they were told that they were not doing anything wrong.

Experiences involving local police were described differently in comparison with the ones involving the human trafficking task force. On various occasions, they proved to be inexperienced in the field of prostitution and the same negative experience happened with migratory police, who were perceived as antagonists by foreign sex workers since they were committed to deporting those who were not victims of exploitation. Many sex workers have felt personally targeted and harassed by police, because of their manners and lack of professionalism that is expected by those charged with law enforcement. First of all, the way the police establish contact with sex workers is rather questionable. When it comes to indoor prostitution, police officers contact those who sell sex by pretending to be customers. In some cases they wait outside the apartment, hoping to arrest clients, whereas on other occasions, perhaps when there are no sex buyers, they decide to enter the accommodation. Once inside the apartment, the officer who acts as a client asks for confirmation of the service and payment and then he reveals that he is actually a policeman. Afterward, his colleagues get inside the apartment trying to arrest potential clients and pimps. This approach is highly criticized by sex workers who feel harassed, especially when officers want to arrest a client caught in the act and that implies waiting and spying on the sexual intercourse between the sex worker and the client. This method certainly does not favor trust and the consequence is that sex workers will clearly be reluctant to cooperate with the police. This is counterproductive to the police as they would like their help and information to catch criminals. Officers often ask sex workers to report their clients, which means basically losing their jobs and salaries, and obviously, if there is no trust and respect, this option is not even evaluated. On some occasions when sex workers have not cooperated, their phones and laptops have been confiscated for months to obtain the necessary information, without mentioning when and how these phones would then be returned. Cash is also often confiscated which may not be returned since it was earned dishonestly. When it comes to stopping multiple women working in the same apartment, during long interrogations at the police station, officers try to figure out which of them is maneuvering the situation to accuse her of being a pimp. Sex workers are demanding that this modus operandi change because it only produces negative effects.

“Sex workers cannot be raped.”

As already clarified, abuses remain frequently unreported due to the possible consequences of this action. In various cases, even when the sex worker decided to report a theft or sexual abuse, this did not lead to any result. This is a victim-blaming attitude based on the false belief that sex workers cannot be raped since it is hard to prove it. In addition, the whole situation gets diminished because the purchase of sex is actually a crime against public order and not against the person, which means lighter penalties, and therefore, sex workers are not usually seen as victims of crimes but only as witnesses in trials. Some sex workers have even tried to report crimes anonymously or through organizations like Noomi and the police's response was often the same: "there is no crime without a victim" making this option useless. Police officers have an obligation to investigate all acts of violence and by not doing so, they are committing severe human rights violations that continue to deepen sex workers' stigma.²⁰³

Most probably these events also occur due to a lack of clear distinction in the Swedish discourse between prostitution and trafficking of human beings for sexual purposes. On the one hand, there are officers who consider sex workers victims of themselves and exploiters, assuming that in order to do sex work they must have been coerced, and for this reason, they must be helped and saved. On the other hand, there are officers who appear to have internalized "whorephobia", that is fear or hatred of sex workers, therefore, they act hostile and punitive towards those who are deviating from the right path. Sex workers' opinions allow a better understanding of these dynamics, proving how important harm reduction measures are, as well as the right training for law enforcement actors on how to manage situations involving prostitution.

6.3.3. Personal Protection and Safety

Sex workers wanted to share their ways to protect themselves and the problems they encounter in doing so. Sex workers residing in Sweden seem to be more scrupulous in the way they evaluate their clients and this helps protect themselves from any possible violence. For example, some do not accept last-minute bookings which means having

²⁰³ Nswp, 'The real impact of the Swedish model on sex workers', p. 8:1 - 8:2.

more time to assess the situation and often they ask for partial payments made in advance and a copy of an identity document for security reasons. Migrant people who sell sex in Sweden are only temporarily in the country, therefore, their timing can result to be faster and this leads to accepting last-minute bookings and having less time to scrutinize their customers. Due to this, accidents can occur more often, which obviously should not happen in any case and it is not because of sex workers who did not evaluate the situation enough. Googling someone's name and phone number is a good way to assess sex buyers but for many migrant sex workers, this verification method can be complicated. Accepting clients at any time of the day can involve risks and it seems that the availability of migrant sex workers is greater in comparison with resident sex workers, who have more precise time limits, since some of them have children or jobs. The other group wants to work, understandably, as much as possible since they are in Sweden for this reason. Migrant sex workers' prices often seem lower and the services provided seem structured differently: many migrant sex workers are willing to do a larger number of services, even potentially dangerous for their health, while some sex workers living in Sweden often have services that do not always involve sexual intercourse. The booking system of some resident sex workers takes place through their own websites while for most migrant sex workers it happens by phone which can mean haste and language problems. Having a personal online platform where sex workers can control their customers and bookings allows for better screening and can work as a deterrent to criminals. Sexual services performed online can clearly be safer than those happening in person and especially on the street. These differences between the two groups are highlighted to show that if those who sell sex could communicate and create unions, they could share valuable information regarding the best methods to work and protect themselves but this is not currently possible in Sweden. Many sex workers, members of RUS, have shared the desire to include more foreign people in their organization because they are aware that this group is even more vulnerable and subject to injustice. Most foreign women are not aware of these organizations and some of them believe that contacting them could lead to being exposed and identified by authorities.

Probably the most important issue relating to personal protection is the one concerning health. Resident sex workers tend to check their health status more often than migrant sex workers but not without difficulty. Many have reported that doctors

have asked why they wanted to be tested this often, especially if they were married or in a relationship. When someone is visiting Sweden, the person needs to provide a social security number (*personnummer*) and all health information is filed in a journal. Due to this, many sex workers are reluctant to be checked because if they reveal that they are sex workers, this could be noted and used against them. Access to health should not be hindered and luckily, there are specialized clinics where sex workers, without providing any personal information, can request to be tested and visited for free. Unfortunately, these clinics are only available in major Swedish cities. The same goes for the provision of mental health services, many sex workers are not able to access the support needed and feel that talking to their health care providers can be dangerous since they are not trained to address these issues. Migrant sex workers seem less aware of these services in Sweden and some are worried to access healthcare services in their own countries. Accessing non-emergency health services in Sweden, as a non-resident, is extremely difficult and this group is even more discouraged from seeking health support as they may be deported.²⁰⁴

The right to health is an inalienable right that must be guaranteed, regardless of someone's job. Sex workers who seek support should, at the very least, receive respect and empathy, not judgment or further obstacles. Access to health should be encouraged, facilitated, and anonymous if required, and Sweden does not appear to be complying with international standards concerning the right to health which exponentially increases sex workers' danger to be exposed to STIs.²⁰⁵ Since selling sexual services is legal, it should be Sweden's duty to ensure that sex workers could do it most safely and healthily. Harm and danger must be prevented, especially if caused by State management.

²⁰⁴ Fuckförbundet, 'Twenty years of failing sex workers', 2019, p. 37.

²⁰⁵ NSWP, 'The real impact of the Swedish model on sex workers', p. 6:1 - 6:6.

7. Discussion

7.1. Sex Workers Reject the Swedish Model

The opinions of those who sell sex in Sweden allowed many reflections on the neo-abolitionist model. Sex workers showed to be experts and thanks to their internal perspective and knowledge, it was possible to identify the consequences that the law caused. Their voices were essential to see the reality and disprove many myths related to Swedish policy.

The Swedish model has also been called the "equality model"²⁰⁶ because its original aim was to rebalance the power dynamics between sex workers and sex buyers, by recognizing that the person who sells the services was the most vulnerable part, which had to be protected.²⁰⁷ This model has also been defined as "woman-friendly"²⁰⁸ since it would have helped women who sell sex by criminalizing only the purchase. Swedish policy may seem positive and appealing to an inexperienced audience but the evidence gathered in this study showed the opposite. According to the law, sex workers should not suffer any negative consequences from the sale of sex.²⁰⁹ The narratives of sex workers convey that reality is very different from what the legislator described. Although not formally criminalized, sex workers proved that the implementation of the law discriminates and penalizes them. From their experiences, it is possible to understand that the sale of sex in Sweden is not actually legalized or even tolerated, particularly for migrant sex workers who are victims of an anti-migrant trend that has been growing in recent times. They also showed the detrimental effects of this policy which is unable to both decrease the levels of prostitution and protect sex workers.²¹⁰

²⁰⁶ Nordic Model Now!, 'What is the Nordic Model?', 27 March 2016, <https://nordicmodelnow.org/what-is-the-nordic-model/>, (accessed 15 May 2022).

²⁰⁷ Ekberg, 'The Swedish law that prohibits the purchase of sexual services'.

²⁰⁸ C. Holmström and M.-L. Skilbrei, 'The 'Nordic Model' of prostitution law is a myth', *LSE blog*, 3 January 2014,

<https://blogs.lse.ac.uk/europpblog/2014/01/03/the-nordic-model-of-prostitution-law-is-a-myth/>, (accessed 15 May 2022).

²⁰⁹ Ekberg, 'The Swedish law that prohibits the purchase of sexual services'.

²¹⁰ Levy, 'Criminalising the purchase of sex', p. 231.

Criminalizing the purchase of sex implies a decrease in customers and an increase in competition. This affects the prices of the services, the services offered, since riskier conditions could be favored, and limits the possibility of rejecting customers, since sex workers are financially dependent on them. In addition, sex workers must accept the risk of anonymous clients who cannot be reported or turn to managers to maximize their working opportunities. Sex workers showed that the Swedish model is causing and increasing harm and that although the law requires the implementation of social support and exit programs,²¹¹ they are not receiving adequate support. Since 1999, many government funds have been placed to increase police work while no special resources were granted for social services²¹². Support needs to be prioritized because solving social problems through criminal laws does not seem to be working. This decision appeared in line with a Swedish tendency, since the 19th century, to control and exclude "problematized facets of society"²¹³ by "policing and moralizing the public space".²¹⁴

Sex workers who participated in this research reject the Swedish model. They do not feel that they are placed in a more advantaged position but on the contrary, they feel marginalized and harassed by the State that supposedly should be on their side. Although there was no robust evidence showing the success of the Swedish model, it was portrayed as a great achievement and after being heavily branded, it was exported abroad.²¹⁵ However, sex workers raised many criticisms and this should be understood as an invitation to the Swedish government to adopt a more self-critical attitude. It is now necessary to evaluate the policy objectively, with evidence-based research, and to discuss with sex workers how to improve it. Moralism and pride can no longer be placed before the well-being of a vulnerable group.

²¹¹ Ekberg and Werkman, 'Swedish laws, policies and interventions'.

²¹² Danna, 'Client-only criminalization in the city of Stockholm',

²¹³ Levy, 'Criminalising the purchase of sex', p. 224.

²¹⁴ Levy, 'Criminalising the purchase of sex', p. 224.

²¹⁵ Levy, 'Criminalising the purchase of sex', p. 227.

7.2. The Human Rights of Sex Workers

The Swedish abolitionist discourse has focused excessively on the representation of sex workers rather than the practical dynamics of the work and for this reason, it seems to be failing to help those in the sex industry. Trying to understand sex work through personal values is incorrect and using individual understandings to label and regulate sex work is limiting. The Swedish discourse does not allow for dialogue since the discussion is paralyzed and polarized by purely ideological arguments. The erroneous constructions and narratives made about sex workers are harming them, therefore, it is necessary to avoid dragging ideology into the political arena. It is time to raise the level of the conversation through the perspective of human rights that can silence the propaganda and effectively prioritize human beings. Since human rights are universal, inalienable, and indivisible, they allow looking at the issue of sex work with a non-political and non-ideological view.

Firstly, it is necessary to accept that regardless of one's position on prostitution, sex workers work and will continue to do so. Not even full criminalization can end prostitution, it only makes sex workers more vulnerable.²¹⁶ People will keep selling sex thus it is better to create the safest environment for them. Secondly, looking for a reason behind the decision to do sex work is not relevant considering that for each person it is different. These motivations are secondary since the main focus should be on respecting their human rights. For many, sex work is the only mean of survival and a way to push themselves out of poverty.²¹⁷ This should be a reasonable motive to protect their condition. It sounds paradoxical to "save" people from prostitution but then to leave them in worsened conditions of poverty. It would be ideal if nobody had to sell sex for necessity but the reality is different and despite this, it remains a free and personal choice.

With the rights perspective, it is possible to escape the cage created by ideologies and finally find practical solutions, without any moral judgment. The human rights approach allows the question: "how can we improve sex workers' living and working conditions, ensuring a healthy and safe environment?". This thesis showed that

²¹⁶ Östergren, 'Sexworkers critique of Swedish prostitution policy'.

²¹⁷ Beegan and Moran, 'Prostitution and sex work'.

the most effective way to answer this question is to consult those who work in the sex industry. When participants were asked what they would like from policymakers, there were two prevailing answers: the decriminalization of sex work and support for those who want to evaluate alternative options. Decriminalization is a sex workers-centered model that places the knowledge and opinions of sex workers at the core of its policy. It considers sex work only as a labor issue, without involving ideologies that might blind the reality.

Sex work cannot be understood as universally harmful²¹⁸ and although decriminalization is not a panacea for all problems,²¹⁹ it currently appears to be the best proposal to guarantee the human rights of sex workers. Decriminalization can solve many of the issues raised by sex workers, including the need for exit programs. Indeed, in New Zealand, a sex worker who wishes to find another job can apply for WINZ²²⁰ which is not only financial help but it also supports work and housing.²²¹ Reports on the New Zealand case show that although prostitution has not decreased, sex workers feel much more protected and safe.²²² Indeed, this model helps reduce possible abuses by the State and clients and allows sex workers to work together and call the police to report crimes.²²³ When sex work is seen as any job it also helps to reduce stigma and consequently, the physical and mental well-being of sex workers improves.²²⁴

To allow the full realization of sex workers' human rights is necessary to decriminalize sex work because this appeared to be the only model that ensures justice, health, and social support to the target group.²²⁵

²¹⁸ Levy, 'Criminalising the purchase of sex', p. 129.

²¹⁹ M. Laing and T. Sanders, 'Policing the sex industry. Protection, paternalism and politics', *Interdisciplinary studies in sex for sale*, Routledge, 2018.

²²⁰ WINZ - Work and Income New Zealand, <https://www.workandincome.govt.nz/>.

²²¹ NZPC, 'The New Zealand model'.

²²² Marshall, 'Sex workers and human rights'.

²²³ Marshall, 'Sex workers and human rights'.

²²⁴ Marshall, 'Sex workers and human rights', p. 60.

²²⁵ Marshall, 'Sex workers and human rights', p. 63.

8. Conclusion

This thesis tried to test the success of the Swedish prostitution policy which, since 1999, has criminalized only the purchase of sex. This study recognized the expertise of sex workers and for this reason, they were asked to share their experiences and evaluations. The analysis showed how the living and working conditions of sex workers were impacted by Swedish law, these are the main findings:

- it affects safety as it can cause deportations of migrants and evictions;
- it abolishes labor rights and social benefits;
- it forces people to work alone;
- it favors exploitation caused by third parties;
- it hinders access to health;
- it does not favor the reporting of crimes;
- it escalates violence and harm;
- it affects children and partners of the sex workers;
- it ignores the experiences and needs of non-female sex workers and transgender women;
- it reinforces the stigma.

On the basis of this study, it can be said that the neo-abolitionist model is harmful and violates sex workers' human rights. Although the law does not formally criminalize the sale of sexual services, sex workers are de facto criminalized since they are the main targets of policing. The Swedish model is portrayed as a feminist success that helps sex workers but evidences proved the opposite: the backbone of the policy was supposed to be support services but this thesis showed that they are inexistent.

Sex workers should enjoy the same rights and protection as any other worker since rights cannot be shaped by professions. The approach demanded by sex workers is based on non-judgmental harm reduction and human rights which seems possible through the New Zealand model of decriminalizing sex work. This study, finally, invites policymakers and service providers to collaborate with sex workers to identify issues and create new strategies.

8.1. Future research

It is important to continue studying the neo-abolitionist model and it would be interesting to draw a macro comparison between the experiences of sex workers in all the countries that have criminalized the purchase of sex and to identify similarities and differences. Furthermore, given that non-female sex workers are excluded from the Swedish abolitionist discourse it is essential to see what impact the policy has on them.

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