



The Real Impact of the Swedish Model on Sex Workers

#1

Sweden's Abolitionist
Understanding, and Modes
of Silencing Opposition

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THE VOICES OF SEX WORKERS AND SEX WORKER RIGHTS ORGANISATIONS HAVE BEEN CONSISTENTLY AND SYSTEMATICALLY SILENCED IN THE DEBATE CONCERNING WHAT IS OFTEN CALLED 'THE SWEDISH MODEL'...

Introduction

Sweden's sex purchase law, which criminalises the purchase – but not the sale – of sex¹, was introduced in 1999. Since the introduction of the law, other states have followed Sweden in adopting the legislation,² and there has been much in the way of activism, advocacy, and campaigning both for and against the legislation.

The voices of sex workers and sex worker rights organisations have been consistently and systematically silenced in the debate concerning what is often called 'the Swedish model', both in Sweden and internationally. This paper therefore serves to untangle how the voices of sex workers are silenced using various tools to undermine their testimony, which I will refer to as 'modes of silencing'.

Swedish understandings about sex work that feed into these 'modes of silencing' have also come to impact how Swedish service providers construct sex work and treat sex workers (these service providers, and the services they provide, are discussed in the third paper of this toolkit). This paper therefore aims to unpack and deconstruct the problematic understandings of sex work that justify the Swedish model.

How is sex work understood in Sweden?

In Sweden, sex work³ is constructed as a form of violence against women in and of itself; it is also argued that sex work is inevitably and unchangeably associated with violence, abuse, and exploitation. Sex workers' clients are seen to be men, sex workers as victimised women. This argument is based on a broader international

feminist perspective, termed variously as 'radical feminism' and '(neo-) abolitionist feminism' (with some variations and combinations such as 'radical abolitionist feminism', and so forth; NSWP uses the term 'fundamentalist feminist', though this is not used in mainstream Swedish discourse). Fundamentally, what is desired by these feminist writers and campaigners is an abolition of sex work, which is seen to be a blight on society and on efforts to undermine patriarchal subordination of women.

Does everybody agree with this mainstream Swedish understanding?

No, for several reasons. Firstly, not all sex work is violent or problematic (though that is certainly not to say that it never is). Sex work – like many other forms of work – is enormously variable, and this variability applies to the levels and rates of violence and harm that can be associated with sex work. Measurable violence is associated with the context in which sex work takes place – which can be changed – and so violence and other harm varies and can be challenged.

Furthermore, many sex workers do not identify as victims. Many stress agency and self-determination in the context of their sex work, and motivations for sex work are as variable as experiences in sex work. In addition, this fundamentalist feminist understanding tells us that sex workers are disempowered (cisgender⁴) women, and that their clients are men. This neatly invisibilises male and trans sex workers, and female and LGBTQ clients: not all sex workers are cisgender women; not all clients are straight men.

1 Due to its criminalisation of the purchase of sex, the sex purchase law should not be referred to as 'decriminalisation' (even though the sale of sex is technically decriminalised), as this term refers to a full removal of legislation peculiar to sex work. The law may therefore be referred to as 'partial criminalisation'.

2 Norway and Iceland have criminalised the purchase of sex, and this legislation has been proposed in countries including England, Scotland, Northern Ireland and France.

3 Though the terms 'sex work' and 'sex worker(s)' are used in this paper to emphasise the legitimacy of labour in sex work, these terms are almost universally absent from dominant discourse and political discussion in Sweden. Instead, the terms 'prostitution' and 'prostitute(s)' are used in Sweden by many key stakeholders, despite their being argued to be pejorative and reductive by many sex workers and sex worker rights organisations the world over.

4 'Cisgender' should be taken to mean individuals whose gender identity matches their sex assigned at birth, as opposed to 'transgender'.



Therefore, in the context of the above issues with abolitionist feminism's crude generalisations, many organisations (sex worker rights organisations and unions, as well as service and healthcare providers and academic, activist, and political stakeholders), internationally and in Sweden, have attempted to complexify engagement with sex work. They have tried to challenge a narrative that universally conceptualises sex work as a form of violence, that argues that sex work is inevitably surrounded by violence, a narrative that is reductionist and that eclipses variability and nuance.

Have these voices undermined Sweden's consensus on sex work?

No, despite the fact that it has been emphasised on a political level in Sweden that sex workers themselves should contribute to political debate and discussion; instead, sex workers have been systematically excluded and silenced.

Sweden is a modernist state that has a long history of social engineering and that has established consensus on many issues. What this means on the ground is that various groups who have threatened to destabilise Sweden's aspiration to become a homogeneous, unified welfare state have been subject to various methods of control and intervention. During the 19th and 20th centuries, these groups have notably included women, sex workers, gay men, people who use drugs, immigrants, and those considered

to be eugenically deficient. Methods of control have included the forced incarceration of people with venereal diseases/STIs (such as HIV; this continues to this day), the incarceration and forced 'treatment' of people who use drugs (again, this continues to this day), and the sterilisation of large numbers of people (this only ceased in the mid-1970s, and transgender people wishing to have sex reassignment surgery were sterilised until 2013 as a requisite for their surgery).

But overt force and segregation are not the only things used to exclude and control in Sweden. Methods of control have frequently included the silencing of groups considered to be socially deviant and disruptive. In the case of sex work, several tools are made use of in Sweden to silence the voices of sex workers so that broad consensus in understanding may be established without being successfully challenged. These tools – I term them 'modes of silencing' – derive directly from broader radical feminist understandings of sex work, similarly to broader social constructions of sex work in Sweden.

Modes of silencing can be complex, and can cleverly serve to weaken perspectives that threaten to undermine Sweden's crude conceptions of sex work. However, knowledge of what they involve can be potent in undermining these disempowering tools.

Ways of silencing opposition have notably included the following four methods (though there is certainly crossover between them). Example quotations will be given for each by way of illustration.

IN THE CASE OF SEX WORK, SEVERAL TOOLS ARE MADE USE OF IN SWEDEN TO SILENCE THE VOICES OF SEX WORKERS...



MODE OF SILENCING 1

False consciousness

'False consciousness' is an old idea (coined by Friedrich Engels in the 19th century) that asserts that certain groups cannot fully comprehend their own situation or their motivation. In short, it is claimed that certain people are not 'objectively' self-aware. Because the group or individual in question has had their self-awareness undermined, their subjective perspective and testimony is undermined in turn as not being indicative of the 'truth' of their situation.

Various reasons are given for this lack of self-awareness, and this tool has been used to silence various groups whose perspectives threaten to undermine widely held views. Groups that have been undermined in such a manner internationally have included working class people, those perceived to be ethnically/racially inferior, people who use drugs, LGBT people, and sex workers.

An idea that sex workers are speaking from a position of false consciousness is routinely used in radical feminist writing and in Sweden, and is justified by several primary assumptions, which are outlined below:

Traumatisation undermining self-awareness and choice

Sex workers are seen to be so traumatised by their experiences in sex work – or by the abuse that they are seen to have experienced that has acted as a precursor to their sex work – that they are unable to properly engage

with their situation, with this abuse also argued to be re-enacted through sex work (which is constructed as necessarily abusive). The view is well-summarised (in critique) by an advisor regarding prostitution at the Swedish National Board of Health and Welfare (*Socialstyrelsen*):

“(It is argued that) if you see your situation in this way (as voluntary sex work, not as abuse), then it’s because of, you’re reacting on previous trauma, or you’re traumatised and reacting from previous sexual abuse... or you’re suffering from false consciousness”.

(Interview, 2010, Senior Advisor Regarding Prostitution – *Socialstyrelsen*)⁵

This mode of silencing does not stand up when analysed in the context of individual experience. As noted above, experiences in, and motivations for, sex work are incredibly variable. As critiqued by the above-quoted senior advisor at the Swedish National Board of Health and Welfare, people with hugely divergent experiences and motivations are therefore simply lumped ‘in the same category’:

“people, you put in the same category, and you say that well, ultimately, it’s all the same, it doesn’t matter if you make €5,000 a month, you sell sex without intermediaries, independently... you’re in the same position as someone who is forced by third parties”.

(Interview, 2010, Senior Advisor Regarding Prostitution – *Socialstyrelsen*)⁶

AN IDEA THAT SEX WORKERS ARE SPEAKING FROM A POSITION OF FALSE CONSCIOUSNESS IS ROUTINELY USED IN RADICAL FEMINIST WRITING...

5 Levy, J., 2014, *Criminalising the Purchase of Sex – Lessons from Sweden* (Routledge)

6 Levy, J., 2014, *Criminalising the Purchase of Sex – Lessons from Sweden* (Routledge)



Desperation undermining true choice

Sex workers are seen to have their agency constrained to such an extent that even if they assert that they undertake sex work out of 'choice', their options are so limited as to undermine this assertion. Things that are argued to limit choice include generalisations of sex workers as impoverished, destitute, mentally unsound, and dependent on drugs/alcohol.

This mode of silencing falls down when we engage with the fact that agency and 'choice' is constrained in many situations, and is not only bisected by issues that relate to sex work, gender, and so forth. Crucially, in a context of capitalism, it can be argued that very few people actually make an entirely 'free' choice in selecting their means of income. Moreover, it should be stressed that many sex workers choose sex work from amongst (or in addition to) other means of making money, and for many reasons; many sex workers do not sell sex out of desperation.

Patriarchal conditioning undermining objectivity

Due to conditioning in the context of patriarchal oppression, sex workers are assumed to be unable to see through the blinders of their oppression/

subjugation. They are assumed to be unable to see the 'truth' of their situation. Therefore, sex workers are asserted to erroneously deproblematise their sex work. This is used to explain away the voices of sex workers who may claim to exercise agency in their work, who emphasise that they undertake it freely, who claim to enjoy their work, and/or who claim that their work is not problematic or detrimental. This view is deeply patronising and (ironically, given that it is a view espoused by some feminists) paternalistic, since it serves to silence the voices of some women whilst allowing for others – those who purport to see through the apparent infrastructure of patriarchal oppression – to speak in their place.

A model of false consciousness, then, tells us that only some sex workers' views are admissible: those that conform to the broader abolitionist understanding of sex work as inherently violent, abusive, and problematic. Those perspectives that do not construct sex work in such a way do not count. Therefore, since understandings of sex work in Sweden are informed by abolitionist feminist rhetoric, sex workers in Sweden are belittled when speaking about their own experiences, unless they buy into mainstream perceptions of sex work and/or unless they have ceased their sex work *and* have come to regret it.

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MODE OF SILENCING 2

Lying and putting on a brave face

Further to 'false consciousness' as a mode of silencing, there is an idea that sex workers actively lie or put on a brave face when they speak about their own opinions, experiences, motivations, and lives. This assertion is made in the context of the claim that sex work is universally problematic and traumatising, resulting in sex workers wishing to conceal the 'true' nature of their work.

Stakeholders in Sweden, such as members of the Stockholm Prostitution Unit – a state-sponsored organisation that provides social services to sex workers – as well as members of the Swedish police force, have asserted that to speak to sex workers directly (and therefore to grant sex workers' testimony credibility) would therefore result in a distorted and inaccurate testimony. As with a model of false consciousness, this mode of silencing serves both to undermine the narratives of sex workers, and also the validity of research and writing that places sex workers' voices as active in discussion and analysis.

The Stockholm Prostitution Unit has indeed asserted on more than one

occasion (including in communication with the Swedish National Board of Health and Welfare) that they themselves hear the genuine testimony of sex workers. A respondent from the Unit noted that if interviewed directly, sex workers would 'play a role' and 'put on a brave face', thus serving to undermine their testimony:

"if someone interviews me, if I'm a sex worker... most of us put on a brave face, and to be frank, who wants to buy a sad whore? I mean prostitution is about playing a role, I am being what you want me to be, I am horny, I am happy... they would never get any buyers if they were crying in the streets right, but it's all an act. And that is the difficult thing about interviewing people who are active in prostitution and everything".

(Interview, 2009, Social Worker, Stockholm Prostitution Unit)⁷

Such stakeholders thus position the direct voices of (certain) sex workers as passive in contribution to debate and discussion, whilst promoting their own voices as reliable.

...THIS MODE OF SILENCING SERVES BOTH TO UNDERMINE THE NARRATIVES OF SEX WORKERS, AND ALSO THE VALIDITY OF RESEARCH AND WRITING THAT PLACES SEX WORKERS' VOICES AS ACTIVE IN DISCUSSION AND ANALYSIS.

⁷ Levy, J., 2014, *Criminalising the Purchase of Sex – Lessons from Sweden* (Routledge)



MODE OF SILENCING 3

An un/misrepresentative perspective

Alongside assertions that sex workers' testimony stems from a position of false consciousness or from withholding the truth, there is an assertion that a perspective that diverges from mainstream understanding is not representative of sex workers generally.

Again, this comes back to an idea that there can be an objective 'truth' of what sex work involves. This mode of silencing is utilised predominantly where the preceding two cannot convincingly be used; this is in instances where sex workers have proved impossible to silence, where their empowerment and activism has gained recognition and standing in the debate. Fundamentally, it cannot be convincingly claimed that these sex workers are not self-aware or that they are lying, and so it is asserted that their testimony is not indicative of the experience of the vast majority of sex workers.

A 2013 quotation from Kajsa Wahlberg of the Swedish National Police in *The Guardian*⁸ illustrates how this mode of silencing is used:

"We have a small group of pro-prostitution lobbyists that are very powerful. The sex purchase act was not passed for them; it was passed for the majority of women who suffer from prostitution".

Here, Wahlberg – a proponent of the sex purchase law – asserts that those sex workers who are heard are a small and powerful lobby. The testimony of sex workers who wish to speak about their lives and experiences in Sweden are thus silenced using the claim that they are not representative: they are not "the majority". Those who are felt to be 'truly' indicative cannot speak for themselves – as they are argued to be either suffering from false consciousness or will lie/put on a brave face – and certain stakeholders therefore promote themselves as their spokespeople. We can see how greatly this perspective draws from international radical feminist theory from an assertion made by feminist writer Sheila Jeffreys – who advocates a criminalisation of the purchase of sex. The below quotation is made along the same lines, where Jeffreys simultaneously undermines the voices of some sex workers whilst selectively promoting other perspectives:

"Despite the efforts of some prostitutes' rights organisations to put a positive face on prostitution, as soon as women speak out about their experience it becomes clear that many women want to condemn the oppression of prostitution rather than celebrate it".
(Jeffreys 1997: 79)⁹

THIS MODE OF SILENCING IS UTILISED PREDOMINANTLY WHERE THE PRECEDING TWO CANNOT CONVINCINGLY BE USED; THIS IS IN INSTANCES WHERE SEX WORKERS HAVE PROVED IMPOSSIBLE TO SILENCE, WHERE THEIR EMPOWERMENT AND ACTIVISM HAS GAINED RECOGNITION AND STANDING IN THE DEBATE.

8 Thompson, H., 2013, "Prostitution: Why Swedes Believe They Got It Right", in *The Guardian*, 12 December, available online at: <http://www.theguardian.com/global-development/2013/dec/11/prostitution-sweden-model-reform-men-pay-sex> (last accessed 24 December 2013)

9 Jeffreys, S., 1997, *The Idea of Prostitution* (Melbourne: Spinifex Press)



SINCE THE JUSTIFICATION FOR THE SWEDISH MODEL DEFINES SEX WORK AS A FORM OF MALE VIOLENCE AGAINST WOMEN, TRANS AND MALE SEX WORKERS ARE EFFECTIVELY INVISIBLISED.

This is paralleled by a claim made by the Swedish National Coordinator Against Prostitution and Trafficking, who similarly emphasises that those whose direct testimony comes to be heard are the 'wrong' people to listen to:

"you have to find the right people... if you put an ad in the paper saying 'If you are a prostitute, or in the sex industry, please answer this question', it's the wrong people who is answering".

(Interview, 2009, Stockholm Länsstyrelsen)¹⁰

In addition, this mode of silencing is used to silence sex workers who are not cisgender women. Since the justification for the Swedish model defines sex work as a form of male violence against women, trans and male sex workers are effectively invisibilised. Their voices are seen by default to be unrepresentative of the vast majority of sex workers. This is despite the fact that some stakeholders in Sweden, including members of the Malmö Prostitution Unit in the south of Sweden, have highlighted that there could be more men selling sex in Sweden than cisgender women.¹¹

¹⁰ Levy, J., 2014, *Criminalising the Purchase of Sex – Lessons from Sweden* (Routledge)

¹¹ This correlates with a recently conducted study. See AFP/The Local, 2012, "More Men in Sweden Sell Sex Than Women: Study", available online at: <http://www.thelocal.se/20121113/44386> (last accessed 1 February 2014)



MODE OF SILENCING 4

Caricaturing and/or demonising testimony and the speaker of the testimony

This fourth mode of silencing is a process whereby individuals who do not tally with radical feminist constructions of sex work have their perspectives exaggerated or distorted as being liberal, actively pro-sex work, and/or promoting promiscuity, for example. Criticisms of the sex purchase law in Sweden have had this very result of being attacked and demonised, and it is not only sex workers who are accused of endorsing or supporting 'the sex industry': members of LGBT organisations, service providers, researchers, and social workers have all experienced such claims when criticising the sex purchase law and its ideological justifications.

This is an ad hominem ('to/against the person') argument: instead of engaging with content of the argument, the person making the argument is undermined in order to discredit their perspective. This mode of silencing

appears to be the one that is used when all else fails to undermine testimony: when a perspective cannot be convincingly undermined, the speaker themselves is attacked.

This mode of silencing has not only been made use of in Sweden, but also internationally, where individuals and organisations that focus on a rights-based approach towards sex work (as opposed to abolitionism), for example, have been accused by abolitionist radical feminists of being pro-sex work, and even of being in cahoots with pimps and traffickers in order to discredit their perspective.

"Convinced that no one could ever choose to work in prostitution, CATW [the Coalition Against Trafficking, an abolitionist organisation] feminists perceive sex worker rights advocates as being in league with 'pimps' and 'traffickers'".

(Doezema 2010: 134)¹²

...INSTEAD OF ENGAGING WITH CONTENT OF THE ARGUMENT, THE PERSON MAKING THE ARGUMENT IS UNDERMINED IN ORDER TO DISCREDIT THEIR PERSPECTIVE.

¹² Doezema, J., 2010, *Sex Slaves and Discourse Masters – The Construction of Trafficking* (London: Zed Books)



Summary

As with all claims as to a universal 'truth' in relation to any community or social group, generalisations in Sweden relating to sex work are inherently flawed. In order to maintain crude mainstream understandings, four key modes of silencing are used by abolitionist radical feminists to undermine the testimony of sex workers and of those critical of the sex purchase law:

- 1 a model of false consciousness;
- 2 an assertion that sex workers lie and/or put on a brave face;
- 3 a claim that sex workers who are critical of the law are un/misrepresentative;
- 4 caricaturing/exaggerating testimony and attacking the individual in order to undermine and distract from their argument.

These modes of silencing are powerful tools: they can be used interchangeably, in tandem, and there is a tool of silencing for most situations where sex workers, sex worker activists, their allies, academics, and so on, make arguments that conflict with fundamentalist feminist assertions. Since several modes of silencing are used to side-line the voices of sex workers who diverge from mainstream understandings of sex work in Sweden, proponents of the law have been able to advocate in favour of its apparent successes in something of a discursive vacuum.

Through dissecting and deconstructing these modes of silencing, they may be more comprehensively challenged and dismantled when contesting the understandings that justify the 'Swedish model'.

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Further reading on these topics

The four papers of this toolkit stem from research undertaken by the author, Dr Jay Levy, in Sweden between 2008 and 2012. This research is presented in full in:

- Levy, J., 2014, *Criminalising the Purchase of Sex – Lessons from Sweden* (Abingdon: Routledge)

In addition to this book, several key texts provide useful further reading.

For a Swedish government overview of the legislation and the justifications and understandings that underpin the law, see:

- Ministry of Industry, Employment and Communications, 2004, *Prostitution and Trafficking in Human Beings* (Stockholm: Ministry of Industry, Employment and Communications), available online at: http://myweb.dal.ca/mgoodyea/Documents/Sweden/prostitution_fact_sheet_sweden_2004.pdf (last accessed 6 July 2014)

For an overview of the Swedish debate that preceded the sex purchase law, see:

- Svanström, Y., 2004, "Criminalising the John – A Swedish Gender Model?" in *The Politics of Prostitution – Women's Movements, Democratic States and the Globalisation of Sex Commerce*, ed. Outshoorn, J.: 225–244 (Cambridge: Cambridge University Press)

For examples of abolitionist feminist analyses of sex work, as are used to justify the Swedish model, see:

- Dworkin, A., 1992, "Prostitution and Male Supremacy", Presented at *Prostitution: From Academia to Activism*, University of Michigan Law School, 31 October
- Ekberg, G., 2004, "The Swedish Law That Prohibits the Purchase of Sexual Services – Best Practices for Prevention of Prostitution and Trafficking in Human Beings", *Violence Against Women* 10, 10: 1187–1218
- Jeffreys, S., 1997, *The Idea of Prostitution* (Melbourne: Spinifex Press)



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