

September 2017

The History and Rationale of Swedish Prostitution Policies

Sven-Axel Månsson

Malmö University, sven-axel.mansson@mah.se

Follow this and additional works at: <http://digitalcommons.uri.edu/dignity>



Part of the [Gender and Sexuality Commons](#), and the [Social Work Commons](#)

Recommended Citation

Månsson, Sven-Axel (2017) "The History and Rationale of Swedish Prostitution Policies," *Dignity: A Journal on Sexual Exploitation and Violence*: Vol. 2: Iss. 4, Article 1.

DOI: 10.23860/dignity.2017.02.04.01

Available at: <http://digitalcommons.uri.edu/dignity/vol2/iss4/1><http://digitalcommons.uri.edu/dignity/vol2/iss4/1>

This Research and Scholarly Article is brought to you for free and open access by DigitalCommons@URI. It has been accepted for inclusion in Dignity: A Journal on Sexual Exploitation and Violence by an authorized editor of DigitalCommons@URI. For more information, please contact digitalcommons@etal.uri.edu.

The History and Rationale of Swedish Prostitution Policies

Abstract

This article analyses the history and rationale behind “the Swedish model” of regulating prostitution. The most controversial and debated part of this model is the 1999 ban on purchases of sexual services. To be fully understood the ban and the comprehensive policy regime of which it is a part, the new model has to be placed within a broader framework of policy areas such as gender, sexuality, and social welfare. Thus, the contemporary policy regime will be traced back to the mid-1970s when gender norms and sexual mores were renegotiated in Sweden, which in turn led to a radical reconsideration of men’s role and responsibility in heterosexual prostitution. Also, the outcomes, critiques, and controversies of “the Swedish model” will be discussed. A reduction of demand for prostitution implies changes on many levels, both societal and individual. From a normative point of view, it has been women who have played a leading role when it comes to working for such a change. A radical change would presuppose men’s participation in the process. If so, the crucial question is: Is there reason to believe that men are prepared to engage in anti-sexist politics that can challenge existing beliefs about gender difference and the idea of men’s rights to use women in prostitution for their sexual purposes?

Keywords

Sweden, prostitution, policies, gender equality, sex buyer, sexual commerce, law

Creative Commons License



This work is licensed under a [Creative Commons Attribution-Noncommercial-No Derivative Works 4.0 License](https://creativecommons.org/licenses/by-nc-nd/4.0/).

Acknowledgements

Dignity acknowledges and thanks the following reviewers of this article for their time and expertise: Trine Rogg Korsivk, senior lecturer, University of Oslo, Norway, and Agnete Strom, co-founder and international coordinator, Women’s Front, Norway.

THE HISTORY AND RATIONALE OF SWEDISH PROSTITUTION POLICIES

Sven-Axel Månsson

Malmö University

ABSTRACT

This article analyses the history and rationale behind “the Swedish model” of regulating prostitution. The most controversial and debated part of this model is the 1999 ban on purchases of sexual services. To be fully understood the ban and the comprehensive policy regime of which it is a part, the new model has to be placed within a broader framework of policy areas such as gender, sexuality, and social welfare. Thus, the contemporary policy regime will be traced back to the mid-1970s when gender norms and sexual mores were renegotiated in Sweden, which in turn led to a radical reconsideration of men’s role and responsibility in heterosexual prostitution. Also, the outcomes, critiques, and controversies of “the Swedish model” will be discussed. A reduction of demand for prostitution implies changes on many levels, both societal and individual. From a normative point of view, it has been women who have played a leading role when it comes to working for such a change. A radical change would presuppose men’s participation in the process. If so, the crucial question is: Is there reason to believe that men are prepared to engage in anti-sexist politics that can challenge existing beliefs about gender difference and the idea of men’s rights to use women in prostitution for their sexual purposes?

KEYWORDS

Sweden, prostitution, law, policies, gender equality, sex buyer, sexual commerce

Purchase of sexual services was criminalized in Sweden in 1999. Few if any changes in legislation have attracted so much attention. One reason for this is that it cuts right into some of the most burning issues about the public control and regulation of prostitution. From those, who argue for the acceptance of prostitution as work and for commercial sex to be seen as a legitimate industrial sector in society, the law has been met with considerable criticism. Among those who view prostitution as an expression of (primarily) men’s sexual exploitation of women, it is considered to be a breakthrough and an important step towards a more gender equal society. In short, politicians, journalists, activists and researchers all over the globe relate their arguments concerning the pros and cons of prostitution to the “Swedish model,” debating whether it constitutes the best practice in dealing with prostitution. Regardless of which position is taken by different actors in this debate, there is no doubt that the model is spreading. In February 2014, the European Parliament voted in favor of a report produced by the rapporteur and MEP Mary Honeyball recommending the “Swedish model” of tackling prostitution, i.e. criminalizing the buyer of sexual purchase (Report 2013/2013 INI). The reso-

lution is non-binding and therefore is not a law, but implications are that EU member states are encouraged to adopt regressive stances on prostitution in harmony with the Swedish model. And no doubt, the recent legislative prostitution reforms in Ireland (2014), Northern Ireland (2015) and France (2016), prohibiting the buying of sex, have been designed “in harmony” with this model. Furthermore, a similar development has also been seen in countries outside Europe, such as South Korea (2003), South Africa (2007) and Canada (2014).

The first part of this article aims at tracing the history and rationale of the law as part of a broader historical spectrum of Swedish prostitution policies. As it stands, the law is part of a *comprehensive policy model* including both legal and social measures, which has to be placed within a broader framework of other policy areas such as gender, sexuality, and social welfare to be fully understood. Furthermore, no country approaches prostitution in a vacuum; distinct regimes and models cross borders. Prostitution policies have also changed in other parts of the Nordic region. Both Norway (2009) and Iceland (2009) have criminalized the buying of sex, and Finland (2006) has criminalized the buying of sex from victims of trafficking or persons involved in pimp-organized prostitution. These changes do not imply that the Nordic countries take an identical approach; national policies have emerged from different ideological and empirical contexts (Skilbrei & Holmström, 2013). However, in this article, my focus will be particularly on Sweden and will touch only *en passant* on issues pertaining to the Nordic context.

The contemporary policy regime in Sweden will be traced back to the mid-1970s when gender norms and sexual mores were renegotiated, which in turn led to a radical reconsideration of men’s role and responsibility in heterosexual prostitution (Isaksson, 2007; Nilsson 2009). Also, at that particular time in history prostitution increasingly came to be viewed as a social problem, which coincided with the growth and expansion of the welfare state. As a symbol of poverty, the reduction of prostitution became an explicit goal and a basis for diverse policy efforts. These normative goals and how they have permeated the content and organization of Swedish prostitution policies until today will be analyzed in the first part of the article.

In the second part, the outcomes, critiques, and controversies of the “Swedish model” will be described. Finally, I will discuss the values and expectations that this policy is built upon. A reduction of demand for prostitution implies changes on many levels, both societal and individual. From a normative point of view, it has been women who have played a leading role when it comes to working for such a change. However, a radical change would presuppose men’s participation in the process. If so, the crucial question is: Is there reason to believe that men are prepared to engage in anti-sexist politics that can challenge existing beliefs about gender difference and the idea of men’s rights to use women in prostitution for their sexual purposes?

THE GENDER EQUALITY DISCOURSE

The gender equality discourse stands strong in Swedish public life. Since the 1960s its presence is practically everywhere. From the outset, the gender equality policy mainly focused on women’s right to work and to equal pay, but over the years it has become a distinctive feature of nearly all aspects of society. The overarching principle is that everyone, regardless of gender, has the right to work and support themselves, to balance career and family life, and to live without the fear of abuse

or violence. The creation of an *Equal Opportunities Ombudsman* in 1980 could be viewed as a symbol of the institutional integration of this discourse into the everyday life of all people living in Sweden. However, discourse is one thing, practice another. And although according to *The Global Gender Gap Report 2009* (Hausman, Tyson, & Zahidi, 2009) Sweden ranks as the fourth most gender-equal country in the world, the ultimate goal of the gender equal society is far from being reached. Work and family life in Sweden is still organized rather traditionally, women work mostly in the care and education sector, a large majority work part time, and, in spite of a comparatively generous parental leave system (parents are entitled to share 480 days, or around 16 months, of paid parental leave when a child is born or adopted) women still use three-fourth of the days (Stanfors, 2014). One could easily argue that progress is unevenly distributed.

However, an example from an area in which most people would agree that there has been *some* progress is the violation of women. With the bill on *Women's Peace* (Prop. 1997/98:55 Kvinnofrid) that was launched in 1998 came a number of changes in the legal provisions regulating women's right to a life without violence in private relations and public space; among other things stating that the total picture of the violation of a person should be considered when deciding on the severity of a crime. For example: If certain non-punishable acts - such as hiding the woman's house keys or telephone to keep her isolated - could be considered a pattern or part of the whole picture of harassment and violence that the woman had endured, the crime should be considered to be more severe. The criminalization of the purchase of sexual services is part of a package of laws emanating from this bill. When launching the bill in the Swedish Parliament in 1998, the social democratic minister with special responsibility for gender equality issues (Ulrica Messing) explained the rationale behind the regulations. And I quote:

We have a society where the uneven distribution of power between women and men and the lack of equality is related to violence against women. We are also convinced that it is through active measures that we can combat this, measures that signify that it is through greater equality between women and men that we fight against violence. We think that prostitution is one of the worst expressions of the unequal distribution of power between men and women and that it does not only affect women in prostitution or those who buy the services of these women but the whole of society. That is why we now propose a criminalization of sex buyers. We are convinced that this will change attitudes and reduce violence in society (Arnerberg, Laskar, & Sundevall, 2015, p. 296, *my translation*).

The rest is history, so to speak. The law entered into force in 1999. Buying or attempting to buy sexual services became a criminal act punishable by fines or a maximum of six months' imprisonment (since 2012 extended to twelve months).

The law takes a clear stand on the parties in prostitution. However, while its targeting of sex buyers is often referred to as unique in an international perspective, in fact, it is the simultaneous resistance to criminalize adults *who sell sex* that makes the more striking feature of the approach (Florin, 2012). It is clearly stated in the Bill on Women's Peace that the person who sells sex "should under no circumstances bear responsibility for transactional sex but, instead, be assisted and offered help out of prostitution by social interventions to which the sex purchase ban is *a mere complement*" (Florin, op.cit., p. 269). A mere complement! In plain language, this means that it is the provisions of the social services (and

health care) that make up the backbone of Sweden's prostitution policy, and not the law in and by itself.

So, what is referred to in the international debate as the "Swedish model," meaning the criminalization of the purchase of sexual services, is only one aspect of Swedish prostitution policy, obviously a salient one but not the most prominent one (Florin, 2012, Yttergren & Westerstrand, 2016). The 1998 Bill is very clear on this. The main reason behind it being the relatively successful social welfare interventions in the prostitution milieu that had been introduced already during the second half of the 1970s, more than twenty years before the law was passed in the Parliament. In short, one can say that the rationale behind Swedish prostitution policies contextualizes prostitution as a societal phenomenon deeply rooted in the circumstances related to both gender and class. Let us go back in history to make this a bit clearer.

A NEW PARADIGM

In the 1970s prostitution was brought to the political agenda in Sweden with renewed intensity. Before that, it had in effect been a non-issue, politically "dead," for decades (in fact, for most of the 20th century). In 1918 Sweden abolished state regulation of prostitution (Svanström, 2000). After this date, prostitution was treated as a sub-problem or a specific aspect of other problems such as vagrancy and "asociality." With the support of science, particularly medicine and psychiatry, women in prostitution were characterized as mentally abnormal or dangerously asocial. Prostituting oneself was synonymous with publicly exposing, disgracing, compromising, profaning, dishonoring and defiling oneself (to use some of the terms of the time). Needless to say, none of this shame and dishonor was associated with the men who used the services of these women.

This way of viewing prostitution, as a problem intimately linked to dysfunctional individual characteristics permeated the official discourse during the first part of the 1900s or at least from the time of the abolition of state regulation of prostitution up until the beginning of the 1960s. During the latter part of the 1960s a different discourse started to unfold. One in which explanations of social problems, including prostitution, were shifting from an individual to a more system-oriented perspective and emphasis.

This shift in discourse comes out clearly in one of the most celebrated and influential sociopolitical books of the 1960s in Sweden, in which prostitution was described and characterized as a symbol of *the unfinished welfare*, which was also the title of the book itself (Inghe & Inghe, 1967). The spotlight was directed towards the inadequacies and deficits of the welfare system, in other words towards the "remarkable" condition that there were still significant groups of "outcasts" in the welfare state. In the book, the term *residual poverty* was used. The expression conveys the underlying perspective, namely that the big and general poverty issues are well on their way to being solved – permanently – through the attention and care of the social services of the modern welfare state; consequently, the residue will be taken care of through a concentrated effort of adequate welfare regulations and interventions. That's how the argument went. However, the authors called attention to the fact that empirical knowledge of the living conditions of persons in prostitution was almost non-existent at the time. All this would change in the 1970s.

The 70s represent a major paradigm shift, if not *the* major shift, in contemporary Swedish prostitution policies. What is today called the Swedish model is not possible to understand without going back to some of the defining moments of that decade. Let me start with the more general view on sexuality.

Gradually during the 20th century, a restrictive view had been replaced by a more open and relaxed attitude towards sex. Categorical rules of the type “do or don’t do” had started to fade away in favor of a more open agenda in sexual matters emphasizing individual responsibility. These changes also included more permissive attitudes to so called deviant sexual behavior and sexual minorities. A strongly contributing factor to this development was the breakthrough of modern sexual science in the 1950s and 60s. Notably, *Sexual behavior in the human male* (Kinsey, Pomeroy & Martin, 1948) had been translated into Swedish at record pace, and was available in the book stores a few months after it was published in the US. This new view was in total accordance with the modern welfare state’s strong belief in scientific knowledge and public information supporting a view on sex as something natural and positive, which was important for a person’s health and well-being.

Against this background, quite logically one could say, pornography was legalized in Sweden in 1971 (as the second country in the Western World; Denmark was first in 1969). The last bastion of a restrictive view on sex had fallen. In practice, it meant that the general ban on the production and distribution of porn was buried. Interestingly enough though, public polls showed that the lifting of the ban had little support among the majority of the general population at the time (Månsson, 2000). In fact, the law makers acted as an avant-garde being at least one step ahead of the people, strongly supported by liberal forces both inside and outside of the political establishment and among academics.

Soon enough critical voices started to be heard against this development. One of the most heated debates and controversies concerned the proposal for new legislation on sex offenses in 1976 (*Sexual Offences: a proposal for an amendment of the Penal Code concerning crimes against morality*. SOU 1976:9). In accordance with the liberal ideas and spirit of the time, the governmental committee explicitly wanted to defuse or downplay the existing legislation’s far-reaching ambitions to guide human sexual activity. For one thing, the terminology used in legal provisions should be modernized (i.e. less moralistic) and the scale of penalties should be made milder. Examples of this were: lowering the age of sexual consent from 15 to 14 years, abolishing special provisions relating to same-sex relations with young people, abolishing provisions against sexual relations with offspring and siblings (the concept of incest should be erased from the legal text), recommending a reduction in criminal liability for pimping, only punishing persons who “improperly” exploit another who has temporary sex for payment. These were definitely a number of clearly radical recommendations. What set the debate on fire was the proposal to reduce the penalty scales for obtaining sex by violence or threat, i.e. rape. A reduced penalty scale was proposed for “less serious cases.” “An innovation” here was that there would be the possibility for a sentence of fines, the committee declared enthusiastically. This innovation not much appreciated by the women’s movement, to say the least (Månsson, 2012).

A very heated debate followed on the committee’s proposals. Furthermore, its recommendations became a strong argument of mobilization for the growing Swedish women’s movement against continued male dominance over sexual life (Isaksson, 2007). Eventually, this debate came to mark the rather abrupt end of a

beginning effort to actively decriminalize certain aspects of human sexuality including the sex trade, more particularly the role of the pimp. It is striking how some of the arguments of the committee bear a resemblance to later years' international debate on the difference between "forced" and "voluntary" prostitution. Against this background, it is tempting to fantasize about "what if," i.e. what if the proposal of the committee had been realized. Sweden as "the Netherlands of Scandinavia"? An interesting thought.

THE COMMERCIALIZATION OF SEX

In addition to the women's movement's critique against certain aspects of the so-called sexual liberation, there was also a rapidly growing critical discourse on the increasing "commercialization of sexuality" that had followed in the footsteps of the legalization of porn. This critique was mainly launched from the left end of the political scale. My colleague Stig Larsson and I added fuel to the fire with a book titled *Black Business* (Månsson & Larsson, 1976), in which we analyzed the content, organization, and development of the sex trade.

And this is how our argument went: Making money on sex is not compatible with the idea of human sexual liberation. Instead of once and for all putting an end to the traditional restrictive view on sexuality with its historical roots in a puritanical sexual order, the growing commodification of sex only means a continuation of non-liberty. While the puritan order of things was known for using more or less repressive means to suppress and submit, so the new order of commercialism vulgarizes and exploits sex, not infrequently in the name of enlightenment and tolerance (Månsson & Larsson 1976, pp. 128-133).

What ignited the debate was the statistics that we presented in our book about the exponential growth of the sex trade in Sweden. Our empirical case was the development of the sex trade in the southern city of Malmö. At the beginning of the 1960s, there were 15-20 women in prostitution in the city (of 250 000 inhabitants) known to the police and the social services. Ten years later the picture had changed. Our results showed that during an observation period of 24 months in the mid-1970s, 360 women and some men were selling sex outdoors, in the streets or indoors, in brothels or in the 30 or so sex clubs that existed in the city and which had been legally established to show porn movies and offer so called sexual live shows. In reality, all of these clubs were slightly masked brothels and as such illegal operations according to the laws against procuring and pimping. Furthermore, our data concerning the composition of the city's prostitution population showed that 30 per cent were transnationals primarily from the other Nordic countries or from Eastern and Southern Europe. The concept of trafficking was unknown to the Swedish public at the time. What created the biggest sensation was the age of the women, the majority being under or just over 20 years of age. Thus, the conventional picture of prostitution as being populated by more or less strung out middle-aged or older individuals on the rock bottom of the social scale did not seem to fit anymore. Instead, our observations and conclusions pointed at a growing, business-like, partly internationally organized sex trade.

No doubt, prostitution had taken on new modalities becoming more diversified and accessible. The money spent on sexual services was beginning to reach new levels, and the whole sex trade was striving at becoming mainstream, respectable or even gentrified ("adult entertainment"), a growing sector in a modern consumer-based society. In fact, what we were witnessing were the first signs of what

much later has been identified as a normalization and globalization of the sex industry without any clear distinction between prostitution, adult entertainment, and pornography, given that all of them provide sexual gratification for payment in some form or other (cf. Altman, 2001, Bernstein, 2007).

THE PROSTITUTION INQUIRY

Our observations in *Black Business* fueled an intense public debate and resulted in a government initiated inquiry about prostitution in 1977 (Yttergren & Westerstrand, 2016). Looking back to that time, it is clear that this initiative came to be significant for the future development and for what we have today. For two reasons: First, the inquiry was unique in that it was more of a sociological investigation than a traditional government report. Essentially, as a result, the historical order of things was turned around. Instead of medical examinations of individual deficiencies, space was provided for women's voices to come out. A large number of in-depth interviews with women in prostitution was conducted. Thus, women were now talking about their reality, the way that they perceived it, and not through the eyes of "experts."

The second important feature of the inquiry was the marked interest in the role of the sex buyer. In many ways, this interest meant a decisive shift in perspective on the issue. For when questions were being posed about the buyers, earlier hidden aspects of the phenomenon started to become unveiled. Although the male sex buyer had occasionally been visible, it was only peripherally; both in conceptualization and definition it was the female prostitute that was the subject of examination. To talk about how demand can be met, however, does not shed light on the complete picture. One of the central questions for understanding prostitution must deal with what is purchased, that is to say, in the case of heterosexual prostitution, it must deal with men's motives and demand for prostitutes. That's how the argument went in the government inquiry (Borg et al., 1981; SOU 1981:71). And for the next few years, this sparked off a number of studies exploring the phenomenon of sex buying, based on in-depth interviews with sex buying (see more about this in Månsson, 2001). On a more general level, one can say that the inquiry contextualized prostitution as a societal phenomenon deeply rooted in issues of class, gender, and sexuality. For instance, by looking closer at certain "deviant" patterns in the relationship between the actors in prostitution, more general mechanisms in so called normal gender relations became unveiled.

The results of the inquiry were made public in 1981. Conclusively, the inquiry stated that prostitution was incompatible with the values of the Swedish society, particularly concerning gender equality. However, interestingly enough the report did *not* recommend criminalization of the sex buyers. Instead, the inquiry argued for continued and intensified supportive, educational and social measures to reduce prostitution, and these measures were to be directed both to the general population and to the sellers and buyers in prostitution. Prohibitive measures were to be reserved only for the promoters and profiteers of the sex trade, i.e. the pimps and the traffickers (Borg et al., 1981). And thus, for the next 15 years, up until the mid-1990s, prostitution was discussed and mainly understood through and within a "social policy frame" and not a "legal frame", as put by Erikson in her dynamic frame analysis of Swedish prostitution policies (2011). Among other things, this meant the continuation and further development of social work interventions by offering assistance to persons in prostitution through a combination of different strategies, organized as a municipal responsibility within the public sector: such as

social outreach, psychosocial counselling, psychodynamic therapy and health services (STI-prevention and testing, medical and gynaecological counselling).

The concrete models for these services have tended to differ over time from city to city in Sweden, which has caused debate and controversies on both national and local level. In the city of Malmö, at times *harm reduction strategies* have been promoted, which means handing out “prevention packages” containing guides to safety, alarm devices, condoms, lubricants, tooth brushes, wet wipes, etc. In Stockholm, *exit strategies* have been promoted, where voluntary therapeutic treatment for those leaving prostitution have been combined with STI and health services for those who are still in prostitution. The debates have mainly concerned if harm reduction strategies are compatible with an official negative view of prostitution. A unique aspect of the social services originally launched by the city of Göteborg in the mid-1990s specifically targeted the *sex buyers*. The services including counseling for individuals and family members with problems relating to prostitution use and issues of STI and health services.

All this was done against the background of a fairly robust political consensus in the Swedish parliament that prostitution is a problem that needs to be fought and reduced, not least from a gender equality perspective. However, gradually during the 1990s a criminal law frame gained grounds. Something more was needed, it was felt; a growing conviction among politicians from nearly all political camps that educational campaigns and supportive interventions were not enough to put a stop to men’s exploitation of women in prostitution (Månsson, 2005; Erikson, 2011). The spreading of HIV and the growing internationalization of the sex trade added to the conviction. After a new national inquiry (SOU 1995:15) and several rounds of parliamentary and public debates, a government bill was presented to the Parliament in 1998 proposing the criminalization of sexual services. The bill I’m referring to is the *Bill on Women’s Peace* (Prop. 1987/98:55) and as mentioned before, the law that came out of this bill entered into force in 1999, if only as a complement to social interventions.

OUTCOMES AND CRITIQUES

Thus, bearing in mind that the law is only one part of Swedish prostitution policy, it is of course still interesting to know the results of its application. After having been in force for ten years a governmental inquiry and evaluation were made (SOU 2010:49), which, in fact, takes on a rather cautious attitude referring to the difficulties assessing the exact effects of the law in a field so complex and multifaceted.

However, despite reservations (and critique from some independent researchers, including myself, concerning the methodologies used in the evaluation), the general conclusion of the government was that the ban had been successful in decreasing prostitution and trafficking. Street prostitution had decreased with more than 50 per cent. Although there had been an increase in prostitution on the internet, in the form of advertisements and profiles offering sexual services, available data showed that this form of prostitution was less extensive in Sweden than in our neighboring Nordic countries. There may be several explanations for this, stated the inquiry, but given the major similarities in all other aspects between the Nordic countries, it was maintained that prostitution in Sweden also would have increased, had we not had the ban.

To gauge Swedish public opinion, a number of surveys have been conducted before and on several occasions after the ban was introduced (1999, 2001, 2002,

2007, 2011 and 2014). Overall, results show that there is a clear support for the ban; in every survey after 1999 more than 70 per cent of those asked have taken a positive stand towards the ban, over 80 per cent of the women and around 60 per cent of the men (see more about these surveys and their results in Länsstyrelsen, 2015). The official view is that the marked shift in attitudes compared to before the ban must be interpreted as a sign that it has had a significant normative effect, which was one of the original aims of the law (SOU 2010:49).

At the end of the day, an interesting question is whether the law *de facto* has affected the demand for prostitutes and the behavior of those who buy sexual services. Surprisingly enough, one can say, very few scientific studies exist that shed light on the effects of the criminalization of buying sex in the Nordic countries. An exception to the rule is the effort by Norwegian economists Kotsadam and Jakobsson (2011, 2012) who found indications that criminalizing sex purchase has decreased the quantity of sex bought. Their survey results which were based on the proportion and number of respondents having bought sex during the past six months in Sweden, Norway and Denmark support the expectation that buying sex is the least prevalent in Sweden where it has been illegal for more than 15 years and most prevalent in Denmark where it still is legal. In between comes Norway, where the buying of sex has been prohibited since 2009. Kotsadam and Jakobsson also found that stigma influences demand. Although, they did not find that stigma increased as a result of the law. Therefore, they argue, that the reduced quantity of sex bought is probably due to the more direct risk of getting caught (Kotsadam & Jakobsson, 2012 p. 402). These results show that the relationship between normativity and behavior is both complex and multifaceted. And, of course, in this particular case, it raises questions about the long-term effects of the law on more fundamental changes of behavior in relation to gender equality. I will return to this issue in the concluding remarks of this article.

Interestingly enough, the biggest controversies with regard to the law and its effects both in the public debate and among researchers, have not primarily concerned how the ban has affected the buyers. Rather it has focused on the consequences for the sellers; quite logically, one can say, considering that the aim of the law was to be a complement to social interventions. Or, as it has been formulated by Swedish social policy analyst Ola Florin: social interventions, not the ban, are the leading national anti-prostitution strategy as decided by the government (Florin, 2012 p. 276)

Thus, before the ban was introduced, various misgivings regarding the social security and safety of the sellers were voiced. These included fears that criminalization would risk driving prostitution underground, making it harder to reach out to the vulnerable people through social services and interventions and, furthermore, that the ban would bring an increased risk of physical abuse and generally worsened living conditions for people in prostitution. The official conclusion, as stated in the government's evaluation (SOU 2010:49), is that these fears have not been realized.

However, this view is not shared by some researchers and debaters in the field, both Swedish and non-Swedish. In a paper which discusses the *unintended* consequences of the ban, Swedish researcher Charlotta Holmström (2014) uses the concept - *spatial switching* – from Hubbard et al (2008) which describes the moving of prostitution from visible to less visible arenas in the wake of the ban, which in turn has led to increased vulnerability and risk-taking. The question is,

however, if this move is a direct effect of the ban or, rather, a consequence of the general expansion and spread of the internet and mobile phones, which have fundamentally changed the prerequisites for contact-making between buyers and sellers in prostitution and to a great extent helped to transfer the sex trade indoors away from public places (Holmström, 2014 p. 29).

An investigation by *Rose Alliance*, which describes itself as an interest organization for “sex workers” in Sweden advocating “sex workers’ rights” and combatting the law against the buying of sex, calls attention to increasing experiences of violence, social exclusion and stigmatization as an effect of the ban (Edlund & Jakobsson, 2014 p. 60). Among other things, the Alliance report discusses the women’s efforts to develop security and survival strategies in relation to the buyers, especially the violent ones. However, the view on exactly if and how the ban has affected security seems to differ among the respondents in the report. Some women clearly state that they have experienced a higher incidence of dangerous situations or, overall, felt more insecure after the introduction of the law, while others emphasize that the law has provided them with more security as it makes it possible for them to threaten the buyers with a police complaint, if they refuse to pay or in other ways act with threats or violence. Similar findings concerning the experiences of increased security have appeared in other studies, where the informants have emphasized how the possibility of making a police complaint without being punished themselves functions as a form of protection (Holmström, 2014 p. 27).

A most important theme in the evaluation of the pros and cons of the ban concerns the actual encounters with the authorities, the police, the judicial system and the social services. Also, here, we get a mixed and somewhat contradictory picture. As Hulusjö puts it in her study, *The Multiplicities of Prostitution Experience* (2013 p. 299): “Skepticism towards the police is clearly not unfounded, many of the participants had experienced discrimination, not only by the police but also the law courts and the judicial system.” On the other hand, in Levy’s study *Criminalising the Purchase of Sex* (2014 p. 212), we hear people selling sex who describe their positive experiences from encounters with the police; in this case from an interview with an internet escort: “I met a lot of very good police people. [...] They care about people ... people being beaten up and being abused; it’s like the police take that very seriously.” In fact, this mix of positive and negative experiences from encounters with the police is nothing new; they can also be found in earlier research on prostitution in Sweden before the ban was introduced (cfr. Månsson & Hedin, 1999).

Furthermore, the same mix of pros and cons is reflected in the experiences of the encounters with the social services. As was stated before, the concrete models for the provision of these services have tended to differ between cities in Sweden. However they are all grounded in the same idea that prostitution ultimately is something to oppose and combat. According to Levy, this idea entails elements of what could be termed as conditional social support. Informants report experiences of how they have to “conform to a mainstream understanding of sex workers as disempowered victims to eligible for services” (Levy, 2014).

On the other hand, as Holmström (2014) emphasizes, a fair number of evaluations and reports clearly show that people who have been seeking help from the social services and the growing number of non-profit organizations operating in the field have positive experiences including everything from just being

approached in the street by social workers, “who show that they care”, and whose presence in the milieu guarantees a sense of security, to more long term support including experiences of counselling, safe housing and qualified therapies for those who want to exit prostitution (cfr. Kjellgren et al., 2012; Dahlborg & Hulusjö, 2010; Grönvall & Holmström, 2016).

Another critique concerns what is seen and what is *not* seen, what is talked about and what is not. The law prohibits the buying of sexual services, but it does not say anything about the gender of the sex buyer. In theory, it applies to both men, women, and transpersons. However, in practice, the strong focus on heterosexual prostitution more or less excludes men who buy sex from other men. From an intersectional perspective, this bias stands out when it comes to the availability of social services tailored to the specific needs of the LGBTQ population, according to Larsdotter, Jonsson, & Järedal (2011).

CONCLUDING REMARKS

Based on this rather comprehensive analysis of the history and rationale of prostitution policies and what they imply, it is clear to see that we are dealing with a phenomenon, which carries meaning at many levels. It has both individual and structural dimensions, and to understand it properly one must comprehend the complex interplay between them. On the individual level, it concerns the satisfaction of different sexual demands, fantasies and/or the solution to problems that men say that they have in their relations with non-prostitute women (Månsson, 2015). Needless to say, most women in the same situation do not choose the same solution. On a structural level prostitution use is predominantly a male practice.

From this also follows, that a reduction of the demand for prostitution implies changes on both a societal and individual level. Until now, it has been women who have played the leading part when it comes to working for such a change. At least, this is the case in Sweden. And taking into account the research results that I have referred to saying that the reduced quantity of sex bought in Sweden probably is due to the direct risk of getting caught rather than to a deep change of attitudes, then the question is: Is this enough for a radical change of behavior among men? Is there reason to believe that a substantial number of men are prepared to engage in counter-sexist politics challenging existing beliefs about gender difference and the idea of men’s right to use prostitutes for their sexual purposes? I would say: Yes and No.

First, we have to keep in mind that most men do not buy sex. Sex buyers are a minority among men in most countries (Månsson, 2008), something which is often neglected in the public debate about prostitution. Although, there are exceptions. From time to time the issue of men who don’t buy sex has been central in debates in the Nordic countries, for example within the 8 March Initiative in Denmark (cfr. Helth, 2013). It is also a fundamental issue for the international network *Zéromacho – Men against prostitution and for equality*. Indeed, it would be interesting to find out more about why most men choose *not* to buy sex, and why this is more common in some countries than in others. In any case, these differences contest the view that prostitution is all about men’s biologically determined desires. On the contrary, it underlines the fact that sexuality is socially constructed and that the understanding of what men are looking for in prostitution has to be related to the specific cultural and historical circumstances surrounding men’s sexuality and gender relations.

Generally speaking, there is a disagreement as to the way the gender system has changed during the past decades. Looking at the situation today in the Western World, including Sweden, we find that there are relations of tension between old and new images of masculinity and male life at all levels of society – in working life, in the family, and in the field of love and sexuality. Some men are engaged in developing a broader repertoire of male practices – socially, emotionally and sexually. And research on men’s lives indicates that men are moving towards greater involvement in their families and their children’s lives (Plantin, Månsson, & Kearney, 2003). However, as I stated initially, it is a slow process. Work and family life in Sweden, for example, is still organized rather traditionally. Although, when it comes to the specific issue of prostitution, surveys show that among Swedish men there is a clear support for the ban on buying of sex, whereas the situation for example in neighboring Denmark, where buying sex is legal, is significantly different. A recent report from the minister of gender equality shows that the majority of Danish men have the opinion that buying sex is ok (8 marts-initiative, 2017). As I stated before, the relationship between normativity and behavior is both complex and multifaceted and the long-term effects of the law on more fundamental changes of Swedish men’s attitudes and behavior remain to be proved.

And, of course, on a structural level there are strong forces who actively counteract such changes. I’m referring to the tendencies in popular culture, in the media and on the internet, towards a consolidation of traditional male patterns with strong elements of objectification of the opposite sex. In the wake of this follows various expressions of an aggressive anti-feminism and extensive sexual violence towards women. Expressions of the same pattern can be seen on particular web sites, where men explicitly voice their moral rights and masculine privileges to access women’s bodies and their sexual services in prostitution. The truth of the matter is that these tendencies are reaffirmed by much of the cultural machinery surrounding our everyday lives in late modern society. This machinery is institutionalized in the state as well as in the market, not least within the framework of the global sex industry dealing in prostitution, trafficking in women and other forms of human and sexual exploitation (Banyard, 2015).

Among the most frequent arguments in the public debate against “the Swedish model,” in particular, the ban on sex buying, is that it is contra-productive, in that it forces prostitution underground, thereby exposing the sellers to greater risks, violence, and police harassment. As I have pointed out, there is not much empirical evidence to support this critique. However, which I also have shown, the picture is not clear, and research results are inconclusive. The views and experiences expressed by people in prostitution are a mix of pros and cons when it comes to issues of everything from stigmatization to help and assistance provided by the social services and non-profit organizations.

Negative reactions against the law have also come from academic researchers, addressed mainly from a so-called sex-radical perspective, “emphasizing prostitution as work and women in prostitution as challenging gendered norms” (Yttergren & Westerstrand, 2016). One rather influential example of this is anthropologist Don Kulick (2005), who has launched a Foucault-inspired criticism, viewing the law as a result of a process of pathologization of “a whole group of people”, the sex buyers; a process which, according to Kulick, has been going on at least since the mid 1980’s, and which severely tarnishes Sweden’s reputation as a sex liberal country. The roots of this “fundamental reorganization of sexuality” can be found in “state feminism,” which according to Kulick dominates the political discourse in Sweden.

“Pathologized sex buyers constitute the contrast, which allows a radical feminist discourse about gender oppression to continue to be formulated, without pushing the majority of men away, at the same time as it secures the idea of a national normative sexuality based on love, in which all Swedes are invited to participate”, argues Kulick (2005, p. 97, *my translation*).

Interesting and thought-provoking as this criticism may be from an academic point of view, it does not touch upon the main rationale behind the law, namely the exploitation of the seller in prostitution. Kulick views the law as a manifestation of the state’s denial of sexual freedom, and in this particular case, men’s freedom and rights to their own decision of whom to have sex with. What he tends to overlook is that this freedom often entails the exploitation of another person’s well-being, at least in prostitution.

And this *is* the key issue. The Swedish model is unique in that it calls for a radical reconsideration of men’s responsibility in prostitution. Before, it was the seller who was punished for a sexuality that was not her own. Now, the wheels have turned. The rationale behind “the Swedish model” is that prostitution should be defined according to what it primarily is, namely about men’s sexuality, not women’s. Without men’s demand for prostitute women, there would be no such women. At the same time, it is important to realize that no single law or comprehensive policy model, for that matter, is going to solve the problem of prostitution. However, with “the Swedish model” the first necessary steps have been taken towards ending the idea of prostitution as just work and that the demand for it is inevitable.

ACKNOWLEDGMENTS

Dignity acknowledges and thanks the following reviewers of this article for their time and expertise: Trine Rogg Korsivk, senior lecturer, University of Oslo, Norway, and Agnete Strom, co-founder and international coordinator, Women’s Front, Norway.

AUTHOR BIOGRAPHY

Sven-Axel Månsson, professor emeritus of social work, received his Ph.D. in sociology at Lund University in 1981. He has held professorships in social work at Göteborg University and Malmö University, and is currently a member of the Centre for Sexology and Sexuality Studies at Malmö University. Sven-Axel Månsson has published extensively on issues such as prostitution and human trafficking, sexuality on the internet, and the use of pornography by young people. His first book on prostitution was published in 1976 and since then he has continuously followed and studied the development and changes in the field, written several books and articles, and participated in the public debate. Between 1977 and 1981 he was also a social worker in the first social outreach operation in Scandinavia offering help and services to the women and men in prostitution in the city of Malmö.

RECOMMENDED CITATION

Månsson, Sven-Axel. (2017). History and rationale of Swedish prostitution policies. *Dignity: A Journal of Sexual Exploitation and Violence*. Vol. 2, Issue 4, Article 1. DOI:10.23860/dignity.2017.02.04.01. Available at <http://digitalcommons.uri.edu/dignity/vol2/iss4/1>.

REFERENCES

- 8 marts-initiativet 2017, <http://www.8marts.dk/>
- Altman, D. (2001) *Global Sex*. Chicago: The University of Chicago Press.
- Arnberg, K., Laskar, P., Sundevall, F. (2015) *Sexualpolitiska nyckeltexter* [Key texts of sexual politics] Stockholm: Leopard Förlag.
- Banyard, K. (2016) *Pimp State. Sex, Money and the Future of Equality*. London: Faber & Faber.
- Bernstein, E. (2007) *Temporarily Yours. Intimacy, Authenticity, and the Commerce of Sex*. Chicago: The University of Chicago Press.
- Borg, A., Elwien, F., Frühling, M., Grönwall, L., Liljeström, R., Månsson, S-A., Nelin, A., Olsson, H., & Sjöberg, T. (1981) *Prostitution. Beskrivning, analys, förslag till åtgärder* [Prostitution. Description, analysis, proposals]. Stockholm: Publica.
- Dahlborg, K. & Hulusjö, A. (2010) *Uppsökande arbete av prostitutionsgruppen* [Social outreach work by the Prostitution Unit], FoU-rapport, Göteborg: Göteborg stad, Väst/GR 2008-2009.
- Edlund, C., & Jakobsson, P. (2014) *En annan horisont – sexarbete och hiv/sti-prevention ur ett annat perspektiv* [Another horizon – sex work and hiv/sti-prevention from another perspective] Stockholm: Hiv Sverige, Riksförbundet för hivpositiva och Rose Alliance.
- Erikson, J. (2011) *Strider om mening. En dynamisk frameanalys av den svenska sexköpslagen* [Battles over Meaning. A Dynamic Frame Analysis of the Swedish Law against the Buying of Sexual services]. Uppsala: Uppsala University, Department of Political Science.
- Florin, O. (2012) A Particular Kind of Violence: Swedish Social Policy Puzzles of a Multipurpose, *Criminal Law, Sexuality Research and Social Policy*, (9)3: 269-278.
- Grönvall, Y. & Holmström, C. (2016) *Stödinsatser till kvinnor i prostitution eller som utsatts för människohandel för sexuella ändamål – En brukarvärdering av ett behandlingsprogram vid ett skyddat boende* [Support interventions for women in prostitution or who have been exposed to trafficking for sexual puposes. A users' evaluation of a treatment program at a safe housing]. Malmö University: Faculty of Health and Society.
- Hausmann, R., Tyson, L.D., Zahidi, S. (2009) *The Global gender Gap Report 2009*, World Economic Forum, Geneva. Available on line: <http://w.w.w.weforum.org/pdf/gendergrap/report2009.pdf>.
- Helth, H. (2013) Take a Stand, Man! In T.R. Korsvik & A. Strö (eds) *The Nordic Model*. Oslo: Feminist Group Ottar.
- Holmström, C. (2014) *Förbud mot köp av sexuell tjänst i Sverige. En kunskapsöversikt om avsedda och oavsedda konsekvenser* [Prohibition against the Buying of Sexual Services in Sweden. A knowledge review of intended and unintended consequences]. Malmö: Malmö University.
- Honeyball, Mary. (2013). Report on sexual exploitation and prostitution and its impact on gender equality (2013/2013 INI), Committee on Women's Rights and Gender Equality. Available at <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A7-2014-0071+0+DOC+XML+V0//EN>.
- Hubbard, P., Matthews, R., & Scoular, J. (2008) Regulating sex work in the EU: prostitute women and the new spaces of exclusion, *Gender, Place and Culture*, Vol.15, No. 2, 137-152.

- Hulusjö, A. (2013) *The Multiplicities of Prostitution Experience. Narratives about power and resistance*. Malmö: Malmö University. Dissertation.
- Inghe, G., & Inghe, M-B. (1967) *Den ofärdiga välfärden* [The Unfinished Welfare]. Stockholm: Tidens Förlag.
- Isaksson, E (2007) *Kvinnokamp. Synen på underordning och motstånd i den nya kvinnorörelsen* [Women's liberation. The view on subordination and resistance in the new women's movement]. Stockholm: Bokförlaget Atlas
- Kinsey, A.C., Pomeroy, W.B., Martin, C.E. (1948) *Sexual Behavior in the Human Male*. Philadelphia: W.B. Saunders Company.
- Kjellgren, C. et al. (2012) *Utvärdering av samtalsbehandling med säljare av sexuella tjänster* [Evaluation of counselling with sellers' of sexual services], Delrapport 5 ur Prostitutionen i Sverige. Lunds och Linköpings universitet.
- Kotsadam, A., & Jakobsson, N. (2011) Gender Equity and Prostitution: An Investigation of Attitudes in Norway and Sweden, *Feminist Economics*, Vol. 12, No. 1, 321-341.
- Kotsadam, A. & Jakobsson, N. (2012) Shame on you, John! Laws, stigmatization and the demand for sex, *European Journal of Law and Economics*, 37:393-404.
- Kulick, D. (2005) 400 000 perversa svenskar [400 000 Swedish perverts]. In D. Kulick (ed.) *Queersverige*. Stockholm: Natur och Kultur.
- Larsdotter, S., Jonsson, J., & Gäredal, M. (2011) *Osynliga synliga aktörer. Hbt-personer med erfarenhet av att sälja och/eller köpa sexuella tjänster* [Invisible visible actors – LGBT persons with experience of selling and buying sexual services] Stockholm: RFSL.
- Levy, J. (2014) *Criminalizing the Purchase of Sex. Lessons from Sweden*. Oxford: Routledge
- Länsstyrelsen (2015) *Prostitutionen i Sverige 2014. En omfattningskartläggning* [Prostitution in Sweden 2014. A survey] Länsstyrelsen i Stockholms län 2015:10.
- Månsson, S-A. (2000) Commercial Sexuality. In B. Lewin (ed.) *Sex in Sweden. On the Swedish Sexual Life*. Stockholm: The National Institute of Public Health.
- Månsson, S-A. (2001) Men's Practices in Prostitution. The Case of Sweden. In B. Pease & K. Pringle (eds.) *A Man's World. Changing Men's Practices in a Globalized World*. London: Zed Books.
- Månsson, S-A (2005) Men's Practices in Prostitution and Their Implications for Social Work In S-A. Månson & C. Proveyer Cervantes (eds): *Social Work in Cuba and Sweden. Prospects and Achievements*, Göteborg/Havanna: Department of Social Work/Department of Sociology.
- Månsson, S-A. (2008) Sex as a Commodity. On Prostitution and Pornography in the Late Modern Society. In B. Traeen & B. Lewin (eds) *Sexology in Context*. Oslo: Universitetsforlaget.
- Månsson, S-A (2012) Kön, sexualitet och socialt arbete – återblick på ingången till ett forskningsfält [Gender, sexuality, and social work – A retrospect on entering a research field], *Socialvetenskaplig Tidskrift*, 19:2, p. 116-132.
- Månsson, S-A. (2015) Johns' Fantasies of 'the Prostitute'. In M. Larsson & S. Johnsdotter (eds.) *Sexual Fantasies. At the Convergence of the Cultural and the Individual*. Frankfurt am Main: PL Academic Research.
- Månsson, S-A., & Larsson, S. (1976) *Svarta Affärer. Utredning om vissa klubbars och näringsställets sociala betydelse och struktur* [Black Business. An investigation concerning the social meaning and structure of certain clubs and restaurants]. Malmö: Malmö Socialförvaltning.

- Månsson, S-A & Hedin, U-C (1999) Breaking the Matthew Effect - On Women Leaving Prostitution, *International Journal of Social Welfare*, vol 8. no. 1, p. 67-77.
- Plantin, L., Månsson, S-A., & Kearney, J. (2003): Talking and Doing Fatherhood: On Fatherhood and Masculinity in Sweden and England, *Fathering. A Journal of Theory, Research, and Practice about Men as Fathers*, vol 1, nr. 1, p. 3-26.
- Prop. 1997/98:55 *Kvinnofrid* [Government Bill. Women's Peace]. Stockholm: Fritze.
- Skilbrei, M-L., & Holmström, C. (2013): *Prostitution Policy in the Nordic Context: Ambiguous Sympathies*. London: Ashgate.
- Stanfors, M. (2014) Family life on the fast track? Gender and work family trade off (pp. 329-350). In M. Mills (Ed.) *Gender and the Work - Family Experience: An Intersection of Two Domains*. Berlin: Springer.
- Svanström, Y. (2000) *Policing Public Women. The regulation of Prostitution in Stockholm 1812-1880*. Stockholm: Atlas Akademi
- SOU 1976:9 *Sexuella övergrepp. Förslag till ny lydelse av brottsbalkens bestämmelser om sedlighetsbrott* [Sexual Offences: a proposal for an amendment of the Penal Code concerning crimes against morality]. Stockholm: Justitiedepartementet.
- SOU 1981:71 *Prostitutionen i Sverige. Bakgrund och åtgärder* [Official Inquiry. Prostitution in Sweden, Background and Measures].
- SOU 1995:15 *Könshandeln* [Official Inquiry. Women's Peace].
- SOU 2010:49 *Förbud mot köp av sexuell tjänst. En utvärdering 1999-2008* [Official Inquiry. Prohibition of the Purchase of Sexual Services. An Evaluation 1999-2008].
- Yttergren, Å. & Westerstrand, J. (2016) The Swedish Legal Approach to Prostitution. Trends and Tendencies in the Prostitution Debate, *NORA – Nordic Journal of Feminist and Gender research*, 24:1, 45-55.