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**Prostitution/ Sex work in Sweden and Germany
A Study of Former Research**

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**MA Programme Euroculture
Declaration**

I, Juliette Desbuleux-Rettel, hereby declare that this thesis, entitled “Prostitution/ Sex work in Sweden and Germany. A Study of Former Research” submitted as partial requirement for the MA Programme Euroculture, is my own original work and expressed in my own words. Any use made within this text of works of other authors in any form (e.g. ideas, figures, texts, tables, etc.) are properly acknowledged in the text as well as in the bibliography.

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Abstract

This thesis deals with part of the current research about prostitution/ sex work in Sweden and Germany. While prostitution/ sex work is partly criminalized in Sweden, the German law is currently designed to improve the legal situation of prostitutes/ sex worker. Both countries offer a different range of research on the topic with Sweden having several scholars who focused their research on the field compared to rather little research in Germany. Assistant Professor at the Social Work Department at the University of Wisconsin-Madison, Lara Gerassi, argues that besides the general lack of research on the field of prostitution/ sex work, the research that exists focuses more on the macro level perspectives and leaves the micro level with not a lot of research. Existing research, she claims, then shows little empirical support. The thesis will conclude that there is indeed too little research in both countries, especially within the micro level perspective and that the field needs an increased amount of research to help understand the field better and to be able to adapt the laws and regulations according to the needs.

Keywords: prostitution, sex work, Sweden, Germany, sexköpslagen, Prostituiertenschutzgesetz

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1. Introduction

Prostitution/ Sex work is a very delicate subject and opinions about it have always split society¹. While one side argues that it is a common and acceptable job like working in an office, others regard prostitution/ sex work as dangerous and disturbing, something that should be criminalized and/or banned. What one wants to work with should be a self-made choice regardless what kind of work it concerns, though, as Nicola Döring argues, for supporters of criminalizing prostitution it is often especially a question of morality.² The German author Tamara Domentat argues that prostitution/ sex work is the second most important social institution for sexual encounters³ but without an insight to the work and living space of sex-workers, there is too much room for speculations and myths.⁴ Instead, the only place where sexual encounters are morally tolerated, seems to be within love and marriage.⁵

Regardless of the moral question that is often an issue in countries, prostitution/ sex work in general, and issues connected to it such as violence or human trafficking are happening daily in nearly every country worldwide. Countries in Europe as well as the Member States of the European Union are constantly living in contact and exchange with the other countries around them. While EU regulations are binding legislative acts and therefore must be adapted by all Member States (e.g. “common safeguards on goods imported from outside the EU”⁶), directives present a goal that the Member States must try to achieve while being able to apply their own laws (e.g. “Consumer rights directive”⁷). While laws regarding the selling or buying of prostitution/ sex work are neither a EU regulation nor a directive and Member States are free to choose their own law model, issues that are directly connected with prostitution/ sex work, such as human

¹ Sven-Axel Månsson, *Prostitution, Aktörerna, relationerna och omvärlden* (Studentlitteratur AB: Lund, 2018), 9.

² Prof. Dr. Nicola Döring, “Das neue Prostituiertenschutzgesetz. Wie ist es auch fachlichen Perspektiven zu beurteilen? Eine Einführung“ *Zeitschrift für Sexualforschung* (Stuttgart: Georg Thieme Verlag, 2018), 48.

³ Tamara Domentat, *Lass dich Verwöhnen. Prostitution in Deutschland* (Aufbau Verlag: Berlin, 2003), 11.

⁴ Prof. Dr. Nicola Döring, “Das neue Prostituiertenschutzgesetz. Wie ist es auch fachlichen Perspektiven zu beurteilen? Eine Einführung“ *Zeitschrift für Sexualforschung* (Stuttgart: Georg Thieme Verlag, 2018), 46.

⁵ *Ibid.*, 48.

⁶ European Union, “Regulations, Directives and other acts”, accessed 11.02.2019, https://europa.eu/european-union/eu-law/legal-acts_en.

⁷ *Ibid.*

trafficking for sexual exploitation, concern all EU member states and are therefore regulated under directives such as Directive 2011/36/EU⁸.

Prostitution/ sex work is though not only a legal question, but also a social and cultural one. Within the Euroculture-Program, we have studied European laws and their connection to cultural aspects of different countries and cultures. It is important to also look at a field that is not usually discussed in class since it is a rather delicate subject. Opinions differ strongly not only between citizens of different countries, but also within one country and in my opinion, this field is far from being a part of “one Europe”.

Regarding prostitution/ sex work, there are four different types of policy models within Europe on how to deal with the subject of prostitution/ sex work, which are used by several scholars⁹: prohibitionism, (neo-) abolitionism, regulationism and decriminalization. *Prohibitionists* want to criminalize prostitution/ sex work completely, meaning that both people selling as well as people buying any kind of prostitution/ sex work should be hold responsible for it¹⁰. A bit more towards the other side are the *abolitionists*, for whom prostitution/ sex work in general is legal although most actions connected to it are still illegal¹¹. One part of it are the *neo-abolitionists*: they argue for the punishment of the third party or the person buying, but that women working as prostitutes/ sex workers should not be punished for it¹². Taking a more open viewpoint are the *regulationists*. Here, prostitution/ sex work is legal (selling as well as buying) but it is regulated by the state and protected through laws and regulations. Trafficking or violence, however, is still strictly forbidden. The last model does not want to criminalize any kind of related action and can be seen as “the ‘anarchic’ prostitution”¹³ model.

Germany uses the regulationist-model since 2002 with the law stating that contracts between prostitutes/ sex workers and clients are no longer illegal.¹⁴ Prostitution/ sex work is on one hand regarded as part of the economy, but on the other hand is also seen as a profession that endangers personal freedom, personal rights and health.¹⁵ As a

⁸ Official Journal of the European Union, *Directives. Directive 2011/36/EU of the European Parliament and the Council of 5 April 2011*, accessed 11.02.2019, <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:101:0001:0011:EN:PDF>.

⁹ Dr. Eva-Maria Euchner, *Prostitutionspolitik in Deutschland. Entwicklung im Kontext europäischer Trends* (Wiesbaden: Springer Verlag, 2015), 9; Jenny Westerstrand, 2008. Mellan Mäns Händer“,

¹⁰ Jenny Westerstrand, *Mellan Mäns Händer. Kvinnors rättssubjektivitet, internationell rätt och diskurser om prostitution och trafficking* (Uppsala University, 2008), 119.

¹¹ *Ibid.*, 119.

¹² Tobias Berglund, *Understanding Prostitution. A political discourse analysis on prostitution in Sweden* (MA Thesis, University of Lund, 2012), 6.

¹³ *Ibid.*, 6.

¹⁴ Deutscher Bundestag, “Beschlussempfehlung” 18/9036, 05.07.2016 (neu), 2.

¹⁵ Deutscher Bundestag, “Beschlussempfehlung” 18/9036, 05.07.2016 (neu), 2.

regulation, the *Prostituiererschutzgesetz* (“prostitution protection law”) permits prostitution/ sex work under the condition that the workers have to register themselves and follow obligations such as a yearly health advice meeting.¹⁶

In 1999, Sweden became the first country in Europe applying the (neo-) abolitionist model, to “introduce legislation criminalising the purchase, but not the sale, of sexual services”.¹⁷ The reason for this legislative change was not the “visible prostitution”¹⁸ but rather the debate about it within the society and the impact that the many women in the parliament had¹⁹. Within media discourse, there are two opposing parts. On the one hand, critics of the criminalizing law claim that the criminalization policy was “enacted without an empirical basis”²⁰ and are opposing herby the politicians who are advocating it. Statistics show though, that sex work happening in the streets in Sweden has decreased by half since the enactment of the new policies and 2008,²¹ working in favour for the politicians.

In my thesis, I will identify the scope of research that has been done on prostitution/ sex work in each country as well as research that has already compared Sweden and Germany with each other. My statement is that there is indeed, as Gerassi argues, a great lack of empirical support for research and a lack of research in general in Sweden and especially in Germany. Within the research that has been conducted, there is a lack of research within the micro level perspective.

For this, I will first define the terms used in this work. For the theoretical part, I present the findings and theories of Lara B. Gerassi, based on her article “Theoretical Perspectives of Sexual Exploitation and Sex Work” from 2015. I will then portray the different research results that have been done on this topic, as well as representing the various authors that have written on the subject. In chapter 6, I then connect the theoretical part with my findings about research in Sweden and Germany in a brief discussion before

¹⁶ Deutscher Bundestag, “Beschlussempfehlung” 18/9036, 05.07.2016 (neu), 3.

¹⁷ Statens Offentliga Utredningar, “Förbud mot köp av sexuell tjänst. En utvärdering 1999-2008” 2010:49, 29.

¹⁸ Greggor Mattson, “Legislating Peace for Women: Sweden’s Sex Purchase Act” *The Cultural Politics of European Prostitution Reforms* (UK: Palmgrave Macmillan, 2016), 79.

¹⁹ Susanne Dodillet, *Är sex arbete? Svensk och tysk prostitutionspolitik sedan 1970-talet* (Vertigo: Malmö, 2009), 32.

²⁰ Åsa Yttergren and Jenny Westerstrand, “The Swedish Legal Approach to Prostitution. Trends and Tendencies in the Prostitution Debate” (NORA - Nordic Journal of Feminist and Gender Research, 24:1, 2016), 45.

²¹ Regeringskansliet, “Den svenska sexköpslagen har varit framgångrik”, 11.11.2016, accessed 17.07.2019, <https://www.regeringen.se/artiklar/2016/10/den-svenska-sexkopslagen-har-varit-framgangsrik/>.

I summarize the main arguments of the thesis and offer a short proposal of further research.

1.1 Definitions

The definition of prostitution/ sex work is not an entirely unproblematic one as it is widely discussed by scholars. It becomes even more difficult to settle on a set of words to describe this phenomenon as well as the included actors, when comparing the words being used in different languages. In order to have a discourse, it is nonetheless necessary to settle on words describing the person selling and buying as well as the field itself and what the field includes.

Prostitution/ sex work is a term that is difficult to define as the outlines of the field are changing depending on the discourse it is talked about. It includes any kind of place, from the street, massage institutions, sex clubs, hotels, restaurants and the internet.²² The word “prostitution” itself comes from the late Latin word *prostitutio* which comes from *statuere* (to stand)²³ and generally meant “to expose publicly”²⁴.

Compared to the English word “prostitute” which does neither state an active or passive role for the person selling, the German as well as the Swedish words, “*Prostituierte*” and “*prostituera*” make it seem like the women or men have taken a passive role²⁵. In both languages, the grammatical passive turns the seller into somebody who is *being* prostituted. This does already set a mood on the topic itself. Some scholars therefore tend to use “sex worker”²⁶ instead, as it is a rather neutral word and does mainly describe that the person works with sex.

On the other side, the persons buying are usually referred to with the slang word “johns”, which is explained as “any man, esp. one who is an easy mark”²⁷ and “a man who is the customer of a prostitute.”²⁸ The Swedish word “torsk”²⁹ is not that far from

²² Sven-Axel Månsson, *Prostitution, Aktörerna, relationerna och omvärlden* (Studentlitteratur AB: Lund, 2018), 65.

²³ Random House Unabridged Dictionary, accessed 02.04.2019, <https://www.dictionary.com/browse/prostitution>.

²⁴ Online Etymology Dictionary, accessed 02.04.2019, <https://www.etymonline.com/word/prostitute>.

²⁵ Susanne Dodillet, *Är sex arbete? Svensk och tysk prostitutionspolitik sedan 1970-talet* (Vertigo: Malmö, 2009), 28.

²⁶ *Ibid.*, 28.

²⁷ Collins dictionary, s.v. “john” by Houghton Mifflin Harcourt, accessed 28.03. 2019, <https://www.collinsdictionary.com/dictionary/english/john>.

²⁸ Cambridge dictionary, s.v. “john”, accessed 28.03.2019, <https://dictionary.cambridge.org/dictionary/english/john>.

²⁹ Susanne Dodillet, *Är sex arbete? Svensk och tysk prostitutionspolitik sedan 1970-talet* (Vertigo: Malmö, 2009), 27.

the first meaning of “johns”, as the word is described as “a person who is regarded as being easily fooled” or “who has been fooled.”³⁰ On the contrary to these two definitions, the German word “*Freier*” gives the situation a romanticized picture of prostitution, as the rather positive word means “to propose to someone”³¹ or directly translated “candidate.”³²

Finally, the general field is called “prostitution” in English as well as in German and in Swedish. Other words like *könshandel* (“sex trade”) or even *sexslavhandel* (“sex trafficking”) are also connected to the word,³³ as prostitution/ sex work and human trafficking are often thought to be necessarily connected.³⁴ The Swedish scholar Sven-Axel Månsson describes prostitution/ sex work in general as the “buying and selling of sexual acts.”³⁵

While “prostitution” was the most common word to describe this field for most of the time, more contemporary movements have brought other words to describe it. I am aware that “sex work” is a term that is criticized by scholars for being “too positive” as the word “work” places the field within the same area as any other kind of work. Nonetheless, as I want to keep this thesis on a as neutral ground as possible and not take a position within the discourse, I am going to use both words when talking about the general field and will, if I am not citing from a source, use “prostitute/ sex worker” and “buyer” when referring to people selling and buying sexual acts.

1.2 Research Question

The aim of this thesis is to identify the scope of research that has been done on sex work in both countries, Sweden and Germany, as well as research that has already compared Sweden and Germany with each other since the regulations have initially been introduced (1999 – 2019).

³⁰ Svenska Akademiens Ordbok, “torsk“, accessed 28.03.2019, https://www.saob.se/artikel/?unik=T_2071-0050.22Mw&pz=3.

³¹ Susanne Dodillet, *Är sex arbete? Svensk och tysk prostitutionspolitik sedan 1970-talet* (Vertigo: Malmö, 2009), 27.

³² Duden, “Freier“, accessed 28.03.2019, https://www.duden.de/rechtschreibung/Freier_Bewerber_Kunde_Prostitution.

³³ Susanne Dodillet, *Är sex arbete? Svensk och tysk prostitutionspolitik sedan 1970-talet* (Vertigo: Malmö, 2009), 27.

³⁴ Dorothea Czarnecki et.al., *Prostitution in Deutschland- Fachliche Betrachtung komplexer Herausforderungen* (Autorinnengruppe: Berlin, 2014), 5.

³⁵ Sven-Axel Månsson, *Prostitution, Aktörerna, relationerna och omvärlden* (Studentlitteratur AB: Lund, 2018), 15.

To analyse the presented research, I use an article of Lara B. Gerassi, who categorises research on sex work in macro and micro level perspectives. The research questions I pose to the texts analysed are:

1. How do the scholars define the terms such as prostitution/ sex work, which they use within their work? How do they argue to support their choice of words?
2. What do the scholars think about sex work in general? What is their personal point of view? Which approaches do they name? Do they assign themselves to one approach and if so, why did they choose this one?
3. What do the scholars think about sex work regulations? Do they support the regulations that are currently present in their respective countries? How do they argue and do they discuss the regulations of other countries?
4. How do the scholars and authors presented use empirical support? What kind of empirical support do they use? On which level (micro or macro level as presented by Gerassi) is the research presented situated?

2. Methodology

The delicacy of the topic of prostitution/ sex work is especially difficult in countries where the selling or buying of sex is illegal. Although own interviews would have been interesting and may have provided more information, it was not feasible within the scope of the thesis, which is why the thesis focuses on studying what has been studied about it.

Thus, in this thesis I focus on analysing primary and secondary sources that are available as well as interviews that other researchers have conducted. I understand that writing about prostitution/ sex work comes with difficulties when looking at statistics as numbers can usually only be assumed or approximate. This is because most of the business of prostitution/ sex work is completed without notice of the police or organizations conducting surveys, exact numbers about prostitutes/ sex workers but also about trafficking or violence towards them or clients cannot be found. I will still quote statistics in my thesis, but set in the context and with full awareness of the context.

The main part of my thesis will be the portraying and discussing of research that has been done. For Sweden, I chose two scholars that have done research in the field as well as one rather activist work. All three are named often and cover different perspectives, which gives a broader overview of the research in the country. There are, of course, many more scholars who have examined the field and who most certainly could add more insight to the field such as Yvonne Svanström, May-Len Skilbrei and Charlotta Holmström, Niklas Jakobsson and Andreas Kotsadam. However, given the limited scale

of this thesis, it was not possible to use more. Thus, I focused on the three that I have found did the most work and were referenced the most by others. As for Germany, there is not much recent research done by scholars or authors, which is why I focus on my research questions and use six different researchers as well as one author to answer them.

The chosen time frame in focus is the time after the current laws have been implemented in 1999 (Sweden) and 2002 (Germany). I chose these two countries for several reasons. Firstly, I knew that it is best to choose countries which language I speak and understand so that I can read related literature in its original language and therefore have access to a broader variety of literature. I am also interested in topics related to Germany, where I grew up as well as Sweden where I study and live. Lastly and most importantly, Germany and Sweden are two countries that have a high status within the EU. Regarding most of their laws and politics, they seem to be very similar, yet, when it comes to the question about whether sex work should be legal or criminalized, they currently apply two different, nearly opposite, models. Thus, it makes it very interesting to see the differences and different results, including the argumentation scholars from respective countries use.

To find secondary sources, I used the respective government websites to find information on sex work in Sweden and Germany, as well as official EU documents to keep a EU-related focus. I used keywords such as “prostitution” or “sex work” in connection with the countries to find researchers that have studied the field. Which material I did use was dependent on the availability of sources, online or printed. I then analyzed the sources I found and chose by focusing on my research questions. Not all of them are written by scholars with the same status regarding their academical level. Nonetheless, as it is such a complex field, I found it important to include as many sources as possible, regardless if they had a personal note to them or not. As long as their arguments were supported by further sources (e.g. interviews), I found it sufficient enough to be able to write about this field.

Research always deals with the question of objectivity or neutrality and it is an issue to decide on whether an article or work is objective enough. Within the field of gender studies and feminism, there has been research about this issue by feminist scholars like Donna Haraway or Sandra Harding, but which has since been changed into a more intersectional approach. The feminist standpoint theory, that Harding’s work is known for, claims three points: “Knowledge is socially situated, marginalized groups are socially situated in ways that make it more possible for them to be aware of things and ask

questions than it is for the non-marginalized and research, particularly that focused on power relations, should begin with the lives of the marginalized”³⁶. Sandra Harding, Distinguished Research professor at the University of California³⁷, has also coined the term of “strong objectivity”, with which she argues that contrary to the “weak objectivity” of researchers, the strong one takes into account that researchers are always biased and thus, research can never fully be neutral but must rather be regarded in connection to the researcher’s standpoint³⁸.

Donna Haraway, a “Distinguished Professor Emerita in the History of Consciousness Department” at the University of California³⁹ has also played a great role within the feminist discourse about objectivity. According to her essay “Situated Knowledges: The Science Question in Feminism and the Privilege of Partial Perspective”, feminist objectivity is about a limited location and situated knowledge. Situated knowledge, she argues, is knowledge placed within a context and which has two sides to it: while it has a more limited range, it is richer in context as it includes information constituting the context. Thus, as it is situated, it encourages the exchange of ideas and therefore, the point of view of a person can become larger. On the other hand, so her theory, is the absolute objective point of view that does not allow for an exchange as it is either regarded as absolute or nothing. In the context of patriarchal⁴⁰ science, science that does not include the situated knowledge, she talks about the “god trick”, referring to the male scholar who acts as his knowledge and point of view is on a god-like level⁴¹.

These thoughts about objectivity and neutrality are to keep in mind, not only within the research field of prostitution/ sex work.

³⁶ T.Bowell, “Feminist Standpoint Theory”, Internet Encyclopedia of Philosophy, accessed 17.07.2019, <https://www.iep.utm.edu/fem-stan/#H2>.

³⁷ UCLA Ed&IS, “Sandra Harding”, accessed 17.07.2019, <https://gseis.ucla.edu/directory/sandra-harding/>.

³⁸ Revolvly, “Strong Objectivity”, accessed 17.07.2019, <https://www.revolvly.com/page/Strong-objectivity>.

³⁹ Monoskop, “Donna Haraway”, accessed 17.07.2019, https://monoskop.org/Donna_Haraway.

⁴⁰ “ruled or controlled by men“. Patriarchal, <https://dictionary.cambridge.org/dictionary/english/patriarchal>, accessed 19.07.2019.

⁴¹ Donna Haraway, “Situated Knowledges: The Science Question in Feminism and the Privilege of Partial Perspective” *Feminist Studies Inc.*, Vol. 14, No.3, Autumn 1988.

3. “Theoretical Perspectives of Sexual Exploitation and Sex Work” by Lara Gerassi

In her article about the macro and micro level of sex work and sexual exploitation, the Assistant Professor at the Social Work Department at the University of Wisconsin-Madison, Lara Gerassi, discusses the lack of empirical support in research and the related issues.

The main research focus in the field of sex work lies on the macro perspective, meaning the theories and moral debates that are being discussed on a societal level, while there is a great lack of micro level theories and causations that are empirically supported and thoroughly researched. Thus, the micro level theories, mostly discussing the entry into sex work and sexual exploitation, the victimization and the exit of the business, have no factual proof. Theoretical and moral macro-level debates, on the other hand, claim empirical support and even though there are different theories, they influence other systems such as the legal one and thus determine how and if women may work. Gerassi explains that “a review of these perspectives is imperative to understanding the national context and debate of sexual exploitation and sex work”, especially because structural theories explain the different aspects with a debate being fueled by the different moral and legal positions⁴².

The first theoretical perspective she describes is the feminist one. While this one may seem like an encompassing one, it is indeed split into very opposing sides when it comes to sex work: the radical and Marxist perspectives and the “sex positivists”⁴³. Supporting the neo-abolitionist perspective, the radical feminist theory sees sex work and sexual exploitation as a direct consequence of the patriarchal system in social organizations and structures, with violence against women being “a systematic form of men’s domination and social control. Thus, assaults occur primarily because of institutionalized male privilege, as men believe it is their right to enact violence against women”⁴⁴. Adding to this, the trade of sexual services is regarded by men as their patriarchal right to a woman’s body, as the sexist social context is being upheld⁴⁵. Besides the radical view, there is also the Marxist-feminist theory on the neo-abolitionist side. This is best described by Gerassi, arguing that “sexuality is to feminism what work is to Marxism”, originally it belongs to a person itself but is taken away (in the case of feminism, sexuality is taken away by men and society). Further, she explains, there is an

⁴² Lara B. Gerassi, “A Heated Debate: Theoretical Perspectives of Sexual Exploitation and Prostitution/sex work” *J Sociol Soc Welf.*, 42 (4), (2015), 79- 80.

⁴³ *Ibid.*, 80.

⁴⁴ *Ibid.*, 80.

⁴⁵ *Ibid.*, 81.

economic dependence on men, which makes capitalism an oppressor over women⁴⁶. It is criticized that those theories are in fact acting as a paternalistic role, dictating women what is good or bad for them. Additionally, they, so critics, do not support women with much support when they are deciding to leave the business⁴⁷.

In opposition to this, the positivist perspective has emerged within the feminist field. Quite simply said, their opinion states that every woman should be free to make their own decisions, including the decision on what to work with. They see intimacy, a factor that is often argued with as that it needs to be protected, as something that should be defined by each woman herself instead of other people defining intimacy for women who are selling sex. Instead of seeing sex work as a result of patriarchy, they argue that it is “dangerous and patriarchal” to tell women what to do and what not to do. To support women, the society or government should rather provide services that could help those who work in the industry. The positivist perspective is heavily criticized by their opponents, with the religious side stating that if sex is commercialized, it will damage the moral culture and that one must always consider the many backgrounds of sexual abuse and assault that sex sellers have or still do experience, which would then make it difficult to point out a positive aspect of the business⁴⁸.

Regardless of the dispute between those two sides of feminism, another factor plays an important role for both of them. Intersectionality claims that gender alone cannot explain the oppression of a woman and the impact of sexual exploitation on her but that every experience, and therefore every kind of sexism towards a woman, is different simple by being based on the fact that race, class, sexual orientation and other aspects of one’s identity, put an individual in a unique situation. Specifically, women of color face “victimization by sexual exploitation” because they are more likely to be treated as lower class than white women⁴⁹. It is there, that the intersectional perspective is being criticized as they are accused of lacking methodology and empirical support and mostly addressing women of color’s experience, leaving out other identity factors such as sexual orientation. Critics further argue that while the theory does help to understand the impact of different

⁴⁶ Lara B. Gerassi, “A Heated Debate: Theoretical Perspectives of Sexual Exploitation and Prostitution/sex work” *J Sociol Soc Welf.*, 42 (4), (2015), 81.

⁴⁷ *Ibid.*, 81.

⁴⁸ *Ibid.*, 82.

⁴⁹ *Ibid.*, 83.

factors on a person's experience, intersectionality within feminism creates "additional hierarchies for women"⁵⁰.

Very different than both feminist perspectives is the "political economy perspective", which is addressing the relationship between the economy and the state. "Violence against women occurs because of the economic welfare and political processes driving the state", meaning that women with a poor economic basis are more likely to be dependent on their (sexual) partners and that this "may drive sexual commerce". This, however, does not mean that the economic differences are based on the oppression of women, but it rather shifts "the discourse from individualized deviancy toward structural inequality"⁵¹. If the political environment at policy level would manage equal opportunities to women and men to gain social capital, women would not need to sell sexual services. If this is not given, the political economist perspective concludes that "women who are poor and have few options for survival may fall victims to traffickers or may prostitute themselves when they seemingly have no other choice". Here, "a woman's ability to choose is called into question" as the choice of a woman who may have decided herself to work in this business, is completely taken out of the situation, leaving it to a rather structural and economic situation of defining what kind of employment seems "appropriate"⁵².

Gerassi mentions the legal perspective very briefly, explaining that this is not truly a debate itself but rather the practical consequences of the debate that is driven by the contrasting theories⁵³.

Even though Gerassi explains the following two theories in connection to the United States of America, most arguments she states can be taken for a general perspective. The first one is the prohibitionist perspective that includes the all-encompassing criminalization of any act related to sex work: selling sexual services is just as illegal as buying it, promoting it or participating in it in any other way (unless somebody is forced to do so). Their main argument is the vulnerability of most women selling sex and their belief that most do not work in this business by free consent. Critics

⁵⁰ Lara B. Gerassi, "A Heated Debate: Theoretical Perspectives of Sexual Exploitation and Prostitution/sex work" *J Sociol Soc Welf.*, 42 (4), (2015), 83.

⁵¹ *Ibid.*, 83.

⁵² *Ibid.*, 83- 84.

⁵³ *Ibid.*, 84.

point out the error that everyone is regarded and treated as a criminal unless they were being forced to sell sex⁵⁴.

The last perspectives the social work professor names are the decriminalization as well as the legalization ones. While they seem similar, decriminalization is an alternative perspective which can also include that only a part of sex work is being decriminalized, such as the buying of sex as it is the case in Sweden. As the direct opposite of prohibitionist perspective, the full legalization of any related act puts the business into a “normal” work business, being regulated by taxes, regulations and contributing to the economy. This way, they argue, women are able to access services like health insurance and are provided with more security. Through the legalization or decriminalization, stigmatization would decrease and sex work would be seen and presented in policy as the legitimate and chosen work (by some) it is. The moral argumentation that prohibitionists often use would only harm women and should not influence the policy making⁵⁵.

Decriminalization is often viewed as the same as legalization as critics argue that decriminalization is never the result but rather a middle step on the way to legalization (or, indeed, prohibition). Turning sex work into a commerce is dangerous, as it could lead to the overall thought that sexual services can be bought by any woman as it would be normalized, claim some critics. Others do not see a reason for the legalization as neither harm towards women, nor stigmatization and violence decrease afterward and the choice to sell sex is regarded as a different kind of oppression of women (as they have no other economic choice)⁵⁶.

Micro level theories on the other hand touch upon different aspects, namely the “victimization or the process into sexual exploitation or prostitution” and “the exit process of sexual exploitation or prostitution”. Gerassi argues that while there are some ideas about the reasons for those situations, there is a great lack of theories on the individual level with actual empirical support behind them⁵⁷. Thus, scholars have simply hypothesized aspects without support of theories and data.

Theories concerning the first group range from “the desire for a better life and love, in combination with curiosity about sex work and attraction to fast cash”, over an abusive family background to drug or general substance addiction all while there are no comparative research results found with an empirical instead of a descriptive support. For

⁵⁴ Lara B. Gerassi, “A Heated Debate: Theoretical Perspectives of Sexual Exploitation and Prostitution/sex work” *J Sociol Soc Welf.*, 42 (4), (2015), 84.

⁵⁵ *Ibid.*, 85.

⁵⁶ *Ibid.*, 85.

⁵⁷ *Ibid.*, 85-86.

example, while there are empirical studies about addiction during the time that a person sells sex, there has not been research that focuses on addiction as a way into sex work⁵⁸.

Even though there are a few qualitative researches about how and why women exit sex work or sexual exploitation, they are very difficult to test quantitatively. The theories proposed are either focusing on a situation where a negative event has taken place and has led the woman to exit the business, making it more successful if the woman changed her social environment. Exiting the business is either based on the immediate exit after a negative event, a slower process leading to an exit through aid- services, a natural change of behavior or the slipping out and back into the business again. Another untested theory claims that the study of a behavior of a person who wants to exit is dependent on herself, the time frame that the person is being observed and on surrounding factors such as social environment⁵⁹.

All micro level perspectives regarding the entry to sex work or sexual exploitation seem to support the neo-abolitionist perspective as they focus mainly on the victimization, not necessarily leaving out that the “individuals trading sex had the choice to do so” but rather propose that they would not have chosen this work “without increased vulnerabilities from childhood or in their present situations”⁶⁰.

In conclusion, Gerassi argues that the focus of research lies on the macro level structures of sex work and here, nonetheless, “even with the extensive theoretical and legal writing at the macro level, the amount of empirically tested work remains limited”. Many scholars are “attacking” each other on their research without a promise to reach a consensus anytime soon and while the micro level perspectives help to understand the entry into and exit out of sex work, the lack of empirical support stays a big issue. “Regardless of the contrasting body of works between macro and micro level theories, theoretical advancements play an important role in understanding” the different related topics such as policies, sex work in general etc.⁶¹

⁵⁸ Lara B. Gerassi, “A Heated Debate: Theoretical Perspectives of Sexual Exploitation and Prostitution/ sex work” *J Sociol Soc Welf.*, 42 (4), (2015), 8-9.

⁵⁹ *Ibid.*, 87-88.

⁶⁰ *Ibid.*, 89.

⁶¹ *Ibid.*, 89.

4. Prostitution/ sex work in Sweden

As mentioned in the introduction, Sweden has been criminalizing the act of buying sexual services since 1999 and was the first country in Europe to do so. 20 years later, seven more European countries have adapted the law, each country with their own reasons. Thus, even though the model was originally set out to secure equality between men and women, not every country has the same reason.

Not every member state of the EU sees the Swedish model as the right way to fight against inequality, human trafficking and violence and naturally neither is the model supported by every swede. There is a great discourse going on in Sweden about the positive and the negative sides of prostitution/ sex work and many scholars have it taken upon them to conduct as much research as possible to support one side or the other. It is not possible and also not necessary to name all people who have done research, but to the most important one I count Sven-Axel Månsson, Petra Östergren, Jenny Westerstrand and Susanne Dodillet, Charlotta Holmström and May-Len Skilbrei.

4.1 Sven-Axel Månsson

The Swedish social work *professor emeritus* Sven-Axel Månsson (*1946) has been researching the field of prostitution/ sex work in over 40 years and has always taken part in the discourse around it⁶². While his research field is gender and sexuality in general, he has been focused on prostitution as well as pornography and sexual violence⁶³ about which he has written several books on these broadly discussed topics. Along with the other author of Månssons first book “Black Business”⁶⁴, Stig Larsson, was he the leader of the prostitution project in Malmö in the 70’s, which is still regarded as an ideal model for working against prostitution/ sex work.⁶⁵ The Malmö project was a combination of research and social work with the goal of decreasing prostitution/ sex work, a work field which was regarded as negative by politicians as well as Månsson and Larsson⁶⁶.

While Månsson did not compare the Swedish model exclusively to another country, he is an important figure for the establishment of the discourse and the research about prostitution/ sex work within Sweden. Even though his own opinion about

⁶² Sven-Axel Månsson, *Prostitution. Aktörerna, relationerna och omvärlden* (Studentlitteratur AB: Lund, 2018), 9.

⁶³ *Ibid.*, 13.

⁶⁴ Original title “Svarta Affärer“, own translation

⁶⁵ Susanne Dodillet, *Är sex arbete? Svensk och tysk prostitutionspolitik sedan 1970-talet* (Vertigo: Malmö, 2009), 94.

⁶⁶ *Ibid.*, 102.

prostitution/ sex work, not about the people within as he emphasizes on, is negative,⁶⁷ he points out that own feelings do not play a role within his research and books.⁶⁸ He proved his strong empathy towards the current law when he quit working for the government's own research, when their leader wanted to establish a law that would penalize the prostitutes/ sex workers as well.⁶⁹ In his opinion, prostitution/ sex work is a "problem of men" as they try to find a solution to their own problems with women through buying sex⁷⁰.

His most recent published book "Prostitution. Actors, relations and the surrounding world"⁷¹ (2018) is written, as he explains, to give a comprehensive and deeper introduction to the topic.⁷² He begins with a historical background, starting in the 1970's, which he combines with his personal experiences from when he started his research then. Opinions, discourses and investigations around prostitution/ sex work are displayed and commented on, within Sweden as well as its global connection. Chapter 2 discusses the difficulties of defining prostitution/ sex work and is an important insight in Månsson's view on his word choices as well as opinion on the topic. Here he stretches the point that buyers, in most cases men, are not visible in most discourses but that it is indeed most important to include them in the picture as there would be no prostitution/ sex work without them.⁷³ Thus, chapter 3 is entirely focused on the different motivations for people to buy sex, which ranges from fantasies of a one-time-experience to bought relationships. He points out that one of the most important reasons for men to buy sex is their fantasy picture of a *smutsiga hora* ("dirty whore")⁷⁴. This discussion is met by the portraying of the, mainly, women who are selling sex in chapter 4. Here, Månsson presents the different views on why women are selling sex and discusses violence towards them as well as strategies to stand up against it or rather try to avoid it. A different aspect that Månsson links with prostitution/ sex work in a wider sight, besides the direct participants of seller and buyer, is human trafficking for sexual purposes. In chapter 6, he therefore further investigates the relationship of pimps (explain in beginning) to sex

⁶⁷ Sven-Axel Månsson, *Prostitution. Aktörerna, relationerna och omvärlden* (Studentlitteratur AB: Lund, 2018), 9.

⁶⁸ *Ibid.*, 9.

⁶⁹ Nationella Sekretariatet för Genusforskning, "Sven-Axel Månsson", accessed 01.04.2019, <https://www.genus.se/nyhet/portratt-sven-axel-mansson/>.

⁷⁰ *Ibid.*

⁷¹ original title "Prostitution. Aktörerna, relationerna och omvärlden", own translation

⁷² Sven-Axel Månsson, *Prostitution. Aktörerna, relationerna och omvärlden* (Studentlitteratur AB: Lund, 2018), 15.

⁷³ *Ibid.*, 57.

⁷⁴ *Ibid.*, 156.

sellers, traffickers to their victims as well as the general issue of it. Furthermore, he emphasizes on the different aspects that have to be changed in order to tackle the issue at its roots-fight against poverty, improve control of crimes and give more social support.⁷⁵ To support not only the current Swedish law but also the sex sellers and to some extent even the buyers (though only in their actions to get away from buying sex), several social actions were taken within Sweden. As mentioned earlier, Månsson was part of the *Malmöprojekt*, which he describes, besides other social actions, in chapter 6. The following chapter focuses on the role of the Swedish model that set an example for other countries and was recommended by the European Parliament to all Member States in 2014.⁷⁶ It further emphasizes on the outcomes of the Swedish law and the necessary support buyers, or men, need to get away from prostitution/ sex work besides the existing decreased amount of buyers. Finally, chapter 8 discusses different perspectives of prostitution/ sex work, namely the *funktionalistiska perspektiv* (functionalistic perspective), *feministiska perspektiv* (feministic perspective) and the *nyliberala perspektiv* (neo-liberal perspective) and gives an overview of the biggest changes since the establishment of the law, such as the end of the buyer's anonymity.⁷⁷

4.1.1 Månsson's definitions

Even if Månsson says in the beginning of his book that every scholar should put aside personal feelings when conducting research⁷⁸, he also needs to define and explain the word choices being used within the resulting texts even though the choice may reflect a moral or political opinion⁷⁹. Thus, the field around prostitution/ sex work cannot be entirely neutral anymore as the word choices also influence the research field⁸⁰.

He decided to use the word *prostitution* to describe the phenomenon, as it includes a wider possibility and because in his opinion, a word like *sexarbete* ("sex work") disguises other complex aspects of it⁸¹. Connecting something with the word "work" seems to "upgrade" it⁸² and can even normalize or idealize it⁸³. An argument supporting *sexarbete* that he presents is that people in other work fields such as flight attendants also

⁷⁵ Sven-Axel Månsson, *Prostitution. Aktörerna, relationerna och omvärlden* (Studentlitteratur AB: Lund, 2018), 229-230.

⁷⁶ *Ibid.*, 284.

⁷⁷ *Ibid.*, 318.

⁷⁸ *Ibid.*, 9.

⁷⁹ *Ibid.*, 52.

⁸⁰ *Ibid.*, 52.

⁸¹ *Ibid.*, 53.

⁸² *Ibid.*, 53.

⁸³ *Ibid.*, 128.

need to put their own feelings beside and play a role in order to please the customers⁸⁴. He contradicts this with citing different scholars stating that when selling sex, a person sells their body in a literal way and is not only “bound up in their work”⁸⁵. Sex sellers do not only leave their personal feelings aside while they are working, but can in fact lose their connection to their bodies for a longer period of time⁸⁶.

When talking about a person selling sex, Månsson decided to change his word choice from *prostituerade* (“prostitute”), a word he used in former research contexts, to “*kvinnor med erfarenhet av prostitution, kvinnor i prostitutionen eller olika avledningar av uttrycket kvinna som säljer sex*” (“women with experience of prostitution, women in prostitution or other derivations of the expression women who sell sex”, own translation)⁸⁷.

Having settled the definitions, he describes his comprehension of the phenomenon itself. Prostitution/ sex work, he explains, is about gender roles and sexuality⁸⁸ and must always include the buyers, in his explanation mostly men, as sexuality in prostitution/ sex work is about men’s pleasure paired with a slight disdain of women⁸⁹. He defines it as “at least two acting partners, within market like conditions, buy or sell physical admission to a body or other sexual acts, own translation”⁹⁰. Even though it is his own definition and he sees it as one of the most elaborate definitions there is, Månsson points out that this definition includes some kind of freedom for the sex seller to decide whether or not he or she wants to do that, which, in reality, is not always given⁹¹. For most people, prostitution/ sex work is a one sided sexual relationship where the buyer is the subject and the seller is turned into the desired object for the buyer’s pleasure and within which the only importance is the thoughts, wishes and fantasies of the subject⁹². For the buyer, the men, the border between a relationship with a sex seller and a personal, romantic relationship

⁸⁴ Sven-Axel Månsson, *Prostitution. Aktörerna, relationerna och omvärlden* (Studentlitteratur AB: Lund, 2018), 171.

⁸⁵ *Ibid.*, 172.

⁸⁶ *Ibid.*, 173.

⁸⁷ *Ibid.*, 53.

⁸⁸ *Ibid.*, 58.

⁸⁹ *Ibid.*, 59.

⁹⁰ Original text “*minst två handlande partner under marknadsmässiga betingelser köper respektiva säljer fysiskt tillträde till kropp eller andra sexuella handlingar*” from Sven-Axel Månsson, *Prostitution. Aktörerna, relationerna och omvärlden* (Studentlitteratur AB: Lund, 2018), 59, own translation.

⁹¹ Sven-Axel Månsson, *Prostitution. Aktörerna, relationerna och omvärlden* (Studentlitteratur AB: Lund, 2018), 59.

⁹² *Ibid.*, 62-63.

are not always kept up clearly, for example when services are used during the holidays or when services are used in general for a longer, regular period⁹³.

What makes it difficult to define the area is that today, there are several different places of prostitution/ sex work, such as the street, the most commonly known one, the internet, sex clubs, massage parlors or escort services⁹⁴, which leads to the fact that with the internet, physical contact does not necessarily need to happen⁹⁵. Even though street prostitution has strongly decreased, it is still the most “honest” and “real” place as the buyer can directly see what he or she will get, whereas the internet can conceal or lie about things more easily⁹⁶.

4.1.2 Different perspectives on prostitution/ sex work and changes within society

Månsson portrays three different perspectives in society, the *funktionalistiska perspektiv*, *feministiska perspektiv* and *nyliberala perspektiv*.

The functionalist perspective explains the existence of prostitution/ sex work as a result of the fact that men’s need for sex is natural and cannot be satisfied within a “normal” relationship with a woman⁹⁷. Thus, buying sexual services is a guarantee that men stay with their families or in their relationships even if their women cannot satisfy them⁹⁸. Supporters do not want to dispose of prostitution/ sex work but rather regulate it’s form of expression as well as negative effects such as the transfer of sexual infections or crime⁹⁹. It was even argued that instead of criminalizing parts of prostitution/ sex work, the government should establish brothels to alleviate the sexual need of men¹⁰⁰.

Much contrary to this perspective is the feminist one. Here, prostitution/ sex work is seen as the expression of the inequality between genders; where women are objects who are accessible for men, while women are even morally punished and despised within society for pleasing men¹⁰¹. Followers argue that the reason for mostly men who are buying sexual services of women lies in the patriarchal system within the society¹⁰². An elimination of prostitution/ sex work would exterminate the patriarchal system and

⁹³ Sven-Axel Månsson, *Prostitution, Aktörerna, relationerna och omvärlden* (Studentlitteratur AB: Lund, 2018), 61.

⁹⁴ *Ibid.*, 65.

⁹⁵ *Ibid.*, 69.

⁹⁶ *Ibid.*, 75.

⁹⁷ *Ibid.*, 309.

⁹⁸ *Ibid.*, 309.

⁹⁹ *Ibid.*, 310.

¹⁰⁰ *Ibid.*, 310.

¹⁰¹ *Ibid.*, 312.

¹⁰² *Ibid.*, 313.

provide equality for men and women also within sexuality in the long term, while a short-term consequence would be the protection of women from exploitation and vulnerability¹⁰³.

For neo-liberalists, selling and buying sexual services is an individual's free choice¹⁰⁴, because humans by nature have a free will and therefore an exclusive right to use their body for anything they like¹⁰⁵. The interference of the law is regarded as paternalistic, a system that defines what "good" and what "bad" sex is and instead, the government should guarantee security, health and safety for prostitutes/ sex workers¹⁰⁶.

Normalizing prostitution/ sex work is difficult, explains Månsson, because it is not even regarded as "normal work" in countries where it is legal or indeed supported by the government¹⁰⁷. The usage of words like "commercial sex" and "sex worker" will idealize prostitution/ sex work and make it seem like being a prostitute/ sex worker is an active decision of a strong-minded person who does not care about society's criticism¹⁰⁸. Women are probably most vulnerable and unprotected within prostitution/ sex work, where violence and the threat of it gives men power over them¹⁰⁹.

4.1.3 Impacts of the Swedish law and possible solutions

Sven-Axel Månsson is, without question, a supporter of the Swedish model that makes buying sex in Sweden illegal. A model that shifts the responsibility from the seller to the buyer¹¹⁰ and which has been adapted by several other European countries since 1999¹¹¹. The fact that it is mostly women who are selling sex, the most vulnerable, and that prostitution/ sex work does not only reproduce men's power over women but also supports trafficking of women¹¹², makes prostitution/ sex work a factor of gender inequality¹¹³. Thus, he argues, in conclusion, it is mostly men, in the form of johns and pimps, who benefit from its legality¹¹⁴.

¹⁰³ Sven-Axel Månsson, *Prostitution. Aktörerna, relationerna och omvärlden* (Studentlitteratur AB: Lund, 2018), 314.

¹⁰⁴ *Ibid.*, 315.

¹⁰⁵ *Ibid.*, 316.

¹⁰⁶ *Ibid.*, 316.

¹⁰⁷ *Ibid.*, 317.

¹⁰⁸ *Ibid.*, 317.

¹⁰⁹ *Ibid.*, 318-319.

¹¹⁰ *Ibid.*, 284.

¹¹¹ *Ibid.*, 283.

¹¹² *Ibid.*, 284.

¹¹³ *Ibid.*, 286.

¹¹⁴ *Ibid.*, 286.

The assumption that the law has been the leading factor for prostitution/ sex work to decrease in Sweden, is supported by the results of assessments, with the law working as a barrier and as a threat towards the trafficking market¹¹⁵. Not only does Sweden not seem like an interesting market for international trafficking anymore¹¹⁶, but there has been an increase of positive opinions towards the criminalization of buyers¹¹⁷. Results of surveys in 2011 and 2014 showed that it was more women (80%) than men (60%), but that Swedes in general were also relatively open towards a criminalization of selling as well¹¹⁸.

Contrary to the expectations of the opponents of criminalizing the buying of sexual services, did prostitution/ sex work not disappear from an open street prostitution/ sex work to an underground phenomenon but instead disappeared completely and then came back in a lower amount¹¹⁹. Reason for this, so Månsson, is that prostitution/ sex work has to be easily approachable and can therefore not exist if it is completely hidden¹²⁰. Scholars discuss the fact that there is a lower amount of prostitution/ sex work on streets and argue that there has been a “*spatial switch*” from the street to the internet¹²¹. Still, Månsson argues, the offer of sexual services on the internet has the same visibility as offers on the street and that police are not only working on the streets but also take into account the less obvious visible places¹²².

In a different survey, men said that the law does not have as much impact on them because it only means that they need to be more careful now, when using services of prostitutes/ sex workers¹²³. The fact that the highest penalty is a one year prison sentence is rarely used and instead, in about 87% of the cases, 50 day- fines are the most common penalty¹²⁴. Because of statements like those, there are organizations that are trying to work with the people who bought sexual services instead of “only” punish them¹²⁵. So-called “*john schools*”, in Sweden for example offered by the organization KAST (*Köpare Av Sexuella Tjänstar*, Buyers of Sexual Services) would help to prevent buyers from doing it again and make them understand at the same time, what they are doing to women

¹¹⁵ Sven-Axel Månsson, *Prostitution. Aktörerna, relationerna och omvärlden* (Studentlitteratur AB: Lund, 2018), 287.

¹¹⁶ *Ibid.*, 287.

¹¹⁷ *Ibid.*, 288.

¹¹⁸ *Ibid.*, 288.

¹¹⁹ *Ibid.*, 292.

¹²⁰ *Ibid.*, 292.

¹²¹ *Ibid.*, 292.

¹²² *Ibid.*, 292.

¹²³ *Ibid.*, 289.

¹²⁴ *Ibid.*, 290.

¹²⁵ *Ibid.*, 296.

when using their services¹²⁶. Men should understand that it is “not manly”, unmodern and essentially inhuman to buy sex¹²⁷. Interviews with men who accepted offered advice of KAST 19 years ago stated that men felt better after they had broken their silence around their bought services, gained more control over themselves and that the usage of sexual services among them had decreased¹²⁸.

Nevertheless, it is important to keep in mind that most men do not choose to buy sexual services and prostitution/ sex work can therefore not be based on the thought that it is men’s biological given desire to do so¹²⁹. Thus, men buying sexual services of women can be seen as an ultimate expression of traditional gender roles regarding sexuality¹³⁰. Gender roles, though, have in fact been changing towards a newer view on how masculinity and the life of men in general (e.g. within workplaces, family or love and sexuality) should be defined or rather regarded¹³¹. More and more groups of men are formed to support each other in expressing feelings, talking about fears, insecurities or guilt because they say that “*Ingen man föds som förövare.*” (“No man is born as a perpetrator.”, own translation)¹³².

4.1.4. Conclusion

Månsson chose to use the term prostitution within his work, as he claims that it offers wider possibilities of aspects than can be included. In his opinion, prostitution/ sex work would not be the right term as it makes the field sound too positive. Nonetheless, he does not want to use the word prostitute when referring to the women selling sex but rather uses a variety of other expressions.

When describing the field of prostitution/ sex work, he argues strongly against the use of the term work when referring to the field. In his opinion, the change of term would idealize the field. Thus, he argues also against normalizing the business, saying that it is not even regarded as any other work, a “normal” work, in countries where it is not criminalized. In terms of the different perspectives on how to look at the field, he names the functionalist, feminist as well as the neo- liberal perspective.

¹²⁶ Sven-Axel Månsson, *Prostitution. Aktörerna, relationerna och omvärlden* (Studentlitteratur AB: Lund, 2018), 296.

¹²⁷ *Ibid.*, 297.

¹²⁸ *Ibid.*, 298.

¹²⁹ *Ibid.*, 302.

¹³⁰ *Ibid.*, 302.

¹³¹ *Ibid.*, 303.

¹³² *Ibid.*, 303.

Positioning himself as a supporter of the Swedish law, Månsson claims that it is only the men who benefit from it when there is no criminalization and the vulnerable parts of the business, the women, would suffer. As another argument of why it is good that it is criminalized, he offers that prostitution/ sex work has been decreasing since the implementation of the law.

4.2 Petra Östergren

Quite an opposite position than Sven-Axel Månsson takes the Swedish feminist author Anna Petra Cecilia Östergren (*1965). She has done research in the field of Swedish prostitution/ sex work policy since the late 1990's and is the leading researcher of an EU-financed project against human trafficking (DemandAT). In her book "Porn, whores and feminists"¹³³ from 2006, she talks about the paradoxes and contradictions within the field of prostitution/ sex work and trafficking. This book, that I am mostly using in my thesis, has not been done within an academic field, but was done during her undergraduate studies¹³⁴. The book consists of ten chapters that are dealing with sex, sex-morality, pornography and different aspects of prostitution/ sex work. She herself claims that with this book, she wished to provide better conditions for a more open discussion and a better understanding of the field¹³⁵.

Although she is currently writing her doctoral thesis at the university of Lund with the working title "The Swedish Sex Purchase Ban: Ethnography of a Law", in which she researches the functions of the Swedish law while connecting it to wider socio-political discourses, her work that I am referring to cannot be seen as academic work but rather activist work¹³⁶.

4.2.1 Definitions and explanation for the choice of personal references of her work

In her work, Östergren decided to use the term prostitution when talking about the general topic. Even though prostitution/ sex work is a kind of work, where both sides that are taking part in it, do something they agreed on, it cannot just be regarded as a "normal"

¹³³ Original title "*Porr, horor och feminister*", own translation

¹³⁴ Petra Östergren, "Research", accessed 16.07.2019, http://www.petraostergren.com/pages.aspx?r_id=196296.

¹³⁵ Petra Östergren, *Porr, horor och feminister* (Natur och Kultur: Stockholm, 2006), 15.

¹³⁶ Petra Östergren, "Min Forskning", accessed 16.07.2019, http://www.petraostergren.com/pages.aspx?r_id=40284.

job as it takes specific skills that puts it more into the category of artistic jobs¹³⁷. It is, nevertheless a service that people sell and not their own body¹³⁸.

Östergren argues that sex seller and sex work are regarded as better word choices when referring to the subject or the people involved, as it does not automatically put an identity, a social or psychological feature, on them like the Swedish term *prostituerad* (“prostituted”) does¹³⁹. Additionally, she argues, that it is a gender neutral term that acknowledges that it is indeed a work that provides their income and which provides a good alternative for derogatory expressions such as “whore”¹⁴⁰. Based on these arguments, she chooses to alternate between the words *sexsäljare* and *sexarbetare* (“sex seller” and “sex worker”), as not all women see themselves as workers¹⁴¹. She also switches between the terms *prostitution* and *sexarbete* (“prostitution” and “sex work”), meaning the act of selling sexual services where sellers and buyers have direct physical contact¹⁴².

For her, sex sellers have many different reasons for doing this but for many, there are also no clear borders anymore¹⁴³. There are some, who are exposed to violence, who are forced to do this work, some who need to do it for money only and some who want to punish or hurt themselves. Women who started selling sex sometimes are able to stop when they realize that it makes them feel bad but others may have done this work for a longer time and do not know how to find a way out of it, or simply do not want to stop selling sex¹⁴⁴. As references for her book, she has been in contact with hundreds of sellers worldwide but focuses mostly on approximately twenty different Swedish women¹⁴⁵. These women are all women who have had or are still having rather positive experiences with selling sex as their job, as she says that she did not want to disturb women, who have had or are still having bad experiences, even more¹⁴⁶. Women with bad experiences or negative feelings towards prostitution/ sex work are also those who usually speak up about prostitution/ sex work in Sweden, leaving the other side out of the picture which needs to be heard as well¹⁴⁷.

¹³⁷ Petra Östergren, *Porr, horor och feminister* (Natur och Kultur: Stockholm, 2006), 160.

¹³⁸ *Ibid.*, 160.

¹³⁹ Petra Östergren, *Synden ideologiserad. Modern svensk prostitutionspolicy som identitets- och trygghetsskapare* (Socialantropologiska Instituteten: Stockholm, 2003), 9.

¹⁴⁰ *Ibid.*, 9.

¹⁴¹ *Ibid.*, 10.

¹⁴² Petra Östergren, *Porr, horor och feminister* (Natur och Kultur: Stockholm, 2006), 10.

¹⁴³ *Ibid.*, 168.

¹⁴⁴ *Ibid.*, 169.

¹⁴⁵ *Ibid.*, 165.

¹⁴⁶ *Ibid.*, 168.

¹⁴⁷ *Ibid.*, 169.

Instead, the selling women are often displayed in two different ways. They either are nymphomaniacs who are full of lust and love sex, which is not regarded as something positive really, or they are broken, used and drugged, had an awful childhood where they were sexually abused, or in the hands of pimps¹⁴⁸. Of those options, the first one is usually the one displayed in fictive work such as books or porn movies, whereas the second one is presented as the “reality”¹⁴⁹.

4.2.2 A different perspective on prostitution/ sex work

Most of the views that Östergren offers in her book are based on personal reports or interviews with the women she met and talked to and give a different insight into the thoughts and opinions of the people who are selling sexual services as they give, besides also naming the negative parts of their work, mostly the positive aspects of it. There are, so Östergren, different sides to prostitution/ sex work and the positive parts make it possible for women to work in this area¹⁵⁰.

Selling sex for some women is like selling a meeting in which they get together with one man for a specific time and where they only need to be close to this person within this time frame¹⁵¹. The positive aspect about this is that neither of the people involved has to change themselves in their behavior because their relationship is not based on friendship and they do not have to see each other again if one part does not want to¹⁵². No human is either only good or bad, but rather curious and scared at the same time, so sex is the one insecurity every person has to face and which you have to learn by yourself. But while doing this, people can get satisfied simply by knowing that they are satisfying someone else because they give something with getting something back in return¹⁵³. It is though not only positive but rather a combination of something you have to do and something you like doing: combining business with pleasure¹⁵⁴.

People on the outside, especially feminists, do not respect and cannot understand that some women choose this job and want to decide for those women what is good for them. Every woman should be respected for their own choices and be able to choose themselves what is good for them and what is not¹⁵⁵. Women’s sexuality is often regarded

¹⁴⁸ Petra Östergren, *Porr, horor och feminister* (Natur och Kultur: Stockholm, 2006), 166.

¹⁴⁹ *Ibid.*, 166.

¹⁵⁰ *Ibid.*, 201.

¹⁵¹ *Ibid.*, 171.

¹⁵² *Ibid.*, 171.

¹⁵³ *Ibid.*, 173.

¹⁵⁴ *Ibid.*, 174.

¹⁵⁵ *Ibid.*, 179.

as intimate and connected to love and faithful togetherness with one person, which makes it difficult to understand why someone would choose to share this with a stranger for money¹⁵⁶. Sex is mostly seen in connection with feelings and many people voice that there should not be money involved. In contrast, Östergren argues that there are more situations in which money is exchanged for the satisfaction or pleasure of someone else. She names the buying of food at a restaurant as an example, as people pay money to get a plate of food which is not only bought to feed them but the plate is prepared in a beautiful way to give the customer pleasure for the eye as well, to make the customer feel good in more aspects than plain eating¹⁵⁷. The opinion that women feel low when men are paying something for them, like dinner or jewelry, and that they also feel low when men are paying them to satisfy them, counters Östergren by explaining that the receiving of money and that the women can decide on their own who they want to meet and for what actually puts them in a higher position regarding power structures and makes the whole contract professional¹⁵⁸.

Some of the women Östergren talked to did see their job on the same level as any other kind of work, maybe a bit more special but they also do this job for the same reason other people usually work, money, and they also need specific skills and a certain talent to be able to deliver a good job¹⁵⁹. Other than some “normal” jobs as a nurse in a hospital for elderly, being a prostitute/ sex worker comes with a much nicer and cleaner work environment, more money and a more positive energy around them¹⁶⁰. Prostitution/ sex work is an emotional job and part of the job is pretending to love the job, no matter what the circumstances or the clients are like. This, she argues, can be found in many other jobs as well, such as being a flight attendant. Here, the attendants also have to appear happy, friendly, comforting and pleased, regardless of the customers. One’s sexuality being used to earn money can also be seen in other jobs. Enough waiters and waitresses do allow and even encourage flirtation themselves in order to earning more tips of their customers¹⁶¹. The idea that prostitutes/ sex workers should change their job is very frustrating to many of them. They argue that asking them to learn a different job because

¹⁵⁶ Petra Östergren, *Porr, horor och feminister* (Natur och Kultur: Stockholm, 2006), 180.

¹⁵⁷ *Ibid.*, 217.

¹⁵⁸ *Ibid.*, 217.

¹⁵⁹ *Ibid.*, 181.

¹⁶⁰ *Ibid.*, 183.

¹⁶¹ *Ibid.*, 219.

other people are not comfortable with it, is like asking a person who has been a teacher for many years to change their job for no apparent reason¹⁶².

Nevertheless, the women also say that girls or women who want to sell sexual services need to be old enough to know who they are and what they want, they need to be mentally ready. Leaving work thoughts at work is an important skill a prostitute/ sex worker needs to have as is the ability to handle other opinions. Every person is entitled to have feelings and they cannot just shut them down, but similar to a gynecologist, feelings have to be handled in a way that they are appropriate for the work environment¹⁶³. In the end, a sexual service like an erotic body massage is just like other massages just with different body parts involved¹⁶⁴. Prostitution/ sex work is plastic and adaptable and everyone can change it so that it fits for themselves.

4.2.3 Swedish prostitution/ sex work policy and its impact

Even though the Swedish policy about prostitution/ sex work and the selling of sex has been set when the law was introduced in 1999, many people were against the proposal as they feared that the new law would make the situation worse for the people depending on the income of selling sexual services¹⁶⁵. But even with the knowledge that the law could hurt sellers, it was most important to show men in Sweden that prostitution/ sex work is bad as it deals with the power structures¹⁶⁶. That prostitution/ sex work is set equal or often is connected to violence, is the opinion of the outside and one has to keep in mind that not every seller shares this opinion. When seeing prostitution/ sex work equal with violence and the reason for violence of men towards women is structural power, prostitution/ sex work has to be extinguished so that the circle can be broken, as the power structure stays the same through violence¹⁶⁷.

One reason for the negative view on prostitution/ sex work in Sweden is that reports and articles on prostitution/ sex work are usually filled in with quotes from women who are selling sexual services. Mostly, those women get used by the magazines because they are used to support the opinion presented and not what they really think or want¹⁶⁸. This is an instrument of power as the allowance of mainly negative voices in the media

¹⁶² Petra Östergren, *Porr, horor och feminister* (Natur och Kultur: Stockholm, 2006), 227.

¹⁶³ *Ibid.*, 184.

¹⁶⁴ *Ibid.*, 187.

¹⁶⁵ *Ibid.*, 158.

¹⁶⁶ *Ibid.*, 164.

¹⁶⁷ *Ibid.*, 11.

¹⁶⁸ *Ibid.*, 204.

make it seem like there is no ongoing conflict and that the sex sellers support the new law¹⁶⁹. The society has an opinion on how sex seller should be, namely drug or alcohol addicted, with no other work options, but in reality they are not all the same and they do not all fit into the same category¹⁷⁰. It seems like it needs a tragic background story to explain why a person would sell sex.

Östergren claims further that it has something to do with “swedishness“: Swedes want to be an ideal within the EU, an ideal that other countries and people want to follow, they want to be the best country with the “right” moral position¹⁷¹. Through keeping up the position against prostitution/ sex work, even though there are protests, they are keeping up the national identity as the “glowing star” in equality matters. The Swedish social democrat Inger Segelström, who was one of the responsible for the current law, claims that Sweden has come further than other countries. 50% of the women in the congress from the social democrats used their voices and through them they “are in front in Europe and the rest of the world”¹⁷².

Men will not use their power to change the law because now that women are satisfied and quiet, and the general opinion that prostitutes/ sex workers do not deserve to earn more money than a lot of other people, claims one of the women Östergren interviewed. The men who are buying sexual services are actually the vulnerable ones as they are even paying money to have some contact, some feelings and closeness. The green party argues that sellers have a different approach to men and men do not want this side to be known. If men buy sex, they are regarded as someone who has not achieved much, because they need to pay for their needs to be satisfied. Thus, to stop women from challenging men’s self-concept, they are discriminating female sellers¹⁷³.

4.2.4 Conclusion

Petra Östergren decided to use the term prostitution only when talking about the general field as she does not see it within the field of a “normal” work, because it requires certain skills that not everyone has. When talking about the subject itself or the people selling sexual services, she uses the terms sex work and sex worker as it, for her, not automatically connects to certain attributes and is gender neutral.

¹⁶⁹ Petra Östergren, *Porr, horor och feminister* (Natur och Kultur: Stockholm, 2006), 205.

¹⁷⁰ Ibid., 205.

¹⁷¹ Ibid., 208.

¹⁷² Ibid., 208.

¹⁷³ Ibid., 211.

Prostitution/ sex work includes different sides, argues Östergren, with the positive side making it worth to work in this business. For her, it includes a meeting that is similar to a business meeting, with a start and end point set within a specific time frame. She claims however, that it requires certain regulations such as an age restriction to protect young women.

She sees the Swedish law as a way of Sweden to make sure that the country is seen up upon as an ideal, equal country. While the law is designed to protect the selling part, the women, Östergren does not necessarily see the women as the vulnerable part as she argues that men might be more vulnerable if they are paying money to be comforted and to receive attention.

Östergren's work, even though it is not an academic work, pays some attention to the micro level perspective, as she puts forwards some research results of rather individual aspects. Supported are her arguments through the interviews that she conducted during her research.

4.3 Jenny Westerstrand

Holding a doctorate in international law at the university of Uppsala (2008), Jenny Westerstrand has done research on violence of men towards women as well as human rights of women regarding gender- and sexuality theories. Focusing on a combination of law and sociology, she is most interested in how gender and sexuality influence law in a theoretical as well as a practical way. She was the coordinator of the research project "Captured Queen"¹⁷⁴, that did research on men's violence towards women in Sweden in 1998 and which was published in 2001¹⁷⁵. Currently, Westerstrand is the president of the organization Roks (Riksorganisation för kvinnojourer och tjejjourer i Sverige), an organization that aids women and girls in need, works for their rights, their liberalization and works against men's violence towards women¹⁷⁶.

Besides her previous work, such as "Slagen dam. Mäns våld mot kvinnor i jämställda Sverige- en omfattningsundersökning"¹⁷⁷ or "Comparing four Prevalence Studies on

¹⁷⁴ Original title "Slagen Dam"

¹⁷⁵ Nationellt Centrum för Kvinnofrid, "Jenny Westerstrand", accessed 16.07.2019, <https://nck.uu.se/kunskapsbanken/forskare/?id=63&type=researcher>.

¹⁷⁶ Riksorganisationen för kvinnojourer och tjejjourer i Sverige, accessed 16.07.2019, <https://www.roks.se/>.

¹⁷⁷ Jenny Westerstrand et.al., *Slagen dam. Mäns våld mot kvinnor i jämställda Sverige – en omfattningsundersökning* (Umeå: Brottsoffermyndigheten, 2001)

Violence Against Women: Main results, methodology and analytical approaches”¹⁷⁸, that deal with violence of men toward women, her doctor dissertation “*Mellan mäns händer- Konstruktionen av kvinnors rättssubjektivitet i förståelser av trafficking och prostitution*” from 2008 is about international law regarding the field of prostitution/ sex work and trafficking for sexual purpose and discusses how the law is designed and how it works¹⁷⁹. Her dissertation as well as her more recent publication “*Sexköpslagen- motstånd över tid och former*” from 2014 is the work I focus on in this thesis.

4.3.1 Definitions

While Westerstrand does not clearly state why she chooses the term prostitution to use in her work “Mellan mäns händer”, but she does talk about the different terms themselves, arguing also against the term of sex work. She further explains that she talks about heterosexual prostitution/ sex work, with the man as the buying and the woman as the selling person as this is the most common form, that includes both party being of legal age or 18 years old. For the women selling sex, she is using the terms “*kvinnor i prostitution*” (women in prostitution) or “*prostituerade kvinnor*” (prostituted women)¹⁸⁰.

Prostitution, she explains, is a very controversial term with a wide influx and which is connected to attributes like pain, violence or abuse by some people. Other connotations are work, or a way to re-create, replenish life and social life. In her opinion, there is a general thought that everyone knows what prostitution or sex work means because if this would not be the case, there would be more research focused on the definition of the field¹⁸¹. A clear definition of the used terms should be relevant though, as Westerstrand hints to the idea that a missing clear definition could be one reason for a missing consensus on the discourse around prostitution/ sex work. For her, prostitution/ sex work can be regarded as a social institution that involves a transaction (of money or any other benefit) between a person buying and a person selling, in exchange for the access of the buyer to the seller’s body and other beneficial aspects¹⁸². Furthermore, she understands it as a “centrally situated cultural and social phenomenon”¹⁸³.

¹⁷⁸ Jenny Westerstrand and Eva Lundgren, *Comparing four Prevalence Studies on Violence Against Women: Main results, methodology and analytical approaches* (Paris: Institut National d’Études Démographiques (INED), 2005)

¹⁷⁹ Nationellt Centrum för Kvinnofrid, “Jenny Westerstrand”, accessed 16.07.2019, <https://nck.uu.se/kunskapsbanken/forskare/?id=63&type=researcher>.

¹⁸⁰ Jenny Westerstrand, *Mellan Mäns Händer. Kvinnors rättssubjektivitet, internationell rätt och diskurser om prostitution och trafficking* (Uppsala University, 2008), 39.

¹⁸¹ *Ibid.*, 37.

¹⁸² *Ibid.*, 38.

¹⁸³ *Ibid.*, 378.

Westerstrand distinguishes between two ways of understanding and interpreting the term “prostitution”. One side, consisting of those groups who are pro autonomy for women and therefore pro prostitution/ sex work, has an abstract understanding. This means that prostitution/ sex work for them is the buying and selling of sexual services without any negative effects. Prostitution/ sex work itself, she explains, is only this exchange of money and service, not trafficking, abuse, violence or forced work. Stigmatization is regarded as one of the reasons for the ill-treatment of women who are selling sex¹⁸⁴. On the other hand, is the de-facto understanding of the abolitionist side, which understands prostitution/ sex work with all those negative factors included¹⁸⁵.

The term “*sexarbetare*” (sex worker) for her is connected to a specific ideological opinion that offers assumptions about the political as well as theoretical phenomenon. With the positive connotation that is usually connected to work, Westerstrand sees the danger in the exclusion of a lot of women who do not sell their services by free choice and their own will. On the other side of this rather positive term one can also find the term “whore”. This term has already been used in biblical stories where it defined women who were sexual active but not for a re-production purpose and stood as the opposite to “Madonna”, a woman who was not sexual if it was not for re-production. Ever since, women have been regarded as split personalities that can be either or, whereas men are presented as one unity. Myths and biblical stories are indeed relevant to today’s understanding of western culture as the term whore still seems derogatory and carries a negative sound with it, leading to myths about prostitution/ sex work. Furthermore, they are important to understand gender and sexuality as gender has been regarded as hierarchic with women being in the lower order¹⁸⁶.

This split femininity as opposed to a unified masculinity is, so Westerstrand, part of understanding prostitution/ sex work. Regarding prostitution/ sex work as an act, the penetration part of both actors (male and female) corroborates the hierarchical gender construction. On the other hand, the social institution interpretation focuses on the confirmation of a unified masculinity, as the female part is played by a sexual and non-reproductive woman (as in opposition to the other possible woman)¹⁸⁷. Thus, the split

¹⁸⁴ Jenny Westerstrand, *Mellan Mäns Händer. Kvinnors rättssubjektivitet, internationell rätt och diskurser om prostitution och trafficking* (Uppsala University, 2008), 133.

¹⁸⁵ Ibid., 134.

¹⁸⁶ Ibid., 45-47.

¹⁸⁷ Ibid., 377.

creates “incompatible characters of femininity, [and] that, in lived lives, make women vulnerable to other people’s evaluations of their status as the “right” kind of woman”¹⁸⁸.

4.3.2 Perspective of prostitution/ sex work

Jenny Westerstrand sees the discourse around prostitution/ sex work mostly within feminism, although there is not only one form of feminism but rather several ones¹⁸⁹. The discourse itself is formed through the several different perspectives because questions about prostitution/ sex work touch basic principles like freedom, individuality, equality and autonomy. Thus, as those questions concern all people, the basic perspectives as well as political groups change and arrange themselves to form a new group based on a shared opinion about prostitution/ sex work¹⁹⁰. The concept of prostitution/ sex work for her always includes an “act” and an “institution” with both aspects questioning gender and sexuality with a focus on women’s accessibility and not on what the woman wants as an end result. A woman who agreed to the contract, must not use her personal desires and interests as a determined goal. Nevertheless, prostitution/ sex work does not end outside both partners involved but comes with implications that go beyond them, although it can never exist outside of culture or society, as other social activities cannot either¹⁹¹. For her, prostitution/ sex work does not necessarily need to be bound to cultural margins, but she rather wonders if it could be seen as a phenomenon with deep roots and a central position in western sexual culture. She further explains that the majority of countries where prostitution/ sex work exists, has unequal gender structures where women are social as well as economical subordinate to men¹⁹².

Most people, claims Westerstrand, argue with support of the feminist or queer theory although the dialogue addresses deep cultural and political conflicts about gender and sex which are usually not addressed within the political field and which lead to a deep split in opinions. A general opinion is that while it may be accepted that women are selling sexual services, not many defend prostitution/ sex work as an institution. Those who criticize prostitution/ sex work as an institution are attacked but at the same time, having a positive opinion towards prostitution/ sex work is seen as derogatory, creating an

¹⁸⁸ Jenny Westerstrand, *Mellan Mäns Händer. Kvinnors rättssubjektivitet, internationell rätt och diskurser om prostitution och trafficking* (Uppsala University, 2008), 378.

¹⁸⁹ *Ibid.*, 28, 109.

¹⁹⁰ *Ibid.*, 109.

¹⁹¹ *Ibid.*, 39.

¹⁹² *Ibid.*, 39.

asymmetry which is part of the discourse¹⁹³. Contrary to the idea that feminism gainsays prostitution/ sex work in general and views it as the worst expression of men's dominance over women, Westerstrand explains that the field can either be divided into two more general groups (A and B) or in three groups when only regarding feminism. Group A is the group that regards prostitution/ sex work as something negative and consists of the abolitionists as well as the radical feminists whereas Group B is not against prostitution/ sex work and includes liberalists as well as pro- prostitution/ sex work feminists. Feminism is divided by her into liberal feminism, Marxist/socialist feminism and radical feminism. Regardless if it is sex radicalism, liberal or radical feminism, all three perspectives are always connected to the question of whether to accept and normalize prostitution/ sex work or work against it¹⁹⁴. In the field, Westerstrand therefore keeps the split into the two groups which she calls "*abolitionistisk position*" (Group A) or "*normaliseringsposition*" (Group B).

The abolitionist group is further divided into radical feminism and the contextualized approach. Radical feminism regards prostitution/ sex work as men's violence over women and as an institution that is created through a hierarchy of gender norms. Contrary, the contextualized approach is more critical about prostitution/ sex work as an institution and also does not see all aspects of prostitution/ sex work as a form of violence. Nonetheless, both groups share their goal to abolish prostitution/ sex work in general.

On the other hand, the normalizing group can be divided into three smaller groups: liberal feminism, the sex worker position and the sex radical approach. The first one acknowledges that prostitution/ sex work can be a social disorder or something that should not be a norm for women but women's rights for autonomy and their own choices outweighs the concerns and thus, prostitution/ sex work needs to be allowed. As the name indicates, sex work if regarded as a common kind of work for the sex worker position. In their opinion, regulations should not be there and autonomy should be given. Still, their focus lies on the workers' rights and the need to protect any kind of worker. They share a collectivist and socialist understanding and tend to see prostitution/ sex work as norm breaking, something positive. Lastly, as the group before, the sex radical approach also uses the term sex work instead of prostitution and strongly supports the right to free choice and the freedom for everyone to practice their erotic preferences. Prostitution/ sex

¹⁹³ Jenny Westerstrand, *Mellan Mäns Händer. Kvinnors rättssubjektivitet, internationell rätt och diskurser om prostitution och trafficking* (Uppsala University, 2008), 109-111.

¹⁹⁴ *Ibid.*, 118-121.

work, explains Westerstrand, is here seen as an expression of free choice that needs to be respected¹⁹⁵. The three perspectives of the normalizing approach are summarized by Westerstrand by the term “superdiskurs”, whose main opposition is the radical feminism. The shared base of both sides is the comprehension of women being put underneath men in a hierarchical order, the work against patriarchy but they differ in the consequences and interpretations of violence and subordination. Further, any feminist perspective condemns legal arrangements and regulations working directly against female sex sellers and for all feminists, an authentic agreement is seen as the base for legitimate sex, no matter if it is commercial sex or not¹⁹⁶. The liberal, socialist and radical feminism sees the split between sex sellers and “other women” in society, which adds to the common ground of the perspectives when it comes to this field. Their basic difference though, claims Westerstrand, is that the abolitionist side wants to expound the problems of prostitution/ sex work as an institution, while the other side sees prostitution/ sex work as an act¹⁹⁷.

4.3.3 Perspective on the Swedish law

Westerstrand does not only support the Swedish law that regulates the buying of prostitution/ sex work but does also focus her critique on one specific perspective, the sex work perspective, that argues against it¹⁹⁸.

Many people think that the law was partly established because the women movement in Sweden focused on the exploitation of women in the prostitution/ sex work business, the alignment of civil discourse about responsibility of perpetrators and put the spotlight on the more radical feminist goal to put men’s responsibility over the suffering of women. At this time, this was typical for the Swedish political climate, as they were trying to achieve gender equality. While the law was regarded controversy in the beginning, it quickly gained more support over the years, until even most political parties in the Swedish parliament stood behind it¹⁹⁹. In truth, Westerstrand claims, the law was partly established to work against trafficking and not because the government saw every woman in the field as exploited. Furthermore, the law focuses on prostitution/ sex work

¹⁹⁵ Jenny Westerstrand, *Mellan Mäns Händer. Kvinnors rättssubjektivitet, internationell rätt och diskurser om prostitution och trafficking* (Uppsala University, 2008), 128.

¹⁹⁶ Jenny Westerstrand, “Sexköpslagen- motstånd över tid och former“ *Jurist-og Økonomforbundet 4 Forlag*, Retfærd årgang 37, Nr. 2/145 (2014), 129-131.

¹⁹⁷ *Ibid.*, 132-133.

¹⁹⁸ *Ibid.*, 6.

¹⁹⁹ *Ibid.*, 4.

as a social and cultural institution instead of putting the woman (either as a disguised “whore” or as the emancipated prostitute/ sex worker) in focus. Thus, it is either regarded as an act with the individual actors in focus or as an institution²⁰⁰.

To the outside, Westerstrand argues, Sweden is often presented as a feminist fundamentalist country that has its law based on radical feminism, claiming that all women in the prostitution/ sex work business are victims of violence and force and that prostitution/ sex work in general is equal to the violence of men towards women. Defending the Swedish law, Westerstrand argues that this is thus, a populist recital of the Swedish sex-buying law²⁰¹.

In her eyes, it is especially the sex worker perspective defenders that stress that they do not want to take a personal stand towards prostitution/ sex work in their research or work, but then take part in the discussion with much frenzy nonetheless without really having an opinion²⁰². It is their doing that people outside of Sweden receive the image that feminism oppresses women who are selling sexual services, who are strong and smart and sex positive through the Swedish law. Their “pseudo debate” is a political strategy to undermine the support that the criminalization law gets from within Sweden as well as supporters from all over the world. Through twisting the juridical theoretical base and the political way of evolution, they distort the “real” history of the law²⁰³.

The most important questions to ask when looking at regulations towards the prostitution/ sex work field are: who does the law concern? Is it the women who are working in the business, the men who are buying the services, or everyone in society that needs to be taken into account? And if society, then what kind of society do we want to live in? Sweden, argues Westerstrand, focuses on a shared society in which the understanding and the norms of gender and sexuality, and with it of prostitution/ sex work, are regarded as a shared concern²⁰⁴.

4.3.4 Conclusion

Jenny Westerstrand also uses the term prostitution when referring to the field and women in prostitution when talking about the women selling sex. In her opinion, prostitution is nevertheless a controversial term that carries indeed some negative connotations to some

²⁰⁰ Jenny Westerstrand, “Sexköpslagen- motstånd över tid och former“ *Jurist-og Økonomforbundet 4 Forlag*, Retfærd årgang 37, Nr. 2/145 (2014), 12-13

²⁰¹ Ibid., 5-6.

²⁰² Ibid., 8.

²⁰³ Ibid., 23-25.

²⁰⁴ Ibid., 11.

people. The positive connotation one may have with the term sex worker though, may exclude some women who do not work in the business by free choice.

Prostitution/ Sex work for her is mostly situated within the feminist field and has, according to her, deep roots in the western culture. The focus of prostitution/ sex work, for her, lies on the accessibility of women to men with no personal desires of the women to be fulfilled. Within the field, she differs between the abolitionist and the normalizing position and splits them further into the liberal feminism, sex worker position and sex radical approach on the normalizing front and into radical feminism and contextualized approach on the abolitionist part.

Westerstrand supports the Swedish law and sees its success in the increased support that it gained since it has been established. She argues, that the law was designed to work against trafficking and opposed the, in her eyes, populist recitals against it that are voiced by mainly the sex worker approach.

Her main focus of her work is on the feminist field, and there her research can mostly be situated in the macro level as she spends a lot of time discussing the different perspectives and how they are connected to each other.

5. Prostitution/ sex work in Germany

Contrary to Sweden, since January 2002, prostitution/ sex work in Germany is by law not regarded as something negative and unethical that should be criminalized. Having been treated in Germany as something immoral until then, it seems like it has completely shifted to the other side and has become somewhat “normal” for German citizens. When looking at the numbers, there are approximately 400.000 people selling sex, most of them women, in Germany and over one million men are using their sexual services every day²⁰⁵. Even though the numbers are just a guess, it shows that prostitution/ sex work is an everyday life situation.

Adding to the differences to Sweden is the amount and the frequency that research about prostitution/ sex work in Germany has been done. While there was quite a lot of research just after the implementation of the new law, there has not much been written about prostitution/ sex work regulation policies or the impact of it²⁰⁶. I could not however, find an explanation on why this is the case. The following chapter will therefore not present different researchers, their specific work and its outcomes but rather be divided into chapters regarding the different topics that were found and presented within Germany. As prostitution/ sex work is a very complex field, there is also a variety of different research found around it and it is not only the academic research and aspect that needs to be looked at. While scholars in Sweden usually have done multiple research projects and written multiple articles about their research, it is more difficult in Germany to find a lot of research done by one scholar. Instead, I focused on single articles and books of six scholars and one book of a German author, which I shortly present here:

Dr. Eva-Maria Euchner, a senior research fellow at the Ludwig-Maximilians-University of Munich specializes on comparative public policy analysis and usually researches about religion, party politics and social policy making²⁰⁷. While she studied sexual behavior before in 2013, it was her monograph “Prostitution policy in Germany”²⁰⁸ from 2015 that I analyze in my thesis.

Susanne Dodillet was born in Germany and moved to Sweden in the early 2000’s. Between 2005 and 2013, she spent most of her research on the field around prostitution/

²⁰⁵ Deutscher Bundestag, “Drucksache 14/5958“, accessed 16.07.2019, <http://dip21.bundestag.de/dip21/btd/14/059/1405958.pdf>, 1.

²⁰⁶ Greggor Mattson, “German Consensus for Sex Work, Compromise over Sex Business“ *The Cultural Politics of European Prostitution Reform. Governing Loose Women* (Hampshire: Palmgrave Macmillan, 2016), 98.

²⁰⁷ Dr. Eva-Maria Euchner, accessed 16.07.2019, <https://www.eva-mariaeuchner.eu/>.

²⁰⁸ Original title “Prostitutionspolitik in Deutschland“, own translation

sex work, about which she wrote her dissertation “Är sex arbete? Svensk och tysk prostitutionspolitik sedan 1970-talet”²⁰⁹ in 2009²¹⁰. In her dissertation, she elaborates the history and, at this time, current state of the laws and regulations regarding prostitution/sex work in Germany and Sweden, comparing both countries with each other. With this dissertation, she is holding a doctorate at the University of Gothenburg, where she currently works at the Department of Education and Special Education, on which she shifted her focus to²¹¹. In my thesis, I will focus on her dissertation that has received a lot of criticism from several people²¹² but that I nonetheless regard as an important work within the field, as Dodillet has taken part not only in the German but also in the Swedish debate.

Prof. Dr. Nicola Döring received her diploma, dissertation and habilitation degree in psychology at the Ilmenau University of Technology in Germany where she currently is a professor for “media psychology and media design”. She is also co-editor of a magazine about sexual research (*Zeitung für Sexualforschung*, Thieme) in which context she has published articles about pornography, sexual violence of men towards women and sexuality in general within media as well as prostitution/sex work and the influence of the internet²¹³. Her article “The new prostitution protection law: How to review it from a specialist perspective? An introduction”²¹⁴, on which I will focus on, discusses the new changes of the German law regarding prostitution/sex work, that have been done in 2017.

Greggor Mattson is an US-American associate professor of sociology as well as the director of the gender, sexuality and feminist study program at Oberlin College in Ohio, USA. He holds his doctorate with his dissertation “Governing Loose Women: Rationalizing Prostitution in Europe, 1998-2004” from 2008 at the University of Berkley, California. Other articles of his often focus on LGBTQ related issues as well as gentrification, the state and inequality and he is co-creator of “In search of Lost Women”, a digital humanities project about prostitution/sex work in Paris in the early 19th century²¹⁵. His only book “The Cultural Politics of European Prostitution Reform:

²⁰⁹ original title “Is sex work? Swedish and German prostitution policy since the 1970’s“, own translation

²¹⁰University of Gothenburg, “Susanne Dodillet, Publications”, accessed 16.07.2019, https://www.gu.se/english/about_the_university/staff/?publicationPageNumber=1&selectedTab=2&languageId=100001&userId=xdodsu.

²¹¹University of Gothenburg, “Susanne Dodillet, Overview”, accessed 16.07.2019, https://www.gu.se/english/about_the_university/staff/?languageId=100001&userId=xdodsu.

²¹²Vertigo Verlag, accessed 16.07.2019, <http://www.vertigo.se/bocker/ar-sex-arbete-svensk-och-tysk-prostitutionspolitik-sedan-1970-talet-susanne-dodillet/>.

²¹³Nicola Döring, accessed 16.07.2019, <http://www.nicola-doering.de/>.

²¹⁴ original title: “Das neue Prostituiertenschutzgesetz: Wie ist es aus fachlichen Perspektiven zu beurteilen? Eine Einführung“, own translation

²¹⁵Greggor Mattson, accessed 16.07.2019, <https://greggormattson.com/>.

Governing Loose Women” from 2016, deals with several different aspects of prostitution/sex work and dedicates one chapter to German policies (“German Consensus for Sex Work, Compromise over Sex Business”²¹⁶), which I analyze in this thesis.

In the book “Prostitution in Germany- Specialized Review of complex challenges”²¹⁷ from 2014, the feminists Dorothea Czarnecki, Henny Engels, Barbara Kavemann, Elfriede Steffan, Wiltrud Schenk and Dorothee Törnau talk about the rights and legal equality for prostitutes/sex workers. All six of them work with prostitutes/sex workers as well as victims of human trafficking, offer advice, research about their situation and try to improve their legal security. With their joint book, they want to pass on a realistic picture of prostitution/sex work, supported by empirical research as well as their own work experience, while neither trying to brighten up prostitution/sex work, nor viewing it as a sweeping phenomenon²¹⁸.

Prof. Rebecca Pates, currently teaching at the institute for political science at the University of Leipzig, focuses on political anthropology, theories of state and the organization of gender and has written several articles about gender, sexuality and prostitution/sex work²¹⁹. Her colleague Dr. Daniel Schmidt, who is working at the same institute, focuses his research and teaching on political anthropology, modern statehood and the formation of power-knowledge-relations in the last 200 years²²⁰. Together, they wrote their book “The administration of prostitution: A comparative study of German, Polish and Czech communities”²²¹ in which they discuss mostly legal issues as well as the respective laws or regulations about prostitution/sex work in Germany, Poland and the Czech Republic.

The only non-academic German I use in this thesis is the German author and journalist Tamara Domentat. After her studies at the Free University Berlin and at the University of Indiana, she worked at as a translator and language teacher. Besides some books about live during the cold war in Germany, Domentat dedicated one entire book to

²¹⁶ Greggor Mattson, “German Consensus for Sex Work, Compromise over Sex Business“ *The Cultural Politics of European Prostitution Reform. Governing Loose Women* (Hampshire: Palgrave Macmillan, 2016)

²¹⁷ original title:“ Prostitution in Deutschland- Fachliche Betrachtung komplexer Herausforderungen“, own translation

²¹⁸ Dorothea Czarnecki et.al., *Prostitution in Deutschland- Fachliche Betrachtung komplexer Herausforderungen* (Autorinnengruppe: Berlin, 2014), 5-6.

²¹⁹Universität Leipzig, “Prof. Rebecca Pates”, accessed 17.07.2019, <https://www.sozphil.uni-leipzig.de/cm/powi/prof-rebecca-pates-phd/>.

²²⁰Universität Leipzig, “Dr. Daniel Schmidt, accessed 17.07.2019, <https://www.sozphil.uni-leipzig.de/cm/powi/dr-daniel-schmidt/>.

²²¹ original title: “Die Verwaltung der Prostitution. Eine vergleichende Studie am Beispiel deutscher, polnischer und tschechischer Kommunen”, own translation

prostitution/ sex work. In “Let yourself be spoiled. Prostitution in Germany”²²² from 2003, she takes up 70 clichés around prostitution/ sex work and discusses amongst other aspects the social function, global developments, the role of morality and sexual discourses. Even though she is not an academic, I chose her work as it offers a different and unique perspective of prostitution/ sex work through her interviews with many prostitutes/ sex workers²²³.

5.1 Definitions

Looking at the definitions within German research is quite interesting because several different words are used to describe the people involved and there is not always given an explanation to it.

In her book “Is sex work? Swedish and German Prostitution policy since the 1970’s”²²⁴, the German historian of ideas, Dr. Susanne Dodillet, defines prostitution/ sex work and explains her choice of words as following. Regarding to her, the word “prostitution” in Germany might be connected to the negative connotations like violence or force but it does not need to be²²⁵. The society’s perspective on prostitution/ sex work influences the social situation of prostitutes/ sex workers and vice versa, making a person’s opinion always connected to the surrounding culture²²⁶. Thus, if the “surrounding culture” in Germany is not presenting prostitution/ sex work as something negative, it is more likely that the word “prostitution” is not connected to negativity either for many people. This is also shown in the German word for pimp – *Freier*, a person who proposes to someone- that Dodillet describes as a romanticized, positive word that leaves one with a rather romantic picture of prostitution/ sex work²²⁷. Proposing to someone leaves the power over a decision to the person being proposed to, in this case the sex seller or women. They can decide to deny or to accept the offer, which supports the rather positive idea of it. For herself, instead of using the word “prostitute” she decides to use the words sex seller and sex buyer instead of “pimp”²²⁸, as the German word *Prostituierte* puts the woman, by grammatical rules, in the passive role²²⁹.

²²² original title: “Lass dich Verwöhnen: Prostitution in Deutschland“, own translation

²²³ Tamara Domentat, *Lass dich Verwöhnen. Prostitution in Deutschland* (Aufbau Verlag: Berlin, 2003)

²²⁴ original title: “Är sex arbete? Svensk och tysk prostitutionspolitik sedan 1970-talet”, own translation

²²⁵ Susanne Dodillet, *Är sex arbete? Svensk och tysk prostitutionspolitik sedan 1970-talet* (Vertigo: Malmö, 2009), 26.

²²⁶ *Ibid.*, 27.

²²⁷ *Ibid.*, 27.

²²⁸ *Ibid.*, 28.

²²⁹ *Ibid.*, 298.

The German author and journalist Tamara Domentat does not give an explanation of her word choice but she does describe what she sees as prostitution/ sex work. First, prostitution/ sex work for her is the most important social institution for sexual encounters besides marriage²³⁰ and in her opinion, prostitution/ sex work is an expression of sexuality and not of unequal power balances, a business where the sellers have a self-organized workday, where they work by free choice and where they can deny clients and decide what they want to do²³¹. Domentat also points out that there is a need to look at prostitution/ sex work in a differentiated way, that there is no “one definition” and that there are different reasons why women or people in general sell sexual services²³². That prostitution/ sex work means red light districts only, pimps who use and exploit women, and mostly women with contact of sexual abuse is for her nothing more than a cliché²³³. In the beginning of her book “Lass dich Verwöhnen. Prostitution in Deutschland” she wonders what exactly would be included in prostitution/ sex work: are people acting in porn movies or photo models for erotic calendars also selling sexual services?²³⁴

5.2 Perspectives on Prostitution/ sex work

Even though prostitution/ sex work is legal in Germany and the law is supposedly build to support people working in this business, there are many different split opinions about prostitution/ sex work in general.

In Germany, the question of prostitution/ sex work being “good” or “bad” is often linked to morality as well as the church. Sex, explains Döring, is connected closely to love and marriage and leaves little to no space for commercial sexuality like selling or buying sex, but leaves instead much space for sexist and racist balance of power²³⁵. She sees the insufficient contact to the work and living world of sex sellers as critical as it leaves a great room for speculations and myths around it without de facto knowing much about it. Without direct contacts, the media depiction of prostitution/ sex work is most likely the main information sources many people have for their opinion and this is highly selective²³⁶.

²³⁰ Tamara Domentat, *Lass dich Verwöhnen. Prostitution in Deutschland* (Aufbau Verlag: Berlin,2003), 11.

²³¹ Ibid., 18.

²³² Ibid., 32.

²³³ Ibid., 18.

²³⁴ Ibid., 44.

²³⁵ Prof. Dr. Nicola Döring, “Das neue Prostituiertenschutzgesetz. Wie ist es auch fachlichen Perspektiven zu beurteilen? Eine Einführung“ *Zeitschrift für Sexualforschung* (Stuttgart: Georg Thieme Verlag, 2018), 48.

²³⁶ Ibid., 46.

A very interesting and critical question she poses in her article is about the negative assumption that prostitution/ sex work is always connected to violence. While she does not deny that there surely is violence happening within the buying and selling of sexual services as well as all around it, she criticizes that there is violence happening in other parts of relations such as within families. Violence within a family leads to people trying to work against violence in general and not against families, whereas violence within the field of prostitution/ sex work is most likely to lead to people trying to work against prostitution/ sex work instead of violence. Why is it that prostitution/ sex work is regarded as so dangerous?

A more personal perspective comes from the German author and journalist Tamara Domentat, who conducted over 140 interviews with sex sellers, sex buyers, experts of different projects as well as social and sexual scientists. In this research, money was named as the most common reason for why women were selling sex even though some would realistically have different alternatives for other jobs. Sex sellers are often portrayed as people who sell sex as the last chance for them to earn money and that is highly criticized because other jobs are regarded as more “suitable” and it is questioned why anyone would choose this sector then. But, wonders Domentat, are there not more people who work because they need money and not because they truly want to do the job they are doing, such as being a taxi driver without being judged for it? Why then criticize sex sellers for their choice of work?²³⁷

The argument that women who sell sexual services are exploited to violence and are used by men, counters Domentat with arguing that every woman can feel demeaned and exploited by others within her marriage, relationship, work or daily life. If people look at any kind of prostitution/ sex work as a forced kind, the actual border to forced prostitution begins to get blurry and with it the border between working conditions and morality and the violation of human rights on the other hand²³⁸.

Picking up on the negative aspect that is often closely connected to prostitution/ sex work, Dorothea Czarnecki et.al. discuss in their book “Prostitution in Deutschland - Fachliche Betrachtung komplexer Herausforderungen” that prostitution/ sex work is regarded as either “sad or bad”²³⁹, meaning that the people selling sex are either seen as victims or as immoral people. They see the mix up and falsely connection at all time

²³⁷ Tamara Domentat, *Lass dich Verwöhnen. Prostitution in Deutschland* (Aufbau Verlag: Berlin,2003), 197.

²³⁸ Ibid., 262.

²³⁹Dorothea Czarnecki et.al., *Prostitution in Deutschland- Fachliche Betrachtung komplexer Herausforderungen* (Autorinnengruppe: Berlin, 2014), 5-6.

between the terms prostitution/ sex work and human trafficking as one of the issues²⁴⁰. Opponents of prostitution/ sex work are accusing supporters that with their accepting position, they would idealize violence and take it for a given factor in society, which supports the fact that even though people might not be against prostitution/ sex work in general, they will have negative feelings about it.²⁴¹

Even though Germany is a secular state, Christian influences can be seen especially with a topic like prostitution/ sex work, as the Christian opinion sees it as reprehensible to sell “a human body”, explains the political science researcher Dr. Eva-Maria Euchner²⁴². The conservative opinion also sees prostitution/ sex work as the product of international organized crime, which stands out against the opposition that claims that everyone should have the right of free decision making and sees a discrimination of women who want to sell sex by their own choice²⁴³. The position of women in society, the value and place of sexuality and faithfulness, religion aspects within politics and the boundaries of legitimate influence of the government regarding the privacy of citizens are questions that need to be considered when talking about and looking at the different opinions about prostitution/ sex work. Euchner argues that the answers to these questions are based on value judgements of people²⁴⁴. The Christian tradition views prostitution/ sex work as morally reprehensible and inhumane, allowing sexuality for the creation of human life within set romantic relationships between two people and further regarding prostitution/ sex work as destructive for the body and soul of the person selling sexual services²⁴⁵. A clear distinction between the state and the church is supported by the liberal tradition that emphasizes the individual rights of freedom, which here includes the freedom to choose a profession²⁴⁶. Within the last tradition that Euchner lists, the feminist tradition, it becomes necessary to differentiate between two sides: the radical and the more liberal feministic view. According to the radical feminist opinion, prostitution/ sex work is seen as sexual slavery and an extreme expression of sexual violence towards women, whereas the liberal opinion sees

²⁴⁰ Dorothea Czarnecki et al., *Prostitution in Deutschland- Fachliche Betrachtung komplexer Herausforderungen* (Autorinnengruppe: Berlin, 2014), 5.

²⁴¹ Ibid., 7.

²⁴² Dr. Eva-Maria Euchner, “Prostitutionsregulierung: Politische Einigung Zulasten der Implementation“ *Christoph Knill et al. (eds), Moralpholitik in Deutschland. Staatliche Regulierung gesellschaftlicher Wertekonflikte im historischen und internationalen Vergleich* (Wiesbaden: Springer Verlag, 2014), 107.

²⁴³ Ibid., 107-108.

²⁴⁴ Dr. Eva-Maria Euchner, *Prostitutionspolitik in Deutschland. Entwicklung im Kontext europäischer Trends* (Wiesbaden: Springer Verlag, 2015), 5-6.

²⁴⁵ Ibid., 6.

²⁴⁶ Ibid., 7.

prostitution/ sex work as a means to survive. The people working in this business are looked at with respect and, so Euchner, they accept that prostitution/ sex work is given in society and therefore to support the sellers, it should be recognized as a profession²⁴⁷.

Susanne Dodillet also discusses the question of why specifically prostitution/ sex work is regarded as bad and dangerous and picks up on the moral question that is usually connected to it in Germany. Like others who draw a comparison between prostitution/ sex work and other kind of work or occurrences, she compares it to car racing, which can indeed be live threatening and dangerous for the driver and which is thoroughly bad for the environment and therefore morally questionable but still is accepted in Germany. As is the buying and selling of football players for horrendous amounts of money, a common thing not only in Germany but throughout the world, kind of morally accepted in the sense that there are no mass demonstrations against it.²⁴⁸ For Dodillet, it is not about the question if prostitution/ sex work in general is good or bad or if it should exist in a perfect society but rather what kind of alternative there is to earn money, when it does not seem like there is a better one²⁴⁹. Furthermore, one should ask under which circumstances oneself would do this job instead of seeing prostitution/ sex work as an enemy and sex sellers as people to pity²⁵⁰. If sex sellers make sacrifices, they are doing this actively and are aware of what they need to do in order to earn a living, which, she points out, does not mean to leave out that many sex sellers are in an emergency situation. Acting out of free will does not imply that those people are not trapped within society's power structures, poverty or other circumstances that call for a need to make money²⁵¹.

Dodillet claims that there are no aspects or views on prostitution/ sex work that do not exclude one or more factors which makes any kind of result dependent on the viewpoint, taking feminism and their view on sexuality and equality as an example. Sexuality is so influenced and marked by patriarchal structures, that even feminists cannot seem to define the term sexuality apart from these structures. Thus, prostitution/ sex work with a heterosexual setting is linked to one gender dominating the other, because sexuality is linked to the patriarchal structures²⁵². The definition of sexuality can only be taken out of its patriarchal structures when the omnipresence of power structures is recognized, the

²⁴⁷ Susanne Dodillet, *Är sex arbete? Svensk och tysk prostitutionspolitik sedan 1970-talet* (Vertigo: Malmö, 2009), 7-8.

²⁴⁸ Ibid., 532.

²⁴⁹ Ibid., 533.

²⁵⁰ Ibid., 541.

²⁵¹ Ibid., 542.

²⁵² Ibid., 544-545.

different expressions of sexuality are made visible and when sexuality is stopped being moralized, as it is concerning prostitution/ sex work²⁵³. For the researcher, all meeting between two or more people include some kind of power structure that is inevitable, so the society needs to help making this as equal as possible while staying suspicious towards policies that define an equal way of living for everybody, because, as it all depends on the viewpoint, policies rarely include all aspects²⁵⁴.

The overall thought that women lose part of their soul or humanity when they are having sex or sexual encounters without feelings involved leads to the feeling of need for a law providing a protection of their intimacy and privacy. This need from the outside, leaves out the fact that it should be up to everyone themselves to define their own intimacy sphere and privacy which need or do not need to be protected. Indeed, what intimacy includes differs for every person and that sexuality is automatically connected as being a part of everyone's intimacy is mostly defined so by culture and society's social structures. This leads to a guarantee that women continue to not develop their sexuality as they want to, keeping women "at least sexually less active"²⁵⁵. Another negative aspect of automatically connecting sexuality to the terms "intimate" and "private" is that it is publicly very difficult to approach it critically and analyze it, leading to the need to open it up so that individuals can be able to question and, if necessary, free themselves of social norms. While prostitution/ sex work in its worst form can be an example for the oppression of women, no sexual relationship in general in society is free of patriarchal norms²⁵⁶. Quoting the Canadian feminist scholar Dr. Lenore Kuo, Dodillet claims that studying the forms of heterosexual prostitution/ sex work shows "how these values reverberate in one's own sexual life, no matter how hard one may struggle to eliminate them"²⁵⁷. Nevertheless, as not all women are victims of patriarchal structures, some choose to act within its structures, neither are all sex sellers victims. In making this assumption, the voices of many women are being taken away from them and portraying prostitution/ sex work as the core of patriarchy makes it further difficult to see the different aspects of it. Instead, if prostitution/ sex work and sexuality is treated as "normal" (in opposition to being bad and dangerous), the risk that sexuality is used as an

²⁵³ Susanne Dodillet, *Är sex arbete? Svensk och tysk prostitutionspolitik sedan 1970-talet* (Vertigo: Malmö, 2009), 545.

²⁵⁴ Ibid., 545.

²⁵⁵ Ibid., 546.

²⁵⁶ Ibid., 547.

²⁵⁷ Ibid., 548.

instrument for the oppression of women can be further minimized²⁵⁸. Feminists and prostitutes/ sex workers should share their experiences of sexuality as they, together, can reveal sexual norms and help others formulate their own values and wishes. Thus, instead of minimizing prostitution/ sex work, there should be more knowledge about its structures and oppressing aspects, so that sex sellers in need, can actually receive the help they need²⁵⁹.

5.3 Perspectives on the German prostitution/ sex work regulation

As the previous chapter showed, there are different opinion on prostitution/ sex work in general and it is the same case for opinions on the regulation policies. In this chapter, not only academic opinions, or more directly speaking “outside” opinions, are shared but also “insight” opinions from women selling sex and men owning businesses where sexual services are sold. These are personal opinions which cannot speak for a general assessment.

With the reform of the regulation in 2017, the goals of it were set to improve the situation for sex sellers, to support and empower an own decision making process and to get rid of dangerous manifestations. New was the compulsory registration in the towns or communities they worked in, an obligatory physical health check and a statutory permission for any kind of business²⁶⁰. For the German professor and doctor of psychology, Nicola Döring, this is like a contradiction by itself. On the one hand, the regulation is supposed to give sex sellers more self-determination while it on the other hand greatly increases governmental control measures²⁶¹.

Dorothea Czarnecki et.al. do name theoretical positive improvements that should have happened since the implementation of the regulation policies, as women can claim their money and contracts are more binding since then. Nonetheless, at the same communities and cities still have the power of deciding if, when and where people are allowed to sell sexual services of any kind. By law, communities up until 50.000 inhabitants can forbid prostitution/ sex work in general, communities or cities with higher

²⁵⁸ Susanne Dodillet, *Är sex arbete? Svensk och tysk prostitutionspolitik sedan 1970-talet* (Vertigo: Malmö, 2009), 549.

²⁵⁹ *Ibid.*, 549.

²⁶⁰ Prof. Dr. Nicola Döring, “Das neue Prostituiertenschutzgesetz. Wie ist es auch fachlichen Perspektiven zu beurteilen? Eine Einführung“ *Zeitschrift für Sexualforschung* (Stuttgart: Georg Thieme Verlag, 2018), 44.

²⁶¹ *Ibid.*, 44.

numbers can decide on certain time limitations and space restrictions²⁶². Potentially, the policy has room for improvement and offers good preconditions but they are not put into practice²⁶³.

European countries generally have the same goals they want to achieve through their prostitution/ sex work regulations and policies that often differ from one another. They want to fight discrimination, violence and social exclusion within the field of prostitution/ sex work and human trafficking. And while all countries want the same, Germany is often accused of supporting human trafficking through their open and supporting prostitution/ sex work policies. It is difficult to measure numbers exactly as they are mostly based on guesses and the cases that the police solved, but there are no tenable arguments, surveys or numbers that show that human trafficking has actually increased since 2002²⁶⁴.

Susanne Dodillet is not clearly speaking about the regulations in Germany but rather arguing why it is important to not decide what is best for sex sellers in general. She claims that one should be cautious to objectify sex sellers and to exclude them from the equality principles because through this they are put underneath others regarding their ability to judge and decide what is best for them and instead it is others who presumably know better what people who are selling sex need or want²⁶⁵. Instead, it is important to include their opinion into a shared policy making with the will to work against injustices together, because, so Dodillet, oppression and discrimination support the most cynical case of prostitution/ sex work. In order to achieve a sense of equality for everyone, policy making should see all people as actively acting people, make society's power structures visible and fight against poverty and other injustices. Prostitution/ sex work policies within one country should consult the other opinions of other states as well and not set itself above all others as the only best way and instead of working against prostitution/ sex work in general, politics need to take in all different aspects as it could otherwise produce new limitations²⁶⁶. A liberated sexual policy making increases the possibilities of active decisions but should not be set as an ideal, as this, again, would bring new restrictions²⁶⁷.

²⁶² Dorothea Czarnecki et.al., *Prostitution in Deutschland- Fachliche Betrachtung komplexer Herausforderungen* (Autorinnengruppe: Berlin, 2014), 20.

²⁶³ Ibid., 29.

²⁶⁴ Ibid., 30.

²⁶⁵ Susanne Dodillet, *Är sex arbete? Svensk och tysk prostitutionspolitik sedan 1970-talet* (Vertigo: Malmö, 2009), 540.

²⁶⁶ Ibid., 542.

²⁶⁷ Ibid., 546.

German politicians, Dodillet argues, think that the legalization of prostitution/ sex work itself can minimize the discrimination of them. What they do not take into account is that it does not work to think that prostitution/ sex work becomes “unproblematic” as soon as it becomes accepted by society²⁶⁸. Though, with the decriminalization of prostitution/ sex work and the supportive laws, it leaves place for different opinions to complete each other, makes it easier to focus on the abuse and violence that sex sellers have to face sometimes and opens the discussion for law-related equality to other employments such as holidays, weekends, income, insurances etc.²⁶⁹. Laws about violence and sexual exploitation protects the prostitutes/ sex workers a lot better without limiting them in carrying out their jobs and while there theoretically should be laws to protect their intimacy, the own existence of such law itself is an exploitation of their intimacy²⁷⁰. While other jobs do have guidelines on good work values that clients, workers and employees should follow, these are missing for the business of prostitution/ sex work because that itself is seen as a problem²⁷¹. This results in the situation that the laws are based on the question if prostitution/ sex work can be compatible with peoples sexual self-determination instead of contributing to a situation in which as many people as possible can have the possibility to choose themselves if they need their sexuality to be protected²⁷². Neither in Sweden nor in Germany is the question posed on how to empower freedom of movement and self-determination for sex sellers but also for those who do not want to work in this business. Not all sex sellers see their work and themselves as being exploited but all prostitutes/ sex workers can face exploitation and laws should further regulate aspects such as prices to be paid for sexual services or rent prices to protect the sellers in the best possible way. Further, Dodillet argues that laws should be established to make sure that brothels need to provide emergency buttons, the access to showers and toilets, condoms and any other health and humanity related issues so that the prostitutes/ sex workers have the same basic needs fulfilled and can work more secure²⁷³. A responsible prostitution/ sex work policy for Dodillet has two tasks: to encourage an open discussion about prostitution/ sex work and sexuality and to give sex sellers the rights they deserve²⁷⁴.

²⁶⁸ Susanne Dodillet, *Är sex arbete? Svensk och tysk prostitutionspolitik sedan 1970-talet* (Vertigo: Malmö, 2009), 550.

²⁶⁹ *Ibid.*, 550-551.

²⁷⁰ *Ibid.*, 551-552.

²⁷¹ *Ibid.*, 551.

²⁷² *Ibid.*, 552.

²⁷³ *Ibid.*, 553.

²⁷⁴ *Ibid.*, 554.

The US-American sociologist Greggor Mattson explains that the emphasize in Germany regarding the prostitution/ sex work policies “was placed on improving conditions under which prostitutes work so as to benefit those women and men who voluntarily earn their living by prostitution”²⁷⁵ which makes it a “compromise between important cultural principles of worker’s rights and protections for the vulnerable encoded in its welfare state”²⁷⁶. While it is generally legalized within Germany, it is the municipalities that decide whether prostitution/ sex work is allowed in a specific area or not, making it nevertheless illegal in many places throughout Germany, especially in smaller villages, cities or communities. Mattson argues that the intention of the law is a mixture between women’s decisions about what is best for them and “societal interests in reducing exploitation”, where prostitution/ sex work should be regarded as an autonomous decision to be respected by the law but which is typically associated with “considerable dangers and risks”²⁷⁷. Thus, German policy making does not show a clear approval of prostitution/ sex work but rather recognizes that women can decide themselves how they want to earn their living and tries to provide conditions under which exploitation can be minimized. With these policies, Germany (as well as Sweden) policy renders “prostitutes dependent upon the state for their own protection”, leaving them not as much freedom as it suggests²⁷⁸. He further criticizes the law in general, saying that the “focus on consensus to protect workers reflects the domestic context of the German welfare state that prioritizes security for worker families and minimal benefits for unmarried dependents”, which is not as gender equal as Germany tries to promote the law, because it “privileges the family as a unit of citizenship” and not the single people²⁷⁹.

In their book “Die Verwaltung der Prostitution. Eine vergleichende Studie am Beispiel deutscher, polnischer und tschechischer Kommunen”, the political scientist Prof. Rebecca Pates and her colleague Dr. Daniel Schmidt, take a closer look at the German prostitution/ sex work policies and their impact. In their eyes, the prostitution/ sex work protection law was established to improve the social as well as legal situation of the sex sellers, to take away any kind of base for criminal concomitants and to open up more

²⁷⁵ Greggor Mattson, “German Consensus for Sex Work, Compromise over Sex Business“ *The Cultural Politics of European Prostitution Reform. Governing Loose Women* (Hampshire: Palmgrave Macmillan, 2016), 98.

²⁷⁶ Ibid., 99.

²⁷⁷ Ibid., 100.

²⁷⁸ Ibid., 125-126.

²⁷⁹ Ibid., 100-101.

possibilities to find a way out of the business²⁸⁰. Even though there are different opinions regarding the different forms of prostitution/ sex work, there is no real doubt that prostitution/ sex work is, has always been and will stay part of the society, which should lead to a situation where moral judgements are no longer present²⁸¹. Nevertheless, the police are allowed to frisk people, ask for proof of their identity etc. just because this person is currently present in an area in which some form of prostitution/ sex work is being practiced²⁸². As Mattson claimed, the authors also criticized the fact that the non-tolerance zones (*Sperrbezirke*) could, theoretically, be spread over all of Germany, making prostitution/ sex work impossible to sell in the whole country²⁸³.

Brothels are often registered as some kind of hotel or places in which people can simply rent a room, leaving much space to related issues such as rent prices that are not adapted concerning prostitution/ sex work. While the current law is mainly focused on sex sellers and not on their buying clients or the people who are providing the physical space for the workers, there are many ideas for state wide regulations of laws connected to the business, the legal borders of the police force or similar issues that have an impact on the live and work of sex sellers²⁸⁴.

5.4 Conclusion

Dodillet argues that the term prostitution may be connected to negative aspects such as violence within Germany, but that this is a changeable opinion. If the German society would openly view that they do not think that prostitution/ sex work is a negative business per se, then the term would not be conceived as negative either. She herself refers to the people involved as sex seller and sex buyer, arguing that the German word for prostitute carries the passive form of someone being prostituted, as not by free choice. Prostitution/ sex work, furthermore is portrayed by Domentat as the most important social institution for sexual encounters besides the marriage and therefore plays an important role in society.

²⁸⁰ Prof. Rebecca Pates and Dr. Daniel Schmidt, "Zwischen Liberalisierung und Abolutionismus: Der Deutsche Fall" *Die Verwaltung der Prostitution. Eine vergleichende Studie am Beispiel deutscher, polnischer und tschechischer Kommunen* (Bielefeld: transcript, 2009), 48.

²⁸¹ *Ibid.*, 53.

²⁸² *Ibid.*, 51.

²⁸³ *Ibid.*, 50.

²⁸⁴ Prof. Rebecca Pates and Dr. Daniel Schmidt, "Zwischen Liberalisierung und Abolutionismus: Der Deutsche Fall" *Die Verwaltung der Prostitution. Eine vergleichende Studie am Beispiel deutscher, polnischer und tschechischer Kommunen* (Bielefeld: transcript, 2009), 55-56.

In Germany, the question if prostitution/ sex work is something good or bad is often connected to the question of morality. Even though Germany is a secular state, there is a lot of Christian influence, whose supporter rather regard it as the product of an organized international crime. It is argued though that it is wrong to always automatically connect prostitution/sex work to violence.

Although the law in Germany was set out to support the women and to give them more freedom and power over their selves, a controlling power through the government has been greatly increased through the law. The main power over the execution of the business lies in the communities as they are free to decide in which areas the business is allowed, leaving them to the power to theoretically be able to making it illegal throughout the whole country. Furthermore, the law, it is argued, does exclude the women working within prostitution/ sex work from being treated equally to other people who are working and it takes away the acceptance of them deciding actively what is good for themselves. It is claimed that the law was designed of a mixture of what is good for the women and a social interest in decreased exploitation as well as the intent to improve the access to leave the business.

While most of the presented scholars and author do mainly talk about more macro level aspects, there are some who begin to mention micro level, and therefore more individual aspects of prostitution/ sex work. Research is mentioned that deals with the reasons why women work in the business and it is supported by rather personal interviews that have been conducted with women who are still working or have worked in the field.

6. In which ways does the research cover the micro and macro level perspectives?

Lara B. Gerassi's research article provides an analysis of the different theories that have been formed by different scholars over the years and reveals which parts of the research lack empirical support and need to be further investigated. In the last two chapters, I presented different aspects of research in Sweden and Germany that show the different angles of prostitution/ sex work. Thus, this chapter focuses on the question to which perspectives the presented research can be connect to and if the issues that Gerassi names can indeed be proven. I will also discuss, if the information are available, how empirical they worked, for example if they conducted interviews with prostitutes/ sex workers and if so, with whom and with how many, what their specific statements are and if they give advice on the general handling of prostitution/ sex work or on future prospects of research.

As a declared supporter of the Swedish law, Sven-Axel Månsson positions himself in the neo-abolitionist perspective and does his research within social sciences about gender and sexuality. The macro perspective of feminism can also be detected in his work, although he does not divide the field into a liberal and a radical feminism as Gerassi does it. Applying Gerassi's division, Månsson would be categorized as a rather radical feminist as he states that the field of prostitution/ sex work, through gender roles and sexuality, reproduces the power of men over women and leads further to gender inequality. Radical feminists, as Gerassi argues, see the patriarchal system as responsible for the inequality in society and Månsson argues that while it is not a man's biological desire, prostitution/ sex work is the ultimate expression of traditional gender roles. Månssons description of the neo-liberalists can be seen equal to Gerassi's sex positivists perspective, stating that everyone should have a free choice to decide in what field they like to work in and that a person by nature has a free will. This perspective sees any kind of law that criminalizes the work as paternalistic. Within the liberal perspective, Månsson also names the functionalist aspect, which could be regarded as a theory that is rather situated on the micro level, as it deals with an individual (a man) who's need it is to be satisfied and who, if the woman at home cannot fulfil this, needs to achieve this satisfaction through someone else.

Looking at the way he conducted his research, it becomes clear what Gerassi argues about, when stating that there is not enough empirical research behind the theories. Månsson did carry out interviews and surveys in bars and clubs in the 70's within a

research he did with a colleague of his²⁸⁵. He further interviewed service people (such as people working within the health service that come in contact with the field through their work), as well as with men and women who either worked in the field or used some kind of service in the 80's, collecting more information about prostitution/ sex work on a macro level. In the 90's he then did research on how and why women stopped selling sex²⁸⁶, a point that Gerassi argues is missing in the micro level research that has empirical support.

In opposition, Petra Östergren could mostly be seen within the sex positivist perspective although she calls for a need of restrictions, such as a certain age that has to be reached for women to be allowed to work in the field of prostitution/ sex work. In her opinion, prostitution/ sex work should be a free choice and even if there can possibly be some negative experiences, the positive ones make it possible to keep working. The most important aspect, she argues, is to hear the opinion of the women themselves and to listen to what they have to say instead of speaking for them.

For her research, she interviewed and stood in contact with hundreds of sex sellers, women, men and transsexual persons worldwide, though it was about twenty female Swedish sex sellers she had the most intense contact with and whose voices can be heard in her book from 2006. Additionally, she talked to other researchers, politicians and activists and discussed several issues with them. Östergren mostly wanted to present a research from the sex seller's perspective. Although she has gathered information of some women about why they started working as sex sellers or why they stopped working²⁸⁷, there is no fully worked out theory about these aspects nor a complete research that focuses only on these questions. As Gerassi argued, there are some researchers who took a step in the direction but failed to provide enough empirical support to cultivate the micro level perspective.

Seeing the biggest part of the discourse around prostitution/ sex work in the field of feminism, Jenny Westerstrand clearly takes a feminist approach to the topic. While she explains the differences as well as some similarities between the radical feminism and the liberal feminism, she does not really take a personal stand in any of the perspectives, but rather criticizes the radical as well as the liberal feminism for different reasons. With her term of a "superdiscourse" she unites those two perspectives as well as the socialist

²⁸⁵ Sven-Axel Månsson, "Kön, sexualitet och socialt arbete- återblick på ingången på ett forskningsfält" *Socialvetenskaplig tidskrift nr 2* (2012), 116.

²⁸⁶ *Ibid.*, 128.

²⁸⁷ Petra Östergren, *Porr, horor och feminister* (Natur och Kultur: Stockholm, 2006), 165.

feminism as one discourse with the shared goal of freeing women of the oppression and violence of men and giving women more support.

For her books and articles, Westerstrand did not conduct research in the same way, the other authors presented did. As she clearly only focuses on a macro level perspective, she did not conduct any interviews with women or men who are somehow involved in the business, because her point of focus of her work was not the how's and why's, but rather a clean theoretical approach.

Contrary to the Swedish research, German research focuses far less on the division into the different perspectives such as radical feminism or liberalism, that Gerassi discussed in her article. While some of them name the same ones, their focus appears to lie more on the religious influence as well as the question of morality. It is often talked about the ethical view point of prostitution/ sex work, categorizing the active participants into "good" or "bad" women.

Not being a university scholar but rather "just" an author, Tamara Domentat has nonetheless conducted many interviews with women working in the sex business, with men who buy or bought sex as well as with people working in other projects or organizations connected to the field. In her book, Domentat does discuss some micro-level questions, such as the reasons for women to sell sex, the cliché that women start working in the field as a forced consequence and the way into prostitution/ sex work. With her interviews as sources, she even can claim a certain empirical support to her arguments, but the author does not deduce any theories from her research. It would also need to be discussed, just how much data and what kind of data would be sufficient to be called a strong and solid empirical support. Although she does not clearly state it herself, Domentat's point of view could be interpreted to lie in the sex positive perspective, as she argues in favor of the prostitutes/ sex workers being free to decide themselves what is good for them and what is not. Susanne Dodillet could also be put in the sex positive perspective even though she voices some critique towards the liberal German regulations as well. Nevertheless, Dodillet does not see an improvement through the Swedish law since it had been established.

While the German debate circles less around clear statements of the different perspectives, it seems that if research is done that can be connected to the macro or micro level that Gerassi discusses, there are more micro level issues discussed such as good or bad women or the questions of intimacy.

7. Conclusion

Prostitution/ Sex work is a very complex field, with various ethical, political, emotional and personal aspects that make it difficult to achieve a single shared opinion about it that is respected and supported by all. Coming back to the research questions that were posed in the beginning of the thesis, the answers can be summarized as followed:

1. Regarding the definition of the terms being used to describe the field or the people involved, opinions do differ not only between the two countries but also between the scholars and authors. For many, the term prostitution has a somewhat negative connotation to it while sex work on the other hand has a too positive connotation to it, putting the act in a too positive and encouraging light. It has become clear that the word prostitute is more commonly not used when referring to the women selling sex, as many connect it to negative aspects, either because it turns the women into a passive participant or because it carries negative assumptions about the women with it.

2. There is, as one can see within the analyses, not one shared opinion about prostitution/ sex work in general. What is clear, on the other hand, is that all scholars/ authors presented share the same goal of wanting women to be more protected, to have more power over their own decisions and more as well as more equal legal rights. While the judgement over the good and bad of prostitution/ sex work include different aspects, Germany does, contrary to Sweden, connect this question to morality and the Christian influence.

3. The laws in Sweden and Germany are often compared to each other as total opponents. On both sides, scholars claim that there has been a positive increase of rights for the women involved. In Sweden, some scholars claimed that the amount of prostitution/ sex work has been decreased since the implementation and it is thus regarded as positive, supported by the growing approval by the Swedish society. As it is not about decreasing prostitution/ sex work in Germany, no such claims can be done but some scholars argue for the improvement of legal rights and the overall situation of the women, while others clearly speak themselves out against an improvement but rather only for a greater control through the government.

4. Gerassi has a point in her claim that there is an especially great lack of micro level perspective theories. While the macro perspectives, the different approaches (like feminism, the political economical approach, the legal approach, intersectionality etc.) are usually presented or named, at least shortly, in all research that are presented here, there is not much research to be found about more individual, micro level, related

theories. The multiple reasons why women start selling sexual services or start working in the field, what their motives are to stay or to exit the field, how they are able to leave this work and what it means for their lives, is not sufficiently investigated.

Besides the results regarding the research questions used to analyse the different work, other different aspects have become clear in the previous chapters:

1. Swedish scholars provide far more research on different aspects of prostitution/sex work than German scholars and authors do, although there seems to be a decrease on both sides since the early 2000's. While there are some more recent works published on the Swedish side, there is nonetheless a great lack of empirical supported theories that are needed to fully understand and present all aspects of prostitution/sex work. German research is overall lacked in the recent years with close to no research, and certainly no empirical research, done.

2. All perspectives that Gerassi as well as the other researcher have presented and discussed are struggling to settle on an agreement of the regulations by which the prostitution/sex work field should be organized and ruled. Their focus lies on different aspects and each of the perspectives has an own theory on how to best coordinate the participants in agreement with other laws present in the respective country. Their overall aim regarding the direct impact of the women of all participants in the discourse is, nevertheless, the same, no matter if they allocate themselves to the (neo-) abolitionist, the liberal, or the prohibitionist perspective: They all want the women working in the field to be supported, to be safe and to achieve better conditions. They all want any kind of negative effects that are often directly connected to prostitution/sex work, such as human trafficking, force or violence of men towards women to stop.

3. Arguments that are supported by statements gained through interviews with people involved in the business, are often biased. Sven-Axel Månsson stated that every researcher should stay on a neutral ground regarding their own opinion about prostitution/sex work and Susanne Dodillet claimed that she does not put her personal opinion into her work but rather wants it to be as neutral as possible. Nevertheless, it becomes clear for all presented authors, that this is not as easily done as said. Most of the time, the interviewed people that are directly cited or indirectly used to support an argument that the researcher states, they do indeed state exactly what the researcher needs for their argument. Månsson, stating himself that he is against prostitution/sex work and therefore is part of the neo-abolitionist perspective, who conducted interviews, came to the conclusion, based on what the women said that he talked to, that women are not doing

this work by free choice. Contrary, Tamara Domentat, who is arguing in favour of a free choice and will of the sex sellers, and who does not see the need to regulate the field by such drastic laws, seems to only have spoken with women who state that, while there certainly are some negative aspects to it, they like their work and that they chose themselves to work in the field.

Staying neutral seems to be a difficult task, which only proves the point that this field is emotionally loaded. With the emotionality being present, it is further difficult to try to decide on whether prostitution/ sex work should even be called sex work or rather prostitution, whether prostitution/ sex work should be allowed without any regulations, allowed with regulations, criminalized partly or completely because there is a great amount of aspects that need to be taken into account. If recalling the theories of Haraway and Harding, it is important to keep in mind that the objectivity and neutrality of research can never be absolute and that personal influences will always take part in research. As it became clear, even the academics that claim to work neutral, are indeed influenced by their personal standpoints and it is therefore situated knowledge that they share in their work.

8. Proposals for further research

As the research has shown, especially within Germany, there is still missing a great amount of research that should be done in order to fully comprehend the field with all the different aspects. Women who need this work in order to be able to live, to have somewhere to stay during the night and to be able to get food should be able to do so, without someone judging that this kind of work is worse than another kind of work. At the same time, women who are forced to sell sexual services of any kind should be protected as good as possible and they should receive any kind of help that can be offered in order to avoid their misery. Men who are using the possibility of buying sex to act out violently and to work off negative emotions through using violence towards women should not have the possibility to do so. But, then the questions should be addressed to somewhere else. As Nicola Döring drew the comparison: If there is violence within families, one would never argue against families but rather argue for combatting the issue of violence itself, while if there is violence within the field of prostitution/ sex work, one usually argues against prostitution/ sex work instead of treating the violence itself as the issue. How can violence be reduced? How can human trafficking for the purpose of prostitution/ sex work be reduced and where are the weak points in finding and tackling the chains of it?

I suggest that these named aspects and questions should be addressed by scholars to fill in the gaps of missing research on the micro level. The ambiguity of the field makes it difficult to ever settle on a right or wrong statement but before making judgements that are then put into laws influencing many people who may be dependent on the field, there should be more empirical support for these measurements.

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