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## The Other Swedish Model

Gender, sex and culture, by Laura Agustín

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### [Trying to prove Swedish law reduces trafficking: Garbage in, garbage out](#)

August 16th, 2010 by lauraagustin

$$S(\mathbf{b}, T) = T \left( \bar{\mathbf{v}} + \sum_{k=1}^n b_k \mathbf{p}_k \right)$$

I've been researching undocumented migration and trafficking for 15 years now. My book [Sex at the Margins: Migration, Labour Markets and the Rescue Industry](#) shows how the usual generalisation of undocumented migrants as victims is a patronising first-world construct. That's not to say there is no injustice or sexism and it's not to say all migrant women who sell sex are 'happy'. Since the book was published in 2007 my blog [Border Thinking](#) has become well-known amongst people interested in an approach to migration, trafficking and the sex industry that questions many conventional ideas. Rather than engaging in repetitive ideological debates I critique research methods, media treatments, political and social-work rhetoric and any effort to squelch the voices of those involved, whether they call themselves migrants, prostitutes, entertainment workers or anything else.

Recently Swedish government evaluators said that the 1999 law against buying sex helps stop trafficking. They provided no credible evidence, which not only I but numerous other commentators noted (see earlier posts on this blog). Last week newcomers to prostitution and sex-industry issues claimed to have showed how a **statistical model** proves the Swedish law does reduce trafficking. They did it on a blog, with 'The Law and Economics of International Sex Slavery', a [working paper](#) – a term academics use when they haven't published an article yet in an academic journal. Journals send contributors' submissions out to be reviewed by people in the same field; the process, called peer review, is usually double-blind, which usually means neither writer nor reviewer know the other's name. This is not always required with a university-published 'working paper'.

The authors engaged briefly with me, [Louise Persson](#) and others on [Niklas Dougherty's](#) blog, shortly after Louise and I published an article critiquing the government's evaluation on [Svenska Dagbladet](#). Niklas

queried some of the information claimed by the authors, pointing out the egregious error they committed when accepting [erroneous Danish figures](#) on street prostitution – data that was debunked in the [Danish parliament](#) last year as well as in the media more recently. I find it inconceivably irresponsible that researchers desiring to present themselves as 'scientific' would use known false data.

On Niklas's blog (see [comments](#)), I confronted the authors for failing to recognise that the 'data' they claim to be using is inherently faulty and therefore unusable. I said

It's a fantasy to think you can talk about 'data' when there is not agreement about who is to be counted. Some counting projects call all women migrants who sell sex trafficked. Others call all undocumented migrants trafficked. Some call all women who sell sex trafficked. The numbers come from small ngos and police departments who use different definitions and often admit to being confused.

I also take exception to being given evidence from tiny, super-homogeneous places like Bergen (Norway). Nordic research is about very small places with recent, short histories of in-migration, undocumented migration being even smaller. It is misleading and silly to compare 'data' from such sites with whole large countries with long and varied migration histories.

The defensive (and inexperienced) response was to accuse me of being anti-science. This is nonsense. The principle here is known everywhere as **Garbage In, Garbage Out**: it doesn't matter how pretty your statistical model looks or what a fancy machine you have to crunch the numbers in if **the original information you put in is rubbish**, and I am far from the only one to think so. The 'science' we want to see is *honest*.

Here is the peer review the authors would have received had their working paper been sent to Paula Thomas, mathematician and statistics analyst in the UK (and if you are cowed by the language, look at the final paragraph).

## Comments on The Law and Economics of International Sex Slavery

### 1. The vector $X_i$

Only indicative information is given as to what this is. We are told (p12) that it includes population, GDP, migration share (is this immigration only?), heroin seizures and a measure of the rule of law. It would appear that there were other things in the vector but we are not told what they are.

But the main weaknesses here are threefold:-

#### (a) The use of categorical data

Categorical data is, in my view, dangerous, because:-

**(I) It imposes value judgements.**

**(II) More seriously it obscures the extent of a problem whilst appearing to clarify it.**

**(III) Is best illustrated using crime figures.** London's Metropolitan Police Service has an excellent crime mapping system. However it does have some weaknesses, and the one that is relevant here is its use of

categorical data (fortunately this is mitigated by the use of actual figures as well). My own area went from above average for residential burglary in May 2010 to low for June 2010 on the basis that there were 3 fewer crimes! Do I need to say more?

**(b) The lack of any attempt to model (Delta Trafficking), that is the change in trafficking over time.**

**(c) The lack of any clarity regarding how the weighting variables beta\_0 and beta\_1 were chosen.** In particular doubt must surround beta\_1 as it is a single weighting for a whole vector and the elements of the vector have different units, so some dimensional analyses should have been performed.

**It would be most helpful if there was a proper ‘methodology’ section explaining the processes used to get the results quoted.**

## 2. The model used

The model is a Logistic regression model the normal formula for which is:-

$$z = \beta_0 + \sum_{i=1}^n (\beta_i x_i)$$

Normally this model only applies where the data are modelled by a binomial distribution.

One question then must be is the data here binomially distributed? This is for the originators of the report to justify.

I also notice the use of a ‘normally distributed error term.’ What error is this term expressing? And how?

Another point is that the variable ‘z’ is not used directly. The probability calculation is:-

$$P(\text{event=yes}) = 1 / (1 + e^{-z})$$

**Which indicates the blindingly obvious point that trafficking is not an appropriate z.**

**The event variable z gives the probability of must be a yes or no event. Since trafficking is only yes/no on an individual basis (ie the level of trafficking is not yes or no), the model is suspect.**

*Reviewer’s probable advice to journal: Article not publishable without major revisions.*

For more on migration, trafficking and the sex industry, visit [Border Thinking](#).

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## [Swedish sex-buying statistics: What do they mean?](#)

July 29th, 2010 by [lauraagustin](#)



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We live in times where crime statistics are often used to try to prove some social theory or another. Swedish police have just announced that lots more people were caught buying sex in Sweden this year. Those who *dislike* Sweden's law against buying sexual services might be tempted to say that these statistics on increased buying somehow prove that the law is dysfunctional (which might suggest it should be scrapped, for instance). Alternatively, those who *like* the Swedish law might say that these statistics prove that the problem of men buying sex is much huger and scarier than anyone knew before (which might lead to the conclusion that the law should be strengthened, for example). Both guesses would like to *correlate* two facts but do not prove any cause-effect relationship.

Does the increase mean more people are buying or selling sex? No. **It means the government has injected a large amount of money into trying to find** customers, pimps, networks, websites and traffickers involved in sex markets. The same happens with any social phenomenon when there's an influx of money to investigate: investigators find *more*, which is often interpreted as uncovering a new, more sinister reality.

Swedish police themselves reject any such interpretation. Note, too, that the Skånian statistics are ascribed to surveillance of the Internet that police hadn't carried out before.

### [Big increase in prostitution reports](#)

27 Jul 10, *The Local*

During the first half of 2009 a total of 148 people were reported for paying prostitutes for sex. The number for the same period this year was 770. A large part of the rise – 430 cases – was due to the discovery of a major prostitution ring in Jämtland county, north-western Sweden. But even when these cases are discounted, the figures had more than doubled.

But police said the dramatic increase was **probably not due to a sudden rise in the number of men visiting prostitutes**. Rather, they credit **increased measures to tackle prostitution and human trafficking**. **An extra 40 million kronor has been allocated this year** to pay for training and strengthening of the police's operations against the sex trade. "The figures are absolutely a result of the fact that the police have been given the means to dive deep into this," said Chief Inspector Kajsa Wahlberg, who advises the government on human trafficking issues.

The national pattern was reflected in Sweden's major cities. **In Skåne**, which includes Malmö, some 20 cases of paying for sex were reported during the whole of 2009. So far this year, 50 cases have been reported.

There, **the extra money has been used to increase internet monitoring of the sex trade**, which has resulted both in more reports of people paying for sex and in a fall in street prostitution.

Västra Götaland, which includes Gothenburg, also saw a big increase in reports: “I wouldn’t say that everything is hunky-dory. But it’s a big increase and it’s clear that we can be pleased with the good results,” said Mats Palmgren, deputy head of the police in greater Gothenburg.

For more on the sex industry, laws and police actions see [Border Thinking](#), where I blog several times a week.

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## [Smoke gets in your eyes: Evaluation of Swedish anti-prostitution law offers ideology, not methodology](#)

July 19th, 2010 by lauraagustin



[Louise Persson](#) and I have published a piece in *Svenska Dagbladet*, one of Sweden’s major national newspapers. The topic was the government’s report evaluating the law against buying sex, *sexköpslagen*, issued recently and unsettlingly un-commented and uncritiqued in the mainstream media. There were ‘news’ stories, of course, reproducing the government’s line – publicity claiming the law has been proved successful. Given the very lively culture of debate in these same media on every other topic, the silence is noticeable. And given the unquestionable existence of a liberal/libertarian movement that hates the law and its ideas about sexuality and gender equality, one wonders what’s at work here: A genuine taboo? Gender equality such a sacred cow that everyone chooses to keep quiet about the report’s mediocrity? Sweden isn’t a police state and surveillance is low compared with the UK, for example. Critical blogging has been brisk, so what makes mainstream media commentators avoid criticising this evaluation, not on ideological grounds but because it is so badly done that it proves nothing at all?

That’s what we wrote about, the embarrassing lack of evidence to prove the law has had any impact at all on

the buying and selling of sex. **This is not an ideological argument; it doesn't prove that the law is no good; it proves that the evaluation is no good.** Significant because the world's peabrained media have picked up the claim – *Swedish Law Giant Success* – without reading even the [English summary of points](#) that make it crystal-clear that **evaluators couldn't find any evidence of anything.** That's the story, and it's one any researcher will appreciate!

The original is [Tvivelaktig rapport om sexköp](#), Laura Agustín och Louise Persson, *Svenska Dagbladet*, 15 July 2010. Our own title was better, but it'll be a cold day in hell when editors don't think they can improve titles. Here's the English translation Given a very small word limit, we could only mention key issues in a barebones fashion. **More background and commentary at [Border Thinking on Migration, Trafficking and Commercial Sex](#).**

### [Doubtful report on sex-purchase law](#)

Laura Agustín and Louise Persson, 15 July 2010, *Svenska Dagbladet*

*Sex crimes go down in Sweden:* The new evaluation of the law against buying sex is spreading the message round the world, but the report suffers from too many scientific errors to justify any such claim.

The report was delayed. It is hard to find evidence to explain why one can't see sex workers where one saw them before: Have they stopped selling sex, or are they doing it somewhere else? Stigmatised and criminalised people avoid contact with police, social workers and researchers.

Street prostitution receives exaggerated attention in the inquiry, despite the fact that it represents a small, diminishing type of commercial sex that cannot be extrapolated to all. The inquiry mentions the difficulty of researching 'prostitution on the internet' but appears not to know that the sex industry comes in many different shapes being researched in depth elsewhere (escorts without websites, sex parties, strip clubs, massage parlours, students who sell sex, among others).

The report's conclusion that the law has decreased prostitution is based on police reports, government-funded groups working on prostitution in three cities, a few small academic studies and comparisons with other Nordic countries. But police only encounter sex workers in the context of criminal inquiries, the funded groups mostly meet sex workers seeking help, small studies can only indicate possible trends and the Danish statistics on the number of 'active' street workers – used to show that Sweden's prostitution is less – were [publicly shown to be very wrong](#) eight months ago.

The law is claimed to have a dampening effect on sex trafficking, but no proof is offered. Trafficking statistics have long been disputed outside Sweden, because of definitional confusion and refusals to accept the UN Convention on Organised Crime's distinction between human trafficking and human smuggling linked to informal labour migration. The report claims the law diminishes 'organised crime' without analysing how crimes were identified and resolved or how they are related to the sex-purchase law.

All social research must explain its methodology. An evaluation like this one needs to provide details on the sample of people consulted, since even in a field as small as Sweden's no study can pretend to speak to everyone. Methodological research norms require explaining how informants were consulted, under what conditions, what questions they were asked and how, what ethical apparatus was in place to help guarantee they gave their true opinions, how a balance of different stakeholders was achieved, how many people refused to participate, and so on. In this report, however, the methodology section is practically non-existent.

We know nothing about how it the evaluation was actually carried out.

On the other hand, the report brims with irrelevant material: background on how the law came about, Sweden's history with gender equality, why prostitution is bad, why international audiences are interested in the evaluation and how many Swedes are said to currently support the law. One single sex worker's sad personal story takes up three pages, while the account of sex workers' opinions is limited to the results of a survey of only 14 people of which only seven were current sex workers.

Research must try for some kind of objectivity, but the government's remit to the evaluation team said that 'the buying of sexual services shall continue to be criminalised' no matter what the evaluators found. The bias was inherent.

The Swedish government understands that the law is of interest internationally as a form of crime prevention. What they don't realise is how, when the report is translated and reviewed, the methodological errors and crude bias will cause researchers in the field to dismiss this evaluation.

The international trafficking debate has moved beyond the simplistic position presented in this report. More humility is needed from a small country with little experience of, and research about, undocumented migration and the sex industry. If one wants to present oneself as occupying a higher moral ground than other countries, one needs to do better work to understand complex questions. This evaluation tells us nothing about the effects of the sex-purchase law.

*We offered sources on the topic of flawed research not supporting extravagant claims in this field, but editors omitted them.*

Socialstyrelsen. 2007. [Kännedom om Prostitution](#). Another Swedish government report from just a few years ago that concludes little can be known about prostitution in Sweden:

Folketingets Socialudvalg, [20 november 2009](#). Socialministerens endelige svar på spørgsmål nr. 37 (SOU Alm. del). Question in Danish parliament about incorrect figures claimed for street prostitution.

IOM-SIDA. 2006. [Trafficking in Human Beings and the 2006 World Cup in Germany](#). Swedish-funded research finding trafficking claims unsubstantiated.

BBC News Magazine. [Is the number of trafficked call girls a myth?](#) 9 January 2009.

United States Government Accountability Office. July 2006. [Human Trafficking: Better Data, Strategy, and Reporting Needed to Enhance U.S. Antitrafficking Efforts Abroad](#).

Les Carpenter. 2010. [Debunking World Cup's biggest myth](#). *Yahoo News*, 10 June.

Svenska **utdrag från [Tvivelaktig rapport om sexköp](#)**

Laura Agustín och Louise Persson, *Svenska Dagbladet*, 15 July 2010

Den nyläppta utvärderingen av sexköpslagen sprider budskapet att sexbrotten minskar, men utredningen är behäftad med alltför allvarliga vetenskapliga fel för att man ska kunna hävda att lagen är framgångsrik.

Rapporten om sexköpslagen försenades. Det var svårt att hitta bevis som demonstrerar anledningarna bakom

varför man inte ser sexarbetare där man sett dem förut: har de slutat sälja, eller har de flyttat någon annanstans? Stigmatiserade och kriminaliserade aktörer undviker kontakt med polis, socialarbetare och forskare.

. . . En grundprincip för forskning är att sträva efter objektivitet, men regeringens direktiv var: ”En utgångspunkt för vårt arbete har varit att köp av sexuell tjänst fortfarande ska vara kriminaliserat.” Det skapar läge för en partisk inlaga. . .

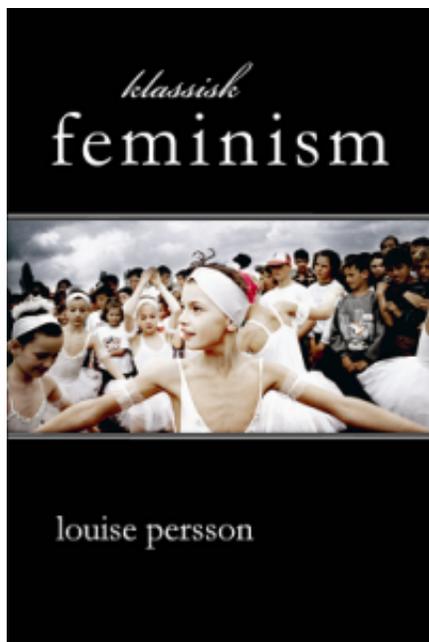
Vill man presentera sig med en högre moralisk nivå på den internationella arenan, krävs bättre underlag och förståelse för komplexa frågor. Den här utvärderingen säger oss ingenting om lagens effekter.

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## [Behind the happy face of the Swedish anti-prostitution law](#)

July 5th, 2010 by lauraagustin



Wherever I go, wherever I live, I always meet people with critical, original and non-conforming views, and Sweden is no exception. Today's special post comes from Louise Persson, whose [book on 'classical' feminism](#) came out last year and who has been blogging at [Frihetspropaganda](#) since March 2004. Her allegiance is to libertarianism, and she likes to call herself an activist. A longtime critic of the Swedish law criminalising the purchase of sex, Louise wrote the article below about the report on the government's evaluation of the law, which was published on Friday. Links to numerous other Swedish critiques of the inquiry and report are at the end: many Swedes don't like the law, but, since the government treats it as a symbol of Swedishness, these voices are rarely heard in public forums. Remind anyone of other governments we know? Re-posted from [Laura Agustín's Border Thinking](#).

### **Behind the happy face of the Swedish anti-prostitution law**

## Or, the success that is the Swedish sex-purchase law, or maybe not . . .

Louise Persson, 3 July 2010

*'We don't work with harm reduction in Sweden. Because that's not the way Sweden looks upon this. We see it as a ban on prostitution: there should be no prostitution', [said governmental inquirer](#) Anna Skarhed smilingly to the journalist attending the press conference on the [release of the report on an inquiry](#) meant to evaluate the effects of the sex purchase law [but not to question](#) the law itself. And later: *'Harm reduction is not the Swedish model.'* ([long English summary](#) pp 29-44, or [key excerpts in English](#) ).*

Skarhed went on to say that prostitutes – women – are not marginalized. There are some who claim that, but 'We don't see that'.

**The statement about harm reduction is highly interesting.** A harm-reduction framework stands in opposition to moralistic laws, but Skarhed refused to acknowledge the law's moral character, presenting it as merely a 'ban' on unacceptable behaviour. It isn't really true either, that there is no harm reduction here. Sweden may be restrictive and repressive against users of illicit drugs and buyers of sex, but there are some pragmatic – harm reduction – programmes in Sweden. One might imagine that an expert on law appointed by government as an independent researcher would have some insight into the difference between pragmatism and ideology. *You cannot assess the effects of the law without any understanding of harm reduction, it's like assessing everything but the effects on the people involved.*

**The report's claim that sexworkers are not marginalized is bafflingly arrogant,** ignoring what many sexworkers say about how the law increases stigma and therefore their marginalization in society. [See this video with Pye Jakobsson of Rose Alliance](#), as an example.

**As a longtime critic of the law, I had low expectations,** but this I didn't expect: An astounding absence of objective and unbiased guiding principles, a lack of solid evidence and a confusing methodical picture that could mean outright guesswork. All the report's conclusions are therefore questionable. I was prepared to focus on the fact that Skarhed wasn't allowed to freely criticise the law, but the report itself is a worse problem. Now-familiar self-congratulatory references to Sweden's higher moral ground compared with other countries are not missing: here the law is ascribed an almost magical power to eradicate patriarchy and sex trafficking, both.



**‘Sources’ are mentioned**, but absolutely nothing is explained about methodology. *Sources* mentions persons and organisations talked to, including [ECPAT](#) (although the child aspect of the law evades me) but there is nothing about how interviewees were chosen, why they were relevant, what questionnaire was used or how interviews were analysed.

**Sexworkers themselves are listed as sources**, but they seem to have been forgotten until quite late. They are called, in a discriminatory manner, ‘exploited persons’ (p. 126-127). A total of 14 persons from two organisations filled out a questionnaire: about half were active sexworkers from [Rose Alliance](#), the other half former sexworkers from [PRIS](#). The findings from this research were a foregone conclusion anyway: active sexworkers are said to be unaware of their own exploitation and former sexworkers to be happy with criminalisation. The similarity is striking to the feminist idea that all women in prostitution need to be rescued and liberated. What Skarhed doesn’t mention is that PRIS’s very few members had already declared themselves in favour of the law. Rose Alliance, also a small organisation, have been critical of the law, but at least they made the questionnaire available online to any sexworker who wanted to participate. Few found it worthwhile, unfortunately.\* The issue here is that it is inappropriate to take two small, local organisations and claim they represent all active and former sexworkers.

**Maybe suspecting the report will be taken as the ridiculous rubbish it is**, Skarhed chose to publish a long, personal, heart-rending ‘story’ of one unhappy former prostitute. The implicit (ridiculous) rhetoric aimed at anyone criticising the law is ‘Hey, are you in favour of this suffering?’ But this strategy won’t hold up, because Swedes know that all sex workers are not miserable. Where the text says ‘people with experience of prostitution have complex needs’ (p. 93), Skarhed actually refers to this single story, as if all sex workers can be lumped together as miserable victims?. The text itself was written by PRIS, another indication of the report’s political agenda.

**Moreover Skarhed claims** (in chapter 4.3) that, on the one hand, they haven’t a clue about how many sexworkers there are in Sweden, and, on the other, that the law has successfully reduced street prostitution by 50%. But she also said the increase of services offered on Internet sites is no different from nearby countries’.

from which she concludes fuzzily that this shows that the law has not contributed to any increase in ‘hidden’ prostitution. This is clearly an attempt to head off arguments from the law’s critics. The only actual conclusion is that the decrease of street prostitution in Sweden is a real decrease resulting from the law. Causation by confusion? It is indeed remarkable what conclusions can be drawn based on not having a clue, i.e any figures, a point already noted in another government [assessment of prostitution in Sweden](#) in 2007 (Socialstyrelsen-National Board of Health and Welfare).

**Maybe there is a state of mind that can explain this.** Skarhed stated at the press conference that the conclusions were obvious and the material gathered justified drawing them.

I think that these are quite obvious conclusions. But the important thing for the inquiry has been to try to, so to speak, get the basis for being able to draw them. And this is how we have worked.

That is a statement which in itself should raise serious questions about the methodology and empiric usefulness of the inquiry. The report also says (and this is the closest we get to a discussion of methodology):

The empirical surveys that have been carried out have, in some cases, had limited scope, and different working procedures, methods and purposes have been used. In light of these and other factors, there can at times be reason to interpret the results with caution. However, despite these reservations, we still consider that it is possible to draw conclusions based on the material to which we had access, and the results we are presenting based on this data give, in our view, as clear a picture as is currently possible to produce.

**Another explanation lies probably**, and most importantly, in the government’s original directive to Skarhed: the objective was to *evaluate whether the law has had any deterrent function*, which was the original ambition behind the law, and to recommend how it could be strengthened to meet that ambition. The directive stated that the law is important and that *the inquiry could not suggest, or point in any direction other than, that buying of sex should be criminalised*. Therefore, whether the law has been up till now a failure or a success, the only possible conclusions were *either* strengthening enforcement *or* leaving the status quo.

[Academic work](#) criticising the law from [Susanne Dodillet](#) in 2009 is merely mentioned in the reference section; nothing is noted about her findings in the report itself. The same applies to [Petra Östergren](#), who pioneered a critical study and [book](#) in 2006 about the sexual moralism surrounding the kind of feminism that lies behind the Swedish law. Both are indirectly brushed off in a comment saying it is irrelevant to distinguish between forced or voluntary prostitution (p. 15). By including these books in the reference list but not actually addressing their criticism the report can, of course, feign impartiality without actually bothering to be impartial.

**The evaluation’s task was to suggest possible changes to the law**, and that is accomplished by proposing to raise the maximum penalty for clients of sex workers from 6 months to one year of imprisonment. Another suggested change was to grant sexworkers compensation as victims, which is currently not the case.

These changes in penalties would bring the law into line with those applied for violent crimes such as beatings, fitting exactly the radical feminist ideology that prostitution is a form of violence against women. The idea to compensate sexworkers as victims of violence was originally Catharine MacKinnon’s, thus far only supported in Sweden by the Swedish Feminist party (they published on [newsmill](#) together with MacKinnon in 2008; my Swedish response [here](#)).

Skarhed's recommendations raise serious questions about her status as an objective observer. The fact that the quality of the inquiry was so poor makes it even more important to raise them.

With all that said, the inquiry does have one more point of interest that should be addressed.

**It is claimed that trafficking for sexual purposes has been affected by the law.** Yet again, this is based on the 'notion' (what people think and claim) that Sweden is not attractive to traffickers. This may very well be true, but the report does not ask *how* the law might have had this impact, with some historical comparison, since we don't know whether Sweden ever was attractive before. The same kind of question applies to prostitution, but that would raise the need of hard figures, not easily obtainable in a country where prostitution is, in practice, criminal.

**The inquiry now goes into a referral process, to get different opinions before making any decisions for a change of law.** I hope the organisations, experts and authorities who are to assess the report see it for what it is, an ideological work in compliance with a preordained political stance (to ban a phenomenon), not a sound and helpful instrument for assessing the real effects of the law.

*\* I asked Pye Jakobsson, president of the Swedish sexworker organisation Rose Alliance, about her contact with the inquiry. She says they were sent a questionnaire last January and put in online, but very few sex workers took an interest in filling it out, because the questions were 'idiotic'.*

### **Other critiques in Sweden so far**

An academic project on prostitution, [NPPR](#), published a careful assessment of the report (in English), calling it *endless fodder for proponents and critics of the ban alike to continue trading claims and counter-claims as to what the ban has (and has not) achieved since its implementation*. A perhaps needlessly neutral way to say that it isn't that hard to see the flaws. Other independent views from [Hanna Wagenius](#), [Niklas Dougherty](#), [Sanna Rayman](#), [Per Pettersson](#), [Greta](#), [Magnus Brahn](#), [Hans Egnell](#), [Emil Isberg](#) and undoubtedly others as the days go on. Best title is Helena von Schantz's: [Practically Evidence-Free Inquiry](#).

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## **[Women are not children – remember? Flawed ideas about improving the sex-purchase law](#)**

June 17th, 2010 by [lauraagustin](#)



Much of my work revolves around prostitution law, sex worker rights and the cultural study of commercial sex: see [Border Thinking](#), where I blog several times a week. I wrote the following piece after some people in Sweden welcomed a parliamentarian's suggestion that Sweden change to a regulatory regime that comes from the 19th century.

### Women are not children – remember? Flawed ideas about improving the sex-purchase law

Does sexköpslagen, the law against buying sex, work or not? Everyone wants to know. [Camilla Lindberg](#) is right that talking about the possibility that the law does *not* work is taboo in Sweden. The government's official evaluation of the law has been delayed, probably because it has not been easy to find evidence to demonstrate the reasons behind *an absence*. That is, you may look around and not see sex workers and their customers where you did before. But you cannot know whether they have stopped buying and selling sex or, if they have *not* stopped, where they have gone.

Evaluators will question police and social workers, and maybe get to speak to a few sex workers, but none of these can give an overview of sex markets that operate via private telephones and the Internet, in the privacy of homes and hotel rooms. And evaluators certainly cannot say *how many people* are doing what. Street prostitutes are estimated in some countries to constitute less than ten per cent of all sex workers, so, even if there are few left to see, 90% are unaccounted for. When businesses that sell sex are outlawed, they hide, so government accountants are unlikely to find them – and, after all, many are just individuals working alone.

But if we want to discuss the whole sex industry more openly, we should not focus on the concept of brothels, as Lindberg suggests – particularly not on the idea of health checks for workers. This 19<sup>th</sup>-century French idea could not be more patriarchal and thus the very opposite of *jämställdhet*, sexköpslagens guiding principle. Basic common sense tells us that, if disease-transmission is a concern, *all* parties exchanging fluids have to practice safer sex – not 'be checked'. And although laws in the Netherlands, Germany, New Zealand, Nevada and parts of Australia allow and regulate brothels as one form of commercial sex, many people who sell sex in those countries prefer to work on their own, in small groups in flats or – yes – on the street. In [France, organised sex workers](#) vociferously oppose a proposed return to the old system of *maisons closes* with health controls that stigmatise prostitutes as (female) carriers of sexually-transmitted diseases.

Draconian legislation does not make sense because no single law can do justice to everyone who sells and buys sex, whether they are Swedish, other European citizens or migrants, and whether they are women, men or transgendered. The [enormous variety of jobs](#) and personal histories involved cannot ethically be reduced to ideological categories: neither *free* nor *forced* describes the complicated life histories of most people who sell

sex. Neither *exploiter* nor *violent* describes those of all people who buy it.

After 15 years of studying the variety and multiplicity of the sex industry and the social conflicts surrounding it, I do understand the utopic vision behind sexköpslagen: a desire that commercial sex would simply go away, that men and women would have equal opportunities, power, money and everything else – and that everyone would have good sex. Whether such a utopia can be achieved through legislation I personally doubt; sexual markets have shown themselves to be extremely tenacious over history and efforts to prohibit particular sexual behaviours have not prospered.

Debates about legislative models focus on a simplified idea of prostitution and date from times when women were seen as subordinate, when men were allowed to control their destinies and when disease was conceived as someone's fault. All such ideas are now passé. Women are understood to be autonomous actors, with responsibility for their actions. Sexköpslagen conceives of one group of women as inferior and needing protection. Lindbergs brothels conceive of them as needing to be specially controlled. But neither are adequate ways to think about the diversity of people involved – and when it comes to safety not everyone wants to be protected the same way.

Sexköpslagen was envisioned as a way to legislate *jämställdhet* – 'send a signal' about what is right and wrong in sexual relationships. The problem is it requires *all women* to feel the same way about sex. Nowadays, arguments about sexual behaviour revolve around rights, the idea that people can choose for themselves what activities they want to engage in and with whom. As we come to understand the enormous diversity of sexual desire, so we need to accept that, for some, money has no special ability to ruin the experience. Everyone doesn't feel the same way about sex: it's an anthropologist's truism but nonetheless true.

For those interested in women's rights, the question is how to promote the autonomy of *as many women as possible*, not the achievement of laws that embody some correct ideological stance.

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## [Good sex, equal sex: Who has the best sex?](#)

January 11th, 2010 by [lauraagustin](#)



**Feminists have better sex** is the latest [catchphrase](#) from Sweden's feminist political party, [Feministiskt Initiativ](#). That's right, people supposedly interested in personal and class liberation sound as though they are engaged in a one-up-manship that says *Our way of living is better than yours*.

People who are alienated by this sort of stuff dismiss and hate feminism. Some years ago, I came to terms with the fact that there are different sorts of feminism. That is, many people who call themselves feminists believe in different, and sometimes opposing, ideas. I don't see much future in endless battling about what 'correct' feminist values are. But this supposedly feminist claim about better sex is provoking.

One aspect of traditional value systems many dislike is how hierarchies are used to rank every aspect of life: grades, ratings, point systems all show how some people are better than others. Everyone can't excel, many feel inferior and it all takes up too much time and energy.

It's hardly significant that I don't like FI's catchphrase. But I wondered about the research that supposedly backed up the 'better sex' claim. Written by two psychologists at Rutgers University, Rudman and Phelan, the article is called 'The Interpersonal Power of Feminism: Is Feminism Good for Romantic Relationships?' The quantitative survey research asked participants to consider three items about sex: *My relationship is sexually satisfying*, *The sexual side of my relationship could use improvement* and *How often have you considered having a sexual relationship with someone other than your partner?*

The basic finding was modest: 'Contrary to popular beliefs, feminism may improve the quality of relationships, as opposed to undermining them.' A measured conclusion hardly substantiating FI's catchphrase and Schyman's claim in her article [Lycka kräver reservationslösa relationer](#) (Happiness requires unreserved relationships).

[Elin Grelsson](#) responded in *Expressen* that the FI campaign sets up a new set of ideals for everyone to feel inadequate about, another demand that we live perfect lives. State Feminism tends to produce rigid, utopian formulas proclaimed the only proper way to live. [Schyman and Svärd](#) objected and agreed that they know sexual satisfaction comes in many forms. But their reply's title still uses the phrase 'better sex', continuing the same old idea that some sexual experiences are superior to others. Which is not what the authors of the original research said.

In fact, it's impossible to measure sexual relations, so we can't know who has good ones and who does not. The surveys mentioned simply asked people to say whether or not they felt satisfied. People who say they never enjoy sex, or it always hurts or disgusts them, are probably not having the same experience as people who say they always enjoy sex. On the other hand, maybe they *are* having the same experience but *evaluate* it differently (yes, it's thorny).

But most people's experiences fall between the two extremes: sometimes they enjoy sex and sometimes they don't. There isn't any formula for good sex: even someone who has managed to figure out what pleases her or him and how to achieve it has different experiences on different occasions. Too much to eat or drink, a bad day at the office, a thrilling film: all have the capacity to change how we perceive an experience that is, on the face of it, 'the same' as the last time. Sex education and sex therapy are forced to rely on descriptions of acts, diagrams of bodies and formulae about consent – as though always asking people if they want things were proof that all is well.

The term Gender Equality is usually used as though its meaning were obvious. Nowadays, equality in its

most general sense is widely agreed to be a good idea; we believe human beings ought to enjoy equal opportunities to live, work and progress. In the abstract, it doesn't seem difficult, but problems appear when we consider sex. Proponents of Gender Equality have a hard time understanding that people can consent to activities that don't *sound* equitable (always being the 'bottom' or 'top' in sexual relations, one person having fewer orgasms than another).

Equality has more than one meaning: on the one hand, equivalency in value or status, with the idea of achieving balance; on the other, sameness and likeness. It is easier to see equality when things appear alike. But, as we know, people who seem alike end up being different in all sorts of ways – physical, mental, of ambition, of desire. The challenge is how to achieve equality and at the same time value human difference.

In Swedish, *likhet* refers to equality before the law as well as general similarity and likeness. *Olikhet* is its opposite, and although *olika* things are usually understood simply to be different, more than one Swede has told me that unlikeness carries within it the notion of inequality. If that's true, then a hierarchy is always present, some things considered more valuable than others. If difference implies a hierarchy then the achievement of equality becomes very hard indeed.



How can you have equality between apples and oranges? You can say they belong to the same food group and show all the qualities they have in common compared to other foods. But they don't have the same taste. But you can say that they are alike in size and roundish shape and fleshiness. But then there are the differences. You have to peel one of them to eat it. That's rather a disadvantage, but you can make it into an advantage by pointing out that it bruises less easily. You must face the fact that some people think one is delicious and the other not. Some people don't like the colour orange. One can be cooked whole with some success while the other cannot. They have different assortments of vitamins and minerals.

Similarly, men's and women's bodies are different. You can declare both to be of equal biological value and both necessary to reproduce. You can argue that women are more powerful and interesting because they incubate and give birth to babies or that they are weaker because they have sometimes debilitating monthly menstruation. You can see men's genitalia as marvellously external and knowable or women's as fascinatingly internal and mysterious. You can say that liking to look at or touch one or the other is a matter of taste. Or you can object to the dichotomy man/woman, pointing to the fluidity of gender identities and the ambiguities of many bodies. In this case, when you talk about equality you have to face a much more complicated array of possibilities.

My point here is not to make an exhaustive list of contradictions in order to suggest that equality projects are useless. But the idea of equality has to be questioned when it comes to sex, and any notion of judging

equality by likeness, or sameness, has to be avoided (as [Anna Svensson](#) says in a discussion of the problems of State Feminism). Theoretically, a feminist outlook ought to be interested in uncovering the variety of feelings and thoughts for the sex that has long been subordinate. If you believe that most women, across the board, have been oppressed into a limited range of tasks, roles and expressions for most of history, almost everywhere – a truism – then a good step forward is to find out what women want and like, give them space to see where they would like to go before declaring some tastes unacceptable.

It is counter-productive, when women's movements are still young and fumbling, to have institutionalised experts claiming to know what's best for all women. That way, we get yet another hierarchy to substitute for the oppressive one we're attempting to change. State Feminists, encouraged to believe they speak for everyone, condemn or marginalise everyone who doesn't agree with them. The principle should be allowing space for people to discover themselves, not decreeing them into silence. This will take some time.

Laura Agustín writes several times a week at [Border Thinking on Migration, Trafficking and Commercial Sex](#) and is author of *Sex at the Margins*, Zed Books 2007.

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## [Violence Against Women: Too much of a bad thing](#)

November 10th, 2009 by [lauraagustin](#)

It might sound odd to talk about silences on the topic of gender equality in Sweden, since discussions of it seem to run non-stop. But that is how hegemony works: a constant bombardment of words, most of which reiterate the opinions of a single powerful group. Differences of opinion are usually quibbles over details to a central idea that's accepted as being indisputable because it's supposed to be *normal*.

Gender equality in Sweden is a perfect example. Voices that want to question its foundations are not heard, which is what Maria Abrahamsson, a veteran editorial writer for *Svenska Dagbladet*, meant when she said that '[open discussion](#)' is missing about certain aspects of gender law and policy.

Some of what you hear from state feminists refers to assuring that women are represented in government and paid as well and have the same opportunities to work as men, and that men have the same opportunities to be good parents that women do. These are the policies for which Sweden ranks highly compared with most other countries. When the word *jämställdhet* is heard here, chances are that the details of these issues are being discussed. I say details because the policies have been in place for some time, and no one questions the need to make citizens in general more 'equal' in a democratic-type society.

The problem is that much of what state feminists say centres around the concept of Violence Against Women (*våld mot kvinnor*, often referred to as *kvinnofrid*, the legal protection of women). The mantra is '*We have a big problem with violence against women*'. Repeated over and over, it becomes a truth difficult to break into questionable pieces, rather providing a reason for endless conversations about how to stop men from committing aggressions against women. A point of view that says 'Wait a minute, *all* those things you're talking about shouldn't be called violence!' is rarely heard in public discussions.

It's not that people in Sweden, feminists and non-feminists alike, never discuss this exaggerated notion of violence in bars, cafes, emails, blogs and occasional seminars. The issue is that the basis of policy, the quite extreme definition of violence and the reductionist idea of what's 'good for women' is so rarely questioned in any visible, public way, whether the mainstream media or parliament. And by questioning I don't mean the occasional online article with its cloud of comments; I mean a sustained conversation.

Violence Against Women (often known in English-speaking countries as VAW) is problematic when it relies on the idea that women are always, innately weaker than men. More than physical strength is at stake, although the words heard most are abuse, assault, battering. VAW has come to signify different sorts of coercion, threats, and moral strangleholds men are conceived as *naturally* committing on women, just because men are born that way. Women's bodies are conceived as inherently vulnerable to men's invasion and use, which oddly *doesn't* produce a demand that women be granted full autonomy over their own bodies.

Partial autonomy is granted: women shall be allowed to have abortions and be listened to when they say No to sex. These are great as far as they go. But on other issues, women's bodies are conceived as objects for government policymakers to decide about: a contradiction that drives many women, the world over, round the bend. Gender policy is also problematic when it assumes that women are innately better than men – kinder, more peaceful, more capable of love, less capable of violence, preferring certain forms of balanced, meaningful sex.

Louise Persson's blog [frihetspropaganda](#) is the best place I know to hear the other point of view in Sweden. Blogging since December 2003, Persson is the author of [Klassisk Feminism](#). Discussing an H&M advert that showed a woman wearing underwear in her home, which one state feminist, Gudrun Schyman, not only denounced as soft porn but also equated with hard porn, prostitution, trafficking and slavery, Persson complains that Schyman presumes to speak for All Women. In the case of the underwear advert, we can ask: What about women who *want* to wear sexy lingerie at home, or be photographed wearing it, or make money being photographed wearing it or wear it as a prelude to selling sex?

It was a rare occasion the other night when [Aschberg](#) brought Abrahamsson together with Schyman to discuss how gender-equal Sweden is. Abrahamsson said yes, Sweden is gender-equal, especially relative to the rest of the world, and would like to stop talking about *jämställdhet* and switch to *jämlikhet* – another word for equality that hasn't got the baggage of gender and sex. Schyman said no, Sweden isn't gender-equal and, interestingly, complained that she has no one to discuss the problem with. (Would she like to talk with the model in the H&M ad?)

I've got questions about the idea of equality in the first place. Must it mean sameness, exact balance, symmetry? Especially in the area of sex and bodies, that will always be impossible. The core complaint against Sweden's version of gender equality is that the diversity of women's mental, spiritual and sexual desires is not recognised and that women who conceive of their bodies differently, who feel empowered in other ways than VAW hegemony recognises, are ignored.

This difference of vision is the subject of exhausting, resource-wasting battles all over the world – which I wrote about some years ago under the title [Utopic Visions or Battle of the Sexes?](#) The conflict, if possible, has only grown more venomous since then. How is it that Sweden, with its cultural value on avoiding conflict, can reconcile causing so much of it?

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## [The pleasures of dissent: Not?](#)

October 28th, 2009 by [lauraagustin](#)

At a drinks reception not long ago I referred nonchalantly to the fact that Sweden is supposedly the world's most gender-equal state. A shiver was felt; eyes rolled. Had I said *supposedly*? Was I actually questioning Sweden's version of Gender Equality – *jämställdhet*? That, it seems, is practically taboo in Sweden.



A spate of articles on 'the Swedish model' appeared during the recent US debate about health care. The term usually refers to a generous welfare state funded by high taxes that is not 'socialist' but free-market: tricky. But another aspect of Swedish government and culture captures the imagination of many round the world: contemporary gender policy, ideas about sex and equality. According to several important statistical indicators, Sweden leads the way in promoting equal rights between women and men – important achievements. But in other ways that can't be captured by statistics the picture is not so clear. There are doubts and disputes, and those happen right here inside Sweden – not to mention between Swedes wherever they live, as [Anna Anka](#) bizarrely showed.

The word *consensus* is often used to describe how issues like gender equality are understood in Sweden. This has bothered me because the word seems to imply that all Swedes have participated in marxian study groups to discuss social questions in depth and come to reasoned general positions. This is not the case: Gender policy is government policy, no more and no less, even if it was the cornerstone of Social Democratic government at its shiningest hour. There *are* Swedes who feel that this policy has become a rigid ideology that goes too far, but their opinions are rarely seen in the more highly respected mainstream media. This means that most people in Sweden don't know there are disputes and may frown heavily when hearing them. This is too bad, because the issues are thorny, interesting and worthy of public debate.

By saying that, I clearly reveal my own bias towards interesting disagreement that can push us forward to new ideas. In the many countries and cultures I've lived in, differences of opinion are viewed as potentially *productive*. Even outright dictatorships believe that, which is why they forbid free speech. In Sweden, however, I am told again and again, conflict is considered *negative*; the goal is to coexist together agreeably. *Vara sams*: to be on good terms. *Osams* is bad: being at loggerheads, falling out. "We just want to exchange the same ideas and tastes," said [Åke Daun](#), author of *Svensk Mentalitet*. Swedes are said to suffer from *konflikträdsla*, fear of conflict, and therefore feel uncomfortable when dissenting views are aired.

I have no interest in setting up a cultural hierarchy in which Sweden loses status in favour of some other, supposedly better culture. I've never lived anywhere that didn't have very good points and very bad ones simultaneously. No, I'm interested in ideas about gender and sex and how Sweden got where it is – a sort of anthropological point of view.

For those who wish each nation to be left to itself by outsiders, it's important to note that the Swedish government *itself* doesn't do that on this topic. In contrast to 1969, when Susan Sontag wrote that 'Swedes were not disposed by temperament to export aggressively what they practice,' today's government speaks of the Swedish 'mission' to enlighten the world's policy, for example in the Swedish Institute's project, [Equal Opportunities – Sweden Paves the Way](#), an exhibition available for use in international conferences and seminars. Projects to export ideology always bear watching.

I've lived here for a year and meet Swedes all the time who don't agree with some aspects of national gender policy. They would like to see much more diversity in mainstream media discussions, including arguments, with the possibility of changes to policy. They feel marginalised by the mainstream exclusion and disapproval of their views. I live in Malmö (the subversive south to some) but the disgruntled Swedes I know live all over the country.

I'll link when I can to Swedish writers' work, in books and articles and blogs, and take a historical view when possible. Policies and values that made wonderful sense at one time can seem oddly outdated only a decade later, rather like hairstyles. Zeitgeists are funny things; cultural contexts shift; a word that once seemed self-evident now rings untrue. Originally, *jämställdhet* referred to equality in general (*jämn* numbers are even numbers), particularly the goal of abolishing social class. Now when the word is used it is understood to mean, overarchingly, gender equality.

My own first ideas on Swedish gender policy appeared in *The Local* earlier this year as [Is rape rampant in gender-equal Sweden?](#) I've been writing on the subject of irregular migration (unauthorised, undocumented) for many years. The other night I gave a talk as part of Malmö's [Latinamerika i Fokus Film och Kulturfestival](#). The topic was undocumented migration: how it works on the ground, how people travel and work outside formal structures. If the connexion with gender policy seems unclear, wait for further posts.

Laura Agustín

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