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Curious sex-worker's guide to anti-customer (end-demand) initiatives

By *Aliya*

Created 14 Sep 2007 - 10:50

In this issue, SWAN News will focus on anti-customer (end-demand) initiatives. We will try to answer the following questions: what are the ways that some governments and police are trying to crack down on sex workers' clients? What sex workers think about it? What they've done to stop it? Besides this introductory text by Anna-Louise Crago, read more about this topic in the Sex Worker's Report in this issue.

What does "end-demand legislation" mean?

"End-Demand Legislation" refers to laws that make it a crime to purchase sexual services (to be the customer of a sex worker). This type of law is endorsed by many anti-prostitution feminists, religious fundamentalists and conservatives in Europe, North America and increasingly, other parts of the world too. Supporters of end-demand legislation believe that women can't choose sex work that they are always forced to do it and that sex work is a form of violence against women and sexual slavery. They believe that prostitution and trafficking are the same thing and this confusion is reflected in most end-demand laws. They see sex work as harmful not just to sex workers, but to all women, and to all society and therefore want to eliminate all sex work completely.

Because they believe all women in sex work are victims –they see all brothel-owners and clients as being perpetrators who should be criminalized. They believe that sex workers shouldn't be criminalized but should be "rehabilitated". Either there is no recognition that some sex workers do not want to be "rehabilitated" or there is an emphasis on punishing those who refuse to be "rehabilitated". Many supporters of end-demand legislation support

detaining sex workers in order to “save” them.

“End-demand legislation” usually concentrates on street prostitution and women. Rarely is there any acknowledgment of male or transgender sex workers or of female or transgender clients.

What is “the Swedish model”?

Unfortunately, “The Swedish Model” is not a 6-foot tall blond woman posing for magazines! The Swedish model refers to a law Sweden passed in 1998 criminalizing the purchase of sexual services with a fine or up to 6 months in jail. At the time, Sweden had an estimated 1000 sex workers in the whole country- less than in many mid-size European cities.

Swedish researcher Don Kulick has described how prior to the law, racist fears of Eastern Europeans invading Sweden whipped up support for the law. One newspaper claimed 100 000 sex workers in Eastern Europe were coming to Europe and might get to Sweden. Another newspaper Kulick mentions read: “The biggest threat is the outpouring of prostitution from the former communist countries. A Russian woman can earn half a yearly salary from a couple of acts of intercourse in Sweden. There are those who think that it’s OK to come here and sell themselves.”

Sex workers were never consulted as part of the law-reform. Anti-prostitution activists and the Swedish and U.S. governments have invested substantial money in promoting the Swedish model in other countries. In 2004 Korea passed a law premised on the Swedish model, with the difference that sex workers unwilling to leave the trade are penalized and not allowed to access government support services or shelter.

Interestingly, the laws in United States are quite different from the Swedish Model in a couple of ways: prostitution is legalized in the state of Nevada and selling sexual services is criminalized in the rest of the country.

What are some of the results?

Well, to start with, those countries that criminalize prostitution, including criminalizing clients (i.e. United States except for Nevada, Canada) have not seen their sex trades diminish or disappear.

In Korea, the police announced in 2006 that in two years and despite thousands of arrests, the new-law had not diminished the buying or selling of sex but had just moved it to new kinds of venues: private residences advertised on the internet, massage parlors, and barbershops.

As for Sweden, a report from the Norwegian Ministry of Justice and the Police (2004) found that “Sweden’s legal experiment did not greatly reduce the number of women engaging in street sex work. Figures from Stockholm show that the total number of women on the street has remained stable 1999-2003. The report found that during this period street sex workers became more fearful of violence, were pressured to reduce prices and were pressured to engage in unprotected sex.” (Ironically, Norway is now considering the Swedish Model.)

A study by the Sweden’s own National Health and Welfare Board also found that the law had put sex workers at increased danger of violence due to fewer customers to choose from. A study by the Swedish Police Board found that competition for few clients meant that prices

dropped and sex workers were more likely not to use condoms or take more clients to try and earn enough money. The same study reported that people in the health care system expressed concern about health getting worse among sex workers.

The police board further mentioned that the law was an obstacle to prosecuting traffickers, since clients, who had previously assisted women and been key witnesses, were no longer willing to come forward since they were considered criminals themselves.

According to Don Kulick: "The law has been a catastrophe for non-Swedish sex workers – if the prostitute found with a client is not a citizen or legal resident of Sweden, she is immediately deported; in fact government prosecutors complain that in a number of cases they were unable to gain convictions against clients because the prostitutes they were found with had been deported before they could even give a statement."

What have sex workers said about working under the "Swedish model"?

According to 20 Swedish sex workers that Petra Ostegren interviewed, many sex workers have moved to work indoors by placing ads on the internet. However, sex workers in flats complain that they must work alone and face isolation. Ostegren reports that the sex workers who were in the worst conditions to begin with, often drug-users or homeless sex workers, have seen the worst changes since they have remained on the street where conditions have deteriorated the most.

Sex workers report that police in trying to enforce the law swarm the streets where women are working with video cameras, even filming inside cars to find "evidence". Police have also used condoms "evidence" of prostitution, discouraging both women and customers from carrying them.

What are other "reduce or end-demand" programs?

Aside from using laws, people have tried to stop sex work through other means. In some places police and local government have used means such publicly as shaming clients of sex workers by publishing their names or license plates, impounding their cars, or sending them to "John School". "John School" is a program in the United States and parts of Canada where clients can avoid going to court if they take a class where they are taught that prostitution is wrong. In these classes, sex workers are usually presented as victims who are mentally unstable and reckless spreaders of sexually transmitted infections.

In a number of places, certain types of "behavior change" programs meant to prevent the transmission of HIV, teach men to "avoid prostitutes". Some of these programs also include messages related to abstinence and sexual fidelity within (heterosexual) marriage. These types of programs often reinforce stigma against sex workers and the idea that sex workers are to blame for HIV.

What have sex workers done in response?

In Sweden, sex workers have just formed SANS, a network of Swedish sex workers and allies.

In the United States, many sex workers groups lobbied hard and were instrumental in making sure that 2005 Anti-Trafficking Act did not contain extremely damaging sections on reducing demand through police repression of commercial sex acts.

In Montreal, in 2001, a large-scale police crackdown on clients resulted in a three-fold

increase in violent attacks and a five-fold increase in violent attacks with a deadly weapon reported by sex workers to Stella, the sex workers' group. Stella and the Public Health Department held a joint press conference to condemn the police measure.

In Korea in 2004, sex workers held a month-long (rotating) hunger strike in front of the National Assembly building, protesting the proposed criminalization of clients. On October 7 and November 1, 2004, more than 2,000 sex workers marched in Seoul in protest against what they saw as a threat to their livelihood.

In 2007, in Padua, Italy, sex workers have marched in the streets and began wearing pink badges to indicate that they will offer sexual services for free to clients who are fined by the police.

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