THE FALL OF INNOCENCE AND THE RISE OF A NEW PROHIBITIONISM.
PROSTITUTION, POLICIES AND WOMEN'S POLICY MACHINERY IN FINLAND.

By Anne Maria Holli
Department of Political Science
P.O. Box 54
00014 University of Helsinki
Finland
Tel. +358-9-191 8826
Fax: +358-9-191 8832
e-mail: anne.holli@helsinki.fi


Please do not quote without the author's permission.
1 INTRODUCTION

At the beginning of the 1990's, a newspaper published a picture that both greatly shocked and slightly amused the Finnish public. The picture depicted a Russian woman, offering sexual services from a parked van in the border town of Lappeenranta, showing a cardboard sign: "Pusy 50 marks" (incorrectly spelled, thus the amusement). The horrification was caused as much by such open and public soliciting as by the low price of sex: 50 marks corresponds to about 8-10 dollars.

During the 1980's prostitution was a marginalised and dormant phenomenon in Finland. Most people lived their lives considering prostitution as a problem of Elsewhere and Elsewhen: the modern Finnish society had rid itself of such historical forms of women's oppression. Contrary to the common view of Nordic sexual liberalism, the puritan culture did not approve of either paid sex or the commercialisation of sex in most forms. The erotic titillation available for the interested was limited to some magazines, films and striptease shows.

This kind of innocence eroded rapidly during the 90's, when street prostitution became more common again and the globalised sex industry started its expansion in the country. Today's Finn is more inured than her/his self of ten years ago to meeting with different sides of sex business in her/his everyday life: in newspapers, tv, internet, phone services, or the city street.

Prostitution and sex business have become social and political problems again. Solutions so far have concentrated on limiting the expansion of sex business and protecting "ordinary people" from its side-effects. The expansion and hardening of control measures seem nevertheless to be leading towards a new prohibitionism, partly in new forms. Looking to Sweden's example, more women have started to demand a criminalisation of the clients. Others want to ban both the selling and the buying of sexual services. The regulationist and permissive standpoints on prostitution have so far been in a small minority in the Finnish society.

In this paper, I will outline two policy debates on prostitution, one from the mid-1980's and one from the late 1990's, that depict the discourses on prostitution during the time period. I will concentrate on the effects of women's policy machinery and the women's movement in framing the debates: did they attempt to gender the debates in any way, and with what effect? Were they accepted as participants in the process or left out altogether?

The impact of either the Finnish equality institutions or the new women's movement on politics and policy-making has attracted little research so far. The studies on the Finnish equality institutions have mostly concentrated on the ideological and discursive strategies of the Council for Equality between Men and Women, with little analysis on the success of its activity (Holli 1991, 1996a, 1997; see, however, Räsänen 1984).

So far, the Finnish equality policies have been studied from a comparative perspective in two Nordic projects (Haavio-Mannila et al. (eds.) 1985; Bergqvist et al. (eds.) 1999). The latter shows Finland as an intermediate case of successful equality policies in the Nordic context. Both Sweden and Norway have paid most attention to institutionalising equality structures within the state and there the equality policies have also been most successful, whereas the other end of the scale consist of Denmark and Iceland. Finland comes somewhere in between, with the special characteristic of politicians in a central role within equality institutions. (Borchorst 1999) Finland, along with Sweden, can also display quite strong women's party organisations, which have more or less picked up the demands of the new feminist movement. In Finland, the women's party organisations have
organised for co-operation over party lines for pressure politics on women's issues, too. (Christensen 1999).

Earlier research has very much stressed the strong integrative tendencies visible in the Finnish women's movement, i.e., it has tended to work via established political structures. (E.g., Jallinoja 1983; Dahlerup (ed.) 1988; Christensen 1999) From this perspective of Finnish 'state feminism'\(^1\), it is extremely interesting to study whether and to which degree the equality institutions and the women's movement have succeeded in influencing the State and existing political structures with their viewpoints on prostitution/trafficking. One would expect that this is an area where both the wpa's and the women's movement would have found niches for political influence. The issue has not been a highly prioritised problem in Finland until very recently, and there has not been a segmentation of political interests around it, as is the case with some other policy areas.

The results of this analysis only partly validate my expectations. At a surface, the women's movements seem to have been quite successful in getting their demands through in the political process. A more in-depth analysis shows, however, that this apparent success must be seriously questioned. There seems to be undercurrents of interests vested on the issue, intent on controlling and defining prostitution in a patriarchal manner. The analysis also shows that the wpa's have so far had a relatively marginal role in the debates on prostitution.

2 FRAMEWORK FOR ANALYSIS

The theoretical framework for analysis used by this case study has been developed in the transnational research project "Women’s Policy Offices, Representation and Deficient Democracies" by the Research Network for Gender and the State (RNGS) (see Stetson–Mazur 1996; RNGS 1999). The project is, in its way, a continuation of a project resulting in a comparative analysis of women's policy offices in several countries (Stetson - Mazur (eds.) 1995). The new project comprises all in all 17 country cases, divided into 5 sub-projects. One of the sub-projects deals with prostitution and trafficking in women and is coordinated by Prof. Joyce Outshoorn (University of Leiden, Netherlands).

The focus of the project in general is on the role of women’s policy offices in making post-industrialist democracies more democratic, by increasing women’s direct and indirect representation in the politico-administrative arena. Women’s policy offices refer to state structures officially charged with promoting women’s issues or gender equality. Since the recommendation made by the UN in 1963, most countries in the world have established this kind of official structures. According to a UN report in 1993, 129 countries had these structures. Many terms have been developed for this kind of state machinery. In this paper, when referring to the Finnish institutions, I follow the Scandinavian custom in calling them equal status offices, equality institutions or by the concept used by the RNGS-project, women’s policy machinery/agencies/offices (wpa’s in short).

Please note that there are different conceptualisations of 'state feminism'. One approach is to view it as "feminism from above in the form of gender equality and social policies" (Hernes 1988, 201 ff.) or as "activities and government structures that are formally charged with furthering women's status and rights" (Stetson - Mazur 1995, 1 ff.). This approach sees 'state feminism' as corresponding to e.g. equality policies or the women's policy machinery. Another approach, typical to Scandinavia, tends to see 'state feminism' as a belief in the capacity of the state to be transformed to a women-friendly institution by women's participation and activity in decision-making arenas (Gustafsson (ed.) 1997, 53-54), as a strategy of the women’s organisations. The latter approach, in fact, includes the former, but not vice versa. I tend to favour the Scandinavian approach, which is the way I use the term mostly in this paper, too.
The aim of the case studies in different countries is to conduct detailed analyses of policy debates in pre-determined policy areas (in this case prostitution), and to determine the role and effect of the women’s policy machineries in these debates. Our aim is to look into if and how the wpa’s have succeeded in gendering policy debates, and by this means, succeeded in furthering women’s interests and influence on the formulation of political agendas. By gendering we refer to the process whereby phenomena, such as identities, entities, and processes acquire symbols based on gender (ideas about men and women). Gendered debates thus mean those policy debates framed in terms of ideas about how the conceived problem and proposed solutions will affect women in comparison with men. (RNGS 1999, 10)

To put it more clearly, we are looking into ways the problem in question is defined by different societal actors; where they put the blame for the existence of the problem; and which kinds of solutions are developed and proposed as solutions to it. What kinds of images of women and men are expressed in the discourse? Are women or women’s constituencies identified as interested parties? Are gender-identified groups considered responsible for the wrongs, injustices, threats or situations that need corrective action? Do the actors take into account the ways in which women and men’s different social conditions affect the situation? How do the proposed solutions take gender questions into account?

Thus, as one can see, we have adopted a constructivist approach to the formulation of political problems (see e.g. Bacchi 1999; Edelman 1988; Cobb & Elder 1983).

In order to ensure the comparability of the country case studies, the project has developed a common methodology. The period of study consists of the time when wpa’s have existed in the country. In the Finnish case, this means the period from 1966/1972 forward. The permanent Council for Equality between Women and Men (TANE) was established in 1972. It was preceded by a special Committee on the Status of Women 1966-70. During the years, the Finnish official equality institutions have been added to with the establishment of an Equality Minister in Government (1981), an Equality Ombudsman and an Equality Board (1987), as well as different kinds of Equality Commissions both within the administrative, municipal and private/non-governmental sector. (Holli 1996b; Borchorst 1999)

Each case study is supposed to choose at least three representative policy debates within the specific area. The selected debates should comply to common criteria: (1) the debates take place in public arenas such as the legislature, courts, new media, political party conferences etc. (2) debates occur in arenas where a women’s policy agency would have the opportunity to participate; (3) debates represent the range of discussions on the issue in the country in the period of study; and (4) debates end with an official state decision, e.g. legislation, an executive order, a court ruling or a government policy proposal. (RNGS 1999, 14)

The unit of analysis in the RNGS-project is the policy debate, instead of the more conventional choice of the country as the unit of analysis. By this selection, the adopted model allows for comparisons across the issues and policy arenas within the state, as well as for longitudinal studies upon the women’s movements and its interactions with the state in a national setting.

The dependent variables to be established in different case studies on policy debates concern the characteristics and strategies of the women’s policy agency (DV1), and the impact of the women’s movement on the state (DV2). The used criteria for establishing the values on these variables are presented in the following figures:
**DV1: WOMEN’S POLICY AGENCY ACTIVITIES**

Advocates Women’s Movement Goals

<table>
<thead>
<tr>
<th>Genders Policy Debates</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES</td>
<td>INSIDER</td>
<td>NON-FEMINIST</td>
</tr>
<tr>
<td>NO</td>
<td>MARGINAL</td>
<td>SYMBOLIC</td>
</tr>
</tbody>
</table>

**DV2: MOVEMENT IMPACT/STATE RESPONSE**

Policy Content Coincides with Women’s Movement Goals

<table>
<thead>
<tr>
<th>Women Involved In Policy Process</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES</td>
<td>DUAL RESPONSE</td>
<td>COOPTATION</td>
</tr>
<tr>
<td>NO</td>
<td>PRE-EMPTION</td>
<td>NO RESPONSE</td>
</tr>
</tbody>
</table>

I have chosen to present the framework for analysis in such detail, since this paper is a first version of the Finnish case study on prostitution/trafficking and attempts to supply the answers to the presented questions and dependent variables by delineating the trajectory and genderings of two Finnish policy debates on prostitution in detail. This paper is also to a great extent structured upon the design supplied by the project. I will start by giving a general description of Finnish prostitution and policies, as well as the policy sub-systems concerned. This description serves as an background for my selection of policy debates. The following two chapters consist of the actual analyses of my empirical cases.

The independent variables allowing for cross-national comparison consist of three sets of factors: the women’s movement characteristics, women’s policy agency characteristics and policy environment characteristics. These will be only touched upon briefly in various chapters of this paper.

**3 PROSTITUTION AND POLICIES IN FINLAND FROM THE 1970's: THE BACKGROUND FOR DEBATE SELECTION**

Up to 1907, there was a regulationist control system of prostitution with police control and the licensing of prostitutes in Finland. After that, the control was transferred from police to doctors, who were in charge of control of venereal diseases. The regulationist control system in this medical form was ended in 1943 with the new “Lex Veneris”. (Häkkinen 1995)
From 1936 the Vagrant Act (57/1936) also regulated the treatment of prostitutes. In the law, prostitutes were defined as a fourth category of vagrants, i.e. “those pursuing a lewd life-style professionally” who were “earning their living regularly with indecent and morally unacceptable ways.” Prostitutes were put under the control of social workers and, in the last instance, according to a hardening grid of control measures, sent to institutions of labour. The 1936 Act was the one most important law regulating prostitution in Finland for 50 years. In 1986 the Vagrant Act was abolished and prostitution legalized fully, with sanctions on pimping only. (Häkkinen 1995; Järvinen 1990)

1949 was the top year as to the number of new female 'vagrants' registered (about 1350 of them, 90% of which were prostitutes), but the number declined rapidly in the following decades. In the 1970’s and 1980’s there was only a few hundred prostitutes in Helsinki - which can be considered a very exceptional situation both nationally, from a historical point of view, and internationally, comparing Helsinki to most other capitals in Europe. Prostitution was polarized to the extreme ends of the society. On the other hand, there was elite prostitution (call girls, hotel and restaurant prostitution), and, on the other hand, sex against payment amongst alcoholists and other outsiders of society. Street prostitution was practically nil. Some of the prostitution contacts were mediated by newspaper ads. There prostitutes advertised for their services in the biggest newspaper of the country by referring, in secretive terms, to “a cup of coffee” to be had with them. (See also Varsa 1984) (Häkkinen 1995; Järvinen 1990)

Häkkinen (1995, 223) in his study on Finnish prostitution calls the 70’s and 80’s a time period when prostitution was marginalised in Finland. Following Häkkinen’s analysis (1995, 226-227), we could claim that the reasons for this exceptional situation are as follows: Firstly, the society was liberalised in the 1960’s and 1970’s and the social norms regulating sexuality were relaxed. Premarital relations between consenting adults were widely accepted and practised, along with birth control measures, which probably reduced the demand side of prostitution. Secondly, women’s economic and social situation improved greatly in the last half of the 1900th century, which reduced the supply side of prostitution. The social inequality between classes also reduced, which diminished the overall market for prostitution.

All in all, prostitution was practically a non-issue during the 1970’s and the first half of the 1980’s. In the last years of the 1980’s prostitution started its regrowth in Finland. This can be seen as a result of several factors, that have their precedence in previous historical periods of prostitution in Finland (Häkkinen 1995, 230-231). Foreign prostitutes especially from neighbouring Russia and Estonia entered the Finnish “market” due to opened borders and the gap in the standard of living between the countries. Because of a domestic economic recession and a high level of unemployment at the beginning of the 1990’s, more Finnish women also took to prostitution. Näre and Lähteenmaa (1995; Näre 1998) also mention as reasons the more commercialised, libertarian and hedonist views on social relations that became stronger in Finland during the recession: everything could be bought, if one could afford it.

Prostitution spread quickly in border towns to Russia and in the capital, now very much in the form of street prostitution which made it visible to the wider public as well. The phenomenon of paid sex has continued on the Russian/Estonian borders until today. There are traffic in both directions, both prostitutes coming in to Finland to do a short period of work, and Finnish men going over the border after paid sex. At the beginning of 2000 the Helsingin Sanomat revealed a new side of the Finnish-Russian/Estonian sex traffic: a considerable number of the prostitutes in the Russian town of Sortavala are under-age girls, which makes their Finnish customers criminals under the new Sex Crime Act of 1998. The revelation led to a start of negotiations between the Finnish Ministers
concerned and Russian/Estonian officials on measures for controlling the phenomenon and for catching the persons guilty of child-abuse.

Simultaneously, at the beginning of the 1990's, new types of sex business made their appearance in Finland. The first sex bar was opened in Oulu at the beginning of the 1990's. Helsinki followed suit in 1992. In the top years of 1993-94, there were about ten erotic bars in Helsinki, offering customers striptease shows and 'private shows'. The number dropped to about a half in 1995, due to heated public discussion on the topic, competition between the establishments, increased state control measures and a declining interest among the customers after the first appeal. (Näre-Lähteenmaa 1995, Näre 1994, 1998) There also came about phone sex services and mediation of postal brides from the Philippines to Finland.

With the rise of prostitution and sex business at the beginning of the 1990’s the Finnish society found itself quite unprepared to deal with the phenomena. Some researchers claim outright that Finland lacks a policy on this area. The lack of a policy can, perhaps, be explained by the multitude of sub-systems each dealing with their respective perspective on the issue.

The 'classic' area of prostitution-related problems has traditionally been divided between three Ministries. The Ministry of Justice considers matters concerning the criminal law. The Ministry of Internal Affairs deals with matters concerning public order and the authorization of police activity on the issue-area, and is also responsible for issues concerning municipalities and the local level of decision-making. The latter side has become more important in relation to prostitution as well. The third Ministry concerned is the one of Social Affairs and Health, responsible for the social policy and services aspect of prostitution.

The new areas of concern within prostitution and sex business have been considered still in other Ministries. The question of telephone sex belongs to the Ministry of Traffic. The prevention of sex tourism, on the other hand, is within the policy area reserved for the Ministry of Trade and Commerce. Questions of workers' rights - also within the sex business! - have traditionally been the responsibility of the Ministry of Labour in close co-operation with the social partners. This question was debated intensely at the first half of the 1990's: for example, did a female waiter have a right to refuse work topless, thus defying the employer's instructions? This and other similar questions were resolved for the advantage of women's rights, the result being that the view on sex business as 'business as usual' was somewhat restricted as far as the State was concerned.

As we can see from the discussion above, the topics of prostitution and sex business are politically and administratively disintegrated and decentralised in the Finnish political system. It is also very much this intermediate and lower-level of decision-making that has been active in developing policy measures and guidelines on prostitution/sex business in the 1990's. The stress has been on controlling the growth and side-effects of prostitution/sex business by modifying the existing regulative framework. There is reason to suspect that there are considerable differences both in the prioritisation of the issue and standpoints concerning its solutions between the actors.

In order to map the universe of debates further, I will in the following chapters give a short review of the policies and measures developed by different actors during the 1990's.

Both the Ministries of Internal Affairs, Social Affairs and Health and Justice established several committees and working groups with the task of investigating different sides of prostitution/sex business between 1993-96. The only legal act to come out of these so far is the Sex Crime Act of 1998 (enforced from 1999), which criminalizes the buying of sexual services from under 18-year
olds, both in the country and abroad (prevention of sex tourism). Most of the other policy outcomes were in the form of different kinds of instructions, regulations and modifications to existing laws.²

The Government adopted the goal of preventing prostitution and sex business as a part of its new Programme for Gender Equality for 1997-99. In practice, this has meant that there is a project on the prevention of prostitution under the the Ministry of Social Affairs and Health, charged with an expert role on the issue, as well as the responsibility of following and investigating the situation and supplying the Government with proposals for amending it. (See: Sosiaali- ja terveysministeriö 1997, 47-48, 1998, 68-71, 1999, 24-23)

The Parliament held an open hearing on sex business already in 1993. There have also been several initiatives by MPs to introduce new legislation for banning prostitution in the country, which have been turned down.

The problems caused by street prostitution have led several cities and border towns to develop their own control measures. The City Council of Helsinki banned prostitution in public places in its new municipal ordinance adopted in September 1999, and the nearby City of Vantaa soon followed suit. In the beginning of 2000, the Committee for the Preparation of a Law on Public Order (Sisäasiainministeriö 2000) submitted a report where it suggests a prohibition of both the selling and buying of sexual services in public places, when it is found disturbing to the public order. A legal finagling (see later pp.13-15 ) led the Committee not to propose that either the act of selling or buying of sexual services would be penalized. What is to be penalized, in a form of a fine, is the act of not obeying the police's instructions to stop the activity. This formulation - if approved - is bound to focus the sanctions on the most visible and permanent part of the activity, that is, the prostitutes.

For the women’s movement and official equality agencies, the issue has been of interest and attention since the early 90’s. The Council for Equality between Women and Men was among the first to react to the issue of prostitution/sex business by starting a working group on sex industry in 1993 and has continued to keep an eye on the issue. In a query in summer 1999, women abuse, prostitution and sex business topped the list of the concerns of the Finnish women's organisations; second only to the question of equality in the labour market (Holli 1999).

Referring back to the presented criteria on case selection (p. 4) I have to conclude that they somewhat restrict my choice of Finnish policy debates to study. There are few legal processes to choose from in the research period. Most of the decision-making of the 90's in the area of prostitution/trafficking has occurred by way of intermediate or lower-level decision-making, in Ministries or other executive bodies, not quite meeting the criteria set. Even if the result has been an executive order or such, it is doubtful whether the policy debates in question meet the criteria of public character and openness.

² For example:
- instructions for Adaptation to the Equality Act were supplemented with instructions concerning jobs in the sex business (the Ministry of Labour, 1994)
- the limitation of the duration of phone calls to "adult entertainment services" (the Teleadministration Centre, 1995)
- instructions on preventing prostitution and related criminal activities (the Ministry of Internal Affairs 1997)
- Report on mediating postal brides by the Ministry of Justice in 1998, where its stated that there is no immediate need for changing criminal law. The existing law is sufficient for controlling the phenomenon.
- Change in the regulations concerning entry into the country 1999: known prostitutes can be turned down.
- The Centre of Product Control has tightened up its practises of dispensing alcohol rights to restaurants, especially erotic bars.
I have resolved these problems by limiting the research period in the Finnish case to the period 1984-2000. From the 1980's, I have chosen to study the repeal of the Vagrant Act (1986) since it is in practice the only case available before the 1990's. The 1990's, on the other hand, offer some more choices. I have selected the case upon the Helsinki Municipal Ordinance of 1999, which caused much public debate and which also was one of the few public processes available on lower-level decision-making. These are also the case studies I will present in this paper.\(^3\)

The source materials consist mostly of official documents produced by the actors in different phases of the policy processes (committee reports, hearings statements, parliamentary/city council protocols and minutiae etc.), as well as some newspaper materials. In the Helsinki Municipal Ordinance case, I have also been lucky enough to be able to conduct some direct observation in the City Council assembly and interviews with key actors during the decision-making process or directly afterwards.


Debate trajectory and dominant frame
During the first half of the 1980’s, prostitution was regulated in two ways in Finland. Pimping and profiting of income earned by prostitution were criminalised by criminal law. The Vagrant Act of 1936 on the other hand was aimed at controlling the prostitutes as well as other groups classified as ‘vagrants’, e.g. skid row men, tramps and beggars. The law was based on the idea of vagrants as socially deviant, and had the purpose of protecting the society from such morally unacceptable phenomena. In practice, the same measures of vagrant control were applied to all of the included groups: a warning, a registration and/or an institutionalisation. (KM 1986: 46)

As early as during the 1960’s and 1970’s several state committees had regarded the Vagrant Act as anachronistic and suggested a repeal of the Act. The law was also criticised by one of the 1960’s student movements, the November Movement, which spoke for the human rights of marginalised groups. The Vagrant Act was modified several times during the years, but a repeal was not passed until 1986 when it occurred in connection to the reform of the Intoxicants Abuse Act.

In the following sections, I will shortly describe the preparation of the Intoxicants Abuse Act, with a focus on the question, how and why the repeal of the Vagrant Act was connected to it.

The Committee for Preparation of a Law for the Prevention from the Abuse of Intoxicant Substances had submitted its proposal for a new act in 1978. The proposal did not yet deal with the vagrant question or suggest a repeal of the Vagrant Act, although it stated that a consideration of this question would be part of the further tasks of the committee. (KM 1978: 40) The preparation of a bill continued in the Delegation for the Prevention from the Intoxicants Abuse, under the Ministry of Social Affairs and Health, until 1984 and the submittal of a new proposal. The vagrant question was discussed in the Delegation every now and then, without an agreement upon a decisive point: would one need to draft a new substitute law covering those groups, e.g. prostitutes, that would not not be covered by the Intoxicants Abuse Act, or not. (PäNK 1978-87)

\(^3\) My third case is still subject to some consideration. One candidate is the preparation of the Committee Reports on Sex Business (1995), which would give me the advantage of being able to consider other policies than those dealing directly with prostitution as well. The other strong candidate is the process leading to the approval of the Sex Crime Act of 1998, prepared by the Ministry of Justice, a policy subsystem, that is not very visible in my other case studies.
By the late 1983 or the beginning of 1984 a repeal of the Vagrant Act was included in the bill under preparation. According to Tapani Sarvanti, the Secretary General of the Delegation at the time, this happened because of a change of Ministers in Government: Marjatta Väänänen of Centre Party, who had opposed the repeal of the Vagrant Act, was replaced by the Social Democratic Vappu Taipale. The Social Democratic bureaucrats within the Ministry saw this as an opportunity to repeal the Vagrant Act. According to Sarvanti, it was a pure, male-dominated bureaucratic process, with no direct intervention attempts by either equality institutions or the women’s organisations. (Interview with Tapani Sarvanti 16.3.00)

A repeal of the Vagrant Act was included in the Government’s Bill submitted to the Parliament at the end of November of 1984. In the Government, a total repeal of the Act was opposed by the Minister of Internal Affairs, Matti Luttinen (SDP). In this way, he defended the opinion of his own Ministry, also responsible for police matters, that the Vagrant Act should be kept in force because of its deterrent value. (VN, ptk 29.11.1984) If the Vagrant Act were abolished, there would follow, according to the police, an increase in prostitution, especially street prostitution, an increase of venereal diseases, and pimping and other criminal activities would become more common in relation to prostitution. (See TaVK ptk 30.5 1985, appendixes)

The purpose of the Intoxicants Abuse Act (HE 246/1984 vp) was to develop social services for intoxicants abusers in order to prevent and diminish the abuse of alcohol and other intoxicant substances, and the social and health problems it entails, both for the person him/herself and his/her family. One of the aims was to integrate services for intoxicants abusers as parts of the newly reformed social services; another, to support the capacity to act and the safety of both abusers and their family members. The slogans for the reform were own volition, co-operation and human rights. The law, for example, redefined the parameters for enforced institutionalisation.

The inclusion of the repeal of the Vagrant Act was motivated by arguments saying that the target groups of the two laws very much overlapped each other: those treated on the basis of the Vagrant Act were almost unfailingly in need of services for intoxicants abusers or of other social and health services. Services for intoxicants abusers would correspond better to those clients’ needs and problems, than the control measures set by the Vagrant Act. The latter was, moreover, out-of-date, and applied in different ways in different parts of the country. Prostitution was not discussed as a specific question at all in the Bill. (HE 246/1984 vp)

During the reading of the Bill, the big issue was about the conditions for enforced institutionalisation. Prostitution was barely mentioned. The Reverend Heikki Alaranta, MP of the Centre Party, opposed the repeal of the Vagrant Act, because he saw the act as important for the prevention of prostitution. Alaranta in his speech referred to, among other things, the UN CEDAW convention and argued that the repeal of the Vagrant Act would be a breach of the spirit of the Convention as well as of the paragraphs prohibiting trafficking in women. According to Alaranta’s interpretation of the Convention, prostitutes should not be allowed to profit from prostitution either – or thus be allowed to discriminate themselves by themselves. (1985 vp, 3364). Social Democrat Arja Alho responded quickly by defending the Government’s proposal from a human rights perspective and by stressing the point of view that prostitution was caused by social problems and the abuse of alcohol. (1985 vp, 3367-68)

The Intoxicants Abuse Act (41/1986), along with the repeal of the Vagrant Act, was passed by the Parliament in November 1985. During the lengthy parliamentary process, in spring 1985, there had however been established a special committee by the Ministry of Social Affairs and Health, with the task of investigating the consequences of the repeal of the Vagrant Act, among other things, as to
the prevention of prostitution. The establishment of this committee was done at least partly to accommodate the wishes of the Ministry of Internal Affairs which expected the committee to prepare substitute legislation to replace the Vagrant Act.

The expectations of the Ministry of Internal Affairs were not met. The Committee submitted a report one year after the approval of the repeal and at the eve of its enforcement, in which it said that existing legislation was sufficient for dealing with possible problems. It did not propose a new law. The problems of vagrants, and prostitutes as well, were to be seen as consequences of a disadvantaged social situation. Social policies and services for intoxicants abusers were in a key role in the solution of these problems – not control measures. The repeal of the Vagrant Act would have unfortunate consequences only if the social situation of the groups in question could not be improved; if the current criminal law and laws for public order were not up to their task; or if the authorities proved incapable of co-operating in aiding these groups. (KM 1986: 46, 61-62)

Gendering the debate
As we can see, prostitution was not regarded as an independent or a gendered problem in the actual policy-making process. Prostitution and prostitutes were considered as parts of the ‘vagrant question’, and framed in a similar way as questions of social policy. The only exceptions to this rule were actually the arguments made by the opponents to the repeal of the Vagrant Act.

There are, however, some indications in the preparation of the repeal that the prevalent debate on gender equality had affected the views of the actors. For example, the Ministry of Justice (2800/43/84 OM) pointed out how the Vagrant Act outrageously discriminated women. At one phase of the preparation of the Bill, sanctions on both the selling and buying of sexual services were under consideration. (See PäNK 1978-87)

It is the Committee for investigating the consequences of the repeal of the Vagrant Act that can be regarded as the major actor for gendering the policy debate. Whereas the process leading to the Intoxicants Abuse Act and the repeal of the Vagrant Act was very male-dominated, this committee had a gender balance. One must also note that the Council for Equality between Men and Women was represented in the Committee in two ways: both in its members (Pirkko Kiviaho) and in its pool of experts (Hannele Varsa).

Among its tasks, the committee was to investigate the need for regulating prostitution, taking into account the objective of gender equality. The task was accomplished by a report on prostitution and its regulation both in Finland and in the other Nordic countries. The materials for the report consisted mostly of the newest Nordic prostitution research, often feminist one.

The Committee regarded prostitution primarily as a social phenomenon, caused by social and economic factors as well as by the gender relations, especially by the prevailing sexual culture and the uneven power balance between women and men. The Committee stressed the fact that prostitution must always be seen as a relation between at least two parties, the buyer and the seller. At the individual level, prostitution was regarded as a symptom of accumulated social problems: in the background, one could find a socially disadvantaged situation, intoxicants, physical and mental risks or criminal activities. (KM 1986: 46, 109)

The Committee did not consider prostitution as an acceptable phenomenon. Nor did it regard the repeal of the Vagrant Act as an approval to the buying or selling of sexual services. The prevention and decrease, even the abolition of prostitution were aimed at with the help of prevailing legislation, a change of attitudes, information and co-operation between authorities. In practice, this meant
supporting the process leading to gender equality and an adoption of different measures for equality. The Committee did not expect that the repeal of the Vagrant Act would lead to an increase in prostitution, but recommended nevertheless active social work in order to solve possible problems. (KM 1986: 46, 110)

Thus, the Committee combined an understanding of prostitution as both a social policy problem and a gender equality problem. The committee stressed the connections between prostitution and gendered power relations and consistently brought up the clients as a part of the problem as well. The standpoints of the Committee to a great degree reflected those of the women’s studies and the women’s movement of the day.

Disregarding the afore-mentioned personal contacts between the TANE and the Vagrant Act Committee, there is no evidence to show that the TANE would have in any way intervened in the debate on the repeal of the Vagrant Act or made any direct attempts to gender it via e.g. official statements.

**Policy outcome, wpa activities (DV1), movement impact (DV2)**
The analysis shows that in the policy debate of the 1980’s, prostitution in Finland was primarily regarded in an abolitionist framework, as a problem of social policy and gender equality policy. It was precisely these arguments that were used to support the ‘legalisation’ of prostitution. The opponents – most often the police – on the other hand saw a continued need of a deterrent law, basing their opinion on arguments of law-and-order, as well as other, e.g. medical arguments.

The lack of political conflicts concerning the issue is demonstrated by the lack of counter-proposals and votings in the Parliament upon the issue. Prostitution was, to most Finns, an ‘alien’ problem, a ‘tabu’. They did not possess the conceptual tools to grapple with the phenomenon and they did not have the personal experiences to base their opinions upon, either. (Interview with Annikki Savio 16.3.00) This kind of a situation could have created opportunities for both the women’s studies and the equality institution to profile themselves as experts on the issue.

When considering the strategies of both the women’s movement and the wpa, I deem it necessary to divide the policy process into two and to analyze them separately.

Neither the Council for Equality nor the women’s organisations participated in the policy debate in the preparatory phase or the legislative phase of the repeal of the Vagrant Act. In this case, the activity of the women’s policy agency must be seen as marginal (DV1). The preparation of the repeal was very much male-dominated, but women were in a strong position both in the Parliament (31.5 %) and in the Parliamentary Economic Affairs Committee (53 %) that checked the Bill. The outcome of the process – the repeal – can be regarded as coinciding with the demands of the women’s movement and especially the women’s studies of the 1980’s. On this basis I would evaluate the impact of the women’s movement in regard to the State as a dual response (DV2)

The Committee investigating the consequences of the repeal of the Vagrant Act must in this instance be analysed separately, since it had only an indirect influence on the outcome. The establishment of the committee was a political method for pacifying the debate, since the opponents expected a substitute law as the outcome. The Committee nevertheless refrained from doing this. Consequently, we are dealing with a type of a classic non-decision-making situation (Bachrach – Baratz 1970) here, which, par definition, excludes the Committee from the criteria set by the research project.
In spite of this reservation, let it be said the Council for Equality was represented in the gender-balanced committee, both in its members and in the experts it called to hearing. In these ways, the standpoints of the Council concerning prostitution were transmitted to the report. We can regard this as the insider strategy by the wpa (DV1). The outcome of the process – that is, the Committee refraining from submitting new control laws on prostitution – can be seen as corresponding to the ideas of both the women’s movement and the women studies as well, thus displaying again a dual response (DV2) in the interaction between the movement and the State.


Debate trajectory and dominant frame

The capital of Finland, Helsinki, was among the first municipalities to be hit by open street prostitution at the beginning of the 1990’s. Street prostitution spread especially to the neighbourhood of Kallio, near the centre of the city. The activity of street prostitutes and their clients with all the side-effects soon mobilised the middle-class inhabitants to demand the State and the city to put a stop to the activity.

Prostitution was to a great degree conceptualised as a problem of public order and of ‘women’s peace’

4, although there were also e.g. economic and moral aspects to the question. The inhabitants of Kallio were disturbed especially by cars driving around the area at night and the intrusion of the activity to private grounds. Prostitutes and pimps standing at street corners, drug abuse and criminal activities connected with the business, frightened the inhabitants. Ordinary people, especially women, were harassed by sexual offers in their every-day traffic in the area. The inhabitants were, moreover, worried about the reputation of the area and the sinking price of real estate in the neighbourhood. As a solution to these problems, the citizens and organisations of Kallio proposed restrictions to prostitution by a law or a municipal ordinance.

During the 1990’s, the City of Helsinki responded to these demands by adding to traffic regulations and by increasing police control in the area. The police also suggested several times that prostitution should be referred to some ‘suitable’, uninhabited, areas, in order to minimise the problems that prostitution caused for outsiders. The City did not regard it possible to include a ban of prostitution in the municipal ordinance, since this would in reality impose on the authority of the Parliament, by widening the area of criminalised activities. This could not be done by lower level regulation, such as a municipal ordinance. This standpoint was seconded by the Association of Finnish Municipalities. On this ground, the decision-making bodies of Helsinki refused to take up the regulation issue until the spring of 1999, when they turned their coats rapidly. (KhM 6 – 1999)

The old municipal ordinance of Helsinki originated from 1977 and it was deemed out-of-date as early as the beginning of the 1990’s. The practical work for reform started in 1995. The first proposal was finished in spring 1998. There, the city defined the norms and rules for public order, safety and good living of the citizens. The proposal did not yet include any ruling on prostitution. (Sääntötoimikunnan järjestyssääntöehdotus 4.3.1998)

At the same time than the proposal for a municipal ordinance was sent to hearing in different municipal bodies, an opportunity for citizens’ feed-back was opened. The city received about 400-500 e-mails and letters. Relatively few of these took up the issue of prostitution – the citizens were

4 The term ‘women’s peace’ (naisrauha) was depicted to describe the problem by the actors. The Finnish term originates in Swedish legislation from the Middle Ages, when one of the kings decreed for women’s peace, prohibiting the harassment of women by a threat of legal sanctions.
more concerned about the proposal to prohibit public drinking and the rules concerning walking
dogs. (KhM 6 – 99; Järjestysääntö, erilliset liitteet 1999)

Since the end of the 1980’s, the Kallio Society, an organisation for the inhabitants of the
neighbourhood, had been exercising pressure upon the city on the issue of prostitution. The Society
had been arranging different kinds of citizens’ actions (for example, ‘street watch’ on streets
favoured by prostitutes, collecting the numbers of the clients’ register plates etc.) and contacting
decision-makers both by mail and phone calls to stop prostitution. In the spring of 1996, some of
the activists organised a movement called ‘Prostitution Off the Streets’ which focussed purely on
the prostitution issue. This anti-prostitution movement gathered about 30 active members.
(Interview with Saara Tolonen 22.10.99)

In spring 1998, the Kallio Society and the anti-prostitution movement demanded again a ban on
prostitution by municipal ordinance. More specifically, they demanded a prohibition of both the
selling and buying of sexual services both in public and private places. Thus, it was not only the
prostitutes, but also their clients that were considered a problem. (KhM 6 - 1999, liite 14;
Järjestysääntö, erilliset liitteet 1999, liite 16) The organisations had canvassed a couple of
hundreds of names for support. Moreover, the anti-prostitution movement had organised a
campaign among the small enterprises and the house-owning companies of the area which also
bombarded the city demanding a ban of a similar type. Some of the municipal organs, that is, the
Board for Urban Planning and the Real Estate Board 5 also joined the forces proposing a
prostitution ban by municipal ordinance.

The continuous, escalating pressure tactics from especially the citizens’ organisations apparently
made the City Government and the Mayor reconsider their position towards the prostitution ban.
Neither did the police oppose prohibitive measures. (KhM 6 -1999, liite 39). The modified proposal
given 1.9.99 by the City Government to the City Council included the ban formulated as a total ban
(as was the case with the prohibition on public drinking): "Prostitution in public places is
prohibited.” (KhM 6 - 1999, liite 40)

The City Council discussed the ban 1.9.99 and the final decision was made two weeks later. The
law-and-order framing dominated the discourse, but there were nevertheless different standpoints
and solutions to the problems within this frame. (Kv, ptk 15.9.99)

A first point of dissension concerned the question of authority: did the City have the right to
criminalise prostitution in practice? This issue was presented by the City Councillor Erkki Aurejärvi
(National Coalition Party), a professor of civil law at Helsinki University. Aurejärvi opposed a ban
by municipal ordinance and pointed out that the question rightly belongs to the authority of the
Parliament. Aurejärvi’s proposal to abandon the ban was supported by the liberal Swedish People’s
Party and the Young Finns, but was voted down.

A second point of dissension concerned the formulation of the ban. Should prostitution be
prohibited totally or just as ‘disturbing prostitution’? The latter formulation was again supported by
the liberal groups. City Councillor Göran Åhman, of the Swedish People’s Party, motivated this
milder formulation by arguing that he does not believe a total ban to be realistic. Thus, he could not
support a codification of unrealistic norms in the municipal ordinance, either. Councillor Aurejärvi,
moreover, noted that a ban on ‘disturbing prostitution’ would keep the ruling within the regulative
authority allotted to the city. (Kv, keskusteluptk 1.9.1999) The ban on ‘disturbing prostitution’ lost

5 The standpoint of the Real Estate Board came about on the initiative of the Green member Minerva Krohn.
however the vote to the total ban, supported by the big parties of the City Council, the National Coalition Party, the Social Democrats and the Greens.

A third point of dissension concerned an additional wording to the ban, that would have strengthened it in feminist terms. City Councillor Sari Näre of the Greens, a sociologist that had been studying, among other things, also sex business and pornography (see e.g. bibliography), proposed an additional wording to the ban: “calling of sexual names and offers to buy sex in public places” should also be prohibited. Näre’s proposal was, however, not taken into account in the final vote on the issue. The City Government motivated this decision by referring to the fact that, for example, revilement was already regulated by law.

Näre protested against the decision and a discussion about due process was instigated. The outcome was that the latter part of Näre’s proposal (prohibition of offers to buy sex) could have been taken to vote, if it had originally been presented as a separate proposal. At this final stage of the process, the proposal could no longer be modified. After this debate, the City Council had to vote whether or not take Näre’s whole proposal to vote. The Green Party, the Christian League, the Young Finns as well as City Councillors from especially the left-wing parties supported the processing of Näre’s proposal, but lost the vote.

A prohibition of prostitution was included in the municipal ordinance of Helsinki in the form of a total ban. In spite of the formulation adopted, the discussion in the City Council clearly indicated that the ban was to include both the selling and the buying of sex. The expectations towards this end by both the City Councillors and the citizen activists fell flat, when the ban was enforced at the beginning of December 1999. The police and the City Office interpreted the prohibition so that it only concerned the sellers, ie. the prostitutes. The interpretation caused dissatisfaction among women, who demanded sanctions on the buyers of sex, too. (IS 1.12.99).

It looks like the prohibition of street prostitution had at least some effect in Helsinki. According to the newspapers, the prostitutes moved to the nearby city of Vantaa after the ordinance was enforced. (HS 22.1.00, IL 22.1.00). One did not have to wait too long for the next step to follow: in March 2000, the City Council of Vantaa decided to prohibit prostitution in this city, too.

**Gendering the debate**

The decision-making process of Helsinki as well as the public debate produced both functionalist, moral, social policy, legalistic and egalitarian arguments, although very much within the framework of law and order. For example, in the City Council two male representatives supported the legalisation of brothels or at least, special areas reserved for prostitution. Many of the City Councillors and the newspaper writers suggested measures for preventing prostitution and social services for those presently engaged in it.

Gendering and egalitarian viewpoints played, however, a central role in conceptions of prostitution in different arenas of the debate. The threatened values were both ‘public peace’ and ‘women’s peace’, ie. women’s right to move and act freely and without threat of harassment in the city. Prostitution and the increasing sex business as phenomena were seen as causes for current problems. They both reflected, and partly strengthened the prevailing sexual culture and views on women. Councillor Näre described the situation as a transfer from a geography of sexual peace to a geography of sexual harassment. The victims of the situation were ordinary women who were

---

6 See, for example, the translation of the municipal ordinance to English. According to it, the paragraph in question sounds as follows: “Soliciting in public places is prohibited.”
compelled to do a continuous ‘victim profiling’ when moving around in the city, i.e. they had to evaluate their risk of becoming sexually harassed or violated. (Kv keskusteluptk 1.9.99; IS 10.9.99)

It was the culture and its conceptions of sexuality that were oppressive to women, and thus problematic. Men were blamed, too: especially the clients of prostitution but other men as well, as far as they behaved in a similar way, assuming all women to be there available for their desires. Especially women tended to express these ideas in different forms during the debate. On this ground, the views could be evaluated as continuations of the framing of prostitution as a gender equality problem that was described earlier in connection with the 1980’s debate.

The differences between the standpoints of the 1980’s and the late 1990’s can be targeted on the position towards the prostitutes and the solutions proposed. It seems that today, the conception of prostitutes as victims of masculine culture has broken down or at least been divided.

There seems still to be some Finnish women’s organisations that continue to support the view of prostitutes as victims. This standpoint, which I here prefer to call the radical feminist approach, endorses the criminalisation of clients as Sweden has done. Prostitutes, i.e. the victims, are not to be criminalised or legally sanctioned, but they are to be helped with social policies and other measures.7

A second, liberal feminist approach to prostitution does not conceive prostitutes as just victims: they are as guilty to the problems as the clients. This viewpoint stresses that there are two parties to prostitution, seen as equal, who also must be sanctioned equally. The liberal feminist standpoint also notes that prostitutes on their part help uphold the masculine conception of women as available commodities, and in this way, make all the other women’s position worse, too. One of my interviewees expressed this by describing her view on prostitutes as strike breakers, who by selling themselves at a dumping price also shatter the ground under the long fight of Finnish women towards equality and women's' rights.

In the debate on the municipal ordinance of Helsinki, radical feminist arguments were practically non-existent. Almost all women participants agreed upon the need to prohibit prostitution (both sellers and buyers) as a solution to the problems of public order and safety, and motivated their standpoints more or less explicitly with the liberal feminist framing.

Instead, the debate brought forth a conflict between the liberal feminist views and a new type of social policy view on prostitution. I will call the latter here a social prostitution work standpoint, in order to separate it from the social policy framing described earlier in connection with the 1980’s.

The social prostitution work is directed on helping and aiding the prostitutes, with the starting point in their own situation and needs. The work is based on the recognition of the subjectivity of the prostitute, the upholding and promotion of her/his human rights and the deconstruction of the dualistic view of prostitutes as either sinners or victims. In practice, social work has the intention of helping prostitutes empower themselves as subjects, starting from them protecting themselves from the crudest forms of exploitation. In the long run, the objective may be in helping the prostitute leave the sex business, but this is not made a precondition for helping the prostitutes in practice. The viewpoints on regulation and sanctions may vary slightly, but the protection of prostitutes from

---

7 This description of the division of views is based not only upon the policy debate around the Helsinki municipal ordinance but also upon my discussions with the representatives of the Finnish women’s organisations in connection to some related political matters.
legal sanctions and social labelling is a decisive factor. Client criminalisation may be viewed with reserves, taking into account the possible negative consequences for the prostitutes.8

The standpoint of social prostitution work was represented in the debate by the Support Centre for Prostitutes. The views and critique against the ban on prostitution by the Centre met with almost total incomprehension. By some, the Centre was rather regarded as a centre for the professional development and further education of prostitutes, because it e.g. distributed condoms to prostitutes for their self-protection.

The activity of the Support Centre was defended in a letter-to-the-editor by Eevamaria (pen name), a prostitute. In her letter, she very much adhered to the standpoints of social prostitution work. She drew attention to the fact that the prostitutes’ own perspective tended to be forgotten in the debate. Eevamaria opposed both the prohibitions on selling and buying of sexual services – both forms would just bring more problems to prostitutes, who often were in the business as a last resort to acquire money. Sanctions and restrictions would not help the prostitute’s position, neither would they help her get out of the business. (HS 24.8.99)

Eevamaria’s letter produced angry responses by the proponents of the prostitution ban. One of them wrote: “You can’t accuse others, if you yourself demean your human rights by being a piece of merchandise. In today’s Finland, you should not talk about ‘a last resort for earning money’, either.” (HS 4.9.99; cf. above the liberal feminist view) Both of these opinions were very popular in the debate. Many discussants were of the opinion that nobody was forced to prostitute herself in a country where a basic income is guaranteed by the society.9

It was very much women who were mobilised by the debate and presented gendered views on it. In the City Council, it was the Green Party women that were active, especially the Councillors Sari Näre and Inka Kanerva, who had already earlier on submitted initiatives for a prostitution ban by municipal ordinance. It must also be noted that Helsinki is one of the municipalities with a strong female representation: 47 % of the City Councillors are women. The city is led by a female troika, of National Coalition Party. On the basis of my interviews, it looks like the Kallio activists found allies especially in the Greens and the National Coalition Party, the latter of which traditionally has endorsed policies for upholding law and public order.

On the other hand the participation of equality institutions and the women’s organisations was nil. Helsinki City has had a municipal Equality Board since 1986, with an advisory role in the city government. It was, however, not consulted on the issue of the municipal ordinance. (Interview with Outi Taavela 21.9.99) Looking at the views on prostitution given by it a few years earlier, they can be regarded as representing the social policy and equality policy views. (Helsingin kaupunki, tasa-arvotoimikunta 1996) On the other hand, at this earlier date, the Equality Board did not yet have to define a standpoint on legal sanctions.

The same goes for both the national equality institutions, the Council for Equality and the Equality Ombudsman, too. They were not consulted, and their standpoint on the legal sanctions on

---

8 It is quite difficult in practice to draw a line between the radical feminist standpoint and the social prostitution work standpoint, since the arguments may be quite similar. The stress tends to be different, though. For example, social prostitution work would criticise the radical feminist point of view of prostitutes as victims.

9 Let me mention one more perspective presented in the City Council, not taken up in any other arenas or by other actors, who tended to take the heterosexuality of prostitution granted. City Councillor Jorma Hentilä (The Left-Wing Alliance), a gay activist, drew attention also to the other sides of prostitution: male prostitutes and their male and female clients. Female clients have become more common in Finland, although compared to male clients, the phenomenon is still very marginal. (Laukkanen 1998)
prostitutes is still in practice open (see eg. TANE 21/43/96)\textsuperscript{10}, although both have in the past been proposing measures for client criminalisation.\textsuperscript{11}

**Policy outcome, wpa activities (DV1), movement impact (DV2)**

The decision made by Helsinki City to ban prostitution in public places marked a launch-off of new prohibitive measures in Finland. The decision must be regarded in light of a need to initiate concrete measures for the concrete problems caused by street prostitution. The dominant frame was that of law-and-order, which also set the parameters for the debates and the actors.

For women and their representatives in the City Council, this kind of a political situation created pressures to define their standpoints towards legal sanctions against prostitution. The points of view adopted earlier, during the 1980's, were quite abstract and did not give short-term answers to the question of regulation of prostitution. In a pinch, women to a great degree resorted to a liberal feminist solution, combining a demand for client criminalisation with the more traditional prohibitionist views of banning the prostitutes' activity.

There were women's policy agencies both at the local and at the national level which could have participated in the debate. The analysis shows, however, that they did not, except via person relations. These institutions have not yet decided upon their standpoint on the issue of regulation, either. On the basis of this, I have to conclude that the first dependent variable is not really applicable to the Finnish wpa's in the debate, although its impact on the second dimension could be established as marginal/symbolic. (DV1)

The outcome of the debate, ie. the ban, was dressed in wordings that made the women activists think they had succeeded in realising their demands (dual response). The reality proved otherwise: in spite of the fact that the ban on prostitution was meant to include both the sellers and buyers of sex, it was applied only to the former group. Thus, in the final analysis, the City of Helsinki and the police rather co-opted women's goals and demands in the process. (DV2)

**6 CONCLUSIONS**

In this paper, I have explored two Finnish policy debates on prostitution, by analysing the framing and gendered contents of the debates. My main attention has been on the questions: Did the women's policy machinery gender the debates? Did anybody else?

The results show, firstly, that the general framework for conceiving prostitution as a political issue has changed, along with the actual increase in street prostitution. In the 1980's, prostitution was seen as an 'alien' problem, a conception that was based on the marginality of the phenomenon in the national context. Consequently, the adopted abolitionist policy line by the repeal of the Vagrant Act was not very much questioned and did not cause major debates or conflicts between the actors. It was firmly believed that an improvement of the social situation of the women engaged in prostitution would solve the problem, along with a general promotion of gender equality in the country.

\textsuperscript{10} The Ombudsman’s Office is at the moment preparing its statement on the proposal for a law on public order, which may give an answer to my questions on this point as well.

\textsuperscript{11} Let it also be mentioned that 8 of 85 City Councillors participating in the decision on the prostitution ban either had been or were at the time involved in the work of the Municipal Equality Board or the Council for Equality or its divisions. This engagement did not generally speaking have any effect on the principal points of view as far as the prostitution ban was concerned. The Councillors’ voting behaviour was better explained by their party affiliation.
These convictions have by the late 1990's given place to demands for prohibitive laws and regulations on prostitution, directed towards representative bodies both at the national and at the local level. The realisation of the prohibitions has started from the local level, but are responded to at the national level as well, as we can see by the bill on public order under consideration. Simultaneously, there have been realised neo-prohibitionist legislation of the Swedish type, criminalising clients seeking paid sex with under-aged young people.

Secondly, the new political situation has forced women, their organisations and representatives to search for new answers for dealing with the problem of prostitution. The result of this soul-searching looks very much like a division between a radical feminist and a liberal feminist approach. The former sees prostitutes as victims of a masculine culture, whereas the latter, prominent in the 1990's debate, is convinced of the 'equality' between the prostitute and the client, and thus also rations the guilt equally. The two approaches nevertheless share the conviction of a need for client criminalisation.

Thirdly, my analysis of the two debates shows that the women's movement, at a surface, seems to have been quite successful in realising its ideas on prostitution policy. I must insist on some reservations, though. Firstly, we must take into account the invisibility of the women's movement in the actual debate of the 1980's. It probably influenced the discourse via public debates on women's issues and a general change of attitudes, but it did not have a direct influence on the policy outcome. Secondly, the 1990's debate shows, that in spite of the imagined success of women's demands, the powers-that-be did manipulate the outcome to coincide with their own interests. The 1990's case represents a classic example of co-opting women.

This takes me to my fourth point, namely the varying interests of different political actors and policy sub-systems on the issue of prostitution. So far, the analysis points out that especially the Ministry of Internal Affairs, along with the police, have represented both prohibitionist (in a traditional sense) and sometimes even regulationist ideas about prostitution. The Ministry of Social Affairs, on the other hand, have been on the forefront for an abolitionist ideology on the issue. There seems also to be a somewhat shaky division between the left-wing and the right-wing parties on the dimension abolitionism - prohibitionism, and an equally shaky division between the women's party organisations of the Left and the Right on the dimension of a radical and liberal feminist approach to prostitution.

Finally, we must conclude that the various equality institutions have played a quite marginal role in the debates analysed so far. Although the Council for Equality did have an insider role in a 1980's committee considering prostitution, the committee and consequently the TANE, too, only indirectly affected the outcome. In the 1990's debate, the wpa's were side-stepped altogether.

There are various reasons for this situation that we must take into consideration. Under the 1980's both the scope and influence of the wpa's can be regarded as in growth, as new women's policy structures were established and new equality legislation and Government measures were adopted. In spite of this, the issue of prostitution was not 'in' or considered a prominent problem, which explains the lack of initiatives from the part of the wpa in the policy process - which, from its point of view, was going allright anyway. Moreover, the matter of prostitution was already under consideration in the emerging women's studies, a process supported actively by the Council for Equality.

As to the late 1990's, the wpa's are generally speaking in decline. The Equality Ombudsman has been the dominant structure since 1987, and the Council for Equality, a political organ, has lost in significance and is currently once again under threat of reorganisation. Moreover, the politicians in
a central role in the Council seem to have lost interest, leading to little activity and a small public visibility. (Interview with Pirkko Kiviaho 24.3.00)

In considering the role of the Finnish wpa's on the issue of prostitution in the 1990's, we might, however, not get a quite accurate picture of the situation, if we focus entirely on legislative and open public policy processes. Most of the activity of the Council for Equality on prostitution/trafficking during the 1990’s has been in the form of nudging others to act upon their area of responsibility, and of providing them with suggestions how to do this. On top of this, the Council has worked behind the scenes for making the Government adopt the equality programme with its paragraphs on prostitution and trafficking, as well as for getting a special project on prostitution within the Ministry of Social Affairs and Health. Thus, the role of the Council has been more like that of a watchdog and of a grey eminence, letting others do the actual work that belongs to them.

BIBLIOGRAPHY


Holli, Anne Maria (1996b): Equality policies in Finland. Unpublished manuscript.


REFERENCES TO RESEARCH MATERIALS:

The Parliament, the Ministries and other state bodies:


The City of Helsinki:


Newspapers:

HS = Helsingin Sanomat.
   Saviluoto, Anja: "Prostituution on vapaa valinta". (Yleisönosastokirjoitus) 4.9.99.
   "Ilotytöt pakenivat Helsingistä Vantaalle." 22.1.00.

IL = Ilta-lehti.
   "Työryhmä haluaa Suomeen uuden järjestyslainsä: seksin myyminen ja ostaminen kiellettävä lailla." 22.1.00.

IS = Ittasanomat.

Interviews:

Kanerva, Inka (Green City Councillor of Helsinki) 25.11.99.
Kauppinen, Jaana (Leader of the Support Centre for Prostitutes) 7.12.99.
Näre, Sari (Green City Councillor of Helsinki) 30.8.99.
Rantanen, Ari (City Secretary, Helsinki) 23.9.99.
Sarvanti, Tapani (Secretary General, Delegation for Prevention of Intoxicants Abuse; Member of the Vagrant Act Committee) (by phone) 16.3.2000.
Savio, Annikki (Secretary, Delegation for Prevention of Intoxicants Abuse; Secretary of the Vagrant Act Committee) (by phone) 16.3.2000.
Taavela, Outi (Secretary of the Municipal Equality Board of Helsinki) (by phone) 21.9.99.
Tolonen, Saara (Activist in Kallio-Society and the movement "Prostitution Off the Streets") 22.10.99.