Framing Prostitution Policies - the normative dispute and the Swedish case

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This paper is part of my dissertation project which through a framing approach aims at explaining which factors that hinders and promotes gender equality policy in a Swedish context. In this paper I present the first tentative results of a case study on prostitution policy. The framework used in the paper is yet to be further developed and the analysis is approximate.

I welcome all comments, both regarding the framework, analysis and results in the paper but also comments with impact on my dissertation project more generally.

ABSTRACT

In 1998 Sweden introduced a unique prostitution law that prohibits the purchase of sexual services but not the act of prostitution. In a European context the law is controversial. Feminists argue whether the law should be considered a feminist success or an expression of a moralist, paternalistic understanding of prostitutes. However, in Sweden most feminists consider the law to be a feminist policy change of great significance more generally.

The aim of this article is to test the fruitfulness of a framing approach as an analytic tool both for describing the normative dispute about prostitution among feminists and explaining the introduction of the law.

Using a theory of framing developed by sociologists David Snow and Robert Benford this article analyses the frame dispute among scholars and the framing attempts in the empirical Swedish case. In the latter part I focus on three aspects: the descriptive characteristics of the framing attempts, the government's choice of framing and the actors' strategies.

My findings contribute to a more detailed understanding of the normative dispute and of the policy process preceding the Swedish prostitution legislation. The article concludes by assessing the merits and weaknesses of the framing approach.
INTRODUCTION

The Swedish prostitution law is unique world-wide since it is the only law so far prohibiting the buying of sexual services. Feminists argue whether the law is to be considered a feminist success improving women's situation or an expression of a moralist, paternalistic understanding of prostitutes. Irrespective of how the content of the law is interpreted normatively, there is significant consensus as to its uniqueness. The legislation has strong domestic support both from the feminist movement and the society (Svanström in Outshoorn ed. 2004:244, Ekberg, G 2004). The law makes an interesting case both as normatively disputed and as empirically salient. In this article I will apply a theory of framing to the normative dispute and to the policy process in which the law was established.

The two recent decades have seen the re-examination of prostitution legislation of most western countries. Prior the re-emergence of prostitution on the political agenda the majority of the western countries had legislation which prohibited prostitution-related activities such as pimping and brothels without criminalising the prostitute herself or the prostitution act (Outshoorn 2004:266-277). Some countries such as the USA and Britain also penalised the prostitutes themselves. After the legal changes that occurred in many countries two new contradictory policy tendencies can be distinguished. The first trend is one of legalising prostitution-related activities legitimising prostitution as work. The second trend is an enlarged criminalisation as to include the johns. Several countries, such as the Netherlands and Austria, have softened up the prostitution legislation and are allowing prostitution as sex work in various forms. At the same time Sweden, followed to some extent by Finland, has moved in the opposite direction criminalising the john (Outshoorn 2004:266-277).
Simultaneously an animated prostitution debate among feminist scholars about what is to be considered a feminist prostitution policy is continuing. Some argue that since women have a right to self-determination over their bodies, prostitution can be a voluntarily chosen and even empowering work. Therefore they advocate a legalisation of prostitution and prostitution-related activities in order to legitimise sex work as any job. Other feminists interpret prostitution per se as exploitation and sexual abuse of women by men. Applying a theory of framing on the discourse will elucidate the differences.

Earlier research has concluded that the establishment of the Swedish law in 1998 was a result of the steady lobbying by the women's movement starting in the beginning of the 1980's (Svanström in Outshoorn ed. 2004:244). However, in order to understand how and why the law became possible at a certain time, the causal mechanisms must be identified and explained. I argue that a theory of framing can be fruitful in shedding light over the policy process and indicating the mechanisms that made the law possible.

The aim of the article is first to analyse the normative dispute on prostitution among scholars and second to scrutinise the process which lead to the Swedish prostitution law. The utility of framing as an analytic tool will be demonstrated.

I initially present the analytic framework building on the framing theory developed by sociologists David Snow and Robert Benford. Next I assess the different standpoints about prostitution among feminist scholars. Then I will apply the framework to the Swedish case. I conclude by assessing the merits and weaknesses of the framing approach.
A FRAMEWORK OF FRAMING

Even though the framing of an issue often is assumed to have an effect on policy outcomes and legislation most scholars use frame analysis descriptively as a way of describing the elements of a certain debate (e.g. Bacchi 2001). The effects of framing are often implicitly assumed and sometimes a correlation between a framing attempt and a policy outcome is made salient. The explanation as to why a certain framing 'wins' the struggle of meaning is often neglected.

The frame analysis approach developed by Snow and Benford is often referred to but mostly as a tool for descriptive frame analysis. However, the framework also includes ideas about why a certain framing is more successful than another, albeit this is rarely seen in empirical analysis.

Building on Snow and Benford I derive an analytic framework of framing in this article. The framework contains three overall aspects. The first aspect refers to the descriptive characteristics of a frame. In order to identify and describe a frame dispute this aspect is enough. However, when it comes to explaining a policy process the analysis must be taken beyond the descriptive characteristics and two more aspects are added: the frame resonance and the actors' strategies. I argue that these three aspects together are fundamental in order to grasp the dynamics of a framing process. First of all the different framing attempts occurring in the process must be identified and described to understand if there has been a struggle of meaning and about which aspects. Second, the choice of frame by the target group, the government, must be scrutinised to understand why a certain frame resonates/ gains support. Third, the possible strategies used by the actors must be analysed to establish which strategies are used and their effectiveness.
The framing attempts
A frame is a way of presenting information. In order to describe a frame
Snow and Benford assign three frame characteristics or functions (Snow and
Benford 1992).vi First of all a frame points out an issue as problematic.
Second, it contains ideas about the diagnosis: the cause and blame of the
problem, and about the prognosis: suitable solutions and responsibility. Third,
the way in which the information is presented is obviously important
independently of the content even if logically there is a relation between
content and presentation. Disputes among actors may occur regarding
different aspects of the frame.

Analysing the frames in terms of the descriptive characteristics I will
identify, describe and compare the different framing attempts and the disputes
among the actors.

Frame resonance
In order to explain why a certain framing effort is successful and another one
is not, Snow and Benford assign four sets of factors that affect the mobilising
potency of a movement's framing efforts and activities, the resonance of the)frame. The framing effort is determined by its internal structure but also by
factors external to it.vii

First of all, the elements of the frame have to be robust and interconnected
in order for the framing attempt to succeed (Snow and Benford 1988). My
operationalisation of robustness and interconnectedness is whether the
prognosis, the solution, is a logical consequence of the diagnosis of the
problem.viii

The second factor for a successful framing attempt is to create a linkage to
the central values and/or beliefs of the target group (Snow and Benford
Third, if a framing effort is to succeed the connection and relevance to the phenomenological life-world of the target group is also of great importance. Accordingly there should preferably be a fit between the framing and established events in the life-world in the sense that the framing is testable and possible to verify (Snow and Benford 1988:207ff). Connections to the personal experience of the target group are also important for success as well as the cultural heritage such as myths and folk tales. In short, the framing needs to be empirically credible, touch upon personal experience and resonate with the cultural heritage. Snow and Benford suggest that the fulfilment of at least one of the phenomenological criteria is a necessary condition for resonance (Snow and Benford 1988:207ff).

The last set of factors mentioned as decisive for the resonance of a framing effort is cycles of protest. The character of the cycle of protest affects and sets the limits for the framing attempts. The timing of the framing actors in relation to the emergence of the cycle of protest affects their possibilities to frame the issue (Snow and Benford 1988:211f).

Using the factors derived to compare the 'winning' frame to alternative framing attempts something can be said about which criteria that seems to be important for resonans.

**Frame alignment - actors' strategies**

Framing actors use different strategies in order to establish a link between their framing and the interpretative orientations of the target group (Snow and Benford 1986). Accordingly, actors use different strategies in order to better fulfil the criteria of resonance.

The first strategy aims at bridging or creating a linkage between two previously unconnected frames.

The second is a strategy of amplifying the frame regarding values and beliefs.
The third strategy tries to *extend* the frame and make it more inclusive in order to resonate with more potential adherents.

When other strategies are not enough a *transformation* and reframing of the issue might be necessary to gain resonance.

By comparing a specific actor's framing from one time to another something can be said about the change of frame and consequently about possible strategies.

**THE THEORETICAL DISPUTE ABOUT PROSTITUTION**

Prostitution is an issue that has caused dispute among feminist scholars and activists. The conflict can be described as one between feminists who state that prostitution is an expression of objectification of women, male dominance and even violence against women and those defending prostitution and stressing that sex work must be recognised as any job and prostitutes given social rights. The conflict has been described as the 'feminist sex war' (Stark & Whisnant eds. 2004:xiii). There have been various attempts to categorize the different standpoints in the debate. Noah Zats distinguishes between liberal feminism, marxist feminism, radical feminism and sex-radicalism. He argues that these strands understand prostitution in four different ways: as free contact/autonomous action, subordinated labour, subordinated sex and sexual pluralism respectively (Zats 1997:282).

A more common distinction is made between abolitionism, regulationism and prohibitionism. This categorisation focuses on the advocated solutions but is sometimes quite confusing since it does not always specify to whom or what it refers. Joyce Outshoorn uses the terminology in a way commonly employed in the literature (Outshoorn 2004:8): Abolitionism refers to the position that prostitution and prostitution-related activity should be banned
but the prostituted woman should not be criminalised. Prohibitionism, on the contrary, makes all prostitution and related activities illegal including the prostitute. Regulationism is the most liberal standpoint towards prostitution of the three and refers to state intervention in the prostitution activity e.g.; allowing brothels or red light district controlled by the government. The terminology as Outshoorn uses it thus refers to concrete methods, and policies, not to the ultimate goal or aim. What might be confusing is that the use of abolitionism sometimes refers to a specific policy, as above, and sometimes to the aim of eliminating prostitution. Abolitionists and prohibitionists have the same aim. Both want to abolish prostitution, but through different methods. Accordingly the terms are not always used on the same level of analysis which is a problem. This thesis uses Outshoorn’s interpretation of the term.

Zats' and Outshoorn’s categorisations are overlapping since the former focuses on differences in understanding of the issue and the latter on differences in advocated solutions. It is obviously difficult to capture all the different standpoints in the debate using a single terminology.

One advantage of frame analysis is that it gives nuance to categorisations, which sometimes simplify the reality to such an extent, that it becomes oversimplification. I will analyse four standpoints in the debate, which I call radical- feminists, moralists, sex work advocators and a midway position, exemplified by Laurie Sharge (Sharge 1989). This is not a 'new' categorisation and it is not an all inclusive list. My intent is to scrutinise and compare some of the most common standpoints in the debate as well as to illustrate the utility of the framing perspective.

Robert Benford distinguishes between three kinds of framing disputes that might occur between actors regarding the descriptive aspects of the frame: disagreements about diagnosis i.e. the problem identification; about prognosis, i.e. the proposed solutions and methods; and about resonance, i.e.
the presentation of the issue (Benford 1993). Some actors may agree about the problem but not about the solution, and sometimes the same solution can be proposed from different problem understandings.

I will try to clarify the crucial differences in the feminist dispute over prostitution by applying a frame analysis approach on some of the most common positions in the debate. The questions to be asked are: Which is the problem pointed out? Which is the cause? And which solutions; methods and aims are proposed?

Regarding problem definition there are obviously big differences among feminist scholars. The strand, commonly called radical feminism, views prostitution per se as a problem. In the introduction of an anthology called Not for sale which according to the editors' aims at connecting a radical feminist critique of prostitution with a broader social justice agenda, prostitution is described as follows:

"Prostitution and pornography both reflect and anchor larger systems of male dominance, as well as other oppressive institutions and structures.(..) The industries of sexual exploitation do devastating harm to the women and children within them. (..) Prostitution and pornography also undermine all women's safety and dignity by legitimising the objectification of women, and by training men and boys to desire and expect compliant sexual services from women and girls." (Stark and Whisnant eds. 2004:xiv).

Prostitution as such is pointed out as a problem and seen as a problem of gender inequality: as oppressive for all women, both for the prostitutes and for women in the society at large. Prostitution is pointed out as caused by the patriarchal societal order, the cause is thus seen as structural. Women are seen as the victims and men as the culpable, as in this example:

"Prostitution is gendered in a way which other forms of work are not in that the consumers are overwhelmingly male, and the victims, as the ILO reports points
Men are thus seen as responsible for the prostitution industry and therefore a logical solution should be a prohibition of the johns. The proposed solution among radical feminists is often a criminalisation of the johns and prostitution related-activities but they generally support a decriminalisation of prostitutes (Zats 1997:289). A criminalisation of the johns targets individuals but can also be seen as a standpoint of principle aiming the patriarchal structure since it challenges the gender unequal society, taking the side of the women. The ultimate goal is to eliminate prostitution.

In the quote above, prostitution is understood as sexual domination. With similar argumentation prostitution has also been described as an expression of male violence against women and not primarily as being about sex. It is argued that prostitution is related to men's violence against women. Firstly, many prostituted women have suffered from sexual abuse in their childhood and many continue to suffer violence from johns and pimps. Secondly, the prostitution act expresses men's power over women rather than sex (Jeffreys 1997:kap 9).

The radical feminists share the aim of eliminating prostitution with a non-feminist moralist standpoint towards prostitution. Since the moralist framing often is associated with the radical feminist standpoint I will briefly discuss the arguments of the moralist standpoint.

Joyce Outshoorn distinguishes between a traditional and a modernised moral discourse.

The traditional moral discourse of the 1890s and early 1900 had defined prostitution as immoral, drawing on the Bible for its ideas about sin and unchaste women (..) In the 1980s the discourse was modernised. Prostitution was still seen as based on the exploitation on female sexuality, but the fallen
women of the past were now victims of poverty or, in the case of trafficking, of deceit.(Outshoorn 2001:475).

Judith Squires and Johanna Kantola describe the moral order discourse as a largely "degendered discourse, focusing on (..) people and children, rather than women."(Kantola and Squires 2004:88).

Prostitution is thus seen as a problem per se by the moralists (both versions) but the cause is not to be found in a patriarchal society but rather in immorality, sinful living. The overall aim is to eliminate prostitution. Accordingly there are differences in the problem definition between radical feminists and moralists. Both see prostitution per se as a problem but for different reasons, even if the end, elimination, is the same.

Squires and Kantola also argue that the moral order discourse and radical feminists share the understanding of the prostituted woman as an innocent victim in need of protection (Kantola and Squires 2004:88). That would indicate that the moralists should propose the same policy solution as the radical feminists.

Analysing the standpoints of the Christian Democratic party in the Swedish case some interesting results emerge regarding this very statement. The Christian Democrats, representing a moralist standpoint, were against prostitution aiming at abolishing the phenomenon. However, a prohibitionist policy solution was proposed, recommending a criminalisation of both the prostituted women and the john. The Party rejected the solution proposed by the radical feminists, a criminalisation of only the johns. The argument for the proposed solution was that every person is responsible for his or hers actions. The Christian Democrats did accordingly not see women as a victim, contrary to the assumptions of Squires and Kantola (Svanström in Outshoorn ed. 2004:239). Regarding solutions the radical feminists are accordingly abolitionists whereas the moralists, at least in the Swedish case, are prohibitionists.
Despite the similarities in problem identification and ultimate end there are thus significant differences between radical feminists and moralists, which emerge in a frame analysis. The cause of the problem is understood in different ways and the Swedish case shows that there are also essential differences regarding solutions.

The third commonly heard standpoint in the feminist prostitution debate is stated by the sex work advocators. The sex work advocators argue that prostitution as such is not a problem; on the contrary, prostitution should be regarded as an "..income- generating activity or form of labour for women and men." (Kempadoo and Doezema 1998:311). The problem is instead framed as the devaluation of women's work and working conditions. "The idea of sex-worker is inextricably related to struggles for the recognition of women's work, for basic human rights and for decent working conditions."(Kempadoo and Doezema 1998:3). Stigma and marginalisation of the prostituted woman are a result of the predominant construction of prostitution, which is institutionalised in society.

The problem is subsequently caused by the societal construction of male, female and sexuality.

"Female sexual acts that serve women's sexual or economic interests are, within the context of masculinist hegemony, dangerous, immoral, perverted, irresponsible and indecent. Constrained in this fashion, the image of the whore disciplines and divides women, forcing some to conform to virginity, domesticity and monogamy and demonizing those who transgress these boundaries. Sex work positions women in dominant discourse as social deviants and outcasts." (Kempadoo and Doezema 1998:5f).

The importance of recognising subjectivity, personal agency and women's self determination is emphasised (Kempadoo and Doezema 1998:8). The focus on agency is interconnected to the critique of the societal construction of and categorisation of women in the dominant discourse. The sex work advocators
emphasised each person as an individual (Kempadoo and Doezema 1998:9). Women's right to choose prostitution is stressed in comparison to the radical feminists claiming all prostituted women as victims. Contrary to the radical feminists who emphasise a structural perspective on women and men the individual is stressed and the structural thinking, which includes categorisation, is thus seen as part of the problem. "By underlining agency, - resistance to, and contestations of, oppressive and exploitative structures are uncovered, and the visions and ideologies inscribed in women's practices made visible." (Kempadoo and Doezema 1998:9). Resisting and erasing oppressive structures is the overall aim.

The problem is seen as a gendered problem in some contexts. But Kempadoo stresses that one needs to take into account the specific ways in which sexuality is constructed in a specific context and avoid generalisations.

Regarding proposed solutions to the problem an activist against slavery is quoted in *Global Sex Workers*:

"we first need to identify prostitution as work, as an occupation susceptible like the others to exploitation. Then sex workers can be included and protected under the existing instruments which aim to protect all workers from exploitation, and women from discrimination." (Kempadoo and Doezema 1998:8).

The solution is a logical response to the problem definition. Sex work must be revalued and the discrimination against women fought as in any other job sector. The method to reach the aim is legitimisation of prostitution and decriminalisation of prostitutes and resistance to the predominant constructions of women who sell sex.

There is obviously a conflict between the radical feminists and the sex work advocators in many aspects but I will also exemplify a standpoint that agrees with the problem definition of the sex work advocators and the solution of the radical feminists. Laurie Sharge’s arguments are consistent with decriminalisation of prostitution but she finds legitimate reasons to
oppose prostitution (Sharge 1989). She generally agrees with the problem definition presented by the sex worker advocators and stresses that:

"although the commercial availability of sexuality is not in every existing or conceivable society oppressive to women, in or society this practice depends upon the general acceptance of principles which serve to marginalize women socially and politically. Because of the cultural context in which prostitution operates, it epitomizes and perpetuates pernicious patriarchal beliefs and values and, therefore, is both damaging to the women who sell sex and, as an organized social practice, to all women in our society." (Sharge 1989:349).

The problem identification is also not vastly different from that of the radical feminists. Sharge emphasises beliefs and values more than the radical feminists but she agrees that prostitution is a problem both for prostituted women and for women in general.

Regarding the cause of the problem Sharge agrees with the sex worker advocators: if prostitution were sufficiently transformed and made completely non-oppressive to women a different sex industry might still exist, non-oppressive to women. It's Sharge's contention that the society in which we live is dominated by patriarchal beliefs and one way of opposing them is to oppose prostitution itself. She is convinced that prostitution as an oppressive phenomenon will disappear along with feminist progress in altering patterns of belief and practice that oppress women but she points out abolition politics of prostitution as one way of doing that.

The solution she proposes is thus abolition policy, the same as the radical feminists. Whether she finds elimination of prostitution an ultimate goal is unclear.

Below in figure 1 I try to clarify the most obvious differences and similarities between the different standpoints.
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<tr>
<th>Problem</th>
<th>Cause</th>
<th>Method</th>
<th>Aim</th>
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<tbody>
<tr>
<td>Radical-feminists</td>
<td>Prostitution per se a problem</td>
<td>Patriarchal societal order</td>
<td>Abolition policy</td>
</tr>
<tr>
<td>Moralists</td>
<td>Prostitution per se a problem</td>
<td>Immorality of the individual</td>
<td>Prohibitionist policy</td>
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<tr>
<td>Sex work advocates</td>
<td>Stigmatisation of prostituted women a problem</td>
<td>Oppressive constructions of gender and sexuality</td>
<td>Regulationist policy</td>
</tr>
<tr>
<td>Laurie Sharge's midway position</td>
<td>Prostitution per se a problem (at least in today's society)</td>
<td>Oppressive constructions of gender and sexuality</td>
<td>Abolition policy</td>
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Figure 1. Differences and similarities between some standpoints in the normative dispute about prostitution.

In the scheme it becomes clear that disputes are indeed about all aspects. This analysis seeks to show that what at first glance looks a debate of extreme is in fact not contradictory in all aspects. Furthermore, different standpoints might even be compatible. The usefulness of a frame analysis is that the differences and similarities between different standpoints become clear, resulting in a nuanced analysis. In a parliamentary debate it is interesting to relate the different standpoints to the theoretical strands but there is always a risk that the analysts tries to fit a complex reality into a
simplified theoretical scheme. A frame analysis is open ended, offering the potential for fresh insights.

THE SWEDISH CASE

Yvonne Svanström has examined the major parliamentary debates regarding prostitution in Sweden.\textsuperscript{xi} One of her conclusions is that "(t)he criminalisation of the john must be seen as the result of steady lobbying by the women's movement." (Svanström in Outshoorn ed. 2004:244).

She also points to the fact that there was cohesion within the movement, as a decisive factor.

Applying the framing approach I take the analysis further and show the potential of the framework in explaining and discovering the causal mechanisms at work in the process. Since there is no apparent correlation between prostitution policy and party ideologies it is a suitable case for frame analysis. There should be comparatively good possibilities to affect the government's bill by framing. Furthermore the approach has the strength of including all actors involved in the process.

The focus of this article is the parliamentary policy process, assuming that legislation is one goal in the feminist struggle. The actors included in the analysis are those engaged in the policy process (MacRae 2003:316). The agenda setting is not the focus in this study which takes as a starting point when the debate about prostitution already had reached the political agenda.

The normal parliamentary policy process in Sweden offers substantial opportunities for extra-parliamentary actors to influence. The process usually starts with the appointment of a governmental commission (\textit{statlig utredning}) instructed to investigate a certain issue. The commission presents its findings in one or several reports, which are circulated to the so called concerned
parties in society (remissinstanser); organisations, authorities, agencies and others. The comments are sent to the government that has to take them into consideration before proposing a bill. When a bill is presented it is normally passed by the parliament since Sweden has a parliamentaristic system. My analysis takes as its starting point the directives given to the 1993 prostitution commission and ends with the government’s bill. The fact that the government did not support the proposal of the commission report is essential. The framing of the commission report was accordingly changed during the process preceding the bill. That indicates that there existed possibilities for other actors to influence the government's framing during the policy process.

The sources used in the analysis are committee reports, consultation responses, parliamentary reports and bills. Thus, the article applies a somewhat formalistic approach to the policy process. Other arenas of significance e.g. in the agenda-setting process will not be included in the analysis.

The criminalisation of the purchase of sexual services

In 1993 a right-centre government appointed a commission to investigate the issue of prostitution. The final report called 'The Sex trade' (Könshandeln) was completed in 1995 and presented to a social democratic government. The concerned parties (remissinstanser) were approximately 80 and encompassed feminist and women's organisations, Christian groupings, police authorities, legal institutions and many others.

The commission recommended a criminalization of both the prostitute and the client. However a majority of the concerned parties rejected the proposal. Only four out of approximately 80 supported the proposal, and 23 wanted to criminalise solely the client (Svanström in Florin and Bergqvist eds. 2004).

During the commission inquiry the issue gave rise to a debate in the parliament and various party motions were posed regarding prostitution. All
women's sections of the political parties, except the conservatives, joined in a motion proposing a criminalization of the client. In the media prostitution was also object of debate. In 1998 the government presented a bill proposing a criminalization of the client (Svanström in Florin and Bergqvist eds. 2004; SOU 1995:15; prop 1997/98:55).

Before the government presented the bill there where however three competing policy alternatives. The three framing attempts contained different prostitution frames, which will be analysed below along with the government's choice of framing and the strategies of the actors.

*The struggle of framing prostitution*

The following questions will guide the analysis: How have the actors that were engaged in the process framed the issue? Were there any framing disputes and about which aspects? Were there any gendered/feminist attempts?

The direct statements in the data will be analysed. I briefly include the instructions to the commission in the analysis in order to give an idea about the actual framing possibilities. Regarding the presentational aspect I will focus primarily on whether the issue is presented as a gender related problem or not.

The instructions from the government to the commission of 1993 were quite broad when it comes to solutions but limited in problem description. The instructions stated that prostitution was a serious gender related issue and that men's behaviour is one important cause to the problem. Criminalization is mentioned as a possible solution but not specified in any way. One might say that the instructions are gendered, prostitution is presented as a gender related problem already at this point (SOU 1995:15, p. 251).

The framing attempts can be divided in three 'groups'. The first group is represented by the framing in the commission's report supported by a few
concerned parties such as Women's forum and the Stockholm police. Prostitution is framed as a serious problem having negative effects on society as well as a problem of gender inequality. The responsibility for prostitution is framed as shared by both the purchaser and the seller blaming both parties involved. The proposed solution is a criminalization of both the prostituted and the client (SOU 1995:15; Sammanställning av remissyttranden Dnr S97/8122/IFO).

The second framing attempt is represented by expert Ragnar Götestam and supported by several concerned parties such as some legal institutions and an organisation for information on sexual matters. Götestam states, in an additional statement to the commission report, that he agrees with the diagnosis of the problem made by the commission but he finds the solution inefficient. He is thus against any criminalization (SOU 1995:15; Sammanställning av remissyttranden Dnr S97/8122/IFO). This solution can be described as status quo, continued abolition policy but not as radical as the one proposed by the third group.

The additional statement to the commission report by expert Birgitta Ekström represents the third framing effort. One of the concerned parties that support this framing is the Gender Equality Ombudsman (Jämo) and some other women's organisations and feminist organisations. The women's sections of the political parties supported this framing of prostitution in a joint motion and the government chose later on to incorporate this framing effort in the bill. Prostitution is framed as a problem caused by the fact that men use vulnerable women. The proposed solution is a criminalization of the client, exclusively. The law is thus gender neutral but a feminist perspective is present and men are pointed out as the general client (SOU 1995:15; Sammanställning av remissyttranden Dnr S97/8122/IFO; motion 1996/97: Ju718).
In order to relate the empirical analysis to the normative dispute I will apply the same scheme as used in the previous section.

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<tr>
<td>1. Commission's report</td>
<td>Prostitution per se a problem</td>
<td>Patriarchal societal order/ immorality of the prostitute and the john</td>
<td>Prohibitionist policy</td>
<td>Elimination</td>
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<tr>
<td>2. Götestam</td>
<td>Prostitution per se a problem</td>
<td>Patriarchal societal order/ immorality of the prostitute and the john</td>
<td>Abolitionist policy (status quo)</td>
<td>Elimination</td>
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<tr>
<td>3. Ekström</td>
<td>Prostitution per se a problem</td>
<td>Patriarchal societal order/ the john</td>
<td>Abolitionist policy (criminalising the john)</td>
<td>Elimination</td>
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*Figure 2. Differences and similarities between the standpoints in the Swedish policy process.*

Applying the scheme it becomes clear that the frame dispute in the Swedish policy process is much more homogenous than the normative dispute.

There is agreement among the actors that prostitution is a problem. The disputes between the framing efforts seem to have concerned the *diagnosis* and the *prognosis*: the cause and blame of the problem and the appropriate methods/solutions. Are both parties or the clients exclusively, responsible for prostitution and should both parties, the client, or none of them be criminalized are aspects of disputes between the framing groups. As a consequence of the differences regarding causality, the proposed solutions are also a matter of disagreement. As in the theoretical discourse the understanding of the causality is connected to the proposed solutions.
With regard to the presentation we can conclude that prostitution is framed as a gender related issue by all actors involved and no dispute arose about this aspect. But one can conclude that the feminist perspective is definitely more present in the third framing attempt, proposing a criminalisation of the johns, than in the others. The third framing attempt analyses the problem in a similar way as the radical feminists. Regarding the framing of the commission the gendered analysis of the problem is mixed with a more moralistic understanding. Gender equality is mentioned in the problem definition but so is also the statement that prostitution is expressing an unacceptable outlook on human beings and that it has negative effects on society such as STD and criminality. A criminalisation of both the prostitute and the john is said to have a restraining effect and to clarify that prostitution is not socially accepted i.e. blaming the individuals involved (SOU 1995:15 p9ff).

As I stated in the theoretical analysis there is clearly a difference between radical feminists and the moralist frame, even if the moralists have mixed their analysis with elements of a feminist analysis. The third framing group represents a radical feminist frame and the difference between them and the commission is significant.

The sex work advocators are not present at all. Generally the sex work frame has been absent in Sweden but occasionally some examples are to be found in the media (Svanström in Outshoorn ed. 2004:240). The framing attempts are thus more homogeneous in the Swedish policy process than in the normative theoretical debate. The radical feminist frame is very influential but not from the beginning, which makes it interesting to explain the outcome.

The criminalisation of the john- the government's choice of framing
The government's choice of framing in the bill will be analysed and compared to the alternative framing attempts using the factors derived from Snow and Benford, in order to learn more about the causal mechanisms at work in the
process and to understand why a certain framing was successful.\textsuperscript{xiv} That is to understand the establishment of the law criminalising the johns.

I will attach great importance to the government's motivations in the bill. Is empirical credibility, cycles of protest or something else stressed as important? By comparing the government's choice of framing with the alternative framing attempts in terms of these criteria I will also be able to see the difference between a successful framing and a failed one.

The government chose to frame the issue according to the framing represented by expert Ekström and various feminists and women's organisations among the concerned parties, proposing a criminalization of the john exclusively.

The first resonance criterion of robustness and interconnectedness is fulfilled by the framing chosen by the government. The elements of the framing effort are interconnected. Prostitution is framed as a problem in need of action. Men are described as the cause of the problem, the state as responsible for measures and a criminalization of the client is the proposed solution which is a logical consequence of the diagnosis.

The framing effort represented by the commission is however as interconnected as the framing chosen by the government. Both the purchaser and prostitute are described as responsible, and the solution is thus logical, a criminalization including both parties. The first criterion can not explain why the framing of the expert Ekström gained resonance.

The second criterion, concerning the correspondence between the framing and the belief system or ideology of the government, is interesting. The framing chosen by the government frames prostitution in a confrontational, radical feminist manner. Men are blamed as the cause of a gender injustice whereas women are described as victims.

Traditionally, a less confrontational gender perspective has been predominant in Sweden, emphasising the importance of co-operation between
men and women in order to improve gender equality (Bacchi 2001; Weldon 2002; Lindvert 2002).

The framing by the commission, stressing both the purchaser’s and the prostitute’s responsibility, corresponds better to this perspective than the government's choice, but it did not succeed. The government's choice can be seen as a change in the government's belief system regarding gender equality, or as a framing chosen because of other factors, despite its confrontational gender perspective.

Regarding the third set of resonance factors, the degree of *resonance between the framing and the life-world* of the government, we can assess the framing as *empirically credible*. The framing of the bill is based on scientific results presented in the commission report. Elsewhere the empirical credibility or lack of it, has become an issue of conflict between the different framing actors (Erikson 2005). In this case all framing efforts are based on the same scientific results interpreted in different manners. All framing efforts can thus be said to fulfil the claim of empirical credibility and there is no dispute among the actors in which the argument of empirical credibility or lack of it, is used.

The *personal experience* is significant in this case. The representation in the cabinet and in the parliament at the time of the bill is more or less gender equal. In feminist research the experiences of women as a group as distinct from those of men are often highlighted. The gender of the target group, that is the government, could therefore have implications for the framing attempts, especially for a gendered framing.\(^v\)

It is obviously problematic to operationalize this factor as 'presence of women in parliament/cabinet'. In this first step I use 'presence of women' to capture some aspect of the personal experience of the target group.

However, this factor might contribute to explain the government's choice of framing since the chosen framing was the most feminist framing. Indirectly
by the presence of many women, which according to the argument are more open to gender issues, and by direct means through the many women MP that had expressed their support of a criminalisation of the johns. The presence of the representatives of the Social democratic women's section in the government as well as in the parliament was probably very important.

The third life-world criterion, the correspondence between the framing and the cultural heritage, cannot at this point explain the government's choice. The framing of prostitution as a problem is correspondent to a Swedish context though. Prostitution is framed as a problem by all actors involved in the framing process. This criterion does however not explain the choice of the government since all actors agree on the matter. Taken together the three life-world criteria can help to explain the government's choice of framing but it cannot give the whole explanation.

The last criterion, the protest cycle in society, is also essential. There seems to have been strong support in society of the criminalization of the purchase of sexual services at the time of the bill. Political and non-political women's organisations and women's policy agencies all framed the issue in the same way, supporting the criminalization of the client.

The conclusion is that the government's choice of framing in this case cannot be easily explained from the Snow and Benford criteria. The alternative framing fulfils some of the criteria equally well as the framing chosen. However, the framework does contribute to a more nuanced understanding of the process. To some extent the interconnectedness, the personal experience, the empirical credibility, which have proven to be important in other case studies (Erikson 2005), and the predominant cycle of protest, can explain the government's choice of framing.

Firstly, the framing is interconnected and empirically credible. Even if these factors also apply to the other framing efforts they might still be a prerequisite. Secondly, adding the criterion of personal experience and of the
cycle of protest the framing by the government fulfils the resonance criteria better than the alternative framing efforts. Thirdly, the importance of the coalition formed by the women's organisations should not be neglected. This is a factor that has proven to be important in other cases (Erikson 2005). Consequently the frame analysis can not fully explain the outcome without a more actors focused analysis.

*The strategic framing of prostitution*

The questions to answer are: Which strategies did actors use to gain the support of the government? And were their strategies successful? By comparing a specific actor's framing from one time to another something can be said about the change of frame and consequently about possible strategies.

If we focus on the group of actors that did frame the issue in the form that was chosen by the government it can be concluded that all the political women's organisations except one, many extra-parliamentary women's organisations and the Gender Equality Ombudsman (*Jämo*) are found in the same framing group. The fact that all these actors supported the same framing was probably of great importance to the government's choice of framing as indicated by Svanström.

Conspicuous and perhaps of even greater importance was the coalition of the political women's organisations. These actors actually co-ordinated their efforts in a common motion. Considering the different ideologies of the parties uniting them in a common motion takes quite an effort. In order to manage this quite an amplified and extended frame is necessary. It is interesting to compare the framing by Ekström made in her additional statement in the commission report of 1995 with the framing in the motion of 1997. The framing in the motion expresses the same basic understanding but the language is not as confrontational as in the additional statement. In Ekström's framing men are blamed for prostitution several times. In the
motion men are not explicitly made responsible for prostitution even if it is stated that men more often find the phenomenon acceptable than women do. The frame is actually more inclusive in the motion than in the framing by Ekström.

The use of strategies in order to *amplify* and *extend* the frame by some of the leading feminist actors seems to be of great significance. If Svanström is right in her statement that the Social democratic women's section took the lead in promoting the issue their role must be further explored. This finding does of course indicate that the crucial framing took place on another level, before the issue reached the parliamentary arena. The fact that the liberal women later on withdrew their support of the law (Svanström in Outshoorn ed. 2004:243), implies that there was not a complete and stable agreement between all the women's sections. Somehow someone managed to unite the women's sections.

**CONCLUSIONS**

In this article I have tried to show how a frame analysis can be conducive in two ways. Firstly, to describe the normative dispute of prostitution and secondly, to understand and explain a policy process, in this case the Swedish legislation on prostitution. Three aspects of the theoretical framework have been applied in this article; the framing attempts, the government's choice and the actors' strategies.

In the first analysis the focus is on the descriptive elements of the frame dispute. Four different standpoints in the normative dispute on prostitution are analysed. The sex work advocates, the radical feminists, the moralists and a midway position. The frame analysis does indeed give nuance to the dispute and clarify which aspects the differences concern. What at first glance look
like extremes in a debate might in fact not be contradictory in all aspects, and standpoints that are often associated might have significant differences. Despite the similarities in problem identification and ultimate end between moralists and radical feminists there are essential differences regarding the cause of the problem and the proposed methods/solutions. These differences emerge in a frame analysis. The frame analysis has shown fruitful in offering fresh insights.

In the second part of the article is the framework applied on the Swedish case of prostitution, the process in which the law that prohibits the purchase of sexual services was introduced. In this part all three aspects of the framework are applied in order to grasp the dynamics of the process and explain the outcome.

Three different framing attempts are distinguished in the Swedish case. The first is kind of a gendered moralist standpoint, the second is a more traditional abolitionist view opting for status quo and the third is the radical feminist standpoint proposing a criminalisation of the john which was adapted by the government. The government chose an unusual framing for Sweden, contradictory to the commission report and not supported by the majority of the concerned parties. Comparing the Swedish case to the normative dispute it becomes clear that the Swedish frame dispute is much more homogenous. The differences in the empirical analysis are about causality and method. Even regarding these aspects the standpoints are not as clear-cut as in the theoretical dispute. The fruitfulness of the approach applied is that it manages to richly describe both kinds of disputes.

Regarding the outcome of the policy process my results support earlier findings about the importance of women's groups lobbying. With a framing approach I can also contribute to a more detailed understanding of the process preceding the law and point to some relevant causal mechanisms that needs to be further tested.
At this point a combination of factors seems to explain the government's choice among the alternative framing efforts. The mechanisms at work in the policy process are thus complex. The criteria of interconnectedness and empirical credibility were fulfilled by all framing efforts but might still have been a prerequisite of the success. The combination of a high percentage of women in cabinet and the presence of the social democratic women's section: the personal experience of the target group, and a predominant cycle of protest supporting the framing proposing a criminalisation of the client, can together explain the government's choice of framing. Altogether the government's choice of framing does fulfil the Snow and Benfordian criteria better than the alternative framing attempts. However, I want to stress that a frame analysis needs more actor derived sources, such as interviews, in order to fully understand and explain the policy process. At this point some of the factors are difficult to falsify. With more actor derived sources the framing analysis can definitely be further taken and a full explanation of the process become possible.

The framework revealed some factors as decisive for the outcome, which are not included explicitly in Snow and Benford's resonance criteria. Svanström mentions the cohesion in the women's movement as a decisive factor to explain the impact of the women's movement on the law. I want to propose that an important factor for the establishment of the law was the fact that there was agreement on the problem identification among all framing actors. Since there was no dispute about whether prostitution is a problem or not, the actors that managed to successfully influence the government, had general support for their problem identification. Without recognition of the problem identification it is logically impossible to get support for a solution. Agreement among the framing actors on the problem identification favoured indeed all framing attempts equally. This notwithstanding I argue that a prerequisite of successful framing is recognition of the problem, which makes
agreement on the problem identification crucial. Therefore the complete absence of sex work advocators in the debate was significant for the outcome.

Another important factor in explaining the government’s choice, which was exclusive to the winning framing attempt, was the fact that a coalition formed by practically all the women's sections of the political parties advocated the framing.

The formation of a women's sections coalition illustrates that the Snow and Benford framework is applicable on different levels. Their framework is set out to explain mobilisation. I argue that the government's choice of framing is a result of mobilisation. In order to pursue a policy proposal you need to mobilise the government and a way of doing that is obviously the formation of coalitions, which in itself is a mobilisation on a lower level. This is thus a mechanism influencing the government on a different level, which must be further analysed. Which were the actors taking the lead in forming this coalition of women's sections? This finding also indicates that actors' strategies are of crucial importance.

Through a framing analysis the complex combination of factors that might hinder or promote a certain framing have been indicated. The framework has shown to be fruitful in a descriptive analysis of a framing dispute but even more interestingly, it has also shown its potential in order to understand how feminist policy change is possible.

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NOTES

i Ekberg shows that approximately 80% of the Swedish population support the law that prohibits the purchase of sexual services. Ekberg also presents studies showing that prostituted women in Sweden support the law as an incentive to leave prostitution (Ekberg 2004).

ii In Finland the purchase of sexual services from persons under the age of 18 is prohibited (Holli 2004: 113 in Outshoorn ed. 2004).
Prostitution is to a high degree gendered. An overwhelmingly majority of the prostitutes are women and most clients are men. Accordingly I will refer to prostitutes as prostituted women and clients as men. That does not mean that I am not aware of the fact that there exist prostituted men and women clients.

Snow and Benford 1992; Snow and Benford 1988; Snow et. alt. 1986; Benford 1993

All policy proposals contain explicitly or implicitly a diagnosis and a prognosis of an issue and are thus suitable for a frame analysis approach. (The line of argument by Bacchi 2001 is applicable to frame analysis).

The frame analysis of Snow and Benford is primarily developed to explain the mobilisation of social movements. When changing context to the policy process it is crucial that the causal mechanism at work in the policy process can be assumed to be the same as in the mobilisation of social movements. I argue that they can. In both contexts actors are engaged in the production of meaning in order to convince a target group. The government is the target group in the policy process and different actors have to frame the issue in a suitable way in order to mobilise support from the government for a certain proposal.

Snow and Benford mention three frame characteristics; the "punctuating aspect", which is about the problem pointed out, the "attributional aspect", which is about prognosis and diagnosis that is the cause, methods and solution. And finally the "articulational aspect", which include the presentation of the issue (See Snow and Benford 1992).

The first set of resonance factors is related to the core framing tasks, the second to the infrastructural constraints of the larger belief system, the third set is related to the phenomenological life world of the target of mobilisation and the fourth set is related to cycles of protest (Snow and Benford 1988:197ff).

A logical consequence is when the cause is targeted in the solution. For example a logical result of an individual understanding of the cause of the problem is a solution directed to individuals and vice versa.

The myths and folktales at a certain time are difficult to distinguish from the fourth criterion, the cycle of protest predominant at a certain time. I think the cycle of protest is to be understood as a more temporal phenomenon.

International labour organisation

Svanström analyses the debates preceding and following the government's bill on criminalising the john and measures women's movements impact on the outcome, the state action taken, in terms of correspondence to their demands and women's participation in the debate (Svanström in Outshoorn ed. 2004:kap 12).

Most of the Swedish political parties have a women's section. The women's section is part of the political party but functions partly as an autonomous organisation.

By dispute I mean a descriptive difference between two framing efforts and not to an actual dispute or conflict between the actors.

An explanatory framework of framing can indeed be questioned for drawing too much on the rhetorical aspect of politics. There are other factors external to the framing attempts of an issue that might affect the outcome of a policy process. The strength of the Snow and Benford framework is that these factors are included in the set of factors pointed out as important for the target group's choice of framing. Economical and cultural factors are thus included in the phenomenological constraints for example.

The importance of presence of women in order to pursue women's issues has been pointed out in feminist research. A high degree of women's representation has been emphasised as important for establishing women's issues. The resonance criterion of personal experience indicates the same thing. But it also points out a possible mechanism, how women's representation can be of importance for feminist policy.
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