

## Chapter 10

### The 'Normal' and the 'Other' Woman of Prostitution Policy Debates: New Concerns and Solutions

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#### **Abstract**

This chapter presents how women who sell sex were presented in two main discourses and policy processes in Norway in the mid-2000s. While prostitution in one discourse was defined as a form of exploitation and even seen as violence that men subject women to, the other discourse represented women who sell sex as someone that by their actions victimise others, both other sex workers, other women from their own nationality, men who are not looking to buy sex and the reputation of cities and the national brand. The most evident difference between the two discourses was how the first one related to prostitution in general, while the second dealt specifically with the prostitution of Nigerian women. The policy implication of seeing prostitution as exploitation and violence was to criminalise the buyer, while the problem definition in the second debate points more towards directing punitive measures towards the sex seller, and this is what happened in debates on whether the city of Oslo should introduce police by-laws prohibiting selling sex in a public and offensive way. This chapter discusses how it came to be that two discourses with such different definitions of and solutions to 'the problem of prostitution' could co-exist.

#### **CHAPTER TEXT**

##### **Introduction**

Prostitution has in the last decade become entangled with concerns over migration both in how it is regulated and debated throughout Europe. Prostitution markets have become more visibly international, and concerns have been raised about whether this entails more exploitation of persons involved in prostitution, and also whether this development has impacted negatively on public order and social cohesion. Norway is no exception. Having debated revisions in the legal approach to prostitution for three decades Norway unilaterally criminalised the purchase of sex in 2009. The explicit normative argumentation for this revision resulted from feminist concerns over prostitution as a symptom of, and reason for, gender inequality, and in itself as a form of violence towards women. In debates leading up to the law reform it was widely assumed that prostitution today is strongly linked to human trafficking and that trafficking can be curbed by deterring men from buying sex (Skilbrei 2012).

At the same time as prostitution was debated in different political fora at a national level as an act of gendered violence, a very different way of approaching prostitution and defining it as a problem was visible in debates about developments in prostitution markets in the largest cities in Norway. Debates surrounding local developments focussed mainly on how Nigerian women selling sex constituted a problem for the cities and their citizens. This discourse about Nigerian sex sellers as a nuisance was also evident in national politics and media representations. The paradox to be explained is the fact that these two very different understandings of the problem of prostitution could co-exist. One where the buyer was presented as responsible and deserving of being fined or imprisoned, and one where the seller was presented as culpable and therefore the one to be punished through banishment from public space and being fined. This chapter deals with an example where very different understandings of prostitution co-existed. Inspired by Michel Foucault (1990[1978]) I understand discourses as multiple, competing and unstable. Instead of understanding the fact that several discourses are in operation at the same time as paradoxical, I aim to understand how they operate vis-a-vis one another based on the assumption that this gives us information about the circumstances under which prostitution is or is not tolerated.

The documents analysed consist firstly of debates held in Oslo City Council about how to deal with 'the problem of the Nigerian women'. I have analysed the consultation notes, comments and Oslo City Council decisions and the political discussions surrounding the proposal in Parliament. Secondly, I look at how key stakeholders, especially politicians and the police, portrayed Nigerian women's prostitution in Oslo and Bergen in the media in the period prior to and during this process, 2005-2008. In reading these materials I have particularly looked for how characteristics of sex-sellers were focused on.

I will first discuss the discursive turn which took place when Norwegian street prostitution markets moved from 'white' to 'black' as Nigerian women from 2004 onwards started to travel to Norway to sell sex. I then move on to look at how this turn was made possible by a set of particular representations of those women seen as acting outside the boundary of the accepted by soliciting sexual services outside the traditional prostitution area, and more openly than was common at that time in Norwegian street prostitution. Their behaviour was seen as provocative and as something that created a need for more and more intrusive police intervention. I argue that contemporary understandings of 'such women' created 'a state of exception' where policies and arguments that were not legitimate in the national discourse on prostitution, became palatable vis-a-vis this particular group. Through this it becomes apparent that understandings of prostitution at particular times must be analysed within a broader context, one which includes looking at how sexuality, race, gender and nation are made relevant.

As described above, the national debate at the time was universal and abolitionist, and oriented towards whether the purchase of sex should be criminalised or not. National debates took place within a clear feminist abolitionist framework defining prostitution as a form of men's violence towards women. To criminalise the purchase of sex was thus presented as a means of protecting women from men. In many contexts it would be illegitimate to talk of the sex-sellers as the problem of prostitution, and not as its victims. So what made this possible in debates over Nigerian sex-sellers taking place at local levels?

### **Regulating prostitution through difference**

Throughout history laws directed at prostitution have created and recreated prejudice against those who sell sex (Walkowitz 1980). In Norway, as in many other countries, the regulation of prostitution has primarily focused on women who sell sex, and we can take this to mean that they are the ones who *personify* prostitution. In contemporary Norway, buying sex is criminalised while it remains legal to sell. Still the legal definition of prostitution in the Penal Code takes the act of the seller as its starting point as it defines prostitution to be (Norwegian Penal Code (2005) § 315: "This paragraph defines prostitution to be when a person *receives* [author's italics] remuneration in return for having sexual relations or performing a sexual act with another or performs an act corresponding to sexual relations on themselves".<sup>1</sup> While the culpability of prostitution in the Penal Code is defined to be with the clients, the act of prostitution is still defined by the *selling* of sex rather than the *buying*. This stands in continuation with how Norwegian society throughout the last 150 years has been eager to abolish prostitution and/or to combat particular expressions of it with policies that in different ways have been directed towards protecting 'us' from 'her'. Not only is it the case that women who sell sex personify prostitution. Throughout history there have also been certain groups of women more visibly construed as 'the problem with prostitution' than others (see also Rydström's and Spanger's chapters in this volume).

How laws are argued for, formulated and implemented gives us information about which meanings are applied to social relations and situations and where the boundary lies between the tolerable and the intolerable. If the law establishes something or someone as exceptional, at the same time it establishes what is normal (Markussen 2002). The philosopher Shannon Bell (1994) argues that through feminist struggles over rights for women, these rights have been acquired through campaigners at the same time construing particular women as 'others' and an exception. Just as women are taken to be 'the second sex' (de Beauvoir 1949) to the rational male norm, some women are construed as irrational and not respectable, in contrast to other women. Such othering processes take inspiration from dichotomous thinking wherein a conflict between 'us' and 'them' is created, and acceptable forms of womanhood defined. In Bell's analysis, 'the prostitute' becomes 'the other' to women who do not sell

sex - a dichotomy that is beneficiary to other women. In order to understand how it comes to be that women who sell sex are made into 'the other' and stigmatised, it is necessary to think critically about how efforts that are humanitarian in their orientation may at the same time contribute towards constructing 'the prostitute' as deviant. The anthropologist Laura Agustín (2007) argues that organisations designated with the task of rescuing other women from prostitution, as well as prostitution related trafficking, are heavily invested in their own identity projects. By way of their efforts to make decent women out of indecent ones, they reify their own position as culturally superior.

In this chapter I am particularly interested in how prostitution and the women involved in it are interpreted in terms of race, which entails that I consider what racial and ethnosexual stereotypes are enlisted in political debates and media coverage (McClintock 1995; Nagel 2003). Differentiations made between different groups of women working in prostitution mean that while prostitution law may be universal and neutral its implementation is not. There is a long history of differentiating between different groups of women involved in prostitution, subjecting some to more control than others, including in situations where prostitution per se is prohibited. This is the case with the regulationist system that throughout much of Europe in the 19<sup>th</sup> century tolerated prostitution only in so far as the women involved subjected themselves to controls for venereal disease and operated in ways not threatening to 'decent' society and 'decent' men and women (described in e.g. Scoular 2015). Norway adapted this system which entailed that while selling sex was criminalised by the Penal Code sex-sellers were tolerated if they underwent health checks and stayed out of sight (Schiøtz 1980). At that time the authorities in European cities chose to differentiate between groups of women involved in prostitution in order to prevent the spread of syphilis to the general population and to ensure that prostitution took place discreetly.

In recent years 'the prostitute' has been construed as an exception to the rule through an emphasis on migrants from the Global South generally, and women who are victims of trafficking specifically, as unfree, in contrast to the presumed freedom of women from the Global North (see e.g. Andrijasevic 2010). As women involved in prostitution in Norway increasingly came to be represented as individuals who should not and could not take responsibility for prostitution, at the same time as debates turned more and more abolitionist, the emphasis rested more on combating prostitution through focusing on 'the demand side', i.e. the client (see Skilbrei 2012 for a description and analysis of this process). Still, one group of sex sellers were interpreted as exerting agency and were presented as someone who should have their actions curbed by punitive measures; Nigerian sex sellers.

### **Changing markets, emerging problems**

While foreign nationals today are a more visible part of Norwegian prostitution markets than they were in the 1990s the size of the parts of the prostitution market where women sell sex to men appears not to have changed much, and the number of women who sell sex per year is normally estimated to be around 2000 (Skilbrei 2001, Tveit and Skilbrei 2008; Rasmussen, Ström, Sverdrup and Hansen 2014). The composition of the market, when it comes to the nationality of the sellers, however, has changed. Visible prostitution markets consisted throughout the 1990s of massage parlours employing Nordic and Thai women, and street prostitution involving Nordic and Dominican women (Skilbrei 2001). At the end of the 1990s there were increasing concerns over women from the former Soviet Union coming to Norway to sell sex. Russian women first started to operate in the northernmost part of Norway, along the border with Russia, and later in the capital, Oslo, side by side with women from the Baltic states and the Balkans (Jacobsen and Skilbrei 2010). While the presence of migrant women in Norwegian prostitution markets in the early 2000s was met with concerns by politicians and NGOs over corruption of norms and possible exploitation, this was nothing compared to what happened when women from Nigeria started to operate in street prostitution markets in Oslo and Bergen in 2004 (Jahnsen 2009).<sup>2</sup> With the rise in the number of sex sellers from Nigeria from the mid-2000s onwards, debaters expressed fears that this was a form of migration that impacted prostitution markets, and ultimately society, negatively (Jahnsen 2009).<sup>3</sup> Oslo City Council were especially concerned with questions of how the city should address the problems this prostitution was thought to create for the city's citizens. In a proposal in 2006 a ban against offering of sexual services 'in a way that seems aggressive or constitute a nuisance, or otherwise disturb the public peace, order or passage' was proposed (Oslo Municipality 2006a). Following some resistance from particularly NGOs during the consultation phase, the term 'aggressive' was removed and the final text read as follows: 'No one must offer sexual services on or in the immediate vicinity of public place in a way that is importunate or obtrusive, or in other ways disturbs the public peace, order or hinders access' (Oslo Municipality 2006a). Although the proposal met with some criticism from social workers, researchers and others, it was adopted by Oslo City Council with a good margin of votes in favour. There was a broad consensus on the Council regarding this matter.<sup>4</sup> The National Police Directorate did not however confirm the decision, something which was needed for the policy to be implemented. The refusal to confirm this was based on the evaluation that such a regulation is in breach of the national approach to prostitution, which meant that the statute never came into effect.

What the Minister of Justice at the time referred to as the national approach was how prostitution per se increasingly was defined as a form of exploitation and even violence that men subject women to. This was the background to why the Norwegian parliament criminalised the purchase of sex a couple of years later, while keeping it legal to sell sex (for the debates leading to this, see Skilbrei 2012). The Oslo City Council was well aware that the issue of prostitution is a complex one, and that to criminalise certain ways of selling sex conflicted with how prostitution was approached in political

debates on a national level, which instead focussed on the responsibilities of the buyer and defined the sellers as the weaker party. Nevertheless, to introduce by-laws which penalised the acts of sex-sellers was presented as a necessary step in order to regulate developments in prostitution markets in light of the fact that new actors, women from Nigeria, had entered the scene. According to the Head of the city council at the time, Erling Lae from the Conservative Party (Oslo Municipality 2006b): 'There has been a development in begging and prostitution linked to how the world has changed because of the Schengen agreement.' Lae's argument was that new times call for new measures and this justified the departure from the national approach. In this way, 'Norwegian' prostitution was positioned outside of the problem that the policy aimed to solve, and the Norwegian sex workers were instead included in the collective 'we'. This 'we' objected to where and how Nigerian women sell sex. The phenomenon of migration related to prostitution itself is also perceived to be so large that extraordinary measures are needed to halt a development about to escalate out of control. Several politicians described a feeling of powerlessness in the face of this perceived development. In discussing the proposed policy, Fabian Stang from the Conservative Party stated:

There is no reason to hide the fact that we are now experiencing a form of powerlessness in relation to the foreign beggars and the prostitutes which is an expression of poverty and oppression in countries that the Oslo City Council has little influence over. It's hard enough to do something for our own citizens (Oslo Municipality 2006b).

Here Stang introduces a distinction between 'our own' and 'foreign' prostitution, with the latter's responsibility for the development of the prostitution market being attributed to their 'origin' in 'countries the Oslo City Council has little influence over'. This is a departure from recent years' national debates on prostitution wherein a core assumption is that the conditions in the home country of the sellers of sex is relevant, in the sense that poverty 'there' creates an inequality that men 'here' exploit if they buy sex.

In discussions of the need for new measures to regulate prostitution in Oslo emphasis is placed upon how Nigerian women establish contact with potential customers in 'the wrong places', outside of the traditional prostitution area of Oslo, and that they do it in an offensive way, different from what 'we' are used to in Norwegian street prostitution markets. In the following I will give a more detailed presentation of the problem of *where* and *how* prostitution takes place.

## Out of place

They must not, under any circumstances, present themselves in Karl Johangade, Kongens Gade, Kirkegaden, at the Fortress or by the Castle except at 8-10 in the morning (Police bylaws of 1876).

As shown by the quote above, concerns over prostitution taking place in wrong places are not new. The Norwegian ethnographer Kari Telste (2000) has written about the controversies surrounding the use of public space in Christiania (Oslo) from 1880 to 1920. The battles erupted over who did and did not belong on Karl Johan's Street, the parade street of the capital leading up to the Royal Castle. The claim was that 'street girls' ('gadepiger'), a common name for women who sold sex at the time, made public space unavailable for decent citizens. Telste describes contemporary concerns about how aggressive these women were, and how men were simply not able to walk alone along the street without being propositioned, whilst women were concerned that they might be mistaken for indecent women. Bourgeoisie women were beginning to make use of the city in new ways by promenading in the city centre and visiting cafes, and for them to be free to do so indecent women needed to be removed from public spaces (ibid.).

Both concerns over men's right not to be solicited and other women's rights not to be taken for a prostitute are also found in contemporary debates. At the beginning of the 21st century, focus was on how the behaviour of the Nigerian women 'reduced' all men to prospective clients by propositioning them outside of what traditionally had been the prostitution area of the city. Considered particularly problematic was that women operated in Karl Johan Street, which was presented in debates as a street that up until then had been free from prostitution. A politician from the Labour Party dedicated to criminal justice affairs, Gunn Karin Gjøl, described the problem with the prostitution of Nigerian women in the following manner: 'Fathers of toddlers - and other men - who are out to enjoy themselves in the main street a summer night, should not be exposed to prostitutes offering sex. Harassment is prohibited' (Laugen 2005). Here the problem is presented as one of 'matter out of place' (Douglas 1966); Gjøl does not argue that prostitution *per se* is a problem, but that the problem is that the Nigerian women do not stay in their place and that they proposition 'decent men' (fathers of toddlers, i.e. 'family men'). The alternative is that women who sell sex keep to specified streets, so that possible clients can seek them out there. It is tempting to think that this has been a convenient arrangement that has kept women in their place, while men have been protected from being 'outed' when they use the city for errands other than buying sex. Concerns about 'ordinary' (read 'decent') men being harassed by Nigerian women who sell sex were not only evident in Oslo. In Bergen, a similar concern was voiced when prostitution was said to have moved away from the traditional prostitution area towards the main pedestrian square:

BT [Bergens Tidende] has recently received tips that African prostitutes operate in several of the city's pubs and nightclubs. They are young, pretty and unintoxicated. - Many men who otherwise would never have considered driving out to Strandkaaien [an area known for street prostitution] to buy sex, are tricked when the setting is completely different, inside a nightclub. The women are able to access a whole new client base, one source states (Røren 2005).

In this newspaper article men are portrayed as victims because they inadvertently come into close contact with prostitutes, who are represented as 'indecent' women disguised as 'decent' ones. The outcome may be that men unintentionally end up as clients. Through their contacts with women who sell sex, 'ordinary' men get mixed up with, or become 'exceptional' men; clients.

In Oslo, the Nigerian women's presence on the main street was not only presented as a problem for men. Elisabeth Aspaker from the Conservative Party argued the following in a Parliamentary debate:

The impression that many tourists are left with is a Norway that is filled with prostitutes who literally grabs after you when you pass them in the street - I do not know how many times – in the short distance, either you come from the port area or coming from Oslo Central Station, going up Karl Johan's Street (Norwegian Parliament 3 April 2008).

The presence of Nigerian women looking for punters is presented as a danger to Oslo's, and Norway's, reputation. In an editorial in Norway's leading newspaper, *Verdens Gang*, similar views were expressed under the heading 'Degrading': 'We obviously cannot have such a situation in the capital's newly upgraded main street' (30 April 2005). This editorial was published in the midst of the celebration of the city of Oslo's 1000th anniversary, and refers to the fact that Karl Johan's Street had been given a facelift for this celebration. There are similar conflicts over space in many European cities as visible prostitution is thought to damage a city's reputation, making it less attractive to tourists, local enterprises and locals alike (Tani 2002; Mathieu 2011).<sup>5</sup> Tourists, local enterprise and locals were probably well aware of the fact that there was prostitution in Oslo also before Nigerians started to operate in the main street; however it may be that in a predominately 'white' society the colour of the prostitutes' skin made it more visible upon their arrival and thus harder to ignore. Discussions about what should be done to keep women who sell sex away from Karl Johan's Street are also related to how their prostitution, it was argued, produced negative effects for other West African women in Norway, now associated with prostitution and suffering both discrimination and the risk of being propositioned by possible clients. Several debaters have argued that this conflict over space and the discomfort with seeing prostitution is racialised (see Jahnsen 2009).



The consequences for other women involved in prostitution were also made relevant in public debates. Until a few years ago there existed a 'tolerance zone' in Oslo, meaning an area where prostitution was tolerated and the police left buyers and sellers alone. The Norwegian women involved in prostitution have generally conformed to the informal requirements for this, or at least they were discreet when they solicited possible clients outside of this area (Skilbrei 2001). When the Nigerian women began to operate outside of the informal 'tolerance zone' representatives from social work projects feared that this would create a retraction of this tolerance. While both buying and selling sex at the time was legal, a police presence could make it more difficult for sex sellers to attract clients and to go about their business. The Pro Centre, a governmental funded service for women and men who sell sex in Oslo, advised its users not to work on Karl Johan's Street, even distributing a map of the city where they marked where the women should not go.

Figure 1 in here

*Figure 1 Hand-out to sex-sellers from Oslo municipality run social service provider the Pro Centre*

Social workers in both Oslo and Bergen supported the police, and reacted to public outrage, by recommending to sex sellers that they remain in the established prostitution areas, i.e. stay where they belong. The head of the Church City Mission's support service for women in prostitution in Bergen, Gunvor Hernes Leonsen, said to the main newspaper in Bergen, *Bergens Tidende*:

We must try to get the prostitutes to understand that it is not OK that prostitution takes place everywhere. We will ask them to stick to the established areas. Visible prostitution is obviously a public nuisance. It is best for all parties concerned if prostitution is limited to one area (Røren 2005).

While there are some differences between how these organisations responded to the increase and behaviours of Nigerian women in prostitution, they both share the problem definition of the politicians and help the police in maintaining a 'tolerance zone', positing as a truth that there is a right and a wrong place for prostitution. The social work organisations were not mistaken when they feared that concerns among politicians and the general population over Nigerian women's involvement in prostitution would also affect other groups of sex seller. The tradition of tolerating prostitution as long as it remained in a particular area came under political pressure in connection with discussions about prostitution on Karl Johan's Street. In debates in the Norwegian Parliament about Oslo City Council's adoption of a local ban against particular ways of soliciting prostitution, André Oktay Dahl from the Conservative Party stated: 'What was the intention behind our proposal was to create a safer and nicer

public space by not having any visible prostitutes in the streets' (Norwegian Parliament 3 April 2008). The aim was to attain a prostitution-free city or at least a city with no visible prostitution, something which makes the city 'safer' and 'nicer' to those who do not sell sex. Christian Tybring-Gjedde, a Member of Parliament for the populist right party the Progress Party at the time, participated in a discussion on human trafficking in Parliament. Tybring-Gjedde was keen to stress that not all the female migrants are victims of trafficking, and that their presence also poses a problem for others:

The Progress Party has received numerous reports from people who are experiencing aggressive prostitution in Oslo's main street – Karl Johan's Street. This demonstrates that this increasingly has become a problem. There should be an established right for Norwegians to be able to walk relatively undisturbed on Karl Johan's Street, in the city centre and in public spheres (Norwegian Parliament 25 April 2006).

Other politicians made the women's possible victimhood relevant in debates and acknowledged that there may be dilemmas involved when understanding the women as victims of prostitution or human trafficking, and at the same time dealing with them as a problem with respect to public order.

As was the case in Bergen. The fact that Nigerian women solicited outside of the traditional prostitution areas was construed as a problem for 'decent men', referred to as 'family men' or as men who inadvertently come into contact with prostitution. What was particularly important in debates over Nigerian women soliciting on Karl Johan was how this was seen as a problem for the city's and the nation's pride ('what will the tourists think?'). Further it was presented as a problem for other West African women in Norway and for other women involved in prostitution. The behaviour of Nigerian women involved in prostitution was thus presented as something with wide-ranging harms for many people.

Similarly, to the nineteenth century, prostitution was considered offensive when found in areas not expected. That women offer sexual services on Karl Johan's Street is not new or solely a 'Nigerian phenomenon'. Norwegian and Eastern European women also operated there without attracting the same amount of attention from the general public and the political establishment. One needs to look more closely at how this particular group is construed, and how this ties together with the fear of them corrupting 'fathers of toddlers' as Gjul were concerned over and hassling 'normal' men, meaning non-clients. Seeing the effects of global injustice up close may be uncomfortable, but the visible presence of prostitution may be particularly difficult to accept in a Norwegian context (on a national level), wherein prostitution, being defined as a form of violence against women *per se*, is considered an extreme phenomenon. Women who sell sex encounter discrimination and suffer from stigmatisation in most countries in the world, and they describe other people's abhorrence of prostitution as very strong (Skilbrei 1998).

In Norwegian debates the women's 'Africanness' was actively included in the argument of how they threatened the fabric of society and the decency of women and men. The Danish sociologist Signe Arnfred (2004) has written about how the concerns of white men, and their ability to be the proper types of men, put constraints on what kind of contact could occur between Europeans and Africans in the colonies. Although European men were seen as initially civilised and even had the task of civilising the colonies, there was also a danger that primitive impulses could be awakened through contact with the 'barbarians'. In the following I will present in more detail how characteristics of the women and how they worked was made relevant in debates.

### **Women behaving badly**

They [women involved in selling sex] should, when they present themselves outside of their homes, be dressed decently and not wear any decorations or clothing that attracts attention, in the same manner as they all in all must behave in a manner so as to not attract attention or offend anyone (Oslo Police bylaws § 8 of 1876).

The nineteenth century bourgeoisies were very concerned about how the prostitute behaved. The city's street prostitutes allegedly behaved so badly that they were notorious in the Nordic countries. In a book chronicling life in the capital Christiania published in 1906 we can read the following description of the whereabouts of 'public women' at the time:

The range of the lowest pleasure girls has now reached Jongstorvet. There [in Jongstorvet] can from about 11 in the evening observe a rather scary gathering of these ravenous birds, most of them dressed in shabby clothes, not even attempting to restrain their brutality (in Haugstøl 1971: 172).

In the media coverage and political discussions at the beginning of the twenty-first century, this time focusing on Nigerian women's prostitution, it is again a recurring theme that they behave badly. They are described as aggressive, and as drawing attention to themselves. Many examples are given to evidence how uncivilized they are, such as having sex outside and accepting low offers from clients. For example the newspaper *Verdens Gang* reported that: 'Nigerian hookers invade Karl Johan's Street. And they are more aggressive than ever' (Mjøseng and Mosveen 2007). In an article about the development in a local community in Stavanger, a homeowner explains: 'It is too bad how this area, that we are so proud of, is turned into trash like this. The style of the prostitutes is much more aggressive than before, a no is no longer a no' (Stavanger Aftenblad 18 November 2006).

What were the arguments for considering Nigerian women's prostitution differently from other women's? In several instances, the difference was explained through culture, as them being aggressive, attracting attention, being unabashed and persistent, which is described as 'un-Norwegian'. Already when Nigerian women first appeared in Norwegian prostitution markets there were attempts to look for an explanation for their behaviour in their culture. The Head of the Church City Mission's support services in Bergen explained this by stating that: 'The African prostitutes establish contact in a way many perceive as very aggressive. It is easy to stigmatize this group, but their behaviour is due to their culture. They are accustomed to other ways of communicating' (Røren 2005). Instead of focusing on how the women's situations shape their range of alternatives, which is the traditional line of argument in Norwegian debates on prostitution, the Head of the Church City Mission's support services here argues that the 'deviant' behaviour they demonstrate is due to their 'culture' and 'other ways of communicating.' The Nigerian women, through their behaviour and appearance, not only challenge the general understanding of how prostitution should be done, but also *how* women in prostitution should act and be allowed to be visible, as they operated in central pedestrian streets and squares. In the Norwegian national context prostitution is often played out in a discreet and unobtrusive manner. One could suspect that the tradition for pietism also structures phenomena on the margins of society, like prostitution. New actors operate in different ways to the established 'Norwegian' way of selling sex, and this is easily reacted to, as reflected in the political debate. Through the abjection of 'the other', the national 'we' is reinforced; 'we' do not sell sex in such an aggressive manner.

At the time when Eastern European women first started to operate in Norwegian prostitution markets it was also argued that they behaved different and more aggressive than Norwegian sex-sellers. Several narratives about these women have co-existed since the late 1990s, but taken together, they construed this prostitution as abnormal, not only in contrast to 'Norwegian' prostitution, but also in contrast to non-prostitute Russian and Norwegian women (Stenvoll 2002). Eastern European women's prostitution does not draw much attention today. Not only has the public lost interest in their doings, it also appears that Eastern European women operate differently in prostitution now as compared to when they established themselves in Norway (Skilbrei and Polyakova 2006). They more often now than before work indoors, something they are able to do as they are not, like the Nigerian women are, identified as possible prostitutes. This means that they are able to work in less visible and attention grabbing venues. One might say that Eastern European women's prostitution has been 'Norwegianised' in how it operates. As white European women have other opportunities in Norwegian society than black African women. The visibility of the Nigerian women in prostitution markets and the way they operate (approaching prospective clients in a very direct way) continue to mark them as problematic in public debates, but this is perhaps also what secures them clients.

When Oslo politicians wanted to establish a local format for the regulation of prostitution they explicitly argued that this need emerged out of changes in the prostitution market. Nigerian women were described as those who did not follow the established ground rules for behaviour, which politicians therefore had to formalise. They made reference to bad manners, such as when Lae, the Leader of the City Council, argued that ‘we’ should uphold normal standards for ‘them’ and make them accountable for how they behave by way of punishment. To not have manners is construed as ‘un-Norwegian’. To be able to assert that the Nigerian women involved in prostitution were adults who should be expected to adjust their behaviour it was necessary for politicians to address the assumption that existed in national debates that women involved in prostitution are coerced and lack the possibility themselves to choose where, and how, to work. Lae achieved this by arguing that to position Nigerian women as victims coerced into prostitution was an example of ‘naive radicalism’ (Lae 2006). Placing responsibility for prostitution on the seller also conflicts with how prostitution is framed in national debates as the clients in these are positioned as responsible for the phenomenon, and for the harm it inflicts on individuals and society. For Oslo City Council prostitution was presented not as something that ‘they’ i.e. Nigerian women selling sex, are victims of, but as something that victimises ‘us’.

It is not surprising that there are competing political positions to a social phenomenon. What is special in this case is that representatives of one of Norway’s largest parties, the Labour Party, were both actively promoting a redefinition of prostitution as a form of men’s violence against women that Norway should combat through criminalising the purchase of sex *and* as a public nuisance that should be combatted with punitive measures directed against the sellers.

As presented above a central part of how Nigerian women were presented as a problem was the fact that they solicited clients outside of the traditional prostitution areas. How they behaved in these places was also said to impact other people negatively. The main group that were positioned as suffering from the way the women behaved were men who were subjected to unwanted soliciting, groping and shouting, as described earlier. Furthermore, it was argued that the women’s behaviour impacted negatively on other women involved in prostitution. This is an understanding that is also expressed in media coverage of conflicts over space and conditions in prostitution, often presented as a ‘battle over the streets’. The newspaper *Dagsavisen* reporting on the prostitution area of Oslo wrote:

Janne, the head of the sex workers’ rights organisation in Norway, Pion, thinks that the presence of especially Nigerian prostitutes has worsened the environment considerably. – Before, prostitution used to be ‘a sellers’ market’, now it’s the buyer’s. Today, clients can gorge in young foreign women that lowers the price, this also makes the job even more

demeaning, says Janne. The prostitute "Marit" strongly agrees - It has become cheaper and more "dirty" to be a prostitute, she says (Eriksrud 2006).

The foreign women are seen to accept lower standards, something that also affect other sellers by weakening their bargaining power and demeaning them. *Dagsavisen* continues: 'Norwegian prostitutes also do not like that the Nigerian women on the street influence how prostitution generally is viewed. – Their aggressive behaviour has nothing to do with us. We go about our business quietly and orderly in apartments, says 'Marit''. It is not difficult to imagine that the attention directed towards Nigerian women's prostitution has important consequences for Norwegian women who sell sex. The forms of prostitution that attract attention are those that the authorities will be eager to do something about. This may also result in Norwegian women receiving less attention and gaining less access to support services. The municipal service provider, the Pro Center, recognises how the attention directed towards Nigerian women may create a sense of marginalisation:

Among the Norwegian street prostitutes it is still a widespread belief that it is the Nigerian women's fault that we now have the Sex Purchase Act. They express much anger and frustration over what they consider to be discrimination and prioritization of the foreigners, from, among others, the Pro Center (Pro Center 2008: 12).

It was beneficial for the Norwegian women to increase the distance between themselves and the foreign women; they have been able to reposition themselves from being 'the other' to 'decent women' (Bell 1994). Agustín (2007: 73) is concerned with the consequences of competition between national and foreign sex workers, stating that Europeans who sell sex may be tempted to play on negative perceptions of transnational prostitution and accuse foreign sellers of destroying the market. Agustín argues that they may be able to normalise their own prostitution and in this way facilitate the claims for rights that are currently an important part of the field of prostitution. There are also other means available to normalise 'domestic' prostitution. In the presentation of foreign women involved in prostitution as a problem, they can attribute the positive label of 'traditional' to their own ways of operating, thus establishing themselves as part of the past which many debaters present as preferable to the contemporary (Agustín 2007).

### **Visibly different**

*They look at us like animals because we have different colour (Wendy, Nigerian street walker).*

In the current climate, where prostitution throughout the 2000s has been defined as a problem *for* women who sell sex, not a problem they inflict upon *us*, how is it still possible to place the blame on this particular group of sex sellers? Even though politicians did not directly mention the colour of their skin it is made relevant in a lot of media coverage, particularly when writing about how the prostitution of Nigerian women is more visible than we are used to prostitution being in Norway. Race is relevant in relation to how ethnicity and culture were energised as explanations of what was considered the problem with this section of the prostitution market. The social work organisations keep statistics of the nationality of their clientele, and people and institutions that refer to these statistics strongly emphasise the ethnicity and nationality of women who sell sex. In recent years knowledge production on prostitution in Norway has almost exclusively focused on transnational prostitution, and ethnicity and nationality have become the most important markers in the field.

All in all, the Nigerian women were presented as very different from Norwegian women in prostitution, and they have been presented as carriers of a culture that somewhat dehumanises them. Synnøve Jahnsen (2009) shows how references to practices of witchcraft and juju serve to exotify, but also to place the responsibility for their prostitution outside of Europe and Europeanness, and how narratives on the challenges their presence poses builds on a division between ‘the Norwegian’ and ‘the other’. Marlene Spanger (2001) and Maibrit Holm (2007) have similarly described how black women who sell sex in Denmark are exotified and how their prostitution is explained differently to that of European women. Both Jahnsen and Holm ask whether the continuous references made to the Nigerian women's aggressiveness may be understood as a manifestation of a fear of a different and presumed to be unbounded sexuality. Arnfred describes how the Western understanding of Africans and African sexuality not only portrays African sexuality as different from European / Western, but also that this difference is involved in constructing the European / Western as ‘modern, rational and civilized’ (2004: 7). Black people came to stand for the instinctive animalistic sexuality, which is not ‘yet’ tempered by modernity and rationality. Throughout history various actors, such as missionaries and colonial masters, have tried to tame the ‘untamed’ African sexuality (Becker 2004; Gullestad 2007). Various forms of othering help to place the responsibility for prostitution far from Norwegian society, instead placing it with human traffickers, in the women’s culture and within the women themselves. In the face of such a difference, it is not the national definition of prostitution as something women are the victims of which seems most relevant, but rather separate measures that can deal with the particularities of these women.

## **Conclusion**

I argue that several powerful problem definitions operate at the same time, as what the problem appears to be is contingent on issues such as the prostitution arena and the ethnicity of the sellers.

While many sex-sellers have operated outside of what is considered prostitution areas in the last decades, the presence in main streets and central squares of Nigerian women soliciting clients is what created an outrage. They seemingly were ‘matter out of place’ (Douglas 1966) in Torgallmenningen in Bergen and Karl Johan in Oslo. The references to *the way* Nigerian women do prostitution in debates set them apart as an exception to the rule, and as someone who should be governed by other means than ‘normal’ workers, and that this made proposing a separate prostitution policy for them possible. ‘The prostitute’ is created as a category and target for policies through debates like the ones described, wherein the Nigerian women were construed as so different as to mandate a separate policy, which criminalises acts that otherwise are completely legal in Norway, thus making ‘the disagreeable’ illegal. Within the national problem definition women who sell sex are portrayed as victims of crime and made into objects through gender norms and by men who buy sex. In the face of such a problem punishing clients seems like an appropriate measure. In contrast, the problem with prostitution involving Nigerian women has been presented as a different kind of problem, and one that should be regulated through special provisions. While women who sell sex are generally construed as victims of the acts of others, the Nigerian women in this alternative problem definition, and the subsequent proposed solution, are rendered responsible for how they objectify ‘ordinary’ men, harm ‘the nation’, defile urban spaces with sexualised behaviour and damage the reputation or freedom of movement for other women. These did not solely serve as competing discourses in the sense that there were different positions one could take; either seeing women who sold sex as the problem or seeing them as victims. It is also not only a case of a conflict between local and national discourse, it was rather the case that the debate in Oslo could make characteristics of prostitution practices relevant in a way national debates could not; it is the nature of local politics to deal with practical solutions to perceived problems while politicians on a national level need to appear to act more on principles. Experiences with Nigerian women as different from the norms about how women in prostitution should act, look and operate in prostitution did not serve to destabilise these norms but instead made it possible to establish them as an exception to the rule. Again, this was made possible by how they were positioned as different. There are several examples where groups who are considered different and are socially marginalised are awarded a prominent symbolic role in society (Stallybrass and White 1986). By looking at what arguments served to position the Nigerian women as intolerable, we understand more about the boundary work taking place vis-à-vis prostitution. The Nigerian women's prostitution appears in these debates as an extreme, hyperbolic version of the phenomenon of prostitution, and as so different that it became reasonable to react differently to it than towards ‘normal’ expressions. And the women themselves appear very different from the ‘normal’ woman in prostitution, who looks and acts in a particular way. This is reminiscent of how black women were defined as lacking the defining traits of femininity for Europeans in Colonial Caribbean or Africa (see e.g. McClintock 1995; Kempadoo 2004). In a contemporary Norwegian setting this has meant that Nigerian women have not been construed as worthy of protection in the same way as others. The women operated outside the



bounds of what society tolerates; they were considered intolerable. Their transgression makes visible norms about women who sell sex and how society's sympathy and protection is contingent on keeping within these boundaries. What in the process appeared to be more tolerable was 'Norwegian' prostitution, not only in the sense that it was performed by Norwegian citizens, but that it took place in a 'Norwegian' fashion.

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<sup>1</sup> In Norwegian: “Med prostitusjon menes i denne paragraf at en person mottar vederlag for å ha seksuell omgang eller foreta seksuell handling med en annen eller for å utføre handlinger som svarer til seksuell omgang med seg selv”.

<sup>2</sup> For more detail on early debates see Jahnsen 2009.

<sup>3</sup> For a description and analysis of this see Jahnsen 2009.

<sup>4</sup> The parties that voted against the resolution were the two most left leaning parties, the Socialist Left and the Red Party, while representatives of the Progress Party, the Conservative Party and the Labour Party voted in favour (Oslo Municipality 2006b).

<sup>5</sup> Red Light Districts may also become part of a city’s brand and visibility in a more positive way, see Nijman 1999. See also Testai’s chapter in this volume.