

**Gender Equality Frames: Sex Work between Catholicism, Liberalism and Social  
Democracy. A Comparison of Austria and Slovenia**

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## **1. Aim of the Paper and method of comparison**

The focus of our comparison will be the similarities and differences in policies on prostitution and trafficking in women in Austria and Slovenia. In both countries prostitution and trafficking in women are not only salient issues for gender equality and gender discourse, but also "hot" public and media issues due to the rise of so called organized crime. As the members of the research network Mageeq we have been analyzing and comparing the influence of the dominant political frames about prostitution in Slovenia and Austria mainly since the mid nineties. We scrutinize discourses of gendering and degendering of the prostitution issue in policy debates as well as images of women and men and of gender equality. The paper will refer these discourses to the catholic, liberal, social democratic and feminist frames in both countries. The paper wants to explore in which ways the liberal, social democratic and catholic frames and discourses influence the policy making on sex work.

The two neighbouring countries Austria and Slovenia have many elements of historic, cultural and religious tradition in common. But they also differ in the recent historic and, due to different political systems, also in institutional political settings and in the policy environments of prostitution policies. The countries also differ in the traditions and strategies of the women's movement. We suppose that due to cultural similarities and mutual influences as neighboring countries specific concepts of prostitution and gender equality have many common features. But we also recognize the differences in the political system, in the traditions of policy making towards gender equality and in the role of the women's movement.

The research questions of the paper are:

1. Who are the main actors in the policy field?
2. How do they frame the issue of prostitution and trafficking?
3. What are their main assumptions regarding gender in the issue? Do they refer to gender equality and/or gender mainstreaming?
4. How can the dominant national frame(s) on the prostitution issue be described in both countries?
5. Where are the main clashes or conflicts on the issue within the countries and where can we find consensus?

6. What differences and similarities between Austria and Slovenia can be distinguished? How can we explain differences and/or similarities?

The paper starts by presenting the background of politics on prostitution and trafficking in Slovenia and Austria (legal situation, main actors, policy environment). In the next part we present the first findings of the frame analysis according to the methodology of the Mageeq project ([www.mageeq.net](http://www.mageeq.net)). In short: The material for the analysis are policy documents like party programs, minutes of parliamentary debates, laws on prostitution, media articles and documents by NGOs and women's groups concerned with the issues of prostitution and trafficking in women. These documents are analysed with a set of sensitizing questions: What is the problem? Who is responsible for the problem? Is the problem gendered? Which roles and norms are attributed in the problem definition? What is suggested as solution of the problem? Who can solve the problem? And again: Is the diagnosis gendered? Which roles and norms are depicted as good and as bad in the diagnosis? In the last part of the paper we present our first findings of a comparison of frames in the two countries.

## **2. The Politics of Prostitution**

### **2.1 Slovenia**

#### **Legislation and statistics**

In Slovenia the issues of prostitution and human trafficking is not covered by a comprehensive law. According to the Slovenian legislation prostitution was inherited from former Yugoslavia (1974)<sup>1</sup> (until recently) treated as an offence (the *Law on Public Order - Zakon o prekrških zoper javni red in mir*, Ul. SRS št. 16/74). Item 5 of Article 10 stated that a person that is submitted to prostitution, takes part in it, or allows or supports it may be sentenced to up to 2 months in prison.

According to the *Criminal Code* (articles 185, 186 and 387) pimping and serving as an agent to prostitution are defined as criminal offences. For both offences a term of up to 3 to 5 years in prison is envisaged, or up to 5 to 10 years if the offence involves a minor. Although there

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<sup>1</sup> Here we should maybe say some more things about the treatment of prostitution in socialism, and in Slovenia particularly. The issue of prostitution seen as morally degrading for both women and men and seen within socialist emancipation ideology as something that can be eliminated by the full employment of women and by prohibition. I am trying to find some arguments and references about this here but I do think that for a better comparison we need more information on treatment and prosecution of prostitution. Prostitutes were the main female prisoners in former socialist times.

are acts regulating the organization of prostitution, the law includes no provisions dealing with clients.

Opinions vary widely about the extent of prostitution in Slovenia. In 1996, the Criminal Service Administration of the Ministry of Internal Affairs recorded around 100 prostitutes, but the "grey area" according to some figures is very large in Slovenia (some estimates suggest 1,800 prostitute).

Based on the information available to the media, prosecutors and criminal investigation officers, the characteristics of prostitution in Slovenia are as follows:

- Most prostitutes are women and girls aged between 18 and 45. According to the criminal investigation officers, they are predominantly women from Ukraine, Russia, Bulgaria, Romania and the republics of the former Yugoslavia. Slovenia is particularly interesting for them, since the relatively high level of prostitution means that pimps don't force them "onto the streets".
- Prostitution has grown particularly noticeably since 1991. This period has seen marked growth in the number of massage parlours, night bars and demand for certain vocational profiles (platform dancers, masseuses, hostesses, strippers, etc).
- It is characteristic of Slovenia that there is almost no street prostitution. The most widespread forms of prostitution are hotel and bar prostitution, while prostitutes from Slovenia for the most part operate at a very high level (advertising and mobile telephones) and are very independent (no pimps).
- Pimps are mostly owners of private companies, renters of night bars and individuals.
- Clients come from different social classes, with many traders and businessmen.

### **Timeline of policies and discussions (1996 -2004)**

Before 1996, and after independence of Slovenia, in some media debates and articles, several individual statements of some younger male liberal political leaders announced (together with the debate about the decriminalization-legalization of pornography) the endeavour for decriminalization or even legalization of prostitution. Before that, within Yugoslavia, the issue was raised in the debates in the civil society circles in the times of strong oppositional movement in Slovenia in the eighties. Prostitution, however, at the general level, was considered to be both immoral and an obstacle to the real emancipation of women. According to the Marxist interpretation of prostitution as a part of a female proletarian enslavement, it was seen first as a crime and then as a disturbance of public order. However,

prostitution was an invisible practice and rumours were telling that it was many times organized by either secret police or local powerful communist leaders.<sup>2</sup>

In 1996, the first attempt was made to prepare a law on the decriminalization of prostitution. Suggestions/changes were not submitted to parliament with the explanation that circumstances in Slovenia did not allow the implementation of the changes. According to a public opinion survey carried out in that period, 59% of respondents were against changes in the legislation.

In January 2000 two parliamentarians addressed the government, submitting a suggestion to establish a governmental expert group involving experts from different governmental bodies to design a law on prostitution. The group was confirmed by the government within a few months (April) and includes experts from the Ministry of Work, Family and Social Affairs, Ministry of Interior, Ministry of Justice, Ministry of Health and governmental Office for Women's Policy (later renamed the Office for Equal Opportunities). Actually, two inter-ministerial groups were founded: in December 2001 a working group for the fight against human trafficking, which functions as an expert advisory body, and in January 2002 a working group for regulating the issue of voluntary prostitution, the task of which is to study prostitution in Slovenia.

In 2001 The NGO organisation *Ključ Society*, the Centre for the Fight against Human Trafficking was founded, whose basic tasks are the development and implementation of preventive and curative programmes aimed at raising the awareness of the general and professional public as well as potential and actual victims of trafficking, including women, victims of sexual exploitation and (forced) prostitution. The purpose of the centre is also to offer the necessary help to victims, aid and assist in their return to their country of origin, provide free advice to victims, encourage and organise their co-operation with prosecution bodies and help in implementing witness protection programmes.

In December 2001 a group of parliamentarians (the proposer was from Liberal Democracy,

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<sup>2</sup> Prostitutes were seen as those ones that radically differ from "normal women" which was the issue coming to the surface in the first massive, Milošević's politics on Kosovo supporting demonstrations of Serbian and Montenegrin women in Priština in 1987 where women were massively protesting against alleged and never proved Albanian politician's claims to reduce the alleged rapes with legalizing prostitution and 'bringing women from outside Kosovo to prostitute themselves'. Women

the leading political party in Slovenia) submitted to parliament a bill of changes to the *Law on Public Order and Peace (Zakon o prekrških zoper javni red in mir)*. Submitters claimed that by introducing changes they are actually going to implement decriminalization of prostitution. They furthermore were arguing for an understanding of prostitution as an economic activity. They did not understand prostitutes as victims but as businessman and businesswomen. They were against treating prostitution as an offence and were justifying decriminalization on this ground.

After a year and a half, at the end of May 2003, the subject appeared on the agenda again. It was again suggested that the existing law should be changed; more specifically, the proposal referred to changes in article ten and elimination of item five that dealt with people who submit themselves to prostitution, take part in it, or allow or support it. In addition, item six of the same article that treated “sexual immorality” as an offence was also proposed to be eliminated. Models adopted in Germany and the Netherlands were often cited.

In the summer of 2003, prostitution in Slovenia was decriminalized with the decriminalization being supported by all parliamentary parties. The Civil Society later proposed a referendum against decriminalization but their incentive failed to gain sufficient support. Surprising to some, the invitation to support the referendum against decriminalization of prostitution received no response from the Catholic Church which might be the reason why it failed.

### **The protagonists**

As one can see from the timeline, the real discussion on prostitution entered the political agenda in 2001 with the proposal for its decriminalisation submitted by the deputies from the leading party, the Liberal Democracy of Slovenia. In my estimation, this proposal and the records of the 2nd and 3rd discussion in Parliament, together with the opinion of the Parliamentary Committee for Home Affairs, are the documents that reveal the core of the structure of the policy arguments. It can be said that media and expert texts have not raised anything new, different or more illuminating than the above-mentioned policy papers. The only exceptions are perhaps the interviews with two Slovenian prostitutes, since the opinions of prostitutes themselves are consistently and symptomatically not taken into account in the policy design process. This means that the decisive protagonists of the decriminalisation of

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went to the streets with transparencies saying that they were not “whores” but mothers and sisters of Serbian and Montenegrin men.

prostitution in Slovenia were political parties, the Committee for Home Affairs and parliament. The governmental expert group, involving experts from different governmental bodies, was established to design a law on prostitution, but it has produced no expertise. Academic research groups were not appointed to do research on prostitution in Slovenia; instead, all data available in debates were obtained from the Criminal Investigation Department. In addition, the nongovernmental organisation *Ključ* dealing with the victims of human trafficking was not invited to participate in the discussions on the decriminalisation of prostitution, although they are experts on involuntary prostitution. As well, women's civil society organizations were not consulted. The Office for Equal Opportunities did not express their opinion apart from standpoints in CEDAW reports which reflect the governmental position. Perhaps worthy of mention are two additional participants as well: the Civil Society's incentive for a referendum on decriminalisation of prostitution that was submitted after decriminalisation was adopted in parliament by all parliamentary parties, and the attitude of the Catholic Church which surprisingly did not openly stand against decriminalisation.

## 2.2 Austria

Today, sex work in Austria is mostly performed by migrant women. In October 2000, 513 prostitutes were registered as working in Vienna, 20 percent of whom were without Austrian citizenship. It is estimated that less than 10 percent of all Viennese sex workers are registered; meaning that 5,000 to 7,000 prostitutes work in the city and that 85 percent of them are migrant women, most of whom come from the former socialist countries. Most of these women have no legal status in Austria.

Prostitution first appeared on Austria's political agenda in the 1970s through the comprehensive reform of the authoritarian Penal Code (1975). Up until the beginning of the 1970s, the "law against vagrancy" from 1885, not only prohibited but also defined prostitution as a criminal act (§ 5.1). In 1973, the Constitutional Court ruled § 5.1 of the "vagrancy law" to be unconstitutional due to the fact that the paragraph left the punishment of prostitutes, pimps and johns at the discretion of the local police (*Sicherheitspolizei*) and the vice squad (*Sittlichkeitspolizei*). Yet article 18.1 of the Austrian constitutional law states that the national executive must take action on the grounds of these same laws (court decision, cited in: *Salzburger Nachrichten* 20 February 1974). The Penal Code then had to be altered as a consequence of this ruling made by the Constitutional Court (Toth 1997). The new Penal

Code no longer considered prostitution criminal, only "illicit sexual acts in public" (§ 218), soliciting (§ 219) and pimping to exploit (§ 216) remained included in the Penal Code.

Major impulses to change prostitution policy came from contradictory rulings by the federal and provincial (*Länder*) or municipal legislature. National legislation rules over matters concerning the Penal Code, AIDS/HIV-laws, tax and social insurance laws. Article 118.3 of the federal Constitutional Law (*Bundesverfassungsgesetz/B-VGN*) of 1962 states that prostitution is to be regulated by provincial law. Most of Austria's provinces upheld their regulatory and prohibitive approaches in the 1970s although the Penal Code did not explicitly prohibit prostitution. If the provinces have no prostitution laws of their own (e.g. Styria until 1998), the individual cities have the right to regulate prostitution.

Laws and policies in the nine Austrian provinces do not comply to general guidelines and differ from province to province and even from one city to another. The provincial laws or decrees prohibit prostitution at certain places, and during certain times of the day. Street prostitution is prohibited by police laws in seven provinces, except Vienna and Lower Austria. Six provinces implemented a "brothel-solution" in the 1980s (Upper Austria, Salzburg, Carinthia, Tyrol, Vorarlberg and Burgenland). Styria's prostitution law, which allows brothels, has only been in existence since 1998. In provinces with laws allowing brothels, the brothel owner is required to apply for a permit with the city authorities. Yet most of the municipalities still prohibit brothels. This differences on the provincial level is the reason why we focus on the policies making process in the province and city of Vienna.

The legislation and policy-making on prostitution therefore are complex and bewildering processes, prostitution policy is often caught up in conflicts between the legislature and executive about which government level is responsible for such policies. There is no legal evidence – except the historic tradition – as to why certain aspects of sex work are regulated on a federal level and others on a provincial level. Pimping and soliciting are viewed as a major threat to "public security", and are therefore regulated through the federal Penal Code. Prostitutes are seen as posing a threat to "public morality and health"; therefore the provinces make regulations concerning them.

In early 1982, the Austrian High Court of Justice (Oberster Gerichtshof) ruled that pimps should be prosecuted not only if they "exploit" prostitutes, but also if they utilise prostitutes'

money for their own purposes. This decision spurred the legislature into action. In 1983, eight out of nine provinces supported the proposed restrictions of the Penal Code. When the SPÖ formed a coalition with the pre-Haider FPÖ (who were also the "law and order" party) in 1983, the way opened for the proposed restrictions. Harald Ofner, the new FPÖ Minister of Justice, provided the legislative backing. On 29 November 1983, the governing parties presented the bill to the Parliament, that passed the restrictive law that very day (BGBl. No. 295/1984, National Parliament, GP XVI IA 29/A and 66/A AB 326, p. 55). The new Penal Code came into effect in 1984. The new version of § 216 defined "exploitation" – which remained a difficult term to interpret, even by the courts – as well as earning a living from sex worker's money as punishable criminal acts.

In 1983, the federal Administrative Court classified prostitution as a "commercial enterprise" (Decision of the Administrative Court, 16 February 1983, Zahlen 82/13/0208, 0215). A prostitute sued a driver for compensation due to her loss of income and won the case. This induced the finance authority to tax prostitutes and some months later, pimps as well. This decision set off an ongoing debate about prostitution as profession. The FPÖ Minister of Justice, Ofner, completely opposed the taxation of sex workers. However, ÖVP parliamentary members pled for levying taxes based on a "just taxation". The taxation law, initiated by the Minister of Finance, Herbert Salcher (SPÖ), came into effect in 1985. One of the objective was to "urge prostitutes to receive a legal status" (Hapala 1986: 3) to prevent "secret prostitution".

Although prostitutes were forced to pay taxes, they were still not eligible for a "business licence," nor were they granted access to the state social security system, as stated in the *self-employment laws*. Moreover, prostitution was not recognised as a form of labour, which should be included in the mandatory public insurance payment and benefits (*sozialversicherungspflichtige Tätigkeit*); prostitutes were denied the right to participation in the social insurance system's division responsible for *employees*. Since the 1980s, they have had limited access to state health care, and have only had the option of insurance as "housewives" or for very high insurance rates. Unemployment and pension insurance remained unavailable to prostitutes, even after discussions in the late 1980s on expanding the retirement insurance for self-employed workers to include sex workers.

The legislature and the Ministry of Labour and Social Welfare refused to amend the social insurance law for private enterprise. This was partly due to the strong resistance put up by the state insurance agency responsible for businesses during negotiations on the issue. It simply refused to accept prostitutes as self-employed business people (*Wochenpresse*, 26 April 1983: 20). Institutions in charge of commerce and social insurance collectively refused to accept prostitutes as members or beneficiaries within the Chamber of Commerce (*Kammer der gewerblichen Wirtschaft*) or insurance agencies up until the early 1990s.

At the beginnings of the 1990s the SPÖ Ministry of Labour and Social Welfare remained inactive on the issue until 1997. On July 11, 1997, parliament members of the LIF (Liberal Forum Party) and Green Party petitioned to the Minister of Labour, Health and Social Welfare, Eleonore Hostasch (SPÖ), to act on the issue of social insurance for prostitutes. In December 1997, the national parliament amended the social insurance law for private enterprise (*GSVG-Novelle*, effective January 1998). The amended law did not take prostitutes explicitly into consideration, but regulated "precarious" self-employed workers. The new law expanded the previously limited definition of private enterprise to include prostitutes. They are now eligible for enrolment in the social insurance system.

But still, this law covers only a small number of women in sex work – registered prostitutes, most of them with Austrian citizenship. The largest number of women in the sex business, that is non-Austrian migrant women, have no social rights, because they don't have the permission to stay or to work in the country. Since the mid-1990s the issue of trafficking in women was put on the Austrian political agenda – on the one hand by the EU and on the other hand by the counselling centre for migrant women in Vienna, LEFÖ. (*Lateinamerikanische emigrierte Frauen in Österreich/Latin American Women Migrants in Austria*). The social democratic minister for women's issues, Helga Konrad, committed herself to the issue. She organised several conferences and workshops on trafficking in women, most of them together with LEFÖ, and funded some research on trafficking to Austria. In 1998, LEFÖ opened a state funded centre for victims of trafficking in women (Interventionsstelle für Betroffene des Frauenhandels) in Vienna. LEFÖ focuses on changing the Penal Code (which punishes trafficking in women into prostitution; LEFÖ wants to de-link trafficking in women and prostitution), the alien law (according to the previous alien law, trafficked women could be expelled by the police; now trafficked women who witness against the trafficker may stay in Austria). In 1998, a law which gives non-Austrian citizens working permits on humanitarian

grounds, for instance victims of trafficking, came into effect. By 2000, although this legislation had been in force for 2 years, not a single woman had been granted a work permit on these grounds. LEFÖ also focuses on counselling trafficked women (within the European Union program TAMPEP). Since July 2001 foreign show dancers and sex workers in bars can get a temporary working permit.

In the following, we want to point out the specific situation in Vienna. The Viennese Police Decree on Prostitution in 1975 (Wiener Prostitutionsverordnung, Ortspolizeiliche Verordnung vom 13.2.1975; Amtsblatt der Stadt Wien 1975, H. 20, 17) was a reaction to the liberalisation of the Penal Code. Street prostitution had increased and the city was eager to limit prostitution and ban it in the city centre. The first *Viennese Prostitution Law* of 1984 restricted street prostitution to areas outside the city centre. Prostitution in private flats and by married women became illegal. According to the "Viennese Government's Decree" on prostitution (1968) – which is still in force today – it was mandatory that prostitutes register with the vice squad, a division of the Federal Police Department (*Bundespolizeidirektion*). They are fingerprinted and photographed (*erkennungsdienstliche Behandlung*), and have to appear at weekly health check-ups performed by the municipal health department (*Gesundheitsamt, MA 12*) – not at a gynaecologist of their choice. Then they receive an "inspection or control card" (*Kontrollkarte*). The role of the Viennese police is similar to that of the Chamber of Commerce for other businesses. When leaving the city, prostitutes have to notify the vice squad of their departure.

In 1987, members of the opposition party ÖVP in the Council of Vienna proposed a bill that aimed to put restraints on Vienna's Prostitution Law of 1984. The main objective was to limit street and bar prostitution, both of which were perceived as secret or clandestine prostitution. The Council did not vote on the bill. It was only in 1988, during the new legislation period, that a parliamentary commission on the matter was formed with members from SPÖ, ÖVP and FPÖ. Because of the ban on prostitution in flats, street prostitution was on the rise after the fall of the Iron Curtain, and numerous sex bars and clubs were established. Due to these issues, prostitution received public attention as the media jumped at the chance to report on the topic. The commission consulted the AIDS-organisation, social workers and gynaecologists from the Health Department of the City of Vienna as well as the vice squad. It proposed a new bill, and on April 19, 1991, the Council of Vienna passed the law. It came into force on January 1, 1992.

The new prostitution law's §2 no longer defined prostitution in moral terms as a “sexual offence” (*Unzucht*), but as "professional sex acts". Apart from some exceptions, such as the prostitution of minors, prostitution was permitted. Zoning laws were set up. Street prostitution within the vicinity of 150 m from schools, youth centres, playgrounds, hospitals, churches, and stations was prohibited (§4). Prostitution in bars and private apartments remained illegal, whereas prostitution in clients' apartments was legalised (§5). The law permitted brothels or "houses where only prostitutes live" (§5). Prostitutes were still obliged to register and notify the police when leaving the city (§6 and 7). In an effort to encourage registration, "secret prostitutes" were generally not fined for their first offence (*Die Presse*, 8 May 1990). The new law guaranteed more privacy rights for prostitutes. A new requirement was that prostitution records must be destroyed within six months (before five years) after cancelling registration with the police.

After elections in 2001, the SPÖ won the majority in the city parliament and has been forming a one party government ever since. Renate Brauner (SPÖ), the female councillor for women in the Viennese government (*Frauenstadträtin*) is responsible for both prostitution law and for public security. In the mid-nineties, debates about "secret prostitution" in the context of trafficking in women urged to change the law. At the turn of the century the discourse on prostitution changed again: The amendment of the Vienna prostitution law should be more prohibitive and it was suggested to fine clients like in the Swedish model. Citizens' activities in several Viennese districts with visible street prostitution pushed the legislation process towards tightening the law. But at that time the debates were leading to a non-decision. It was only in summer 2003 that a new prostitution law was being evaluated. The new law has now been in force since April 2004; a major change with respect to the previous law is that "obtrusive initiation of prostitution" is now punished. For the first time, clients will be fined for initiating prostitution in an offensive way to third parties (i.e. women passing by). The law also implemented a new zoning system (zones around schools, stations and religious places for instance). Fines will be donated to counselling centres for prostitutes.

### **Actors in the policy field prostitution/trafficking in women**

On the federal level, the minister of the interior and the minister of justice are responsible for policies on prostitution (penal code, foreigners' law). The minister of social affairs was involved in policies concerning social insurance for prostitutes, the minister of finance in

taxation of prostitutes. Federal laws are prepared in the federal ministerial bureaucracy and in parliamentary commission. The decisions are made in the Austrian Parliament, the National Council (Nationalrat). Major prostitution policy decisions are made on the provincial and municipal levels. In Vienna, legislation on prostitution is developed within the local government of the city of Vienna. The municipal department for »elections and various legal matters« (*Wahlen und verschiedene Rechtsangelegenheiten, MA 62*) was responsible for the proposition of new prostitution laws.

The federal Women's Ministry since the late 1980s actively introduced topics into the public agenda such as social insurance, health care, worker's rights and counselling for prostitutes. These issues were also placed on the agendas of the other Ministries concerned with the issue (Labour and Social Welfare) as well as on provincial governments' agendas (Dohnal 1992). Since the late 1980s, the women's minister, not part of the policy environment, sought to convince the ministers to take action and open up the social insurance system to prostitutes. In 1995, the second »Report on the Situation of Women in Austria« was published by the Ministry of Women's Affairs (Frauenbericht 1995). The report was compiled by feminist researchers. One chapter dealt with prostitution (Hausegger 1995).

Helga Konrad (women's minister from 1995-1997) was exceptionally committed to the prostitution and trafficking issue. She funded research on the social situation of prostitutes and experts developed model projects for counselling and health care. In 1996, a report on the "Social Aspects of the Situation of Prostitutes" (Soziale Aspekte 1996) and a report on "Social security of Prostitutes" (Soziale Absicherung 1996) were published. In the same year, the Federal Ministry for Women's Affairs released a report on trafficking in women (Frauenhandel 1996). Later, Helga Konrad became OSZE spokeswoman against trafficking in women.

The "Austrian Organisation of Prostitutes" (*Verband der Prostituierten Österreichs, VPÖ*), founded on March 8, 1986, the International Women's Day, moved public discourse on prostitution towards prostitutes' rights. The organisation was founded in Linz by a prostitute, "Frau Eva," along with 200 founding members (*Öberösterreichisches Tagblatt*, 10 March 1986). It became defunct in 1992. The VPÖ demanded the recognition of prostitution as a legal trade with the possibility of advertising and working in one's own flat. A further demand was a non-discriminatory registration that would not be based with the police, but in the

Health Department (Brezany 1987: 22-23). The VPÖ was supported by well-known politicians as Helmut Zilk, (at that time head of the Vienna's Department of the Arts) (*Wochenpresse*, 26 April 1983: 20) and Friederike Seidl (Social Democratic chief of Vienna's Department of Health and Social Welfare) (*Profil*, 20 June 1988). By the end of the 1980s, the VPÖ had contacted the Women's State Secretary. From that point on, Johanna Dohnal picked up the issue of the discriminatory practice of taxing prostitutes, legal inequality, and the unequal treatment of sex workers (Dohnal 1992). Together with several feminist groups she succeeded in placing prostitutes' social situation on the political agenda. The State Secretary co-operated with the Ministers of Labour and Social Welfare (all members of the SPÖ) and with the tax authorities (Brezany 1987: 22).

In the early 1980s the Austrian women's movement neglected the prostitution issue. But in the mid-1980s, the first self-help groups for prostitutes came about. Besides the VPÖ, LEFÖ, a feminist group counselling migrant women from Latin America, was founded in 1985. LEFÖ's projects are financed by the City of Vienna, several federal ministries in Austria, and by the EU. In the second half of the 1990s, women's organisations offering street work and counselling for sex workers were founded in several Austrian cities. "Lilith," an organisation for the "communication between prostitutes and non-prostitutes," was founded in 1997 but dissolved in 2001. MAIZ (*Autonomes Integrationszentrum von und für Migrantinnen*, Autonomous Integration Centre by and for Migrant Women) started in Linz in 1996. LENA (Linz) an "international counselling centre for female sex workers and their friends" was founded in 1997. It is funded by "Caritas," the social organisation of the Catholic church, and by the EU. "Women's service" (*Frauenservice*) in Graz is a counselling project run by the city government.

In late 1997, the "Forum for the Rights of Prostitutes" (*Plattform für die Rechte von Prostituierten*) was founded by members of the Green and Liberal Parties in collaboration with organisations offering counselling to prostitutes like LEFÖ. The initial cause for the Forum was the conservative government members' attempts to pose further restrictions on the Viennese prostitution law. The »Forum« organised public events with prostitutes, members of the parliament and with women's groups in Vienna's city centre. They publicly demanded government action, raising the issues of social security and recognition of prostitution as an enterprise or as regular employed work.

### **3. Frames in debates on Prostitution**

#### **3.1 Slovenia**

##### **On sources and references**

- For now we conducted an analysis of 17 relevant texts: 6 policy documents, 4 media texts taking 4 different perspectives and 2 expert texts, one presenting the findings of research on the legal framework of prostitution and the other representing the negative on decriminalisation (with some characteristic arguments). Due to the lack of relevant texts on prostitution (both policy documents and media texts), we added five texts on human trafficking in the final stage of the analysis.

##### **Non-frames**

Before analyzing the two most dominant political frames that covered the debate on decriminalization of prostitution in Slovenia, we should mention the frames that were expected to be a part of the debate but failed to appear in it – they are designated ‘non-frames.’

Firstly we should mention the media, which followed the discussions on decriminalization on a superficial level, and merely reported uncritically the arguments of, in most part, the liberal option. Outside of this particular discussion on decriminalization, the media strategy for presenting prostitution in Slovenia consists of labelling prostitutes and human trafficking victims as young naïve girls from problematic countries of south-eastern Europe. Even though at the time of the discussions on decriminalization of prostitution two interviews with Slovenian prostitutes appeared in the media, we believe that one of the important frames of discussion on prostitution should have consisted of opinions, needs and wishes of female and male prostitutes, whose standpoints had obviously not been included in the discussion. In the interviews mentioned above, the prostitutes clearly stated that they did not care about decriminalization, that the politicians were doing it for themselves and not to improve the status of female and male prostitutes, and that they would never officially register as prostitutes.

Secondly, many were surprised at the absence of opinions and standpoints of the Catholic Church on the decriminalization of prostitution. Even though the proposers of the referendum

against decriminalization of prostitution made a public call to the Church for their support, the Church remained silent.

And finally, what is probably most surprising is the absence of feminist intervention in the discussion. The Office for Equal Opportunities did not participate in the discussion, and the same holds true for feminists, whether activists or academics. In general terms, there is no feminist reflection on the phenomenon of prostitution in Slovenia.

### **The structure of the policy debate – an alliance between Liberals and Social-democrats**

The analysis of policy documents mentioned above (the proposal for decriminalization of prostitution in Slovenia submitted by the deputies from the leading party, the Liberal Democracy of Slovenia, the records of the 2nd and 3rd discussion in Parliament together with the opinion of the Committee for Home Affairs) has shown that the positions of the Liberal Democracy of Slovenia and the United List of Social Democrats of Slovenia were the most noticeable and conceptualized frames, which defined the course of the discussion on prostitution.<sup>3</sup>

The Liberals pointed out that prostitution was mainly a voluntary activity and in this they referred to both human rights and freedoms and the prostitute's freedom to choose her/his way of making a living. They stressed the definition of prostitution as an equal economic activity (a strong political argument for this was the definition of prostitution by the European Court of Justice) and as the opportunity for extra earnings. Even though Slovenia has no studies on the quantity and quality of prostitution, the Liberals argued for decriminalization by pointing out the high level of prostitution in Slovenia and the abundance of new forms of prostitution, such as mobile-phone prostitution, prostitution for improving an already comfortable living standard, week-end prostitution, student prostitution, etc. These 'new' forms of prostitution are supposedly not problematic from the point of view of offences

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<sup>3</sup> In the process of decriminalization of prostitution in Slovenia, two other frames became more pronounced, however without significant political importance. The first, which can be termed the 'conservative frame', was initiated by the proposers of the referendum against decriminalization of prostitution from the so-called Civil Society. The same group successfully carried out the referendum against the right of single women to be artificially inseminated. The second distinctive frame was established in the field of human trafficking, its bearer being the non-governmental organization *Ključ*. The characteristic features of the NGO frame are pragmatism, operability, focus on concrete help for victims, and acting in accordance with legislation. Both frames are very gendered. The conservative frame assumes only women are prostitutes, while the activities of the NGO frame specifically emphasize 'the most vulnerable victims of human trafficking', namely women and children. Through its key representative, the NGO frame also carries great influence in the interdepartmental advisory body for the fight against human trafficking. In comparison with the interdepartmental group for regulating the issue of

against public order and peace. Above all, they are presumed to be a consequence of an individual's free will.

Slovenia also has no data on the gender structure of prostitution; there exist only rumours about an increase in male prostitution. Nevertheless, the Liberals maintained that prostitution is not a gender issue and they strictly used non-gendered language in their proposal. Feminists in Slovenia have been fighting for a long time for the non-sexist use of language. Today the use of both gender forms is, or is at least supposed to be, a matter of common practice and political correctness. Yet, in this concrete case, the political correctness of the Liberals seems to be a guise obscuring the problem of the gender dimension of prostitution. Politically correct, non-sexist use of language thus became a way of concealing the gender dimension of political reality. The truth is nevertheless revealed in the language, which is why it is symptomatic that not only in speeches but even in the written proposal for decriminalization the Liberals often, without even knowing it, slip into the representation of prostitution as a mainly female activity.

In contrast, those who expressed hesitations regarding decriminalization of prostitution in Slovenia (they were the United List of Social Democrats and to a lesser extent Pensioners' Party that have developed the conceptual argumentation, other parties put forward mainly moral questions regarding prostitution; both parties successors of the former League of Communists with its Marxist views on women's emancipation and prostitution issue)) claimed that prostitution was above all an involuntary activity. They connected prostitution with human trafficking, enslavement of persons, criminal offences and illegal immigration. They could not agree with the EU Court's definition of prostitution as an equal economic activity, but instead saw it as sexual and economic exploitation of (mainly) women. Hence for them prostitution is a highly gendered topic since it arises from a difficult social and economic situation in which women may find themselves more easily than men.

In spite of those very fundamental differences in their points of departure, the discussion did not continue further or deeper either in parliament or elsewhere. They merely terminated it and made a joint agreement that for now prostitution should be decriminalised (note that even before decriminalization, prostitutes were not persecuted in Slovenia but decriminalisation now enables them to cooperate with criminologists in persecuting pimps and other perpetrators connected with involuntary prostitution). However, in the (near) future the

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prostitution in Slovenia, the group fighting against human trafficking is very active, and has taken a number of

governmental expert group (the same one that produced nothing during the two years of its existence) must develop an expert platform for the further regulation of (voluntary) prostitution which will concern mainly health and social security, as well as labour and tax legislation.

The dominant frame in this whole debate on decriminalization of prostitution in Slovenia was a (neo)liberal one and it was expressed in the conceptualization of prostitution as a voluntary economic activity aimed at earning extra-profits, seen mainly as a matter of human rights and freedom of choice. Within this frame, the problematic dimensions of prostitution and the reasons for it, even if it seems voluntary, were somehow reduced and swept under the carpet. There were no words regarding social position of single mothers, employment opportunities for women, wage disparity, the global dimension of migration involving women, etc. And what is perhaps most important for our analysis – the issue was framed as non-gendered.

From the proposal for decriminalisation and parliamentary debates on it, one could see that the main arguments for (and against) decriminalization were built on the conceptual difference between voluntary and involuntary prostitution, although this difference was not openly exposed by either side. On the one side, the Liberals emphasized mostly prostitution as a voluntary decision for the improvement of an individual's living standard, while on the other hand, the Social Democrats pointed out the dark side of prostitution, namely that it is forced upon mostly women by organized crime dealing with human trafficking. Somewhere between these extremes, however, lies a substantial part of prostitution, which, admittedly, though not a consequence of organized crime and extreme coercion, is nevertheless not voluntary. This form of prostitution, which we believe is the predominant form, and for which we believe that it is a consequence of unequal opportunities of women in contemporary societies, and for which we are convinced that it is still a gendered issue, did not come to the fore in any of the dominant frames. Maybe the main reasons for this lie in the fact of the socialist and Marxist'feminist legacy of the argument, in the absence of feminist debate, and in the pre'dominant neo-liberal frame of the post'socialist transitional situation<sup>4</sup>. We are speaking,

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concrete measures in the field of legalizing the status of illegal immigrant victims of human trafficking.

<sup>4</sup> After so many years of the dull image of women in socialism, even some women in the Eastern Europe saw the image of the whore as liberation. Einhorn noted, that "whilst the image of the prostitute may appear to embody the neo-liberal notion of the individual in the marketplace...this duality between 'damned whores and god's police' does not offer much in terms of role models for them as of today's (Russian) women" (ibid.: 228). This is probably true, but it might therefore be that this whore image was a kind of "salvation" for male politicians at the public level. Namely as a more pleasant "surrogate" for the asexual, boring "politics" from before, when nothing exciting was going

for instance, of women who, out of " free will" , decide to prostitute themselves because they are single parents and cannot support themselves and their children on a worker's salary.

In conclusion we should emphasize that the policy of equal opportunities for men and women in the process of decriminalization of prostitution in Slovenia was not the subject-matter of either political or any other public debate.

## 3.2 Austria

### Selection of Documents

For the frame analysis since 1995 we analysed 25 documents from 1995 to 2004. We analysed six parliamentary debates (upper and lower house from 1996 to 2002), one law, the Viennese prostitution law from 2003, three party documents from the social democrats and the green party (the only parties that put the prostitution issue on their agenda), 14 media articles from Austrian dailies (1995 to 2004) and one document by the feminist organisation LEFÖ.

### Dominant frames and gendered frames

Overall, the "law-and-order-discourse" and the "public health discourse" degendered the policy process until the late 1980s. Prostitution was depicted as a moral threat, a threat to the public order and as a health problem. With some exceptions (Green party, LIF and counselling organisations) prostitutes' rights, especially their economic and social rights, were negated. The frame of "sex work" (and the word) was absent in Austria up to the late 1990s. Only in the 1990s feminist organizations introduced this frame in the policy debate. But it still is marginalized.

Although the issue was not located in an obviously gendered frame, the policy discourse was and is gendered or has a gendered bias: The decriminalization of prostitution in the mid 1970s resulted in a gendered bias of prostitution: While the old "vagrancy law" punished both, the prostitute and the client, the "decree concerning the health supervision of professional sexual offenders" (1975) (BGBl. 314/1974: "Gesundheitliche Überwachung von Personen, die mit ihrem Körper gewerbsmäßig Unzucht treiben"), made the prostitute alone responsible for the

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on. On the other hand, it could represent a means for self-assertation, something which proves real masculinity.

"immoral act" of selling sex and forces prostitutes to comply with strict health supervision, usually performed by state authorities. Yet, by 2004, selling sex is still an "immoral" contract and prostitution is not considered a legal form of work – even though registered prostitutes have been covered by the social insurance law for private enterprise as "precarious" self-employed workers since 1998.

In the debate on tightening the Penal Code in the early 1980s, lawmakers mainly focussed on pimping and prostitution as threats to public health and safety. For the ÖVP, the liberalisation of the Penal Code was viewed as posing a "just cause for the rise in secret prostitution, police problems [and the] increase of sexually transmitted diseases" (Pernthaler 1975: 288). The parliamentary debate on the new law centred on a "law and order" based discourse. Neighbourhood safety and "keeping the streets clean" were the main objectives of the restrictions by ÖVP and conservative Social Democrats. The relationship between pimps and prostitutes was not framed as a business affiliation subject to regulation; it was not seen in terms of work contracts or as a matter involving women's rights. Another frame was a moral frame: Prostitution was judged as being "immoral" and a "vice." Parliament member, Hilmar Kabas (FPÖ) for instance, said that prostitution is a "social evil" that must be "contained" (see parliamentary debate, GP XVI, Sitzung 55, 28.6. 1984). Both pimps and prostitutes were perceived as "problem groups" within society that should be banished from the public eye. A group of leftist Social Democrats presented prostitution as a class problem (See Dietrich, parliamentary debate, GP XVI, Sitzung 55, 28.6. 1984). Prostitution was located in bad social conditions of women (low wages) which force women to sell their bodies.

The bulk of the debates on the amendment of the Penal Code in the early 1980s were not gendered (e.g. Prostitution - Zuhälterei 1983). One gendered issue was criminal actions of pimps, who were primarily perceived as *men* who make a living from exploiting prostitutes. Yet within this whole discourse, prostitutes were not addressed specifically as being *women*. Maria Hosp (ÖVP) was the only woman who was vocal throughout this debate. She raised the issue of violence between male pimps and female prostitutes, painting a picture of prostitutes as victims. Her gendered approach reduced pimps to "criminal" individuals. Yet she neglected to contextualise the issue within a gendered power structure in which male violence is a reality (see parliamentary debate, GP XVI, Sitzung 55, 28.6. 1984).

The debates on AIDS represented a major shift in the prostitution debate in the 1980s. This was actually "progress" in the sense that, before AIDS, there was basically no public attention to prostitution beside the sex and crime-stories (Prostituierengewerkschaft 1987). From this point onwards, prostitutes were not only marked as immoral women, but also as a »high risk group«. Consequently, "secret prostitution" was perceived as a public health (*Volksgesundheit*) issue. In Vienna, for instance, the ÖVP, fractions of the SPÖ, and the chief of the Viennese health department, Wolfgang Kopp, all supported the main, yet non-controversial political objective of "containing" clandestine prostitution in Vienna (*Profil*, 20 June 1988). The policy solution reflected in the media and parliamentary debates aimed at reducing the number of prostitutes on the streets, encouraging registration with the police, and urging prostitutes to go to weekly health checks. Also, counselling and assistance in finding another profession dominated the content of the debate.

A dominant gendered frame in the 1980s was the polarisation of "normal women" and prostitutes. An ÖVP member of Parliament even went as far as claiming to protect "innocent women" against johns, pimps and prostitutes through clamping down on the legal situation of prostitutes and pimps. Due to the AIDS-discussion and the concentration on health issues, the conservative parties gendered the issue insofar as they separated the "good" registered prostitutes from the "bad" non-registered (and therefore illegal) prostitutes. Leftist Social Democrats considered prostitution a problem of "exploitation" and "intimidation" of women by pimps (see Dietrich, parliamentary debate, GP XVI, Sitzung 55, 28.6. 1984).

In the period from the late 1980s to the early 1990s, women's policy agencies and women's groups made great headway in »making a difference« in Austrian women's policy. Together they were increasingly more successful at gendering the prostitution debate in a feminist manner. In the debate on secret prostitution, the "prostitutes' union" – as the VPÖ defined itself – stressed the urgency of sex workers' rights to enrol in the state social security system. It concluded that all prostitutes should register and pay taxes at equitable rates. Dohnal claimed that taxation should be fair and that prostitution should be recognised as profession with full rights of access to the social insurance system (*Die Wochenpresse*, 12 November 1985: 29). She promoted the issue of social insurance for prostitutes in the media. In the very beginning of the 1990s, the process of redefining the issue in non-moral terms had begun. The newspapers were full of vicious articles on the double standard of taxation, describing the state as the "ultimate pimp". At the same time, lesbian feminists in the AIDS self-help

movement in Vienna took on the issue and encouraged the Green Party to include the prostitution issue in their agenda (Interview with Gudrun Hauer, 27 July 2001).

The debate on social insurance for prostitutes since the beginnings of the 1990s was placed within in the gendered discourse of economic citizenship for prostitutes. There was little opposition to the frame that prostitution must be included in the self employed workers social security system. The policy discourse within the governing SPÖ framed prostitution as a "social problem". Within this "social work discourse" female prostitutes were seen as victims of social conditions, exploited by pimps and organised crime. The SPÖ discussed prostitution as coerced labour, but not voluntarily chosen work. Prostitution was not labelled as "sex work". The main task was to assist women in getting out of prostitution. More technocratic debates still concentrated on the health threat posed by »secret prostitution«, caused by the refusal of professional rights. The ÖVP perceived prostitutes as a social burden, especially in terms of a state-funded retirement plan for prostitutes. This fiscal argument was also in support of allowing sex workers entrance into the pension system.

In the 1990s members of the Green Party framed prostitution as a matter of female inequality based on unequal gender relations and regimes. In the parliamentary debate on the AIDS law in 1992, Christine Heindl, a Green MP attacked the moral double standard of claiming to be devoted to preventing HIV infection, while only putting the blame on the prostitutes, leaving their clients out of the discussion. Feminists in the Green Party as well as the well-established Federal Ministry of Women's Affairs enabled the gendering of policy issues possible at a government level. Social Democratic feminists engaged in and around the Ministry of Women's Affairs criticised the state's regulation of prostitution. Johanna Dohnal framed the issue in terms of the discrimination of women's work and of the right to work. In the second half of the 1990s, the Federal Ministers of Women's Affairs, Johanna Dohnal (1990-1995), Helga Konrad (1995-1997) and Barbara Prammer (1997-2000), the head of the Department of Women's Affairs, Renate Brauner, and the Vienna "Office for Women" connected the subject of prostitution to the issue of poor working conditions of women. They focussed on the social injustice of paying taxes while simultaneously being excluded from the social insurance system. They claimed that social insurance, street work, and counselling were political means for achieving social security benefits and equality for prostitutes.

Some feminist activists claimed that prostitutes are not simply victims of patriarchal structures and men, but that they voluntarily choose for the work (Hauer 1987). Lesbian feminists within the AIDS self-help movement discussed the issue in terms of prostitution as a profession and of the rights of prostitutes to improved working conditions, health care, and social insurance. The new legislation on social insurance recognised prostitution as a form of work, even though it was regarded as coercive and immoral work.

Towards the end of the 1990s, the Green Party and the LIF publicised the issue more broadly. The LIF, the Green Party and the “Forum” framed the issue in terms of the normalisation of sex work and as a human and women's rights issue, demanding the destruction of police files on prostitutes. All moral laws should be abolished and prostitution be further regulated in terms of labour, contract, social security and trade laws. Both the reduction of discriminatory practices pertaining to prostitutes' work as a trade and the insurance agency's efforts were able to redefine discussions on social insurance as a right of social citizenship.

From the mid-1990's until 2003, it can be said that the dominant frame on prostitution in both parliamentary debate and the media is trafficking in women (explicitly gendered) – or trafficking in human beings (implicitly gendered). Virtually all statements of parliamentary deputies located prostitution in the context of trafficking – or as a public security issue, the second dominant frame. One of the few feminist groups that have been active as actors throughout, LEFÖ, originally entered the prostitution debate from the trafficking background, as they were counselling women emigrated from Latin America. LEFÖ has been very active in trying to get the frame on prostitution as sex work on the agenda again, but apparently they have had little success.

Reflecting these frames, the most recent legal changes regarding prostitution are situated in the context of alien law (July 2001: temporary residence permit for foreign show-dancers and sex workers) and public security (amendment of the Viennese Prostitution Law, in force since April 2004: prohibition for clients to molest women passing by, new zoning for street prostitution). Neighbourhood safety – as well as the gendered frame of polarizing “normal women” (passing by) and prostitutes – was one of the main concerns already in the early 1980s. The mixture of trafficking in women and prostitution frames the issue in terms of “forced labour” and slavery as well as in the context of crime. The discourse on prostitution as

a profession is marginalized. Prostitutes are seen as victims and as weak. The policy aim is to free women from slavery but not to empower women – for instance in sex work.

#### **4. Differences and similarities in Slovenian and Austrian discourses**

It is striking that frames on prostitution have undergone considerable changes in Austria: In the early 1980's the issue was discussed mainly as a public security issue (neighbourhood safety) and as a public health issue (protection – of the population – from prostitutes spreading sexually transmitted diseases such as AIDS). In the early 1990's, the discourse changed to now encompass prostitution as sex work connected to social rights and citizenship issues (mandatory taxation for prostitutes but exclusion from public social security system). Yet, from the mid 1990's until 2004, this discourse was superseded by rooting it mainly in the context of trafficking in women and, yet again, public security and forced labour.

##### **Differences**

Legal frames: decriminalisation/legalisation

Although in Austria prostitution was decriminalised much earlier than in Slovenia – in the mid-1970s by reforming the penal law – a civil law decision by the High Court of Justice (OGH) which is still in force by 2004 considers that the contract between prostitute and client is „illegal“ because „against morals“ as it „takes advantage of a client's sexual impulses“. Thus, moralisation and illegalisation of prostitution (illegal because immoral) is still part of the legal frame despite decriminalisation for almost 30 years. Some parliamentary statements (by FPÖ deputies) in the late 1990's still refer to prostitution as illegal activity.

Feminist actors

In Austria, in contrast to Slovenia, prostitutes managed to become visible and heard as actors in the debates surrounding the social security and tax law status of prostitutes. From the mid-1980's until their (partial) inclusion into social security law in 1997, due to the continuous support by the Women's Ministry, both the „Austrian Organisation of Prostitutes“, founded in 1986 and dissolved in 1992, as well as the „Forum for the Rights of Prostitutes“, founded in 1997, offered at least a temporary stage for articulation for prostitute's demands and interests. However, by 2004, both actors have either dissolved or become invisible in the public.

Feminist counselling groups such as LEFÖ in Vienna, MAIZ and LENA in Linz and the Women's Service in Graz have continuously been visible actors.

#### Course of discussion

In Slovenia, the course of the discussion on prostitution was defined by the Liberal Democracy of Slovenia and of the United List of Social Democrats; in Austria, the course of the discussion between 1995 and 2003 was less defined by political parties. Only the Green party and the LIF actively politicised the issue. This may partly be attributed to the visibility of the above mentioned feminist actors in the mid-1990s, and partly to a seemingly all-party-consensus about framing prostitution in the context of trafficking in women and public security from the late 1990s onwards.

The position of considering prostitution as work, as – voluntary – economic activity, which finally led to the partial inclusion of prostitutes into the social security system in 1997, ever since has become de-articulated and is completely lacking after 2000 (except for the Green Party Program), despite efforts by feminist groups such as LEFÖ to bring it back on the agenda. It is striking that, in the few short parliamentary statements on prostitution from 1996 onwards, all party speakers construct prostitutes as a passive category of women, naive victims of traffickers, who are exploited and forced into prostitution against their will. Reference to the definition of prostitution as equal economic activity by the European Court of Justice is completely lacking in the discussion (which is all the more surprising since, in general, references to the Court's decisions is frequently made in parliamentary debates), as is the elaboration of a neo-liberal frame of prostitution as the result of an individual woman's free will, such as mobile-phone prostitution, week-end prostitution, prostitution for improving an already comfortable standard of living.

While the debate on decriminalisation in Slovenia was built on the conceptual difference between voluntary and involuntary prostitution, such a conceptual difference does not exist in the Austrian debate.

#### **Similarities**

It is interesting to note the geographical mapping in the frames on trafficking: In Austria, prostitutes are young, naive women from Eastern European countries, lured to the golden west by false promises. This is similar to the frame found in Slovenian media – with one striking

difference: In Slovenia, it's women from *South* Eastern European countries. We can thus identify an externalisation: prostitutes, in both countries, are seen as coming from abroad, from far away – in Austria, prostitutes may even come from Slovenia, whereas in Slovenia, prostitutes come from more Southern Eastern European countries.

The absence of opinions of the Slovenian Catholic church on prostitution is somewhat paralleled in Austria. Official opinions of the Austrian Catholic church seemingly do not exist; we only found reference to what could be called a "catholic frame", namely prostitution as issue of moral failure, extra-marital sexual intercourse, and thus: sin and shame, in one newspaper article of 1997 of the daily „Die Presse“, which is supposed to have conservative readership and a close association by ownership to the Catholic Church.

Also, similar to Slovenia, framing prostitution as a matter of equal opportunities for men and women or as equality issue did not occur in parliamentary debate after 1995.

## References

- Brezany, Elfriede 1987: Horizontal, in: Sozialarbeit in Österreich, Nr. 77, , S. 21- 23
- Dohnal, Johanna 1992: Männer entscheiden, welche Heilige, welche Hure ist, in: Wiener Nr. 7 vom 6.3., S. 21
- Frauenhandel 1996, hg. von der Bundesministerin für Frauenangelegenheiten, Wien
- Hapala, Michaela 1986: Rechtliche und praktische Möglichkeiten der Besteuerung von Prostituierten und Zuhältern, in: Öffentliche Sicherheit, Nr. 8, August, S. 1-4
- Hauer, Gudrun 1987: Ein Trapezakt ohne (soziales) Netz. Frauenberuf Prostitution, in: Die Linke Nr. 10 vom 4.6.1987, S. 12
- Hausegger, Traude 1995: Zu wessen Schutz, in wessen Namen? Die "geregelten" Arbeitsbedingungen von Prostituierten und ihre Konsequenzen, in: Bundesministerin für Frauenangelegenheiten (Hg.): Bericht über die Situation der Frauen in Österreich. Frauenbericht 1995, Wien (Bundesministerin für Frauenangelegenheiten) 1995, S. 551-556
- Pernthaler, Peter 1975: Die Zuständigkeit zur Regelung der Angelegenheiten der Prostitution, in: Österreichische Juristen-Zeitung, Nr. 11, S. 287-293
- Prostitution – Zuhälterei 1983. Fachtagung im Bundesministerium für Justiz am 18. Oktober 1982, Wien (Bundesministerium für Justiz)
- Soziale Absicherung von Prostituierten 1996. Schriftenreihe der Frauenministerin Band 9. Bundesministerin für Frauenangelegenheiten, Wien
- Toth, Birgit 1997: Die Prostitutionsgesetze der Länder. Kompetenz – Systematik – Grundrechte, Rechtswissenschaftliche Dissertation, Uni Wien