



Protecting Whom, Why, and from What? The Dutch Government's Politics of Abjection of Sex Workers in Times of the COVID-19 Pandemic

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Abstract

Sex workers in the Netherlands experienced severe financial and social distress during the COVID-19 health crisis. Notwithstanding them paying taxes over the earnings, they were excluded from government financial support, faced discriminatory treatment concerning safe reopening, and experienced increased repression and stigmatization. In this contribution, I explore whether the concept of “vulnerability” contributes to understanding (and addressing) that situation. Data acquired through participatory action research, partly taking place online during lock-down measures, and literature and content analysis show that labeling sex workers “vulnerable” deflects attention away from the (in)actions of Dutch authorities responsible for sex workers’ precarious conditions during the pandemic. Government denial and strategies of abjection explain these conditions better than “vulnerability” does, as they return the gaze to actors and processes accountable for sex workers’ exclusion and criminalization during the COVID-19 health crisis and thereby put responsibility where it belongs.

Keywords Pandemic crisis · Sex work · Prostitution policy · Netherlands · Vulnerability · Strategies of abjection

Journalist: “Finally, one more question: what is the difference between a sex worker and a hairdresser?”

Prime Minister Rutte: “With sex workers you deal with, of course, the *special nature* of that occupation, uh.. namely that you are very near one another uh.. with also all the risks of uh.. transmission of the virus.. because of the *nature of the work*.” (Prime Minister Rutte 2021)

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After all, the lowly status of the “abject” is by no means their “natural” condition. “Abjection”, as Nikolas Rose declares, “is an act of force” (...). (Nyers 2003, p. 1074)

Introduction

On Sunday, 15th of March 2020, at 18:00 in the afternoon, sex workers in the Netherlands — like other people employed in the so-called contact occupations¹ — had to lay down their work as a consequence of what Prime Minister Rutte called the “intelligent lockdown,” aimed at bringing the COVID-19 pandemic to a halt. The “intelligent” instead of total lockdown meant a closedown of only the settings where contamination was considered a great risk. Dutch citizens initially were still allowed to go outside — though advised to limit contact and keep 1.5-m distance from one another. Financial government support schemes were ushered in to compensate for lost income and, ultimately, keep the Dutch economy running.

However, many sex workers worked under a tax arrangement that was called “opting in”; this being a fictive employment arrangement, it disqualified them for the support made available for independent workers, while also not having a right to compensation for income lost as employees. Sex workers, thus, were ineligible for income support, notwithstanding them paying taxes over their earnings and sex work being a legal occupation in the Netherlands (e.g., van Stempvoort 2021; Oude Breuil 2021; Cubides Kovacsics et al. 2022). This brought many of them in severe economic distress. The Dutch platform for the improvement of the position of sex workers (SexWerkExpertise) rang the alarm bell on this matter in the form of an urgent letter to four concerned ministries (SexWerkExpertise 2020), arguing that sex workers were differentially treated compared to other contact occupations and asking the Dutch government to redress the situation. Their request was not adequately nor swiftly reacted to by the responsible politicians — SexWerkExpertise had to wait 2 full months for a reaction to their urgent letter (SexWerkExpertise 2021) — and sex workers’ exclusion from financial support schemes was not addressed for a long period of time, and not on a national scale (Boonstra 2020; van Stempvoort 2021) — some municipalities did organize emergency financial support for this group.

Besides being excluded from financial support, sex workers were differentially treated with regard to safe reopening of the sector, compared to other contact occupations. When other contact occupations were allowed to reopen in May 2020, after the first “corona wave,” sex work was excluded from this release (SexWerkExpertise 2021). Notwithstanding fierce protest, lobbying, and discussions with politicians by self-organizations, social work, academics, and operators (e.g., Overbeek 2021) in the sex work branch, the situation was not reconsidered. When Prime Minister Rutte announced at a press conference on 23 February 2021, after a second lockdown, that all contact occupations were allowed to resume working, sex work was again

¹ Term used since the COVID-19 pandemic in the Netherlands for occupations in which close interpersonal contact is inevitable, like hairdressing and nail styling.

excepted. When asked by a journalist how sex workers were different from hairdressers, the Prime Minister referred to the “particular nature” of sex work. By not explaining what this “particular nature” precisely entailed, he left sex workers and the general public in the dark on why sex workers were given a “status aparte” and exacerbated the already persistent stigma surrounding sex work.

Some sex workers, confronted with the lack of income, resorted to ignoring lockdown regulations and continued to work, often from home. This sparked fierce reactions in the political and media arena, in which sex workers were stigmatized and represented as dangerous for public health (e.g., Pointer 2020; Volkskrant 2020; Telegraaf 2020a). Local and national authorities, moreover, were reported to fiercely curb on sex workers’ (now) illegal enterprises, resulting in heavy fines for some sex workers on top of their already precarious living conditions (e.g., Oude Breuil 2021; Kloek et al. 2021). Other problems sex workers experienced were reduced health facilities (as walk-in rooms closed or limited their visiting hours); increased dependency on clients and operators, resulting in heightened health and safety risks; and income insecurity even when the agencies eventually reopened, as the number of clients had oftentimes reduced (Cubides Kovacsis et al. 2022; de Wildt et al. 2020). The reported problems are not unique to the Netherlands; studies from other countries have reported similar problems of increasing stigma and criminalization, lack of social and economic government support schemes, disruptions in health and law enforcement provisions, and compulsory deportation (e.g., Platt et al. 2020; Lam 2020, p. 777; NSWP and UNAIDS 2020).

The concept of “vulnerability” has been regularly invoked in scholarly efforts to predict or explain these consequences of COVID-19 pandemic on sex workers (e.g., Platt et al. 2020; Azam et al. 2021; Aantjes et al. 2022; Li et al. 2023). Sex workers in these studies are referred to as belonging to “the most vulnerable members of society” (Platt et al. 2020: 9) because of priorly existing economic and social insecurities, assumed to be inherent to the job, and due to widespread stigma, socially isolating sex workers. These conditions exacerbated during the pandemic. I will go deeper into this further on in this contribution. Although structural consequences of social exclusion and stigma are a very real problem in sex work, and should not be underestimated, I argue here that we should be vigilant about employing the concept of “vulnerability” in explaining what happened to sex workers in the Netherlands in “Corona times.” There are three reasons for this: first of all, sex workers are not all, not always (that is, throughout their entire sex work careers), and not in all settings, vulnerable. Departing from a perception of sex workers in the Netherlands as generally vulnerable ignores the wide variety of sex workers’ living conditions and experiences. Secondly, a focus on “vulnerability” can evoke surprisingly repressive sex work policies that (further) “vulnerabilize” sex workers while originally intended to strengthen their positions (e.g., Munro and Scoular 2012). Thirdly and most crucially, a focus on sex workers’ vulnerability depoliticizes and neutralizes the actions, events, or structural conditions that caused sex workers’ deprived circumstances in the Netherlands during the pandemic. It deflects our analytical gaze away from the actors and forces *creating* conditions of social exclusion (and thus from the question of accountability) to the groups suffering from it, by understanding the latter’s distress as a consequence of the “nature” of their work. Sex work itself then becomes

the cause of vulnerability, which in the Netherlands, where it is (still) a legal occupation, seems to be a misleading assumption.

The dire circumstances sex workers experienced in the Netherlands can be better described and understood by Peter Nyers' insights into the strategies of abjection (Nyers 2003, p. 1074) and Stanley Cohen's (2001) "states of denial." The above-quoted Prime Minister's reference to the "nature" of the job, and the taken-for-granted "naturalness" of the political decision to block sex workers from reopening their businesses, is an effort, I argue here, to neutralize and depoliticize the social exclusion sex workers experienced in "Corona times": if social exclusion is a consequence of the "nature" of the job, then no one is really responsible for that, and we need not look further into the actors, decisions, and actions that caused this exclusion.

To get to that point, after elaborating on the methodology of this research, I will explore the meaning and conceptualization of "vulnerability" in the field of sex work. Reflections on the consequences of labeling sex workers as "vulnerable" lead to an inherently critical approach of the concept — even a radical disengagement with it. In the subsequent section, I elaborate on the empirical case study of Dutch governmental reactions to sex work during the pandemic and how these reactions affected sex workers. Next, I propose an alternative conceptual framework to understand how sex workers could end up in such deprived conditions in the Netherlands. By combining insights on the concepts of "denial" and "strategies of abjection," I reflect on the social construction of sex workers as different from the group of self-employed citizens in other contact occupations, who did have a right to government (financial) protection. In the final and concluding section, I tie the knots and claim that the severe socio-economic stress experienced by sex workers in the Netherlands during the pandemic was primarily due to them being actively and consciously denied as valuable (working) members of Dutch society by the government; they were approached as "dangerous to public health" and severely harmed in the process. Analyzing this through the lens of "vulnerability" veils the role of powerful governmental actors in this process and limits the space to critically explore, prevent, and address that act of harm.

Methodology

This research builds, besides literature review, on participatory action research, partly taking place online during lockdown when it was impossible to meet people offline. Although the main body of data was collected at the beginning of the COVID-19 pandemic, from February 2020 to end of 2021, I build on research experience within the Dutch and international sex work "scene" since 2006 and on long-standing relationships within the Dutch sex work community up to now. When the pandemic started to seriously impact on the lives of sex workers, biographical data and everyday experiences started to pour in through these networks, allowing me a unique insight into what happened to individuals within the community while society was under severe social pressure. Being part of a work group of sex workers and

academics on destigmatization of sex work,² I had wide access to relevant data, as well as to respondents from within the sex work community.

Most data was acquired through content analysis of (online) sources circulating within sex workers' self- and support organizations, which included blogs, email comments and correspondence, brochures and information sheets, websites of sex workers' self-organizations and their online archives with newspaper clippings, time lines, and governmental regulatory documents concerning sex work policies. In addition, I consulted government documents (parliamentary questions and ministerial reactions, political announcements, and so forth), public video recordings of a municipality council meeting and political debates, and I analyzed COVID-19-related threads on two online forums of clients of sex workers. To verify the findings from the content analysis, and collect specific (inside) information, I added a limited number of formal and informal (semi-structured) interviews. I thus spoke with an experienced sex worker volunteer at a sex workers' support organization, two other sex workers involved in sex work activism during the pandemic, a sex work client, and two fellow academics involved in a sex work support network. These respondents were selected according to a purposive sampling strategy, as I needed very specific information. The interviews were semi-structured through a topic-list indicating relevant issues to discuss, and those held in times of the lockdown were conducted via telephone or video calls.

Besides this limited number of interviews, I met and informally spoke with a large group of sex workers, social workers, and local politicians and policy makers at three subsequent photo exhibitions in Utrecht and Tilburg in 2021–2023. The “action” part in the participatory action research included my (modest) involvement in protest and lobby activities, such as giving (web) lectures and co-organizing the sex workers' photo exhibitions. The participatory action research allowed me to acquire data in an ethical way, respecting rules of reciprocity, trust, confidentiality, and informed consent. Moreover, the unequal relation between researcher and respondent was countered by engaging with goals priorly set by the sex worker community, and in that way I could respect the sex worker adagio: “nothing about us, without us!” encouraging researchers (and others) to speak and exchange knowledge *with* sex workers, instead of *about* them.

“Vulnerability” in the Context of Sex Work

The precarious conditions sex workers almost globally experienced following social distancing and lock-down measures accompanying COVID-19 pandemic have been predicted, analyzed, and explained by scholars as a consequence of the “vulnerabilities” inherent in sex work (e.g., Platt et al. 2020; NSWP and UNAIDS 2020; Azam et al. 2021; Aantjes et al. 2022; Li et al. 2023). Platt et al., for example, warned in 2020 that the social distancing and lock-down measures risked “rendering a frequently marginalized and economically precarious population more vulnerable”

² This work group is called Reimagining Sex Work; see <https://reimaginingsexwork.nl/contact/>.

(2020, p. 9), and Azam et al. (2021) explore whether “typical vulnerabilities that already existed within the market of sex work” intensified during the pandemic.

This association of sex workers with “vulnerability” is not uncommon; in academic work, the concept of vulnerability is used in prostitution studies to direct the attention to structural economic deprivation (e.g., Footer et al. 2020), health and safety risks (e.g., Choi 2011), perseverant stigma (e.g., Krüsi et al. 2016), or abusive policies and political discourse (Sanders and Campbell 2007) that sex workers are confronted with. But the question whether we should see sex workers as “vulnerable” — and whether that vulnerability is inherent to or caused by the job — is one fraught with fierce debate and emotional claims. Scholars departing from the “oppression paradigm” on sex work, as Weitzer (2009) insightfully categorized it, perceive these vulnerabilities as a result of patriarchic gender structures in society. According to them (e.g., Farley 2004), prostitution is intrinsically exploitative, suppressive, and harmful for women³, regardless of the context within which it takes place or the kind of sex work. Their claim, which according to Weitzer (2009: 214) is ideologically rather than empirically informed, has taken a flight around the turn of the twenty-first century when increasing concerns about the phenomenon of human trafficking “invaded” sex work discourse and policies (Weitzer 2014; Doezema and Kempadoo 2018). Sex work was increasingly linked to (and conflated with) human trafficking, which contributed to seeing sex workers as “vulnerable” and as “victims” only and prevented them from being seen as individuals with agency, working in a great variety of settings and representing a plethora of job motivations and experiences.

Scholars departing from the empowerment paradigm, on the other hand, see sex work primarily as work and sex workers as having the agency and ability to choose this job as a reasonable alternative to other ways to earn an income (Weitzer 2009: 215). Scholars following this line of thinking have been critiqued for ignoring exploitative and vulnerabilizing aspects of the occupation, overly focusing on the potential of sex work to empower sex workers through allowing them to earn an income, work abroad, determine their own working hours, etc. Weitzer finally recognizes what he calls a polymorphous paradigm, which shows attention for the diverse contexts in which sex work takes place and in which sex workers are differentially embedded in power relations. These power relations and structural conditions explain sex workers’ “uneven distribution of agency, subordination, and job satisfaction” (Weitzer 2009: 2015) — and, thus, also their different experiences of vulnerabilities. Whereas in the oppression paradigm “vulnerability” is applied to sex workers in an essentialized way, defining who or what they *are* — namely primarily “vulnerable” and “victims” (of human trafficking, of abusive clients or pimps) — in the polymorphous paradigm “vulnerability” is, rather, seen as a dynamic condition resulting from how sex workers, at a specific place and time, are situated in power relations that can either empower or vulnerabilize them.

³ These scholars mainly study *female* sex work, according to the logic of their (heteronormative) argument on male hegemony and oppression.

Although the latter perspective seems to do more justice to the wide variety of experiences sex workers have, the current international political discourse is more attuned towards seeing sex work as closely linked to the phenomenon of human trafficking and sex workers as victims of such exploitative structures (Doezema and Kempadoo 2018). The neo-conservative feminist and abolitionist point of departure that all sex work (which according to this perspective would rather be called “prostitution”) is exploitative per se — fitting the oppression paradigm — has been very influential not only in the USA but in Europe alike. Once (all) sex work is seen as human trafficking, sex workers are seen as victims, their work as a crime, and agency is stripped away from them, which is consequently used as a legitimization to talk *about* them and decide *over* them, instead of talking *with* them and have them take decisions of their own. Women, in other words, are disempowered and *made* vulnerable through such discourse.

According to FitzGerald and Munro, in the introduction to their special issue on “contemporary discourses and practices around women’s vulnerability to sexual harm,” not only can the labeling of women as “vulnerable” be patronizing, abusive, stigmatizing, and disempowering but also it is instrumentalized by governments to discipline and control groups of women, rather than to protect their rights. They conclude, rather skeptically, as follows:

Without denying the concept’s emotive and progressive potential (we) examine how the cultural and moral discourses of women’s sexual vulnerability have been used, and misused, in order to *advance specific political agendas*, thereby generating negative as well as positive impacts upon women’s lives

(...) (I)n imposing categories of vulnerability, the state engages in the heteronormative construction of risky sexual subjects who must be rehabilitated, responsabilised or punished. (FitzGerald and Munro 2012, pp. 183-187)

This observation can be recognized in the Netherlands, as well, where a Christian-oriented political organization in the Dutch government tended to push its religious and conservative political agenda through a moral discourse of women’s vulnerability to fall prey to human traffickers who would exploit them in the sex industry, thereby legitimizing the adoption of a more repressive sex work law (Oude Breuil 2022). In a study focusing on UK policy initiatives aiming to protect sex workers, Munro and Scoular (2012) concluded that politicians promoting neoliberal, responsabilizing policies abused a discourse of vulnerability and protection to further “moralistic and regressive agendas, which collude with, rather than challenge state power.” This resulted in sex work policies that harmed sex workers by placing them at greater risks of abuse and increasing stigma, rather than effectively protecting them. What these examples show, is that legal measures legitimized through a discourse of protection of “the vulnerable,” often turn out to harm sex workers more than they protect them⁴.

⁴ Most recently, Engström, Heikkilä, and Mustaniemi-Laakso (2022) have added to this critique, from the field of international law and politics, that the process of “vulnerabilization” — the labeling of certain groups as vulnerable, and the establishment of special protection regimes for these groups — can lead to selectivity and prioritization of certain groups at the cost of others, and as such, it can lead to a devaluation of human rights as a protective regime *for all*. Thus, the concept vulnerability has, accord-

Scholars like Aradau, Ticktin, and Agustín confirm in their works these adverse effects of special “care” and “protection” regimes — focusing in particular on the effect of such regimes on victims of human trafficking for sexual exploitation. They (respectively) invoke the concepts of “politics of pity” (Aradau 2004), “casualties of care” (Ticktin 2011), and the “rescue industry” (Agustín 2007) to refer to instrumental goals hiding behind the discursive construct of sex workers as “vulnerable” or in need of special protection. Whereas the programs and measures evoked by this label are presented as humane means to address victims’ vulnerabilities, they have government- or organization-focused goals at heart, for example, curbing migration, acquiring donor funding, or “scoring” in the (international) political field. These goals often counter sex workers’ rights, instead of upholding them.

Under these circumstances, sex workers and sex work support organizations currently increasingly resist discourse and policies based on this conflation of their occupations with the crime of human trafficking, and they resist consequential repressive approaches towards sex work. The constitutional challenge launched by sex worker human rights groups in Canada, for example, aimed to have certain sex work prohibitions banned from the criminal code because “they violate sex workers’ constitutional rights to security, personal autonomy, life, liberty, free expression, free association, and equality” (Canadian Alliance for Sex Work Law Reform 2021). Sex workers in the Dutch sex work community similarly emphasize that sex work should be primarily seen as *work*, and sex workers should be able to claim their rights just like any other worker, without being hindered by stigma, social exclusion, moralizing policies, or patronizing approaches. Labeling them as “vulnerable” and as “victims” (either of clients, pimps, or traffickers) is seen by them as part and parcel of this patronizing attitude. Instead, they want to be seen as “full” members of society, their claims for respecting their human rights should be taken seriously, and they should be consulted in policies that directly concern them (e.g., Wijers 2009; Breuer and Intraual 2018).

In sum, the label of “vulnerability” has become increasingly contested under current conditions of sex work being conflated with human trafficking and being caught in the slipstream of criminalizing practices. Sex workers in the Netherlands refute the idea that the job itself makes them “vulnerable” and instead point to stigmatizing policies instead. Academic studies confirm their claim: “Mounting evidence suggests that much of what has been identified as harmful in prostitution is a product, not of the inherent character of sex work, but rather of the specific regimes of criminalisation and stigmatisation that shape the working conditions, health and safety of sex workers” (Krüsi et al. 2016). Let us now take a closer look at these regimes in the Netherlands during the COVID-19 health crisis.

Footnote 4 (continued)

ing to these authors, acquired a life of its own; it has become a tool for social sorting and for determining who is (not) and who should (not) be eligible for special protection and care — be that protection useful and desired or patronizing and enforced.

Sex Workers in the Netherlands During COVID-19: What Went Wrong?

On analyzing in detail the situation of sex workers in the Netherlands during the pandemic,⁵ one cannot be but struck by the observation that in a country where sex work is a legal job, many sex workers could end up in such deprived conditions. The Netherlands has traditionally been known for its relatively tolerant — even progressive — position towards prostitution (Oude Breuil and Siegel 2012; Outshoorn 2012; Post et al. 2018). Although legally there was a ban on brothels since 1911, prostituting oneself was not illegal, and prostitution in windows (in red light districts), bars, on boats (in the city of Utrecht), and in other premises was tolerated. Prostitution on streetwalking zones and red-light districts was visibly present in the urban space. In 2000, moreover, the existing ban on brothels was lifted, allowing licensed sex work establishments to legally make profit from sex work (Oude Breuil and Siegel 2012; Post et al. 2018). This was done in order to achieve more transparency in the industry; local government was now able to formally monitor the establishments and keep entrepreneurs to the rules stipulated in the licenses. The national government hoped, in this way, to get a clearer view on organized crime structures and (eventual) cases of human trafficking within this sector. It also hoped to reduce stigma surrounding sex work by regulating this service industry (Outshoorn 2012; Oude Breuil and Siegel 2012).

From 2000 onwards, however, Dutch sex work policy took an ever more repressive turn. Under the influence of the international discourse on human trafficking — analyzed by Siegel (2015) as turning into a national “moral panic” over human trafficking — sex work was increasingly perceived as linked to organized crime groups, and the Dutch government became generally more repressive towards sex work (Post et al. 2018). Sex work and human trafficking for exploitation in the sex industry were increasingly conflated in the political debate, in particular by the (relatively small but impactful through its majority-allowing position in the Dutch government) Christian party. Its political leader proposed a new Law Regulating Prostitution (later called Law Regulating Sex Work)⁶ which included more restrictive and repressive regulations (CCV n.d.).

It is against this increasingly moralistic, repressive, and patronizing setting that the situation of sex workers in times of the exceptional crisis during the pandemic should be understood. Besides it being a health crisis, we could also speak of a crisis

⁵ For an earlier description of this case study, of which this is a further developed analysis, see Oude Breuil (2021).

⁶ The proposal for this new law has a long history, starting in its first proposition in 2009. It has been adapted many times, as parts of it are heavily contested. The third version of it is now at the House of Representatives to be decided upon. Expectations are that the law will eventually be accepted, notwithstanding fierce resistance by sex workers' self-organizations, sex workers support groups, academics, and social workers. They most resist the obligatory registration as a sex worker, the criminalizing of clients and anyone helping sex workers who do not have a license, and raising the minimum age for sex workers to legally do their job (to 21 years). Opponents of the law foresee more sex workers to end up working without the necessary permits and, thus, becoming “illegal” sex workers, which heavily impacts on their abilities to claim their rights, go to the police when something happens during the job, etc. See for further information CCV (n.d.).

in social belonging and solidarity, considering the way in which the responses to the pandemic unfolded in the Netherlands. Crucial questions being publicly debated on, for example, who is to be vaccinated first, to whom should social distancing regulations most apply, how long and intense should houses for the elderly remain in lockdown, and who would suffer most from the schools closing, indicated that moral boundaries of who is allowed “in” and “out” of the national community and what groups *deserve* our special attention were under severe stress.

As discussed in the beginning of this contribution, sex workers in the Netherlands experienced severe economic and social exclusion during the pandemic. Several conditions worked together to produce this outcome. First of all, as aforementioned, sex workers were excluded from the financial support scheme developed to redress sudden loss of income, and although some municipalities found ways to offer some support to sex workers locally, this was not generally the case (Oude Breuil 2021; van Stempvoort 2021). This was often accompanied by un- or lesser availability of social support structures due to lock-down regulations. Secondly, sex workers reported increased government repression and criminalization of sex work; the lock-down regulations seemed to be an additional ground in some municipalities to curb on “illegal” sex work (Oude Breuil 2021 and 2022; de Wildt et al. 2020). Finally, stigmatization through media and political discourse increased through an emphasis on the dangerous health risks assumed to be inherent to sex work. These factors together created what I will analyze in the next section as the “abjection” of sex workers — a humiliating throwback in a position of social non-belonging — for which, I argue here, the Dutch government was the prime responsible actor.

When the Dutch government tried to remedy or soften the economic consequences of lock-down measures, they did so through two measures that are of particular relevance here. On the one hand, employers could apply for financial support that would allow them to continue paying their employees’ salaries, while the latter were unable to work. On the other hand, self-employed entrepreneurs (without employees) could apply for a so-called TOZO regulation: the “temporary bridging scheme for self-employed entrepreneurs”⁷ (Government of the Netherlands 2020). However, it soon became clear that most sex workers could not profit from either form of support. This had to do with the so-called opting-in modality, a tax administrative arrangement developed specifically for sex workers, years before. “Opting in” was a “fictive employee-ship”: sex workers would work as self-employed entrepreneurs with agencies (think of escort bureaus, massage parlors, clubs, etc.) taking care of some of their administrative burdens, mainly related to tax paying. In this way, sex workers remained independent workers — the agencies did *not* become their formal employers — which made sense, as now they could remain in control of their own working hours and conditions.

During the COVID-19 pandemic, this fictive employee-ship, however, created an administrative limbo for sex workers as, because of it, they did not qualify as employees (and, thus, agencies were under no obligation to pay them a salary), nor did they qualify as self-employed entrepreneurs. To qualify for the TOZO regulation,

⁷ Called in Dutch the “Tijdelijke overbruggingsregeling zelfstandig ondernemers.”

one should be inscribed in the Chamber of Commerce as a self-employed entrepreneur. Sex workers working as “opting ins” generally were not doing this, as it was not necessary under this administrative modality. Sex workers’ support organizations and self-organizations lobbied to convince the responsible politicians of several ministries of the self-employed character of the opting-in modality and pointed out that these sex workers’ exclusion was unjustified (SexWerkExpertise 2020), but this was not responded to effectively, with the Minister of Social Affairs and Employment sticking to repeating the support schemes that were in place, without going into sex workers’ exclusion from them and whether (and how) that could be solved (Ministry of Social Affairs and Employment 2020). Several sex workers I corresponded or talked with at the beginning of the pandemic (Oude Breuil 2021) commented that they felt like local and national politicians made it seem in the public debate that the reason behind not qualifying was that sex workers did not pay taxes, which was not true. They found the assumption painful and offending. Besides sex workers working under the opting-in modality, European Union (EU) citizen sex workers could not always apply for financial support either⁸, as this would “make an unreasonable appeal to the social security system in the guest country” (Ministry of Justice and Security 2020). Simultaneously, many of them could not return to their home countries, either, as traveling was restricted.

Sex workers were referred, in case of need, to social assistance, “if they meet the requirements of that regulation” (Ministry of Social Affairs and Employment 2020). This form of support had a different meaning and “feel” to it, as it had stricter qualification demands — such as the applicant having to be available for any kind of other work proposed, having to consume one’s own existing capital before receiving the full relief amount, and having to “sit out” the time needed to take all the administrative hurdles, while financial needs of sex workers were now acute. Applying for social assistance, thus, felt humiliating. Since sex workers paid taxes like anyone else, they expected to be treated like anyone else. They did not expect to be subjected to an administrative approach “based on distrust” (Oude Breuil 2021) — with social assistance departing from a notion of people not being able to contribute (financially) to society. Most EU citizen sex workers, furthermore, often did not qualify for social assistance at all, as they did not live and work in the Netherlands long enough.

What this situation makes most clear is that sex workers were not considered as “normal” (self-employed) workers who contribute to society and have a right to income support on that ground. Moreover, considering the long time it took for the government to respond to sex workers’ exclusion from this support, sex workers felt their plight to be treated equally was not seriously considered. The fact that the government was aware of the situation but did not timely redress it, leaving sex workers in precarious situations for a long time reflects sex workers clearly not being a first priority. Sex workers experienced this as not being considered “worthy” for receiving “Corona” financial support. This reverberated

⁸ Although this varied according to the municipality, as some municipalities did find ways to financially support them (van Stempvoort 2021)

from the discourse applied by politicians, as well as from their actions (or lack of it): the regular reference to sex workers “not qualifying” for support, the lack of knowledge of politicians about the “opting-in modality,” their unwillingness to discuss with sex workers the consequences of COVID-19 policies and choices made, the 2 months that it took to react to the urgent letter of SeksWerkExpertise, the poignant refusal of Prime Minister Rutte to explain in any clear language why sex workers befall a discriminatory treatment considering relaxation of lockdown measures, etc.

Besides the unwillingness to seriously look into the dire situation of sex workers, the government actively added to the distress. Sex workers, social work, and experts observed an increase in surveillance and repression, for example, in the governmental gaze on sex work advertising websites on the Internet (van Stempvoort 2021; SeksWerkExpertise 2020). These sites — but also adult entertainment websites and social work and sexual health-related websites — were instructed to publish alarming black or red framed notifications on their front pages that sex work was forbidden due to social distancing and lockdown regulations. For the mayors of Rotterdam and Amsterdam, this was not sufficient, and they discussed the possibilities to take the advertising websites off the air completely (Telegraaf 2020b) — quite an extreme measure in a non-censured democracy, and the more surprising if we imagine such measures to be applied to comparable sectors in lockdown; we would probably find it outrageous if the government would consider taking websites of hairdressers, restaurants, or massage parlors offline because they continued to advertise their services and products. However, for sex work, these repressive reflexes did not cause a wrinkle in public discourse.

When closing down websites turned out not to be a legal option, some local authorities (e.g., in Amsterdam and the Hague) decided to approach sex workers advertising on these sites with SMS messages sent to their mobile phones numbers, which were retrieved from the advertising websites. The messages communicated that the authorities had noticed them advertising online, that continuing to work as a sex worker was forbidden under current social distancing regulations, and that they risked a fine if they would continue to work, or that they were encouraged to take their advertisements off the sites, with a reference to local support organizations for sex workers at the end. Sex workers experienced these messages as intimidating and intruding (Oude Breuil 2021); some experienced the approach of local authorities like “a witch hunt.” Sex workers furthermore reported to be approached by the police more often (Oude Breuil 2021; de Wildt et al. 2020: 12)⁹, and they received fines from 400 to 4000 € (depending on the municipality) for trespassing the emergency ordinance or for running the so-called illegal brothels — oftentimes their own or a friend’s house that sex workers resorted to (with clubs closed and being without an income). A report on the consequences of COVID-19 and COVID-19 regulations on sex workers is revealing about the relationship between the police and the interviewed sex workers:

⁹ This observation is not unique for the Netherlands; sex workers in other parts of the world reported increased police intervention, as well; see NSWP and UNAIDS 2020.

Enforcement of the Corona regulations was, according to sex workers, often focused on tracking down sex workers who trespassed the lockdown rules, causing them to work more often undercover under unsafe conditions. Sex workers indicated to not feel protected by the police, and instead they were controlled, chased and threatened, without the police being sufficiently sensitive to the reasons behind continuing with sex work. (...) As a consequence of the police controls some sex workers were evicted from their homes, causing them to live on the street. (...) All this caused sex workers (...) to have less control over which clients they took and whether this was safe. Moreover it caused still less sex workers to dare report violence to the police. (Kloek et al. 2021, p. 23)

To illustrate such a situation, reported on in the media in highly stigmatizing terms (West 2020), let us shortly look into the “dismantling” of an “illegal brothel” in the Hague on 9 April 2020. Three sex workers who normally worked in a (licensed) window prostitution area had replaced their work location to the residence of a befriended man, after their working spots had been closed because of the lockdown. Without explaining the underlying reasons — namely severe financial need for which the government was (at least partly) responsible, as described above — the article reported on this “crack down” in a highly criminalizing way. The residence was labelled an “illegal brothel” and the man (who was the legal inhabitant of the house) the “operator” of it. The remark was added that “the man is suspected to have more offenses on his rap sheet,” and that “this will be verified later” (West 2020). The representation of sex workers excluded from government financial support as perpetrators of illegal practices or as victims of a ruthless criminal, and the labeling of the man as a pocked and measles “criminal,” not only illustrates the aforementioned conflation of the phenomenon of (legal) sex work with that of illegal exploitative practices but also it shows how existing, stigmatizing myths on sex work are rekindled in times of social pressure, when the public is afraid of contamination with the virus. The sex workers in this article received a fine for trespassing the emergency ordinance, and the government was represented as saving the public from the risks of contamination and the risks of organized crime.

It may be clear from this example that sex workers’ existing stigma exacerbated and deepened during the pandemic. This has been reported internationally to be the case (see, e.g., Lam 2020), and it was no different in the Netherlands (Van den Dries 2021; de Wild et al. 2020). Existing stigmas of sex workers being morally flawed, lacking agency, being mainly victims of human trafficking, etc. were complemented by the trope of sex workers as unhygienic, irresponsible, and infectious. That trope is not new but actually (very) old and cyclically recurring every time epidemic and pandemic diseases form a (felt) threat to society. Bernheimer (1997, p. 235) mentions prostitution as a focal point of governmental concern in nineteenth-century cholera ridden Paris and, again, during the syphilis epidemic later on in that century:

Just as prostitutes had been identified as the prime source of contamination in the case of the century’s earlier cause for biological panic, cholera, they were now [at the end of the nineteenth century] seen as the prime culprits in spreading syphilis.

At the time, prostitution was directly associated with poor, unhygienic, and illness-ridden conditions in deprived neighborhoods in the city. In the 1980s of the twentieth century, sex workers, again, were one of the first target groups for intervention initiatives — aimed at working hygienically — to bring a halt to HIV/AIDS infection. Notwithstanding the large time lapses, similarities can be drawn. Firstly, in all these examples, a health crisis threatening the life of a large group of citizens creates a crisis over social and moral boundaries, looking for scapegoats to project moral uncertainties onto. Existing stigmas on sex work become, thus, more pronounced in times of societal stress over infectious diseases, and the behavior of sex workers is seen as dangerous, an enemy within society. Moreover, the fear of contamination is abused to project strict(er) surveillance measures and repressive sex work policies, as “the increasing risk of venereal infection served as a perfect excuse to (...) insist on the importance of sanitary regulation of prostitution” (Bernheimer 1997, p. 235).

Currently, in the Netherlands, a similar mechanism might be at work. With the new, more repressive prostitution law ready to be launched,¹⁰ the tighter surveillance of sex work by the authorities during the pandemic, and the administrative demands required from sex workers applying for support seem to fit the political agenda of those in favor of the law. According to several sex workers and sex work experts (Oude Breuil 2021), “Corona fear” was (ab)used to prepare the grounds for stricter regulation of sex work in the Netherlands. It is hard to say whether this was a conscious political strategy, but what we can say is that the social exclusionary and discriminatory treatment of sex workers; the lack of open communication between sex workers and the authorities; the blatant ignoring of their rights, needs, and demands; and increased stigmatization and criminalization gave a foretaste of the direction the Dutch government is taking in its sex work policy. Kloek et al. (2021, p. 25, emphasis added) come to a similar conclusion:

Sex work has in the Netherlands not been treated equally to other contact occupations in the Corona regulations implemented by the government. Striking Corona regulations surrounding sex work in the Netherlands, such as the minimal access to a financial support scheme and the exclusion from reopening as the only contact occupation reflect the current political climate surrounding sex work: *to make working legally ever more complex for sex workers.*

Thus, framing sex workers as contributing to the spread of the virus — and, thus, as irresponsible and incapable of running their businesses safely and soundly — paves the way for strengthening Dutch government’s morality politics vis-à-vis sex work and further “abnormalize” sex work as a legal occupation.

In sum, as we have seen in this case study on the faring of sex workers in “Corona times” in the Netherlands, the Dutch government played a clear role in the deprivation of sex workers in the country. It did so in four ways: firstly, by a nonresponsive attitude towards finding a solution fast to sex workers’ dire economic circumstances due to their exclusion of financial support schemes; secondly by a discriminative approach of sex

¹⁰ See footnote 6.

work, compared to other contact occupations, with regard to safe reopening of their businesses, without an acceptable legitimization of this state of affairs; thirdly, by adding to sex workers' distress through reinforced repression strategies; and fourthly, by refraining from trying to prevent — and one could argue: by adding to — stigmatizing language in societal discourse and the media.

Although at first sight one might tend to argue that sex workers' positions would have been improved if the government would have recognized their vulnerability and acted upon it with special measures, I would object to that analysis. Labeling sex workers "vulnerable" could, as aforementioned, *add* to instead of reduce their stigmatization by stripping them of their agency and reinforcing the idea that sex workers would not be able to act sovereignly and responsibly in times of crisis. Secondly, such reading of the facts would ignore the fact that many of the affected sex workers were not in vulnerable circumstances (either within or outside of their work) *before* the pandemic; they had a job and felt safe in it, earned an income, paid taxes, and were relatively content with their lives. Rather than evoking the concept of "vulnerability," arguing that these circumstances could have been prevented if sex workers would have been perceived and approached as a vulnerable group in need of special care, I would argue that it could have been prevented if they would have been considered full citizens, who socially belong, and whose claims are seriously considered and addressed. The government, by not doing so, *created* the deprived conditions sex workers found themselves in. Any reference to sex workers being "vulnerable" deflects and veils that governmental responsibility.

Moreover, it ignores the strength, initiative, solidarity, and power sex workers showed in dealing with pandemic hardships. If sex workers managed to keep their heads above the water in pandemic times, it was *despite* government actions, not *because of* it, and their coping was not a result of society or national government protecting them and addressing their "vulnerability." Whereas Munro and Scoular (2012) called for a more critical engagement with the concept of "vulnerability" without discarding the concept itself, I would take the argument a step further. The harm caused to sex workers in the Netherlands, and their deprived conditions in pandemic times, had not so much to do with specific characteristics of sex workers, the "nature" of their occupation, nor with the complexities of their overall living conditions. Rather, they were a direct result of the Dutch state ignoring their rights, running a moral policy in which sex workers were presented as harming Dutch society in lockdown, and ignoring its own role in the economic exclusion in the exceptional times of crisis.

If "vulnerability," then, hinders an adequate academic analysis, and if no positive actions and effects are expected from the application of this label in this specific case — rather to the contrary — what conceptual framework then would be able to address their positions better and unveil the role of the government in it? I turn to that in the next section.

State Negligence and Willful Denial: a Strategy of Abjection

In the above, I have argued that analyzing the precarious conditions sex workers in the Netherlands found themselves in during the pandemic through the lens of

“vulnerability” does not do justice to what happened to them and how sex workers responded to that. In that sense, I follow Fineman’s (2017) line of thought and argue that (also) for this group, it does not make sense to label them as particularly “vulnerable” — or to label sex work as “vulnerability inducing.” My point here, however, is not that we should rather focus on sex workers’ resilience, as a solution to vulnerability (Fineman 2017, p. 147). Instead, I propose to reverse our analytical gaze from a group that has been theorized as particularly “vulnerable” during the pandemic, to actor(s) and (in)actions that *caused* those vulnerable conditions — and thereby go from an essentializing attribution of “vulnerability” to a particular group, to a more dynamic and power sensitive appreciation of sex workers being as “vulnerable” and “resilient” as every other person. We can only understand the forms and ways of social exclusion of sex workers during the COVID-19 pandemic if we shift attention back to those who “vulnerabilize,” “other,” exclude, and ignore. A first question that comes to mind, then, is how the Dutch government could ignore sex workers’ plight for a long time, and not respond to their urgent deprived conditions?

The work of Cohen (2001) on *states of denial* can bring some insight here. He elaborates on the phenomenon where “people, organizations, governments or whole societies are presented with information that is too disturbing, threatening or anomalous to be fully absorbed or openly acknowledged” (Cohen 2001, p.1). In the case of the Dutch sex workers, their claim for equal rights is “disturbing” and “threatening” as it challenges moralistic ideas of gender and (“good”) sexuality, as well as patriarchy and the heteronormative order. Moreover, the claim for equality was inconvenient; after all, if acknowledged, it would demand administrative and other actions or efforts that the concerned actors might be unwilling to make. Acting upon a socially unjust situation can, for instance, be (technically or administratively) complex, it can take a lot of time (that one is unwilling to spend); or it can demand one to take a (political) stand for, give attention to, or care about an individual, group of people, or an issue that one is not (sufficiently) attached to or engaged with.

If information is too disturbing, threatening, anomalous, or inconvenient, people will end up *denying* it, a paradoxical condition in which people simultaneously *know* and *not know*. Cohen speaks here of a “perceptual vacuum” or (as the opposite of a hallucination) a situation in which you *do not* see something where *there is* something. In the above case, the Dutch government did not see a poignant social injustice where one can argue that there was one. Sex workers’ deprived conditions *an sich* were not denied, but the claim that their situation was unjust, that the government’s initial inaction (with regard to the exclusion from the financial support scheme) and aggravating reaction (with regard to discriminative measures, repressive surveillance, and stigma-ridden language) made things worse, and that the resulting distress could have been prevented were actively denied.

According to Cohen, there are three forms of denial, which are useful to look into here. First, there is *literal* (or factual or blatant) denial, in which the issue itself, or knowledge thereof, is denied. Second, it may happen that the facts are not denied, but are given a different interpretation, which makes them less important to act upon; this is called *interpretive* denial. Thirdly, in *implicatory* denial, the issue, nor its hegemonic interpretation, is denied, but the psychological, political, or moral implications are. In the case of sex workers in the Netherlands, all three forms of

denial were present. When the Secretary of State of the Ministry of Justice and Security (2020) said that sex workers who “did not qualify” for the TOZO regulation could apply (if they complied with the demands) for social assistance, she *literally* denied the problem of those legally self-employed workers who could not apply for social assistance because, for example, they still had savings that they should first dry out. By reducing tax-paying, self-employed workers to a status of being unemployed and unable to work (or contribute financially to society), she denied their contribution to society as tax-paying citizens, as well as their right to be treated equally to other tax-paying workers.

Interpretive denial can be recognized in the perseverant repetition by those politically responsible that if sex workers did not qualify for support, that was because they did not comply with the rules of those support schemes (e.g., Ministry of Justice and Security 2020; Ministry of Social Affairs and Employment 2020). This is a strange reversal of responsibilities: with sex workers paying taxes over their earnings, they should be treated equally to other people when applying for support. The fact that they were not should not be attributed to them not complying with the rules, but to a mistaken loophole in the rules, that sex workers were suffering from. Interpretive denial can also be recognized in Prime Minister Rutte’s referral to the “nature” of the job as a reason why sex workers were not yet allowed to resume working while all other contact occupations could (Prime Minister Rutte 2021). Nothing inherent in the job, nor in how sex workers dealt with safety measures could explain why, for example, an erotic masseur could not but a physiotherapist could reopen. The fact that this decision was discriminative was denied, and thereby responsibility shrugged off¹¹. The economic and social exclusion of a large group of sex workers was, thus, a continuation of “abnormalization” and “othering” that already existed — not a consequence of an extraordinary moment of severe system overload.

Implicatory denial can be recognized, finally, in cases where sex workers’ deprivation was seen, acknowledged, and (eventually) interpreted as unjust, but no one was acting on this knowledge. This was, for example, the case when the government took several months to “fix” the TOZO barrier for sex workers or when local and national authorities increased repression measures against sex workers who trespassed lock-down regulations, distributing heavy fines, while they must have been aware by then of sex workers’ urgent financial needs. Newspapers had reported on it, an emergency fund had been set up by sex workers for immediate relief (ICRSE 2021), and a sex work expertise platform had written an urgent letter to the responsible ministries (SekswerkExpertise 2020), but this did not result in a more lenient or actively support-oriented approach.

The Dutch government, thus, denied sex workers’ claims for their rights in a literal, interpretive, and implicatory sense. Sex workers’ claims were too inconvenient to address, not only due to the (sudden) pandemic and stressful political

¹¹ It is, furthermore, important to mention here that sex workers’ “status aparte” with regard to them not receiving financial support, while other self-employed workers did, was not evoked because of the sudden Corona context, but existed already long before that, with a tax model specifically for sex workers.

circumstances but also because of an already existing, underlying, structural tendency of social exclusion, of refusing to take their claims to social belonging and full (political) participation serious, and of ignoring them as responsible, valuable citizens that can and should be consulted on matters concerning them. We can trace this approach back in history (Oude Breuil and Siegel 2012). Notwithstanding the Dutch assumed tolerant position towards sex work, cyclic movements of a repressive morality — with the most visible forms of prostitution being targeted — on the one hand, and a protective approach which tried to improve sex workers' living conditions, on the other hand, alternated. Paternalism, however, was an all-time constant. Sex workers were and are either seen as “dangerous” — bringing about amorality and/or being supposedly linked to organized crime — or as “in danger” as “victims” of organized crime groups, pimps, violent clients, or human traffickers (Oude Breuil and Siegel 2012). The first approach urged for repression, the second for protection — but in neither case were sex workers perceived, nor accepted, as fully participating, valuable citizens who have (political) agency and who take rational and sensible decisions on their own lives, let alone as workers who contribute to society in many valuable ways (financially, socially, politically etc.).

Thus, it should come as no surprise, particularly in times of high societal stress and fear, that sex workers become convenient “folk devils” (Cohen 1972) to project these social anxieties on. It is not astonishing that in these times exactly, narratives of sex workers as dangerous sources of contamination resurfaced. Being part of the national community (or in the case of EU sex work migrants: being part of the political unit overarching the Netherlands) and, simultaneously considered dangerous, sexually deviant, amoral, and, most recently, infectious, sex workers were feared to “infect” the Dutch population with illness, amorality, crime, and other instances of “evil.” This symbolic relegation reflects the marginal political position of sex workers in the Netherlands (and beyond). Although they financially contribute to society, morally, and therefore socio-politically they do not belong.

With the Dutch state being the prime responsible for — and holding the monopoly over — protecting the rights of individuals within its jurisdiction, it is the government's task to protect citizens from insecurity and danger by deciding who is to be in- and excluded, who deserves state protection, who is to be “kept in check,” and “[whose] agency [is] to be recognized as legitimate and heard as political” (Nyers 2003, p. 1071). As we have seen, the need to (re)draw these borders is particularly felt in times of crisis. Sex workers' agency clearly was not seen as “legitimate” and accepted as “political” in the Netherlands in pandemic times; their own dealing with their deprived positions was not taken seriously or perceived as constructive for drawing the borders between those who socially belonged and those who did not.

The concept of “the abject” helps to describe and explain this condition of social non-belonging. According to the etymology of the word, “the abject” is someone who is cast out, thrown away, discarded, even taboo, and “unclean” (Nyers 2003, p. 1073; Sutherland 2000, p. 122). Being abject goes further than mere social exclusion; it refers to a degrading throwback, a relegation into a backward position. Although Nyers uses the concept to characterize the treatment of migrants in the neoliberal, late modern world order, I believe it is insightful, too, to explain the treatment of sex workers during the COVID-19 pandemic — and to articulate a counterargument. Sex

workers were thrown back from a position of tax paying, self-employed, contributing citizens into one in which they had to hold up their hand for social assistance: from being legal workers into being illegal, irresponsible, and infectious “misfits” who were a danger to public health. The humiliation of this position is illustrated by these quotes expressing sex workers’ feelings about their perceived position in pandemic times:

What disturbed me the most was... that I saw and heard, on television, radio, in newspapers, like... you cannot cuddle your grandmother, but you can go to a sex worker! That people were indignant about that. I find that so lame... to compare us with a granny, the symbolics behind that... You really put sex workers away as dirty and stupid. As if we do not take health precautions! That really hurt. (Oude Breuil 2021).

Because they [the police] think that we are the most disgusting people in the world, and that is how they treat us. They do not take us serious because, well, you are a sex worker (...). (Kloek et al. 2021, p. 23)

As different scholars emphasize, defining some (group of) people as “abject” is not a matter of neutrally describing their original and “natural” condition (e.g., Nyers 2003; Sutherland 2000). Rather, it is an active process of construction; as the quote of Rose at the beginning of this article points out, relegating someone to an abject status is “an act of force.” It demands energy and is directed to achieving a goal:

Abjection is a matter of the energies, the practices, the *works of division* that act upon persons and collectivities such that some ways of being, some forms of existence *are cast into* a zone of shame, disgrace or debasement, rendered beyond the limits of the liveable (...). (Rose 1999, p. 253, italics added)

However, those who apply strategies of abjection to others will generally deny this active, conscious, and intended aspect. They will emphasize the abject character of the targeted individual (or his or her activities) as a natural condition. Thereby they deflect responsibility and wash their hands clean: the abjection is inevitable, the abject position is taken for granted. There is, thus, nothing we can do about it. We can trace this attitude in the discursive act of Prime Minister Rutte, with which this article started, in which he links the differential treatment to “the nature of their occupation,” without making an effort to explain and legitimize this unequal treatment. He does not refer to *how* sex workers’ occupations are different from other contact occupations, the amount of risk a client takes to be infected with the virus while visiting a sex worker, or the hygienic circumstances of the job, nor does he elaborate on sex workers’ level of knowledge on protection against the virus or any other supposed particularity of the job. Actually, he does not give *any* substantive reason for their differential treatment, except for “the nature of the occupation” — as if anyone could understand that this nature alone legitimizes a fargoing measure of exclusion. Sex workers’ differential treatment, thereby, is taken for granted and traced back to sex workers’ own (assumed) characteristics, instead of being problematized, questioned, and thereby politicized. That fact, combined with the silencing of sex workers as political actors, illustrates sex workers’ abjection and their moral, political, and social non-belonging.

Conclusion: “Vulnerability” as a Depoliticizing Instrument of Abjection

In this contribution, I have analyzed the concept of “vulnerability” in relation to the position of sex workers in pandemic times in the Netherlands. Sex workers have been analyzed as one of the groups that were hit particularly hard by the measures following the pandemic. In this article, I argue that by using the concept of “vulnerability” to explain the deprived position of sex workers in the Netherlands in pandemic times, the analytical gaze is oriented at the sex workers and their (already stigmatized) jobs, while attention is taken off from the Dutch government’s harmful (in)action vis-à-vis their economic and social exclusion. The concept of vulnerability should not only be criticized because of its risk to increase existing stigma, its patronizing effect, its leading to social sorting and selection practices, or the danger that under the label of “protecting the vulnerable,” draconic policies are being legitimized. More crucial, I argue, is the fact that labeling certain (groups of) people as “vulnerable” and in need of protection deflects attention away from those who “vulnerabilize”; it passes the buck to those groups labelled “abject” and targeted for social exclusion instead of pinpointing privileged and powerful actors who committed, contributed to, or ignored injustices committed against this group. Although the concept might, in its dynamic and power sensitive understanding, be able to enlighten how structural causes and power imbalances contribute to individual sex workers’ experiences of exclusion, it is less fit to describe and account for concrete (in)actions (not) taken by clearly identifiable actors.

Although most scholars critical of the concept of “vulnerability” shy away from discarding the concept altogether — they, rather, call for a more critical engagement with the concept (Munro and Scoular 2012) — I argue against “recycling” of the concept in this case study on sex workers in the Netherlands in pandemic times. Instead of focusing on sex workers’ personal characteristics, their life conditions, or the “nature” of their job, we would better focus on the strategies of denial and abjection employed by the Dutch government. These strategies help ignoring and depoliticizing claims of sex workers to their rights and social belonging. Both concepts implicate active effort and involvement put into *not* seeing, not acknowledging, and not addressing social injustices committed against sex workers, as a way to symbolically expulse them from the community of economically contributing, hardworking, valuable, and responsible citizens, for moral reasons. Strategies of denial and abjection make believe that it is the *nature* of the job that makes sex workers ineligible for government support, subject to degrading treatment and socially outcasted, while that job is legal in the Netherlands and the government willingly accepts tax revenues emanating from it.

Just like it would be absurd to observe a deer shot in the forest and ask “Why was it there in the first place?” instead of “Who had the gun and pulled the trigger?”, it makes no sense to look at individual sex workers to explain their distressing conditions in COVID-19 times. If vulnerability, etymologically, refers to a wound, then it seems only logical to not one-sidedly focus on the *wounded* but instead on the one who *inflicted* the wound. Concepts such as “denial” and “abjection” can bring

deeper insights here and encourage to look at accountability more carefully. A closer look at those actors and actions inflicting the wound, thus, can help putting responsibilities back where they belong.

Declarations

Conflict of Interest The author declares no competing interests.

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