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# Media discourse of legalization of prostitution in Ukraine: intersectional analysis

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## **Abstract**

The intersectional analysis was applied in a sociological study on the arguments of the legalization of prostitution in Ukraine and the characteristics of the main actors of media discourse. The theoretical rationale for the discourse on the phenomenon of prostitution was the application of Margaret Archer's structural-activity approach and the concept of intersectionality, to describe and explain the connection between the subject-structure-culture. The socio-historical and legal features of prostitution in Ukraine and the models of prostitution regulation in the world are considered. The feminist approach to the analysis of the phenomenon of prostitution and the qualitative methodology of sociological research were applied, the empirical analysis was performed using the method of discourse analysis of texts and videos in the Ukrainian media. The research indicates that there is a link and intersection between the actor's own position in the structure, belonging to a certain social class group, representation in the media discourse, gender, and argumentation regarding the legalization of prostitution in Ukraine. The findings can be drawn to public discussion and demonstration of Ukraine's major obstacles to regulating prostitution in Ukraine.

*Key words:* prostitution, legalization, media discourse, intersectional analysis, Ukraine

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## **Table of contents**

<b>1 Introduction</b> .....	5
1.1. The research issue .....	5
1.2. The aim and research questions .....	7
1.3. The delimitations of the study.....	8
1.4. The disposition and positionality .....	9
<b>2 The historical, legal context and current state of prostitution in Ukraine</b> ..	10
2.1. Historical and legal side of prostitution in Ukraine .....	10
2.2. Current state and three waves of discussion of methods for regulating prostitution in Ukraine .....	12
<b>3 Previous research</b> .....	15
<b>4 Method and Material</b> .....	21
4.1. Discourse analysis as a qualitative method of sociological analysis .....	21
4.2. Intersectional analysis as specific method of feminist analysis .....	24
4.3. Collection and procession of empirical material.....	27
4.4. Ethical considerations .....	31
4.5. Validity and reliability of the work and empirical material .....	31
<b>5 Theoretical frames</b> .....	33
5.1. Presenting the theoretical framework.....	33
5.2. Margaret Archer's structural-activity theory .....	34
5.3. Intersectional analysis as a theory of feminist analysis .....	37
<b>6 Analysis</b> .....	40
6.1. Analysis of the media discourse of the feminist view on the legalization of prostitution in Ukraine .....	40
6.2. Analysis of the media discourse of political actors on legalization of prostitution in Ukraine .....	45
6.3. Analysis of the media discourse of people involved in other areas on the proposal to legalize prostitution in Ukraine .....	52
6.4. Analysis of the discourse of the religious view on the legalization of prostitution in Ukraine .....	55
6.5. Analysis of citizens' responses to the possibility of legalizing prostitution in Ukraine .....	57
<b>7 Conclusions and discussion</b> .....	59
<b>References</b> .....	63
<b>Appendix</b> .....	71

# 1 Introduction

## 1.1. The research issue

One of the world's problems, which is “incompatible with dignity” (UNHR, 1949) and human rights and associated at times with human trafficking, is prostitution<sup>1</sup>. In the Preamble of the Convention for the suppression of the traffic in persons (1949) it is said that human trafficking takes the position of evil that arises as a result of prostitution and “endanger the welfare of the individual, the family and the community” (UNHR, 1949). The Council of Europe Resolution 1983 (2014) states that 84% of people trafficked to Europe are involved in prostitution (Resolution, 2014). The European Parliament's study on sexual exploitation and prostitution and its impact on gender equality (2014) also lists all the above facts, namely that “prostitution is a form of slavery”, it is incompatible with human dignity, and that “regardless of the form, voluntary or coercive, it is violence against women” (Report, 2014). NATO pursues a policy of “zero tolerance” for sexual exploitation (NATO, 2020). In Ukraine, prostitution is officially defined as an illegal and prohibited activity, but in practice it is widespread and poorly veiled.

There is no official statistic in Ukraine of prostitution as it is presented only as a shadow business so no accurate data is provided. In the summer of 2012, when the European Football Championship took place in Ukraine, stereotypes were used in the media to portray Ukraine as a country of "sex tourism" (Schuster, 2010). Three years later, in 2015, a draft law on the legalization of prostitution was proposed by a member of the Verkhovna Rada (Ukrainian Parliament). This has

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<sup>1</sup> In my work I will use the definition of prostitution proposed and formulated by UN in the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949). The exact definition is enlisted as following: “Whereas prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family and the community” (UNHR, 1949). As a researcher, I am trying to stay objective in this rather sensitive topic, not correlating myself within the argumentations of liberal or radical parties, so in my paper, I use the definition proposed by the international institution.

led to great debate and disagreement in society. Today, the problem of legalization / decriminalization of prostitution and discussions of the Swedish model (implying criminalization of buyers of sex) remains in the media spotlight in Ukraine. This is underscored by a recent media scandal involving a member of the Verkhovna Rada, who was filmed by a journalist during a parliamentary session when he ordered a woman involved in prostitution by phone (The paparazzi, 2019).

The relevance of the research topic is related to the unregulated position of women in prostitution in Ukraine who are a vulnerable group that has 'mythical' protection from pimps, but in fact is under their control and demands, suffering from multiple discrimination and stigma. Factors of getting into prostitution in Ukraine are not related to a woman's personal desire; they often are forced to earn money in this way to pay for utilities and housing, to provide 'milk and bread' for a child (Среміца, 2013). Equally influential is the system of patriarchy, in which women are subordinate to men, and the capitalist system, which exacerbates social inequality.

There is also a cultural vulnerability, which consists in excessive moralizing from society, stigmatization of women involved in prostitution in Ukraine, which provokes their social alienation to become a marginal group (Томчук-Пономаренко, 2015). Being in prostitution in Ukraine has its consequences, which are embodied in a higher risk of contracting sexually transmitted diseases, including HIV / AIDS, mental disorders, which can lead to suicide attempts and murder. In addition, clients or pimps often resort to violence against women in prostitution, and the latter resort to alcoholism and drug addiction to withstand this (Farley, 2004).

An important role, together with the position in the structure, is played by the social statuses of the actors, which influence the arguments that the actors can resort to. Many of these arguments are voiced in a media discourse that is specific to the reflection of social reality. All this makes the topic relevant for study and

understanding, and can be considered not only in academia, but also will be useful for the implementation of certain legislative practices or scenarios. The first step is to attract attention and try to convey to the community the importance of solving social problems related to prostitution and adopting a model for regulating prostitution in Ukraine.

Thus, the problem of the study is the contradiction between the systemic structural, social, cultural and personal consequences for women in prostitution in Ukraine and the media discourse on the legalization of prostitution as an opportunity to support the economy by generating income - taxes to the state budget in Ukraine.

## 1.2. The aim and research questions

In this study I am interested in the mass media as it acts as a powerful transmitter of information and influences public opinion. By using theoretical frames, I will describe and explain the discourse on the legalization of prostitution in Ukraine. This is done by applying discourse analysis to the text and video appeals of various actors involved in media discourse. In order to understand how the legalization model is described in the media, my *aim* is to identify the main arguments for or against the legalization of prostitution in media discourse and the characteristics of the main actors involved in the media discourse. Furthermore, my aim is through discourse point to the explanation of latent structures that contain elements of intersectional positions of the actors of the media discourse.

My ambitious aim is that this topic is considered not only in the academy, but also can influence the decision in the discussion of Ukraine's direction in choosing a model for the regulation of prostitution.

Therefore, this thesis will be guided by the following research questions:

- *How is the discourse on the legalization of prostitution constructed in the Ukrainian media?*

- What are the arguments for and against the legalization of prostitution in Ukraine in the media discourse?
- What is the role of actors involved in the media discourse?

### 1.3. The delimitations of the study

It is important to mention that the model of legalization of prostitution differs among the countries in which it was adopted, so it is necessary to look at the specific context of the country, its legal regulation, history. This study covers only a period of 5 years and a small sample, so it cannot speak of a full coverage of media broadcasting of the model of legalization of prostitution in Ukraine. However, it is still enough to capture the main ideas of the media discourse. Besides, the comments of women in prostitution themselves have not been analyzed separately, although they are subjects and objects of this discourse at the same time. They are represented in the media discourse, but the questions they are asked are mainly related to violence, pimping and the process in which they are involved, and not to the adoption of a particular model.

In my study, the aim was to analyze the actors who talk about women in prostitution. The analysis of the statements of women themselves in prostitution, together with the topics of violence and pimping and poverty is the reason for further research. In Ukraine, as in other countries, more than 85% of those involved in prostitution are women (according to [nordicmodelnow.org](http://nordicmodelnow.org)<sup>2</sup>), so in my analysis I focus only on comments towards them and will not include comments towards men in prostitution.

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<sup>2</sup> It is a website which gathers all the information about prostitution and focuses more on revealing what is the Nordic Model. There could be find personal stories, myths about prostitution, useful links for further research, podcasts etc.

#### 1.4. The disposition and positionality

The work is directed and written from a feminist perspective, as it concerns basic human rights, in particular women in prostitution. Being a woman and a feminist researcher places a responsibility on me to discuss important topics, especially those related to marginalized groups and injustice in society. More research and discussion will lead to this problem being seen at the state level. Since I have always been in the context of Ukrainian discourse, it gives me on the one hand some advantages, I know the specifics and context of my research topic, but also some disadvantages, I need to get out of this discourse and look at the situation impersonally.

The structure of the work corresponds to the logic of looking from the general analysis of models of regulation of prostitution to the specific case of analysis of media discourse on proposals to support or refute the legalization of prostitution in Ukraine.

## **2 The historical, legal context and current state of prostitution in Ukraine**

In this chapter I will provide some background information regarding the historical context of the phenomenon of prostitution in Ukraine which is highly intertwined with the legal context. In considering the phenomenon of prostitution in Ukraine, it is impossible to ignore the three waves of discussion on the method of regulating prostitution, which were heard by MPs and the legal sector. This is also complemented by the corruption of law enforcement officers in closing an administrative offense - prostitution. Knowledge of this additional information is important in order to understand the specifics and context of the country in which the media develops a discourse on models of prostitution. Moreover, it shows that even inside, among the groups of supporters and opponents of the legalization model, there is a major gap in distinguishing the consensus of ideas.

### **2.1. Historical and legal side of prostitution in Ukraine**

Not much is known about the historical context of the study of prostitution in Ukraine, because it is primarily a shadow business, so the statistics or stages of development are unidentified. It is known that in the world about 186 billion dollars are earned annually from prostitution, according to data from the European Parliament in 2014 (Sexual, 2014). Data for Ukraine vary and data on AIDS / HIV can be found more often than on the number of women involved in prostitution. Back in 1987, prostitution was officially banned by order of the Presidium of the Verkhovna Rada of Ukraine.

The Code of Ukraine on Administrative Offenses has a separate article 181.1 - Prostitution. It states that those engaged in prostitution may receive warnings or pay a fine of 5 to 10 tax-free minimums (one tax-free minimum is equal to 17 hryvnias = 5.37 SEK) (Кодекс, 1984). This article appeared in the Code in 1987 and was supplemented later. That is, prostitution in Ukraine is subject only to the

payment of an administrative fine, without criminal liability. Criminal liability for prostitution lasted from September 2001 to January 2006, and from January 12, 2006, only an administrative fine was again imposed. The pimping remained under criminal liability. And for 2020 this fine consists in payment from 85 to 170 hryvnias (26.84-53.67 SEK) and for repeated commission of an offense - from 136 to 255 hryvnias (43-80 SEK) whereas in the period from 2001 to 2006 for the same activity it was necessary to pay from 850 to 8500 hryvnias (268-2683 SEK).

Law enforcement seem to be more focused on 'covering up' brothels and pimps than on individual women involved into prostitution (Кива, 2020). But according to news in Ukrainian media it also happens that law enforcement or police officers blackmail and threaten women in prostitution to disclose information about them to relatives or families. For example, one of the police officers, using his official position, wanted to demand a bribe from a girl who was engaged in prostitution, so as not to reveal information about her to her family<sup>3</sup>. Relatives may also threaten someone accused of prostitution, such as a father saying that he would tell everyone that his daughter had been fined prostitution if she did not leave the apartment<sup>4</sup>. These are only those cases that have reached the court, but no criminal liability has been introduced for extortion. But women involved in prostitution in Ukraine could be used to expose brothels or pimps on the grounds that they will not be subject to an administrative report and their case will be rejected or closed.

There have been reports of police pretending not to noticing the existence of brothels in exchange for bribes. For example, in December 2019, police received a bribe of \$ 2,000 a month for 'covering up' brothel owners (СБУ, 2019). Another policeman in the Odessa region demanded a bribe of \$ 1,400 for hiding a brothel, for which he was detained (Поліцейський, 2019). But there are facts of detention, such as in October 2019, a brothel was exposed in Kyiv, which employed about 20 women and the pimp had an income of 70-100 thousand hryvnia per day (Ha

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<sup>3</sup> More details, in Ukrainian: <http://www.reyestr.court.gov.ua/Review/44323579>

<sup>4</sup> More details, in Ukrainian: <http://www.reyestr.court.gov.ua/Review/26632484>

Київщині, 2019). Such cases are usually difficult to detect, as they have a network of contacts and their own accountants, security guards, taxi drivers, etc.

## 2.2. Current state and three waves of discussion of methods for regulating prostitution in Ukraine

In 2012, Ukraine became even more famous around the world due to the Euro 2012 football event, which established a stereotype of Ukraine as a sex country. There have been media reports in the Ukrainian media that there would be increased interest and access to sex services, that people can go for sex tourism rather than the match itself (Vorbereitung, 2010). The well-known women's organization FEMEN conducted a campaign against the legalization of prostitution in Ukraine and sex tourism during Euro 2012 under the slogan "Ukraine is not a brothel." The feminist movement in Ukraine has an ambiguous attitude towards this organization due to their radical actions, which are accompanied by the appearance of topless women during protests (Shuster, 2010). In 2019, there was a scandal at the local level, in which (now an ex-MP from the 'Servant of the People' party) Bohdan Yaremenko ordered a woman into prostitution at a session of the Verkhovna Rada. Journalists also saw him using Tinder's mobile dating app during a Verkhovna Rada meeting. The deputy himself commented that he did it on purpose, because journalists always try to make a scandal out of nothing (Венк, 2019). The issue of changing the ways to solve the problems of prostitution in Ukraine still remains at the level of parliamentary bills, of which there were many at the time and all of them were proposed by men<sup>5</sup>.

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<sup>5</sup> It is known that in the Verkhovna Rada of the last IX convocation in 2019 only 20.8% are women (88 out of 423), while in the last convocation they were 13.2%. Despite this, according to the study "The role of women in Ukrainian society", conducted by the sociological group "Rating", in the period from 21 to 25 February 2020, 39% of respondents believe that women are underrepresented in politics, and 54% respondents believe that today there is a lack of a party in Ukraine that would represent the interests of purely women (Роль, 2020). The sample is representative by sex, age, type of settlement

The discussion on the method of regulating prostitution can be divided into so-called three waves, the first of which began in 2015. On September 18, 2015, the Verkhovna Rada registered a bill (Проект, 2015) on the control and regulation of prostitution, the author of which was a deputy from the "Will of the People" Andriy Nemyrovsky. He stressed that most developed European countries have long ago legalized prostitution, and in Ukraine it is part of the criminal business. The budget does not receive funds that could have come if this activity had been considered legal. He considered this method to be a civilized method of state control and regulation, from which both the state and women involved in prostitution will benefit, as they will have official jobs, pay taxes, undergo medical examinations and also have social protection. This bill was already supported by former Interior Minister Yuriy Lutsenko, who also believed that prostitution in the state in which it is represented, it is currently a shadow business and leads to the spread of crime and illegal schemes (Луценко, 2015). His comment raised a second wave of discussions in 2016. But later, in October 2015, the deputy withdrew his bill and replaced it with a new one, which increases the penalties for engaging in prostitution. The MP withdrew his first bill from the Council, so as not to raise public outrage and debate, but rather proposed to fight and strengthen measures to combat the spread of sexually transmitted diseases and pimping, which harms society (Передумав, 2015).

In the period before the new elections, there were no significant discussions in the media, only in 2019 did new proposals and statements from deputies and law enforcement officers begin to appear. In February 2020, Yulia Tymoshenko spoke on the NASH TV channel, opposing the legalization of prostitution in Ukraine. According to her, people who are involved in prostitution have fallen morally in the eyes of society, and therefore it is impossible to take taxes from them. In

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and regions, the sample - 2000 respondents, the error - 2.2%. Conducted by a formalized interview (Роль, 2020). That is why it can be explained that the majority of bills and petitions were put forward by men, because the representation of women in the Verkhovna Rada is insufficient. If we talk about parliamentary bills, most of the bills were proposed at the time of the Council of the last convocation.

addition, she added that no one would like to see their own daughter in this place, so legalization in Ukraine is not allowed (Духовное, 2020). Former Minister of Economy, Trade and Land Resources Tymofiy Milovanov in February 2020 advocated the legalization of prostitution in Ukraine. He argued that the sector is illegal and shady, as well as trade and construction (Милованов, 2020). As for the electronic petitions that any citizen of Ukraine can leave on the President's website, there were 47 of them between August 30, 2015 and December 12, 2019. 45 of them were submitted by men and did not collect 25,000 signatures in order for them to be considered by the President of Ukraine.

The third wave was extended by the recent comment (July 19, 2020) made by Galina Tretyakova (from 'Servant of the People' party), head of the parliamentary committee on social policy, regarding her support towards legalization of prostitution in Ukraine. The main argument was devoted to the fact that this is a black sector of the economy and no taxes come from the state. A certain pattern can be seen in the spread of these waves of discussions: the discussion is initiated mainly by men from the ruling elite. Only after the new convocation did more comments from women politicians appear. This is due to the increasing presence of women in parliament, but their presence in the media is still small. According to the monitoring conducted by the Institute of Mass Media in 2017, women are the heroes of the materials in 27% of cases, which is three times less than men. In addition, only 19% of women are involved as experts (Медіа, 2018). These statistics will be proved later in the Analysis section.

Thus, sex tourism and trafficking of Ukrainian women abroad for sex services is an illegal but widespread business. Law enforcement agencies have tightened controls on exposing brothels and pimps, but that is not always an effective strategy. At the legislative level, bills often appeared with methods to combat prostitution in Ukraine, although remained at the level of bills. The percentage of women in the media and parliament has increased, but still remains low in order to make significant changes.

### 3 Previous research

Well-known researcher Andrea Dworkin (1993), speaking at the symposium "Prostitution: From Science to Activism" at the University of Michigan, said: *"The role of prostitution in a male-dominated society is to create a social bottom below which there is nothing. This is the bottom. Women in prostitution are all at the bottom"* (Dworkin, 1993: 10). She herself has experienced prostitution and has radical views on prostitution as violence against women. This appeal is very relevant for Ukrainian society, where the label "whore" is a form of stigmatization, humiliation and has destructive consequences for women. It is also impossible to disagree with the author's position on the phenomenon of sexual violence, which is widespread in prostitution, and not only there. With the spread of coronavirus disease worldwide, the number of calls to the hotline (according to the UN Population Fund) about domestic violence had doubled (Домашнє, 2020). Similarly, in Ukraine, the police, as of April 11, 2020, recorded about 42,000 complaints of domestic violence since the beginning of quarantine (March 17, 2020) (Від початку, 2020).

Statistics from different countries confirm that prostitution mostly involve women who have traumatic experiences and that entering prostitution is often related to socio-economic difficult life situations (Farley, 2004). A Canadian report on prostitution and pornography found that women involved in prostitution had a 40-fold higher mortality rate than other women living in Canada (Fraser, 1985). According to the study conducted by Melissa Farley in the Netherlands, it was found that 40% of women involved in prostitution were victims of sexual violence and about 60% were physically abused (Farley, 2010).

Regarding other factors, it was found that about 85-95% of women want to leave prostitution but have no other means of subsistence (Farley, 2004). Along with mental health, physical health also suffers, and as a result, various sexually transmitted diseases appear, including HIV / AIDS. According to a study by the Elena Pinchuk Foundation on November 1, 2019, there were 136,849 people

living with AIDS in Ukraine and those registered, as of October 1, 2019 (CHІД, 2019). According to these data, Ukraine is on the list of leaders in Eastern Europe in the number of patients and the extent of the disease<sup>6</sup>. Furthermore, women involved in a prostitution are more likely to get a cervical cancer (Nakashima et al, 1996). It was reported that 90% of women in prostitution in Netherlands feel “extremely nervous” being involved in indoor prostitution, however it was claimed that it’s safer for them to stay inside than work on the streets (Vanwesenbeeck, 1994). Convictus Ukraine<sup>7</sup> works with women who engage in prostitution and helps them get out of it with minimal losses. Also in 2015, they provided assistance to about 4.5 thousand women (5 проблем, 2016).

But each country has its own model of combating prostitution and its own legislation. There are three models of combating prostitution in the world: legalization, ie registration and introduction of prostitution as a separate profession in the legislation, and decriminalization - exemption from criminal liability of subjects involved in prostitution. Second, criminalization, on the other hand, is the prosecution of those involved in prostitution or those who promote it (Mathieson, Branam, & Noble, 2015). The latter model is the Nordic or Swedish model of combating prostitution, where women in prostitution are exempted from liability and sex buyers are criminally liable (McConnell, 2019). In Ukraine, all these models are discussed, but the arguments are supported by different actors, respectively, some talk about the feasibility of legalizing prostitution (Eduardovich, R, 2016), others - support the introduction of the Swedish model and focus on the Swedish experience (Semchuk & Zaytseva, 2019).

Prostitution is legalized and exists in Germany, the Netherlands, Switzerland, Austria, and so on (Hughes & de Compostela, 2004). But there are limitations and nuances in each country. For example, in the Netherlands you have to rent a place

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<sup>6</sup> In total, 1.7 million people in the world became infected with HIV in 2018, according to the UNAIDS website. UNAIDS experts estimate that almost every second person in Ukraine is unaware of their diagnosis and that he / she may be infected, and that approximately 240,000 people live with HIV.

<sup>7</sup> Charity organization in Ukraine

and therefore a woman has to work harder to pay it. According to some estimates, in the Red Light District, one has to pay about 80 euros for 10 hours of rent (Фурман, 2016). And in Netherlands 5% of GDP is gotten from sex industry (Daley, 2011). It was claimed by Dutch women involved in prostitution that the main goal of the state was to make their lives safe and secure, but in fact it seems to them that they exist to replenish the treasury by paying taxes (Schippers, 2002). One of the arguments in support of legalization was that it will become legal work and reduce anti-trafficking on the streets. However, no research has shown that street and brothel prostitution decreases in a time when prostitution is legalized (Farley, 2004).

Prostitution has been legal in Germany since the 19th century, so the decision made in early September 2019 by coalitions of German parties (Social Democratic Party, Christian Social and Christian Union) to support the Swedish model came as a surprise to everyone (Menschenhandel, 2019). It was said that they did not want to see Germany as a brothel all over Europe, and therefore it is necessary to fight against the fact that the rights of those women who are involved in prostitution by coercion and deception have been violated. That is, the parliamentary majority of Germany decided to support the decision of the European Parliament, according to which it is the buyers who should be responsible for creating demand, and not those who trade in this market of services (Menschenhandel, 2019).

Regarding media and prostitution, media presentations can often broadcast and exaggerate what exists, such as, for example, the ‘romanticized image’ of a prostitute in North America. Researchers emphasize that prostitutes appear as some sort of cultural icons and are often called “whore with the heart of gold” (Van Brunschot et al, 2000: 48). Farvid and Glass (2014) stated that now mostly media (newspapers, television) in New Zealand concentrates not on men ‘clients’ but rather on women in prostitution (Farvid & Glass, 2014). It was confirmed that not mentioning “johns”<sup>8</sup>, in the media leads to the fact that policy is not so

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<sup>8</sup> Johns – anonymous name for men who order sex services (Lefler, 1999)

effective in the proceedings of a prostitution case (Mills, 1992). Moreover, discourse in newspapers focus more on covering street prostitution as dirty and dangerous (Armstrong, 2011), while in television discourse is concentrated on indoor prostitution as chosen by women and which is described as enjoyable (Mendes et al, 2010). Sometimes new phenomenon attracts the attention of the media and the public. This applies to appearance of so-called ‘loveboys’<sup>9</sup> – unique case of Netherlands (Bovenkerk, 2011). In the Netherlands country report it was stated that little attention was dedicated to the women’s position in prostitution (Bindel & Kelly, 2003). In Ireland some kind of moralization and censorship is applied while talking about prostitution (Bindel & Kelly, 2003). Reynolds (2003) even named that type of media coverage as ‘sensationalist’ (Reynolds, 2003). Therefore, the media always determines what will be included and what will not.

A recent discussion on Facebook on May 4, 2020 on the status of prostitution in Ukraine - #SwedishWebinar<sup>10</sup> was held jointly with Ukrainian feminist Maria Dmitrieva, government officials Marina Bardina and Sviatoslav Yuras, and included Ambassador for Combating Trafficking in Human Beings in Sweden Per-Anders Sunesson, which led to interesting conclusions. It was found that there is still some uncertainty about the adoption of the model of combating prostitution, among the ruling factions, there is a lack of support from colleagues in Verkhovna Rada. Per-Anders Sunesson stressed that there is no choice to go into prostitution or not, and he will agree that there is a choice when it comes to being a prostitute or a doctor. Therefore, there is no choice, and the state must create jobs. And I think that this discussion is very relevant for my topic, because it is necessary to discuss and make prostitution in Ukraine public, to involve new agents in the discussion. A national group should be set up and a national company run, emphasizing that prostitution in Ukraine is not a choice but an exploitation.

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<sup>9</sup> Loveboys are ‘pimps who use their seductive skills to exploit young girls as prostitutes’ (Bovenkerk, 2011:185)

<sup>10</sup> More details under following link (in English): <https://youtu.be/yGq2AcKKT5k>

Against the background of the spread of COVID-19, more and more new surveys and population surveys are appearing, one of which was conducted by the sociological group "Rating" in the period from April 10 to 12, 2020, entitled "Ukraine in quarantine: monitoring public sentiment"<sup>11</sup>. The bloc in support of certain initiatives has the following question: "Do you think that in order to obtain additional funds to support the economy in crisis, the state can take the following measures: the creation of a legal market for sexual services?" First of all, it is important to look at the very wording of the question, which already prompts the answer. It is manipulative in content, because it asks about the economic component - the means to support the economy. But this is only one aspect, that is, the issue tends to be narrow and one-sided. The wording itself is a suggestion of the answer, so it can be considered as the formation of public opinion, rather than measuring it.

A quarter of the population supports this initiative to support the country's economy during the crisis. For the support of legalization in Ukraine, the largest percentage of support by region is observed in the East - 28%, and resistance - in the West - 68%, 10-12% were undecided. By age, the greatest support is observed in the age group of 30-39 years (29%), and the lowest - among the population aged 18-29 years (69%). According to gender distribution, 35% of men support the legalization of prostitution in Ukraine, while 75% of women do not support it. In terms of material status, the greatest support for legalization is among those who consider themselves to be in the category of the well-off (33%), and resistance is among those who consider themselves to be in the category of the poor (69%). That is, among the supporters of the legalization of prostitution in Ukraine to support the economy during the crisis, men (35%), wealthy (33%), aged 30 to 39 (29%), from the East (28%) predominate. Conversely, among those who do not support the legalization of prostitution in Ukraine are women (75%),

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<sup>11</sup> The sample is random and representative by age (18 years and older), sex and type of settlement (except for the occupied territories and the Autonomous Republic of Crimea) and has 2000 respondents, the survey was conducted by CATI.

the poor (69%), aged 18 to 29 (69%), and those from the West (68%) (Україна, 2020).

With the spread of COVID-19, some feminists are emphasizing what happens to those who provide sexual services. They have nowhere to go and no place to earn, they have no means of protection and they expose themselves to safety (Коронавірус, 2020). Dana Levy is a woman who survived prostitution and supported the Israeli activist movement against prostitution. In her article, she stressed that the following provisions are now relevant: first, that men can survive without resorting to prostitutes, and second, that those who are in prostitution are a poor class, and now marginalized. And third, legalization and decriminalization currently provide almost no assistance to prostitutes (Коронавірус, 2020). The coronavirus has shown that sexual need is not paramount in a pandemic. When the death rate was found to be high, brothels in the largest European countries (Germany, the Netherlands) closed, although no one had previously worried about the fate of migrant women, their psychological and physical condition (Коронавірус, 2020). The situation was similar in Ukraine, but women continued to work to survive.

D. Levy noted that most women in the Netherlands are forced to continue their activities, because without it they will have nothing to eat and live on. Most have no savings, because one of the psychological factors is often the expenditure of all earned funds as a certain compensation. Many of them cannot apply for state aid because they are not citizens or are not officially registered (Коронавірус, 2020). This is the case in countries with large GDPs, where there is social assistance, but even those with pimps or the state are not in a hurry to help. That is why most feminists have started talking more about the Swedish model, which will help to leave this field and find a job, get help. Through initiative groups such as Wahine Toa Rising, the New Zealand government has responded to help those in need of financial assistance, but this is more of an exception to the rule (Group in Facebook).

## 4 Method and Material

In this section I will provide information regarding my methodological frames in order to give a detailed description of collecting and processing the empirical material. Qualitative method in a form of discourse analysis was used to show and identify latent structures that exist in the text. The text in the media contains latent meanings, revealing which we will be able to learn the internal messages of the agents who advocate for them. Intersectional analysis was also used as an analytical tool that shows dispositions and inequalities. It is a specific method and theory of feminist analysis that addresses complex processes and phenomena. With its help I was able to see who is promoting and what ideas are promoted regarding the legalization of prostitution in Ukraine in the media discourse. Ethical considerations and reliability of the work were included.

### 4.1. Discourse analysis as a qualitative method of sociological analysis

Discourse analysis is one of the methods of qualitative methodology and according to W. Jørgenson and J. Phillips (2008), discourse analysis analyzes patterns that are found in human language and text, in various spheres of life. They are not stable and monotonous, but can be interpreted and therefore the analysis becomes different depending on which model is used by each researcher (Jørgensen and Phillips, 2008). It is impossible to say that one model is the only correct one, because there is often a mixation of methods in order to achieve the goal of the study.

Classical discourse analysis is based on the provisions of social constructivism and post-structuralism. Accordingly, language in discourse becomes like a human guide between this world and language itself, because the latter constructs and creates communication and a system of meanings in the world (Kvale, 1992). Human being is not only the one who utters these meanings, forming the discourse, but also the discourse forms the person in consequence.

I have chosen this method, because with its help we can see and analyze both textual (linguistic) aspects and pay attention to non-textual ones - such as the social and economic reality in which we exist. The main focus of discourse analysis is the techniques used in composing the text. This is important, because I deal with the specific translator of information - the media. Secondly, it is the identification of the specifics of speech and behavior of the author through how he or she positions him- or herself, through the use of linguistic techniques. It is also important how each meaning is encoded, how the author's communicative expression is verbalized. This is done through certain categories that structure discourse analysis. In our case, we made our own scheme, which appeared owing to the adaptations of M. Foucault, R. Bart, R. Fairclough and M.Reisigl & R.Wodak.

Based on the arguments of R. Bart (1987), we assign a significant role to the sign. Signs have certain meanings in every culture and in the media, there is a constant flow of thoughts and meanings that the researcher needs to see and encode and form finiteness. Each meaning or interpretation is framed (Барт, 1987). M. Foucault in his work "Order of Discourse" spoke about the importance of the existence of the author in the grouping of different discourses, that he acts as a link between them. What is particularly relevant to us is that Foucault does not support the idea that the connection between power and knowledge exists only through class relations but also through other social forces (Foucault, 1971). These include, for example, gender, sexuality, and so on. However, Foucault did not consider the subject because he believed that the subject was not out of discourse. That is why we take into account in the analysis and formation of the model the development of N. Fairclough, who believed that the discursive and social are in direct interaction, that is, the discourse is in a process of formation and is formed (Fairclough, 2001).

So I considered 4 components in my scheme to help me in analyzing the empirical material:

- Self-identification of the author - identification of all nominations used in the text (pronouns, adjectives, I, me, status-role components) and analysis of why the most frequent appeal is through these nominations;
- Target audience - who is addressed in the text and who is the recipient in this communication channel;
- The method of verbalization of communicative intention - how the author encodes the meanings in the text, what words he/she uses for this, what can be seen through re-reading and how certain nominations form codes;
- Communicative situation - positioning of the author's position in relation to the groups important to him/her, whom he/she includes in the number of co-authors, who in the number of supporters, in whom he/she attaches him- or herself.

The connection between the text and the author's belonging to a certain social group, as well as the connection with the social context, plays an important role in all this. Each text in my analysis was subject to the search for discursive strategies, namely nominations, arguments and predictions. The nomination refers to how the actors are called linguistically in the text. And in anticipation, the main qualities, characteristics, values that are attributed to the actors are highlighted. 'We-they' confrontation is often shown here (Reisigl & Wodak, 2005), which was also the subject of our consideration. Authors in the Ukrainian media often use this strategy, speaking of 'we' instead of 'me', implying that they speaking for a collective, and not arguing as individuals.

One of the main purposes of using discourse analysis in my study is to show the relationship of dominance and inequality that is present and reproduced in discourse. Because the discourses themselves created in everyday life are changeable, media reality is a good way to track this. According to Weiss and Wodak (2003), language itself is not influential, but it becomes so in discourse when constructed by influential people (Weiss and Wodak, 2003). Discourse

analysis has also been used as an element of deconstructing the knowledge produced by the media and other groups in order to track the power relations, namely, as defined by F. Henry and C. Tator (2002), between those who belong to the dominant group and those who are secondary (Henry and Tator, 2002). Very often in the Ukrainian media, the dominant group produces knowledge for the secondary group and thus forms a discourse without addressing those who should have been directly involved.

Relevant for the study of media discourse is the analysis proposed by N. Fairclough (2001), according to which language is a powerful tool that has a certain social effect and with its help the vision of power in the text could be deconstructed. His discourse orders are intertwined and form a certain structure of discourse. Power in these discourses can not only be a certain construct, but also point to the relationship between women and men, and different social categories (Fairclough, 2001), in our case between civil society and prostituted women.

Another advantage of using discourse analysis is that not everything that is written and broadcasted in the media is true and believable. Accordingly, the knowledge that is taken for granted ceases to be so, as it is deconstructed and subject to criticism, so it becomes open to change.

#### 4.2. Intersectional analysis as specific method of feminist analysis

Intersectionality is not only a theoretical concept, but also an analytical tool that can indicate inequality (eg, racism, sexism, ageism, etc.) through the intersection and use of independent variables in analysis. Both individual and group discrimination can be detected. It has a significant impact on people and groups, on how we think about ourselves, interact and live. Intersection is also like a so-called analytical lens using a worldview that changes significantly (Crenshaw, 1991).

In the feminist circle, intersectionality is especially relevant, because it draws attention to the normative and theoretical concept of inclusion and recognition of differences among women. It touches on one of the biggest problems in the

history of this inclusion and recognition (Davis in Vivar, 2011). It also touches on what is not very important, what it is, but what it does and what processes it raises and suggests for discussion (Cho in Collins & Bilge, 2016). Since gender, race, sexuality, class are not constant and are constantly changing, they can reveal and form each other, precisely through joint consideration.

For example, the article by H. Chu and M. Ferry (2010) proposes to consider and use intersectionality from a methodological point of view, namely from the standpoint of three practices: group-oriented, process-oriented, system-oriented. Accordingly, the first approach, also called inclusion, focuses on marginalized groups and all the processes associated with them. Process-oriented practices view power as a relational category, and the relationship between categories exacerbates the effect of oppression at the intersection and thus draws attention to those groups that no one has previously addressed — the marginalized. Looking at intersectionality as a system, we strive to see a complex and historical overview of the issue, not just specific inequalities within it (Choo & Ferree, 2010).

In our case, intersectionality can be considered in the complex of these 3 practices and ideal scenario on which Ukraine should focus in implementing practices to regulate the spread of prostitution. First, women who seem invisible are given a "voice" and thus cease to be a marginalized group and become the one in the spotlight (hooks, 1984). Second, if the first approach pays more attention to gender, race, age and their combination, later on the focus shifts on gender, economic and racial inequality as processes. This approach not only adds groups, but also intersectional relationships to what were previously considered to be the main effects. Third, society is analyzed from a historical perspective and each element is identified. The methodology aims to see in all the interactions rather than the main effects (Choo & Ferree, 2010). That is why historical and cultural features are so important when considering the phenomenon not only from the process, but also systemically. It remains a challenge to find certain historical and local preconditions for each system, because the intersections in each of them will be different.

The authors emphasize that although the intersectional approach is a useful analytical tool, it is not very popular with sociologists in the study of gender issues. The intersectional approach in sociology helps to study multiple inequalities in society qualitatively and thoroughly (Choo & Ferree, 2010). In Ukraine, intersectionality as a tool is mostly used in quantitative research, which is why its introduction into qualitative research is not so common.

The expediency of using intersection as a method is confirmed by examples of qualitative research of multiple inequalities (Edin and Kefalas, 2005; Duneier, 1999; Lareau, 2003; Lamont, 2000). Data analysis can show all the systemic complexity and impact on the micro-level, which enhances the relationship between individual experiences and structural components. The problem with these studies is that no one focuses on an integrated approach to the analysis of mutual intersectional processes. Instead of seeing how one component forms inequalities with others, they look at processes that are outside the mainstream, looking at the relationship between the selected group and the marginal, without the use of complexity. So all further examples in the paragraph below wanted to apply intersectionality in their study but did not succeed in full because of not investigating the complexity of the process.

In his monograph, M. Duneier does not look specifically at the components that led to black men becoming an oppressed group, but contrasts them to the mainstream group. He says that wanting to find a work, these poor black men are trying to become "normal", the same as the mainstream group. However, it was his own opinion, without asking these men how they themselves understood their situation. Locality is lost here, the same as intersectionality, which could have been able to show how there is a certain movement from the marginalized to those who become the center of attention (Duneier, 1999). In "Promises I can Keep" the authors look only at the stereotypical view of marriage and pregnancy, without asking why poor births of poor women become incomprehensible, which is immediately stamped as impossible (Edin and Kefalas, 2005). Annette Laro's monograph emphasizes class inequality as the main indicator that influences the

logic of raising children, and gender and race are introduced only as complementary. All comparisons are made solely through reference to the non-dominant group, compared to the dominant; look only at the differences between girls and boys (Lareau, 2003). “The Dignity of Working Men” focuses on the intersection of class and nationality, but does not take race into account. Normative masculinity is used by working-class white American men to uphold national ideology (Lamont, 2000).

Thus, the use of an intersectional approach as an analytical tool and method requires certain features. First, focusing on ideal types and dominant groups will not bring the necessary complexity. Second, shifting the focus to unlabeled groups from hegemonic ones can add to the analysis, especially when examining the combination of power and privilege between the marginal group and the central group. The constant desire to identify the main components in the analysis only harms the search for additional factors that may indicate intersectionality.

#### 4.3. Collection and procession of empirical material

In discourse-analytical research, it is important to develop a research design with relevant research questions and tasks. Since discourse analysis belongs to qualitative research strategies, some flexibility and modification is allowed (Mason, 2018). In the process of selecting the model, I used a mix of methodological procedures to best explore our topic. In particular, we turned to the development and methods of working with the text by S. Thatcher et al (2009). In the study of statements, we turned to how the argumentation of differences is constructed. How binary oppositions and interactions between categories are constructed, as – ‘we-they’, whether there is a certain assessment of them. This allowed us to see the intent-analytical component between those who adopt legislative initiatives and those who are involved in prostitution. We also took into account the use of rhetorical questions, metaphors, the use of analogies, comparisons, and so on.

*Search and selection of materials.*

In order to answer the research questions and find argumentations regarding legalization of prostitution in Ukraine and main actors who proclaimed them, I chose to search for articles in the media about ideas for or against legalization of prostitution represented by different actors. In the main topic of legalization of prostitution, I analyzed subtopics: arguments and the main authors of ideas - actors of media discourse. The unit of data collection for me was the thematic area, which speaks about the legalization of prostitution, and the unit of research - the media that describe this thematic area. I focused the analysis of interviews in articles and visual materials. I have chosen articles in the form of interviews as they are always clear, contain specific questions and answers.

The social conditions for constructing texts were important too. They included: the type of media (network analogues of the media, social media, radio that have a text broadcast) and the language of the publication - Ukrainian or Russian. English was not selected for analysis, as it could not contain the specific contextual components that are important for analysis. Online versions of publications were preferred as they were more convenient; they technically allowed me to search for a keyword and reject those search queries that were not needed. I also had a certain chronological limitation when filling the array - this was an analysis starting from September 2015, when the bill on legalization of prostitution in Ukraine was proposed by one of the deputies and ending in April 2020, because in 2019 a new convocation council appeared and a new discussion on legalization emerged.

In this study, a specific analytical instrument was used Mediateka<sup>12</sup>, which allowed me to collect an array of data for a specific period published in the media. Furthermore, it was offered by the program to choose the selection criteria

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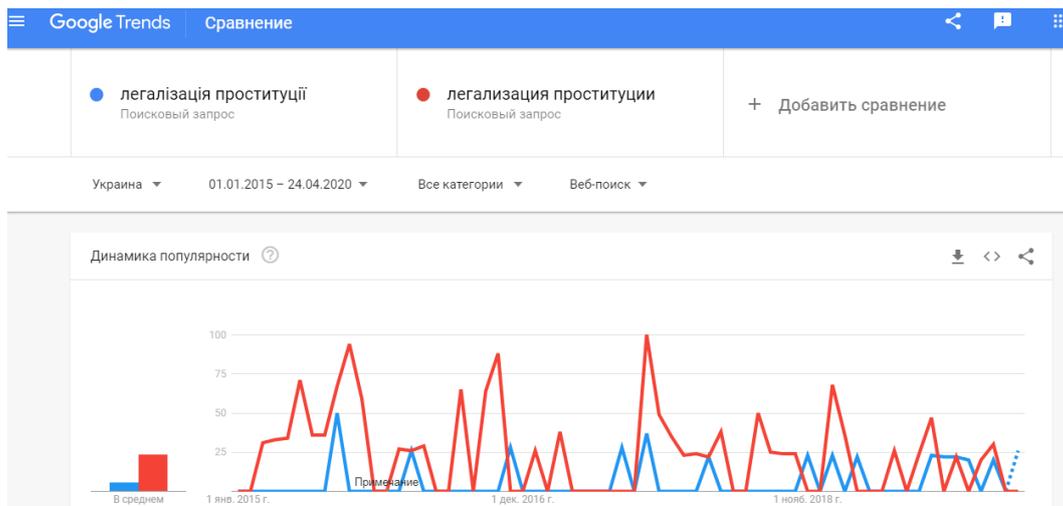
<sup>12</sup> Mediateka (<http://promo.mediateka.com.ua>) is a free instrument which was created in Ukraine for the purpose of making gathering information faster and easier. It includes: 24/7 collection of messages in the Ukrainian media, 1,300,000 messages per month / of which 1.5% are TV transcripts, 0.7% are radio transcripts, 2% are print media, 15.6% are Facebook messages, other Internet media and agency information. The database is updated every 20 minutes, all what is needed is just to register and have 7 days a free-trial model.

(filters), which in my research were: timeframes, language, keyword. The keyword 'legalization of prostitution' was chosen as the keyword for the collection of articles. (When you enter the query 'prostitution', articles are displayed that contain information about other models that are not relevant to the study). Since all materials published in the last 5 years cannot be covered in my paper and they needed to be sampled randomly, I have downloaded 15 articles from each year and got in total 75 articles. They were read and there were a lot of repetitions of information in 2 languages (Russian and Ukrainian) or comments regarding support or non-support of legalization of prostitution made by actors without details provided, only word mentioned without substance regarding the topic. So that type of articles was filtered and withdrawal.

All in all, 20 media interviews were collected in the end, which were read several times to find specific argumentation and information regarding the author. I have tried to include materials from morning and evening Ukrainian newspapers, from well-known channels and less known to gain diversity.

In order to see if the search query was relevant, I looked in Google Trends how the search took place in the period from 2015 to April 24, 2020. I have introduced two search queries in Ukrainian and Russian: 'legalization of prostitution' (In Russian – 'легализация проституции', in Ukrainian – 'легалізація проституції'). It turned out that queries were formed more often in Russian. The main three peaks were in October 2015, 2016 and 2017. In October 2015, Andriy Nemyrovsky withdrew his bill, and in 2016, there were many comments in support of the model of legalization of prostitution in Ukraine, in particular by Yuriy Lutsenko. In the period from 2018 to 2020, the dynamics gradually decreases (Fig. 1).

Fig. 1. Dynamics of search queries about prostitution in Ukraine in Google Trends for 2015-2020 (blue line-in Ukrainian, red – Russian).



According to this search, I found that the topic of legalization is relevant for study and understanding, because for all five years there was some attention and demand.

Additionally, I came across video material from YouTube of comments made by deputies and one of the feminists regarding the topic, so 5 of them were included. Separately, 3 videos were analyzed with the answers of citizens about the support or non-support of the idea of legalization of prostitution in Ukraine. To sum up, I have a sample of 20 interviews from newspapers and network analogues and 8 video materials from YouTube.

### *Processing of the material.*

In order to look at the situation and the arguments that exist comprehensively, I decided to analyze the media discourse by analyzing the statements of the following actors: (1) comments from feminists and gender experts, (2) those in power, ie mostly ministers and deputies, as well as (3) those involved in civil society: initiative groups, as well as the citizens of Ukraine themselves. Statements of all these groups present in our sample.

The comments of women in prostitution themselves have not been analyzed, although they are subjects and objects of this discourse at the same time. They are represented in the media discourse, but the questions they were asked are mainly related to violence, pimping and the process in which they were involved, and not

to the adoption of a particular model. It is interesting for journalists to hear all the details. In our study, the aim was to analyze the actors who talk about women in prostitution. The analysis of the statements of women themselves in prostitution, together with the topics of violence and pimping, and poverty lie outside of my research. But one of the women in our analysis is an ex-sex worker and is currently an activist for company 'Legalife Ukraine', helping victims of prostitution or women who want to get out of it.

#### 4.4. Ethical considerations

For ethical reasons, we have used all freely available texts and videos on the Internet. Therefore, the copyright is not violated and it is not necessary to send a letter of origin with the issue of permission to use. As for the data that were analyzed for people, they did not contain names or identities, we use them only for academic purposes. As a researcher, I also strive to refrain from evaluative judgments and to be a supporter or opponent of the legalization of prostitution in Ukraine. Since I have always been in the Ukrainian discourse, it is on the one hand an advantage that I know the specifics and context of my research topic, but also a disadvantage as I have to make an effort to "get out" of this discourse and look at the situation from a distance.

#### 4.5. Validity and reliability of the work and empirical material

Discourse-analytical methods all face the problem of reproducing and showing the practices represented. The selection of each text differs in purpose and from what each researcher wants to see, followed by the justification of the content and the sample (Neumann, 2009). Due to the fact that discourse analysis belongs to the qualitative methods of analysis, the issue of reliability and validity cannot be achieved as in quantitative methodology. Sampling is often criticized, but material selection is completed during saturation and no new material is found. The

analysis should be comprehensive, transparent and give credence to what has been analyzed and what results have been obtained. (Neumann, 2009). To increase the probability of reliability and validity, I checked text matches in other text materials that were not used for analysis. Furthermore, I did not use so called “cherry picking” (the method used by researchers not to work with a large amount of data, but choosing only the information that will confirm their hypotheses) method (Morse, 2010), as after all, I chose materials to saturate the sample until the presence of repetitions.

Discourse analysis can also be criticized for not being an objective method of research, as there is a moment of subjectivity in the researcher. After all, there is a certain theoretical setting and an element of reflexivity, which cannot be avoided. The problem with thorough discourse analysis is also that texts and analysis should be better conducted in the same language, which was done in our case.

The representativeness of the sample of collected texts is achieved by taking into account all the discourses that exist in the Ukrainian media. The media is a translator in which specific discourses are formed, which are further perceived and used by consumers. Regarding the legalization of prostitution in Ukraine, there are 3 main discourses that are being discussed: a certain legal discourse is being raised, namely the initiatives enshrined in law. There are also some arguments for or against the legalization, decriminalization of prostitution or the use of the Swedish model. The last thing that can be noticed are the religious counterarguments in the discourse on the legalization of prostitution. All these taking into account in the analysis in order to investigate the problem comprehensively.

## 5 Theoretical frames

This chapter presents theoretical framework, which is presented by Margaret Archer's agent theory, which will be able to explain the structures and actors involved in the discussion of the legalization of prostitution in Ukraine. Also, intersectionality is used as a theory of feminist analysis of intersections, in our case social status, power position and gender.

### 5.1. Presenting the theoretical framework

The phenomenon of prostitution in Ukraine is a complex one, as a semi-criminal activity (Hughes & Denisova, 2003), part of the shadow economy (Hughes, 2000), deviant behavior (Vist, 2016), socially disapproved and stigmatized (Immordino & Russo, 2015), so it needs a complex theoretical explanation of the processes behind it and a methodological justification to understand who are agents, who support or oppose the legalization of prostitution in Ukraine. Within the framework of the structural-activity approach, E. Giddens (1984) worked with his theory of structuring, P. Sztompka (1994) with the theory of sociocultural trauma, P. Bourdieu (2019) with the concept of habitus, structure and agency, M. Archer (1995,1996) with her morphological theory (Giddens, 1984; Sztompka, 1994; Bourdieu, 2019; Archer, 1995, 1996). These theoretical concepts outline the field of our theoretical orientation, offering indicators and theoretical substantiation of the relationship between structures and agents.

Margaret Archer's theory of agency (1996) is used to explain the subject-action-discourse model in our study. It views the subject as an active agent of change that can change structure through action (Archer, 1996). The latter will influence the construction of the media discourse on the legalization of prostitution, and by addressing the discourse I will be able to see how latent structures and meanings are constructed.

Intersection analysis as a theoretical concept shows the inequalities and oppositions that are formed in social reality (Collins & Bilge, 2016). The latter

vote is given to the dominant group, in whose hands power is concentrated and this one speaks for a marginal group - in our study, for women in prostitution. In our study intersectionality is also used as an analytical lens which shows and explains intersections between categories, deepens the quality of the analysis.

It is also important that I use the conceptual apparatus that is neutral and not stigmatized, without socially separating women from other social groups, and without humiliating them. That is why in my work I will continue to use the term - 'women in prostitution' or 'women involved in prostitution' which maintain a neutral color. I will not use the terms 'prostitutes', 'prostituted women', 'sex workers', as they cannot be classified as neutral forms, but as discriminatory and stigmatizing. These forms will be used only in a context or as a form of speech of actors involved in a discourse.

## 5.2. Margaret Archer's structural-activity theory

One of the prominent theories that explained the interaction between structure and actor was Anthony Giddens' theory of structuration (1984). His theory had the following components: structure, system and structuredness. The social system changed in a coordinated way, because the individual actions of agents were already a structure. When individuals reproduce a structure in practice, they reproduce a system of rules and a system, this is the 'duality' of the structure (Giddens, 1984). That is, according to his scheme, individuals were informed how the structure exists and in their activities reproduced it. M. Archer was skeptical about the very definition of structure as a virtual order, because it tied the agent to the structure (Archer, 2010 [1982]).

Because E. Giddens in his theory assumes that all actors will reproduce the rules of the system, it creates a certain determinism (Giddens, 1984), but, according to M. Archer, the system always contains an element of voluntarism, which can increase the degree of variability in the actions of the individual (Archer, 2010 [1982]). For E. Giddens, the actor and the social system are inseparable, because the actor is a system, he is its inseparable element (Giddens, 1984). As I consider the actor is not only an element of structure, but also an element that can change

the structure, Margaret Archer's theory of cultural morphogenesis is closer to my study. In her analysis of society, M. Archer emphasizes that structure and agency must be considered separately and they cannot be subjected to a simplified analysis, but can be analyzed using a manifestation of duality (Archer, 1995). The principle of origin is that new properties can appear on the basis of old ones, they appear in time and are autonomous (Archer, 1996). In the same way, I am dealing with a phenomenon and statements that are subject to change and are not permanent.

It is important in the study of the model to take into account the concept of historicity, ie the mediation between structural, cultural properties and properties inherent in humans (Archer, 2012). Changes in the structure can be seen retrospectively, but it is also possible to assess the historicity of the appearance of any phenomenon, process. The appearance of any radical changes is easily explained by recourse to morphogenesis (Archer, 2000).

Through their internal practices and conversations, people through reflexivity come to significant achievements, which further form the basis of corporate agency (Archer, 1996). It is through internal dialogues that people form their strength and potential for struggle. By turning to these dialogues, which each person lives inside, it is possible to see whether he is then capable of certain actions and contributions. Not all people are capable of this, but only those who know what they want and who are able to tell others about it in order to see significant changes in structural and cultural features. Such individuals are called "corporate agents" - they are the drivers of change (Archer, 2000). This can include those people who consciously unite in interest groups, various public initiative groups, those who are promoters (Archer, 2000). Archer adds that agency or acting is ingrained in people, so change still depends on the individual actions of individuals. These processes occur only when there are people who are able to start and change access and choose (Archer, 1995).

The analysis of the phenomenon of prostitution in Ukraine can be analyzed using this theory as a process of morphogenesis of structures-actors-culture. We can

look at the whole system of suppressing the position of women in prostitution in retrospect with regard to Ukraine. In 5 years, only one bill was issued, which was not completed. In the future, there were only a few opinions and suggestions from various government actors, but no one still dares to propose a new bill or finalize the one proposed in 2015 by Andriy Nemyrovsky, one of the deputies of the Verkhovna Rada (У Раді, 2015).

That is, these power actors are not, in essence, corporate agents, because their internal practices and ideas have not been sufficiently reflected to move into action and transformation. That is, socio-cultural interaction remained at the initial stage and did not develop into a structural development. They are essentially corporate agents, as they have some influence and power, a position in the structure to be agents of change, but their potential is to change the consciousness of citizens and impose their own opinion, not to restructure the entire patriarchal system and respect for human rights, as the feminist movement tries to do in its position and power.

In cultural morphogenesis, the starting point begins with a cultural phenomenon, a certain idea (Archer,1996). In my case, it may be the emergence of a bill on the possibility of legalizing prostitution. After enacting this bill, Mr. Andriy started a discussion that had an impact on the agency. Other actors began to support or reject this decision. However, the socio-cultural conditions worked quite well, so no special changes in the structure took place, these transformations stopped until the moment when ex-prosecutor Yuriy Lutsenko came up with his ideas.

At the present stage, a feminist movement could be added to the ‘people emergent property’ (those, who are united by common interests) (Archer, 2000) in the field of prostitution. Although they have different opinions, they agree that the dignity of women is oppressed, even though it is one of the greatest values of mankind. They (feminists) are able to make certain changes and changes in the system, because they know exactly their purpose and can share their knowledge with people. They are ‘corporate agents of change’ (Archer,2000), as they consciously unite and share common interests.

That is, I can say that, according to M. Archer, we have (we as Ukrainians) the feminist movement, which includes actors who are able to launch and have the potential to transform society and the role of prostitution in it, but their power is suppressed by power actors who also have power and potential for change, but direct it to their own image or to the suggestion and manipulation of public opinion. Because of these manipulations and lower positions in the structure of the feminist movement, people do not trust either feminists or politicians, but the media play a significant role in broadcasting and helping to convey the views of government agents to the masses. The feminist movement does not have as much free access to the media and their appearance there is less than that of power agents. Power agents are more often invited to broadcast and give interviews.

### 5.3. Intersectional analysis as a theory of feminist analysis

Within feminist research, intersectional theory has become quite common and more and more researchers have begun to use it, but the specifics of its use are often omitted and not disclosed. That is why researcher Katie Davis even named intersectional theory as a certain fairy-tale concept (“buzzword”), which is not yet fully analytically revealed (Davis, 2008).

In defining intersectionality in their book, P. Collins and S. Bilge define it as “a certain critical form of analysis and critical practice” and even their sections in book are called as following (Collins & Bilge, 2016). I am close to their definition of intersectionality, according to which intersectionality helps me to understand all the complexity that arises in the dimension of the whole world, people, their behavior, this is a certain way of understanding (Collins & Bilge, 2016). The authors themselves added that they do not particularly refer to it and this definition is not final, because they want to “invite everyone to a discussion” (Collins & Bilge, 2016: 203). K. Davis (2008) agrees, noting that researchers use intersectionality to raise new issues, include their creativity, and explore previously unexplored areas for analysis (Davis, 2008).

The very concept of 'intersectionality' emerged and was conceptualized by researcher Kimberly Crenshaw in 1989. She used intersectionality as a method to

describe and demonstrate the discrimination experienced by colored and poor women in employment and rights protection. For her, intersectionality was a multidimensional indicator and one that could indicate the various experiences of marginalized groups (Crenshaw, 1989, 1991). Mentions of intersectionality appeared in critical feminism, which emphasized racism, and critical theory, which considered racism (Cole, 2009).

In her work, Audrey Lorde added sexuality to intersectionality, that is, she studied black lesbian women and how this affects the definition of feminism and racial identity (Lorde, 2007). Feminist Chandra Mohanty brought the concept of intersectionality to the global dimension, proposing to include the concept of borders and influence on women around the world (Mohanty, 2003). That is, feminists have shown the role and need to include the mutual influence of such components as gender, race, sexuality, age, class, etc. in the consideration of manifestations of social inequality.

To define and understand intersectionality, Collins and Bilge identify certain characteristics: social inequality, power embodied in 4 categories, social context, relativity, complexity, social justice, and inequality (Collins & Bilge, 2016). In my case, these characteristics are important for research, because social inequality can show how variables are layered and give a voice to those who are mentioned. I look at the phenomenon of prostitution and the discussion of legalization comprehensively and in relation to what takes place at a certain time and in a certain place. An important role is played by power relations; through which I can see the injustice towards a marginalized group - women involved in prostitution.

A matrix of power dispositions created by Collins and Bilge considers four areas of power: structural, disciplinary, hegemonic (cultural), and interpersonal (Collins & Bilge, 2016). Each of the them regulates human behavior, as well as access to resources. Power relations are important in our consideration, because the power resource together with the social position influence the argumentation that is transmitted by the actors, which is why the matrix of power relations is an auxiliary tool in my work. Intersection helps to expose all these forms of power

and make them visible, to show how they shape this oppression and the system of power relations, in which there is an intervention in the behavior, experiences and identities of people (Collins & Bilge, 2016). These forms of power have a strong influence on marginalized groups, such as women in prostitution. Their behavior can be criticized or considered the norm from the standpoint of structural and disciplinary authority, reinforced by expectations and typifications by the hegemonic power, and condemned by individual women or men. All this puts undue stress on the individual woman, who is subject to discrimination and also feels depression and psychological discomfort. Researchers H. Lee and K. Thorney have found that discrimination that occurs every day is most traumatic for women because of their mental health (Turney & Lee, 2010).

Thus, intersectional analysis exists as a system of dispositions that shows the existing social inequalities, the complexity that arises in their calculation and study. Although it is a complex theory, it very aptly explains the relationship between power and the actions of actors in media discourse. Since the very concept of prostitution is difficult to analyze and understand, it requires complex methods of specific feminist analysis.

## 6 Analysis

This section will present comments from various actors who are part of the media discourse: feminists and gender experts, MPs, law enforcement, civil society, priests. Explicit and latent arguments for and against the legalization of prostitution in Ukraine were highlighted, and the comments of each group were grouped according to the type of argument. Special attention was paid to the comments of citizens.

### 6.1. Analysis of the media discourse of the feminist view on the legalization of prostitution in Ukraine

A total of 4 interviews of gender experts on search query were randomly selected from one Public Radio site. The latter is a non-governmental non-profit radio station that broadcasts current news in the format of conversations<sup>13</sup>. All of them are feminists and gender experts, and one of them is a lawyer and the other is an anthropologist. One of the interviews was conducted in 2015, two in 2018 (one before the day of human trafficking) and one in 2019. The target audience in all 4 cases can include readers and listeners of Public Radio and supporters of one or another model of prostitution, all who care about the fate of the country.

*Interview with Ukrainian gender expert Tamara Martsenyuk.*

It was pointed out by the author that men who are proponents of legalizing prostitution in Ukraine include male deputies. That was one of my hypotheses. There was a direct appeal to men and daughters in the interview. The daughter was used as a potential future woman who could be legally involved in prostitution. The author states that this question makes men confused. After all, no one wants to see their family members involved in this "profession." The father is recognized as the main amulet of his little daughter, so here is the focus on the dearest. After all, in the formation of this idea, men idealize a certain mythical

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<sup>13</sup> News are issued on a multimedia platform and also involve a text message. Their uniqueness lies in the fact that this media resource is independent of the influence of business and government, and therefore journalists publish relevant materials that gain the support of Ukrainians.

image of a woman. The author's position is hidden here, rather there is a detached comment as a sociologist and gender expert.

There is a clear 'we-they' relationship: 'we' can include our family circle, these male deputies, and 'they' are some abstract women. And this can serve as an example of a hidden position on the arguments against the legalization of prostitution, because emphasizing the appeal of the undesirable nature of this "profession" for the families of men for whom they feel responsible, a negative attitude to this decision as a whole is formed.

*Interview with Daphne Rachok, a feminist and gender expert*

The main argument against legalization, the author believes, is that if the state is regulated too much, the sphere will go into the shadows - the 'underground' (Проституція, 2018). The author supported this by saying that she does not think so personally, but 'social researchers say'. There was a mention of Ukraine, which is a certain 'exporter' of women to other countries. That is, women who engage in prostitution are not brought to us, but from us. She speaks from the standpoint of labor and human trafficking. That is, the main argument is formed around the topic of human trafficking, migration and the fact that women are victims. The word 'maybe it will help' (My translation, Проституція, 2018) (it is legalization) indicates the indecision of the author and relieves her of some responsibility in choosing the ideal model. Moreover, this model is mentioned only in terms of human trafficking and its consequences. She considers provoking compulsory medical examinations and inspections of brothels, as well as paying taxes to the state, but not receiving unemployment benefits (as in Nevada, USA) to be an argument against legalization.

'We-they' relationship: it is not articulated; it is possible to add only about 'they' - it is a condemnation of traffickers. There is an argument that 'we' export sex workers abroad and no one comes to us may covertly indicate that women go where their activities are legal and they will be safe, because here they are socially vulnerable.

*Interview with Olena Zaitseva, feminist and lawyer*

Ms. Olena talks about the model of Germany, where prostitution is completely legalized, and mentioned in her interview about the negative aspects of the fact that coercion and the fact of human trafficking have become difficult to detect. The phrase 'legalization of business for women' (My translation; ЖІНОК, 2018) was mentioned, which led to the association that this model used women as 'guinea pigs' to see if business could exist or not. She emphasized that the state should protect us on a legal basis from human trafficking. It is also mentioned separately about - 'our children', again a certain appeal to the most valuable and most expensive, an appeal to the personal sphere. The main role is given to the state and the existence of laws. Attention is drawn to the woman by using the phrase - "a child can be stolen on the street" (ЖІНОК, 2018 (My translation)), ie they can be a woman, and a woman is accordingly connected with the child and inseparable. In the end, a personal opinion was formed, by adding - I think - but the focus was shifted to Ukraine, that it would be better for the country.

'We-they' relationships: 'We' are the ones who want to protect children, 'they' are pimps who kidnap women for trafficking. There is an argument to the rational (data), emotional - (children). Arguments 'against' legalization model: even more trafficking in human beings, no protection of women, and there is an appeal to the Swedish model for exemption from liability and, legally, a reduction in trafficking in human beings. The latent argument for the Swedish model is that the woman will not be sold and will remain mothers.

*Interview with Maria Dmitrieva, gender expert*

Maria Dmitrieva advocates for the introduction of the Swedish model, is an open and active supporter and propagandist. She describes the current situation in Ukraine regarding prostitution as "rape of a person for money"(Проституція, 2018 (My translation)). In her text, she addresses the position of women and speaks on their behalf. Much larger issues are raised, rather than a particular aspect of human trafficking. Women are blackmailed, raped, their rights are not

respected, they are persecuted. The author uses comparisons and metaphors to convey her opinion and show the seriousness of the whole situation. She sees the state as a pimp who does not protect women, but simply leaves them to fight for themselves. The state is called to protect and defend human rights, but in reality - it collects money and does not worry about the fate of women. In legalization, a woman turns, in the words of Mrs. Maria, "into a vagina on her feet" (Проституція, 2018 (My translation)). This comparison seems to indicate a woman's distance from her body, not possession of it, but the provision of services. Men who buy a woman's body are rapists (in her opinion) for money looking for "meat". A separate item is also the application for the use of "baby meat". As with other feminists, the topic of children is raised to sharpen attention on the issue. 'We-they': 'we'-women, 'they' are pimps and the state. There is an increased attention to argumentation, in particular through metaphors and comparisons. A latent argument that the state is becoming a pimp and will sell everyone, even minors.

The comments of the experts were very different, but there is a certain discourse about the position of women, the role of the state and pimps. The arguments against legalization were that through legalization prostitution would go into the shadows, business would prosper, because pimps would not feel responsible. Trafficking will increase. A latent argument 'against' the legalization of prostitution appeared when there was a proposal for men who support the legalization of prostitution their own daughters as women in prostitution. By doing so views of men regarding prostitution and their arguments might change from the argument 'for' to an argument 'against' legalization. And some arguments concerned the fact that a woman's body is regarded as 'meat', she is raped for money, violating constitutional rights.

That is, in the arguments of feminists, 3 directions were identified that form a discourse on the legalization of prostitution, namely against its adoption: women's issues, state and personal (family). From the point of view of women experts, who belong to the middle class, various arguments were named, most of which

consisted of arguments "against" (we grouped them by summarizing the main ideas):

- ✓ Human factor:
  - o Unwantedness of such a "profession" for the families of men for whom they feel responsible (latent)
  - o Increase in pressure against women
  - o Increased human trafficking (usage an emotional factor - child trafficking)
- ✓ Social factor:
  - o Health: compulsory medical examination (as a latent argument - testing only women, not clients who may also carry the disease)
  - o Rape for money
  - o Separation of body and soul
- ✓ Legal factor:
  - o Reduction of liability to pimps;
  - o Transformation of the state into a pimp
- ✓ Economic:
  - o Formation of the shadow business with excessive state regulation
  - o Rape for money
  - o Sale of people (latent - even children)

The only argument 'for' that was mentioned among feminists was the independent departure of women abroad for security and legality.

Thus, professional knowledge is superimposed on how arguments are formed. Being in the professional community produces certain actions - arguments that affect the cultural component - the public opinion of the people who read these interviews. Most of the arguments 'against' concerned the social and human factor, which is important in maintaining the policy of equal rights and opportunities. The latent arguments were a change of position from one to the other, provided that it concerns the family, as well as the disregard of clients in the mandatory medical examination for legalization. Most arguments are rational,

not emotional. The peculiarity of free expression of opinions is the format of the source in which they are all published, on Public Radio, which speaks of itself as a media that is not subject to influence by the authorities.

## 6.2. Analysis of the media discourse of political actors on legalization of prostitution in Ukraine

The discourse on the legalization of prostitution formed by MPs and politicians was analyzed in 5 media interviews.

### *Interview with Olga Bogomolets, MD, MP*

She sees prostitution as an obstacle to the development of human potential. Adding the word 'categorically' further increases the resistance. There are also personal nominations - 'I think, my goal' (Куликов, 2019). The author believes that prostitution does not allow a woman to develop herself and does not bring anything to the country. The argument 'against' is centered around the fact that there are no appropriate conditions for women and they must earn for basic needs in an unacceptable way. Mention is made of 'bread, children, accommodation' (Куликов, 2019), that is, again, a reference to family ties and to the dearest. The responsibility should fall on the state, and it considers prostitution a "trade in its body" (Куликов, 2019 (My translation)). That is, another argument 'against' it is that the state cannot regulate this issue and the woman is seen as a body for sale. 'We-they': there is no special reference, but 'they' include those who are not potentially useful to the state. A latent argument 'for' legalization may be that there should be a state settlement, which is possible when transferring prostitution to legal activities, while also saying that there are no conditions for this, as if there should be new jobs. So, author stands on a position 'against' legalization of prostitution.

### *Interview with Vadym Rabinovych, MP*

The author uses a lot of appeals and comparisons with Europe, noting that the topic of prostitution is delicate. Europe appears as a certain enemy, instilling what was not in Ukraine, is literally "heresy" (Легалізація, 2017). At the same time,

according to him, Ukraine lags behind in development, so Europe explains how to do best. Everyone wants to get rich on this topic, to put something "in a pocket" (Легалізація, 2017). He mentioned that we (as a nation) should strive for the social standard of Europe, not to accept what "they are trying to kill in our brains" (ibid, 2017). There is no variety of arguments, there is one main one – ‘against’ legalization, which does not say anything about the fate of women involved in prostitution, only that we do not need it, it is imposed, and the activity is a business and a profit for someone. ‘We-they’: ‘they’ are Europe, ‘we’ are Ukraine. A latent argument ‘for’ can be formed from the fact that when it is beneficial to someone, the argument can be changed to one that will follow the traditions of Europe.

*Interview with Dmytro Dobrodomov, Ukrainian politician*

Method of verbalization of intention: The author is not against the country's budget being replenished and the experience of European countries can be used for this, but Ukraine is quite different in economic and legal aspects. However, he is against legalization of prostitution, because it contradicts Christianity, morality, and the author twice distorted the word "in a poor society" (Легалізація, 2019), as if noting that this is the main obstacle to legalization. He also noted that the girls want to "make easy money" (Легалізація, 2019 (My translation)). Tamara Martsenyuk's argument that who wants their daughters to do this was repeated. This again refers to the personal and family aspect, that if it's one's child and it happens to them it is a pity and if to others - is not. ‘We-they’: ‘we’-understanding citizens - those who feel sorry for children.

*Interview with Yuri Karmazin, ex-MP, politician, judge*

The main argument is that no one knows their status, whether they are HIV-positive or negative, as the latent phase can persist for 6 months. However, this phase can occur in anyone, especially women in prostitution, most of whom use condoms. Therefore, this argument is more relevant to those who are not responsible for security. According to the author, law enforcement officers

promote the model of legalization the most. He used a certain comparison of all this - "hell" (Ісчадія, 2019), ie there is a certain religious theme, which continues with the fact that Mr. Yuri says that the legalization of prostitution is "against God and the Ukrainian people" (Ісчадія, 2019), but what it is against - is not explained. It is also argued that the author investigated the problems in detail, but the presented argumentation does not indicate this. 'We-they': 'we' - religious people, 'they' are women in prostitution who transmit diseases. The argument for a higher prevalence of disease may be widespread among all groups, but indeed, women in prostitution are more at risk of falling ill, including through the client.

*Interview with Andriy Nemyrovsky, MP*

In his intention to submit a bill, the author wanted to inform the public about the problem of prostitution, namely its negative consequences: human trafficking, HIV, pimping. The author deliberately used exaggeration, emphasizing that in this area in Ukraine involved around "half a million people" (Немировский, 2015). We do not have official data, because this area is in the shadows, but another MP spoke about 200 thousand people, it is unknown how many more are taken abroad and become victims of sexual slavery. Mr. Andriy also stressed the problem that law enforcement officers take bribes to keep pimps working, and no one thinks about the fate of women. That is, Nemirovsky emphasized that the initiative for the bill arose because the women of Dnipropetrovsk region talked about being beaten and bullied, and the police did not respond to their appeals. He also confirmed that the sphere is in the shadow sector. The problem, in his opinion, is in our mentality that there will be a negative resistance, but then everyone will be happy because the brothels will not be in the center of Kyiv, but somewhere on the road. Surprisingly for me was that he is so concerned about the fate of women and seeks to legalize prostitution, and not another model. 'We-they': 'they' are law enforcement officers, 'we' are the ones who help those who have suffered from prostitution. The actor's argument is ambiguous, because it is not described why these arguments will be better.

According to gender distribution, 4 men and 1 woman were included in the analysis. Four people were of the opinion that they do not support the legalization of prostitution in Ukraine, and one person - for. In particular, this is Andriy Nemyrovsky, who in 2015 proposed his bill on the legalization of prostitution in Ukraine. Thus, the main arguments 'against' were those who say that prostitution hinders the development of human potential, is a trafficking in human beings and their bodies, is a lucrative business, is the spread of disease and is not safe. A separate argument that was repeated was that it was non-religious, contrary to Christianity.

The argument 'for' was the repetition of these arguments, namely - human trafficking, pimping, corruption, and, accordingly, the reduction and disappearance of these processes in their state legal regulation. The context of these appeals was different, for example, Olga Bogomolets provided her comments before running for position of President of Ukraine in elections and Andriy Nemyrovsky - explaining his position after the submission and withdrawal of the bill. That is, the desire to be closer to the people and the position in power may not form the argument that they follow personally as people. The majority of men and women who are deputies and politicians are against prostitution. Arguments 'against' can be combined into the following groups:

- ✓ Human factor:
  - o Trade in the body
  - o Men reluctance to see their own daughters on a position of women involved into prostitution (as a latent argument)
- ✓ Social:
  - o Obstructs human potential
  - o Risk of sexually transmitted diseases
- ✓ Legal:
  - o Illegal business
- ✓ Religious:
  - o Against God

- o contradicts Christianity and morality, which is enshrined in the Bible
- ✓ Economic:
  - o Does not bring anything useful to the state
  - o There are no conditions for earning money
  - o Making easy money
  - o Contains profits for someone who has a business

That is, in the argument ‘against’ legalization, among mostly men who are politicians or deputies, the social and economic forms of argumentation prevail, which is logical for people involved in projects on social and economic well-being of the country and society in particular. Among the arguments ‘for’ are the legal and economic form of argumentation, namely the withdrawal from the shadow sector and the cessation of bribery. Latent arguments have been formed about the expediency of state regulation when women earn for basic needs. Latent reasoning about the economic factor is also shown by changing the reasoning of actors to where they will benefit more. Most of the arguments were broadcast in videos, on various talk shows and in comments on the air. That is, these interviews are not spontaneous and there may be an element of argumentation.

I also included in the analysis law enforcement and ministers, ex-prosecutors, police officers who are directly confronted with the facts of crime, violence, as well as the imposition of responsibility on women involved in prostitution, pimps, traffickers. I analyzed all the statements according to the scheme used before. All four are men and hold the following positions: ex-Minister of Trade, Economy and Agriculture Development, ex-Deputy Interior Minister, Police Major, ex-Interior Minister and ex-Prosecutor General of Ukraine. They are representatives of the ruling class, according to which we can refer them to the upper class.

*Interview with Yuriy Lutsenko, former Interior Minister and former Prosecutor General of Ukraine*

He advocates the legalization of prostitution in Ukraine, arguing that prostitution is a source of corruption. Legalization of prostitution is, in his opinion, a difficult

decision, which is wrong from a religious point of view, but necessary for society. The main goal is to make reality the least dangerous, and this decision is difficult. Rhetoric was introduced that it would be more "beneficial" for society (Юрий, 2019). No arguments were made as to what this benefit was. The safer reality was that there would not be so many crimes, as the latter, such as the crimes of serial maniacs, Lutsenko said, were committed because of sexual dissatisfaction. This may be more visible to him as an ex-prosecutor, but it certainly does not add weight to the argument. It also reinforces what has long been developed by Western science, but even in the West there are very different models. Therefore, he is for the introduction of this law. 'We-they': 'they' - profitable security officers, 'we' - those who try to do the best for the country.

*Interview with Denis Yaroslavsky, Police Major*

The argument is to bring prostitution out of the shadows, not to turn a blind eye to it. Trafficking in human beings is also widespread, money is taken away by pimps, and there is no security. There are appeals to women that they receive half of the money, because the rest is taken away by pimps or law enforcement officers and they should not be afraid to come to law enforcement officers and report the crime. The state will make a profit, brothels and pimps will be under control. Uses a comparison in the treatment that leaving in the shadows is "chaos" (Yaroslavsky, 2019). Tangible argumentation as from a person involved in legal structures. 'We-they': tangible more position 'they' - are militiamen who leave prostitution in the shadows and take bribes.

*Interview with Vadim Troyan, former Deputy Interior Minister*

The way to verbalize the intention: Legalization, because the fight is impossible, as proven in many countries. But as proved by whom, when - there is no such information. Increased attention to ensuring that everything is formed according to the law. Nothing is mentioned about women, except that they are victims of human trafficking. 'We-they': 'we' - law, 'they' - traffickers. There is a latent

argument that if everything exists by law, there will be fewer victims of human trafficking.

*Interview with Milovanov Timofey, former Minister of Trade, Economy and Agriculture*

Method of verbalization of intention: Advocates legalization, but says that this issue should be accompanied by discussion with people. We must not turn a blind eye to what exists, because the sector is illegal. There are appeals to women that they are vulnerable, can often be victims of human trafficking or sex slaves. He brings the initiative to a society that must make decisions, although it may be unethical. As a manifestation of a personal position in the text, legalization is more effective. "The main thing is not to trade people" - this is the main message of the argument. 'We-they': 'we'-society, 'they'-traffickers.

As I have seen, all men in this field are supporters of the legalization of prostitution, arguing that prostitution will be brought out of the shadows, the number of crimes will decrease, and the state will make a profit. This illegal sector will be controlled, human trafficking will be reduced, everything will be legal, and women involved in prostitution will be safe. It is impossible to turn a blind eye to what is happening, it is impossible to overcome it completely, so it is necessary to make difficult but necessary decisions. Being in the legal sphere forms the rhetoric of argumentation, which is aimed at ensuring that everything is legal and according to the rules. That is why men, from a position in law enforcement agencies or the prosecutor's office, have the most legal arguments for the legalization of prostitution in Ukraine:

- ✓ Human factor:
  - o Trafficking in human beings (2 times)
  - o Protection from becoming a slave
- ✓ Social:
  - o Use of developments that have been introduced in Europe
  - o Security

- ✓ Legal:
  - o Reducing the number of crimes
  - o Remove from the shadows
  - o Brothels and pimps will be under control
  - o Formed by law
  - o Illegal sector
- ✓ Economic:
  - o Money is taken away by pimps
  - o Profit to the state

One latent argument has been identified that may skew the decision, not from a legislative or criminal responsibility, but from a human point of view, is that it may be religiously incorrect. The type of sources in which comments appear is mostly textual, but also video, especially among those men who are no longer in this position, but have been for a long time.

### 6.3. Analysis of the media discourse of people involved in other areas on the proposal to legalize prostitution in Ukraine

I also analyzed the comments of people involved in initiative groups, in the field of education, public administration. They are completely different, but I have grouped them as another related area. 5 interviews were analyzed; a detailed analysis was made based on the same scheme as above. Thus, 4 people were in favor of legalizing prostitution, one person was against.

*Interview with Alina Sarnatska, former sex worker, Legal Life Ukraine activist*

As a former sex worker, the author speaks from the position of the one who went through it, so her argumentation will be different from others. She opposes the Swedish model, which will overshadow prostitution and increase stigma against women, because it will be difficult to find a client and this activity will still be condemned by society. Another disadvantage, she sees, is that blackmail against women will continue on the part of law enforcement officers who will want to open cases and look for clients. Regarding decriminalization, she believes it will

make women's lives safer. Decriminalization is similar to legalization, so Ms. Alina considers the reduction of stigma against women to be an argument and not to be afraid to seek help from the police. She speaks not only from herself, but also from the position of the women with whom she works directly, and the main argument for relieving them of responsibility is to increase the level of security. 'We-they': 'we' - women involved in prostitution, 'they' - the ones who blackmail them.

*Interview with Dmytro Sinchenko, Chairman of the NGO Association of Political Sciences*

The method of verbalization of intent: author lists almost all the arguments of people who support the legalization of prostitution - the fight against human trafficking, the victory over corruption, budget revenues, protection of the rights of those involved. He also believes that it will reduce crime and the transmission of sexually transmitted diseases. No purely new arguments have been identified, but the author notes that he sees no negative points on the way to legalization. 'We-they': not articulated, only the position of the author is defined.

*Interview with Galina Tretyakova, Head of the Institute for Civil Liberties*

The way of verbalizing the intention: when talking about supporting prostitution, the author not only says that it is her personal opinion, but also that her team of the Institute supports it. Legalization will lead to the fact that corruption will not spread, the budget will be replenished, as well as legal new jobs will be created. The industry itself will push the spread and influx of tourism, hotel business. She sees this as the development of the state as a whole. 'We-they': 'we' are the team of the Institute's team – 'they' are not articulated, it is stated only why.

*Interview with Galina Shiyan, writer*

The way to verbalize intent: she calls prostitution the provision of sex services in which she does not see anything wrong. The argument is that prostitution will come out of the shadows and is a common practice in Europe. That is also, there is no special understanding of how and what exactly is happening in Europe, but

if it is a good practice in Europe, it will be a good one in Ukraine. ‘We-they’: Not articulated.

*Interview with Yuriy Pidlisny, Deputy Head of the Lviv State Administration, UCU Lecturer*

The way to verbalize intent: he opposes his opinion to those who are in favor of legalizing prostitution, because a person becomes a commodity. It also relieves traffickers of responsibility. He does not consider the argument that it will bring taxes to the state, increase jobs, protect rights and ensure health to be positive. Even giving religiosity, saying that it is all "from the evil one" (ЧИ, 2015). ‘We-they’: ‘We’-those who do not support legalization, ‘they’ are human traffickers, supporters of legalization.

So, the argument ‘for’ was aimed at reducing corruption, bringing human trafficking, crime, the spread of sexually transmitted diseases, and state revenues from the shadows. It also protects rights, increases jobs, reduces stigma and is not afraid to turn to the police. New arguments for the expansion of tourism and other services. The argument ‘against’ was the regard of women as a ‘commodity for sale’ and ‘the release of pimps’ (ЧИ, 2015). The person who is against is a UCU lecturer, so it should also be borne in mind that there is a professionally different vision of reality and its perception.

Actors involved in civil society and occupying a position among public organizations, initiative groups, in the field of education, which are men and women, middle class, have the following form of articulation of arguments for prostitution:

- ✓ Human factor:
  - o Combating human trafficking
  - o Frequent practice in Europe
- ✓ Social:
  - o Security
  - o Reduction of stigma

- o Free access to the police with requests for assistance
- o Reducing the spread of sexually transmitted diseases
- ✓ Legal:
  - o Protection of the rights of those involved
  - o Reducing crime
  - o Exit from the shadows
- ✓ Economic:
  - o Victory over corruption (2 times)
  - o Budget revenues (2 times)
  - o Creation of new jobs
  - o Inflow of funds from tourism

In general, the argument focuses on the economic and social aspects produced by middle-class men and women who are actors in civil society. I am convinced that the argumentation of this group is influenced by a group of power actors, because they have to cooperate with each other. A separate comment was a look at the model of settling prostitution from an ex-sex worker who supports the decriminalization model. According to her, prostitution is legal, there is less state intervention, and women in prostitution are exempt from criminal or administrative liability. The same view is shared by the director of Legalife-Ukraine, which now has a sex worker as an activist.

#### 6.4. Analysis of the discourse of the religious view on the legalization of prostitution in Ukraine

It was found only 2 comments during the analyzed period 2015-2020, which were provided by two priests. The position and arguments were different, ie one 'against', one 'for' the legalization of prostitution in Ukraine.

*Interview with Oleksandr Dedyukhin, priest of the PCU, abbot of St. Nicholas Church in Poltava*

The way to verbalize intent: in his address, he supported the agreement that prostitution should be legalized. After all, after the scandal with Yaremenko, he

commented that people pay him money for passing bills, and not ordering women involved in prostitution. He called it "fornication" (Священник, 2020). It was added that it would be easier for everyone if he took up a project to legalize prostitution. But it would not be clear to whom it would be easier. 'We-they': 'they' are deputies who do not do their direct duties, 'we' are the ones who pay them money for it.

*Interview with Rostislav Pendyuk, Chairman of the Patriarchal Commission for Youth, UGCC*

Method of verbalizing intent: Speaking on behalf of the church, Mr. Pendyuk argues that, in principle, the church cannot support this initiative. According to the priest, there is nothing sacred in prostitution, especially when it comes to human trafficking. After all, people are created for something big, and this activity is not aimed at this. 'We-they': 'we'-are holy people who keep God's commandments - sinners, and 'they' - those who are involved in human trafficking.

Thus, it is common knowledge in Ukraine that the church is against any action that is contrary to the Bible, but in a certain context, even the opinion of the priests may be changed. The argument 'against' the legalization of prostitution in Ukraine is that it involves human trafficking, nor is it anything good, sacred or great. The human potential to create something great is also not being fulfilled. But the argument for this was the occasion in the Verkhovna Rada, when Yaremenko ordered a woman involved in prostitution over the phone at a meeting. So the priest's answer was that everyone should do their own job, and if he does, let him make it legal - in the form of a bill. This argument can be considered an exception, but it also has a place in the religious view of the legalization of prostitution.

The argument against the legalization of prostitution, in which religious figures and men turn, is aimed at human and religious factors. The human includes human trafficking, loss of human potential. To the religious, this activity contradicts the biblical commandments and moral norms. Although the church is

in discourse, it remains a conservative structure that is difficult to change and transform.

### 6.5. Analysis of citizens' responses to the possibility of legalizing prostitution in Ukraine

In the course of my research, I also referred to the position expressed by citizens, who are also an element of civil society. I analyzed 3 videos that were posted on the social network YouTube for the period from 2017 to 2018. Videos were selected based on the relevance of the show in the tape. These indicators are not representative, but I can look at the arguments of people of a particular age and gender.

Turning to quantitative indicators, the question ‘Do you support the legalization of prostitution in Ukraine and why?’ was answered by 43 people, including 27 women and 16 men (63% women and 37% men). Of these, 24 people were in favor of legalizing prostitution and 18 against, 1 was undecided. If to look at the gender and age section, young and middle-aged women are in favor of legalizing prostitution in Ukraine, while women of retirement age are against it. Young men are against the legalization of prostitution, and middle-aged and retired men are in favor.

If to look at the qualitative indicators and the main argument, the supporters of the legalization of prostitution in Ukraine add to the arguments that it is practiced and is the norm in European countries, it will be a plus for the state and economic development. They also say that it will be legal and taxes will be deducted from the state. In other words, their rhetoric is aimed at reproducing ‘we-they relations’, where Ukraine seeks to join and become part of the European discourse. It also reflects the economic argument for “legalization”, which is promoted both by the authoritarian media discourse and through a formative sociological poll and its representation in the media.

No personal appeals were found, all arguments were addressed to the supposed answers of ideal citizens who are worried and concerned about the development

of the state. Only a few arguments were made for personal experiences, such as the fact that it is a conscious choice of each and everyone and that it is the same profession as everyone else. None of the respondents said how this would affect them personally or the women who would be involved in prostitution. In addition, there was some uncertainty in the responses of people of retirement age, as this was not an affirmative answer, but took the form of 'perhaps more so than not'.

If we turn to the main arguments 'against', they included: religious beliefs, immorality, unpreparedness of the country, wrongness and misunderstandings, personal rejection. That is, in this case, the emphasis is already changing to a personal position. If in the arguments for there was a correlation with the general position and the state, then in the argument against there is already an appeal to personal disagreement. Not that it will harm the state or even prostituted women, but simply the fact that they do not understand the fact of legalization or that it is not a legal act, it is immoral. One comment focused on the fact that it is a humiliation of women's dignity. There was also an appeal to religious truths and the fact that young children could be involved.

It is interesting how the rate of attachment changes if you add age to it. Commitment and rejection are shifted and are different according to gender as well. I can assume that it is at the intersection of gender and age that we get new data that shed more light on the situation. If I add another component to these indicators, such as sexuality, nationality, the data will also shift and be different.

## **7 Conclusions and discussion**

During the analysis, I learned that media discourse produces arguments ‘for’ and ‘against’ legalizing prostitution in Ukraine, which are inherent in the various actors involved and in the discourse. Accordingly, the feminist view expressed through middle-class women experts turns to the “against” position through social arguments and arguments that address the human factor. The position "against" also includes male deputies of the ruling class, who turn to economic and social forms of argumentation. "For" are men who hold a position in the law enforcement sphere, the ruling class, and their arguments are legal in nature.

Representatives of civil society, represented by men and women, the middle class, are supporters of the legalization of prostitution and make social and economic arguments. That is, in general, in the media discourse, social, economic, legal arguments are formed from different actors. And the main actors in the media discourse that shape these arguments are women, experts, the middle class; men involved in politics, the ruling class; men and women involved in the public sector and men, priests, the middle class. Also, incorrectly constructed and formulated questions in sociological polls deal with the suggestion of a certain opinion.

In essence, although middle-class women experts are corporate agents and can transform the system because they have the desire and potential, they cannot do so because they are at a lower level in relation to the position of power actors who oppress them. Power actors are more often invited to various political talk shows and interviews, which are watched by citizens of Ukraine and in their opinion may be influenced by the position of power actors. They use their agency for their own image, to inspire public opinion, while the feminist movement seeks change and transformation. The feminist movement does not have as much access to the media as power actors, so it is more difficult for them to convey their own opinions and arguments to society.

The influence of power actors can be seen through the reproduction of the same economic and social arguments by representatives of civil society, to which law enforcement officers turn. Public confidence in MPs and politicians is weak, so law enforcement officials who use legal reasoning can influence the opinion of primary actors more quickly. The task of describing the arguments ‘for’ or ‘against’ the legalization of prostitution in Ukraine was performed by systematizing the arguments into subcategories and dividing them into explicit and latent. The description of the actors of media discourse was made by describing gender, social position and class affiliation. This identified the role of the inequality system in explaining or arguing for the legalization of prostitution in Ukraine, which shows how our views and attitudes depend on the intersection of our position in society, power relations and gender.

The results of the study confirmed my main hypotheses about the relationship and intersection of power positions, class affiliation in society, gender with what arguments are made by actors and broadcast in the media. This can be one of the subjects of public debate about the reasons why certain ideas are perceived and introduced, and other arguments are lost in media discourse. The topics of research of actors and structures, their arguments are interesting not only within the academic space, but also in public. One can see and apply data on the positions of actors and their arguments and come to the conclusion why in Ukraine the problem of prostitution is not resolved, but is constantly discussed.

The applied theory of M. Archer helped me to explain the affiliation of the feminist movement to corporate actors who are able to make changes in the structure with an impact on culture. They have singled out the place of power actors in discourse, who, although not corporate agents, but because of their position in the structure and the power given to them, suppress the actions and transformations that corporate actors want to make. The influence of power actors on public opinion, on the primary actors who broadcast arguments related to political actors in the discourse, was also noticed. Thus, through the analysis of

media discourse, it was found that the position of the actors is different in structure, respectively, is uneven, and contains an element of intersectionality.

Intersection was revealed through a system of actors' dispositions in media discourse. I saw that it was through the intersection of gender, class and social position in society and came to the conclusion that it is this intersection that shapes the arguments of actors in media discourse and how it is then broadcast in the Ukrainian media. An important component of intersectionality in the results was that there was a marginalized group - women in prostitution and actors advocating for them in media discourse. Their different positions affect their argumentation, as a result of which I see inequality and difference. This creates a system of domination and the right to vote and influence in the structure. It is important to note that my conclusions were obtained through the complexity of arguments and interpretations of the idea of legalization of prostitution in Ukraine, the specific social context, social inequality and included temporality. After some time, these issues, structures and actors may disappear, be transformed, changing the inequality itself, so it is important to consider the event at this particular time.

The difficulty of analyzing the problem was that the three presented models of prostitution regulation are applied differently by countries and there is no fixed scheme that will be suitable for implementation. In particular, the model of legalization of prostitution is ambiguous, as the same argument can be used by actors in both the pros and cons. Countries that are considered a role model can also change the model over time, finding that it does not fit the context of the problem, but creates even greater problems and consequences.

Unexpected for my study was the impossibility of involving women in prostitution to reveal their vision of the ideal model for the regulation of prostitution in Ukraine. But in the media discourse, their position is presented in the majority in relation to the details of their services, details about money and pimps, certain nuances that every journalist wants to know. But there are no interviews about their arguments 'for' or 'against' the legalization of prostitution in Ukraine, although they (women in prostitution) are directly the object and

subject of media discourse. The reason for the absence of such women in media discourse with their arguments and position may be due to lack of interest in the material presented in the media, sensitivity of the topic, fear of being exposed and because their details and personal information will be used to blackmail and demand non-disclosure.

The position of these women and their arguments can be extremely useful not only as a subject for academic research, but can also be used as a fact to give a voice to those who are directly in prostitution. Also, their position is important in making decisions on the regulation of prostitution in Ukraine. After all, now their fate can be decided without them and without the arguments they have, but are afraid to express. The question is, are they really afraid or is no one asking? There is still significant moralizing in society, women in prostitution and their activities are considered immoral, and they are stigmatized in every way.

The further research could be conducted using a qualitative methodology in a form of in-depth interviews. Personal stories and their impact on the arguments about the relevant position on the regulation of prostitution in Ukraine could be heard. But conducting such interviews would be difficult, because not every woman in prostitution will want to spend her time just talking when she could make money at the same time. Therefore, certain reward for the time spent might be counted on. Another problem is the fear of women in prostitution being exposed and because the information they share can be passed on to a pimp. Therefore, it is better to plan such in-depth interviews with ex-sex workers, with whom a meeting could be arranged in a neutral and safe area and who would not be afraid to reveal facts from the past. Another strategy could be to continue the analysis of media discourse on the inclusion of the position of women in prostitution in the creation and reproduction of this discourse. The positions and arguments that would be obtained during the study could be compared with the already analyzed arguments of media discourse actors. Research topics may vary, but it would be useful for understanding the position of women involved in the settlement phase and exploratory models for combating prostitution in Ukraine.

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## Appendix

### Empirical material analyzed in discourse analysis

Жінок, що займаються проституцією, варто звільнити від відповідальності, але залишити покарання для сутенерів, - юристка. (2018, August 27). Retrieved August 09, 2020, from <https://hromadske.radio/podcasts/hromadska-hvylya/zhinok-shcho-zaumayutsya-prostyuciyu-varto-zvilnyty-vid-vidpovidalnosti-ale-zalyshyty-pokarannya-dlya-suteneriv-yurystka>

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