

# Sex Work Within Canada and Ukraine: Social Aspects and Factors that Manifest and Affect Legislation

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## Introduction

This project discusses the criminalization of sex work and the social and institutional aspects that affect its legality. While some individuals believe that these women are simply working for a living, using the assets they have available to them, other individuals believe that sex work is one of the most immoral things you can do with your body. They often think there is inescapable exploitation when it comes to sex work, often believing that it is different from other jobs that deteriorate your physical health to make money for the business exploiting your labour. However, there are, of course, people who believe that sex work is an inherent part of society and could have a positive role, and therefore the government and its citizens should attempt to make it accessible and safe for those workers. The unequal and negative perception of sex work could come from religious views of sex and women, social stigma, cultural norms, or government legislation that criminalizes sex workers. To discover the difference between Ukraine and Canada's sex work legislation, general statistics on each country will be explored, as well as gender inequality, historical legislation, social norms, the country's wealth, and violence statistics. The goal is not to determine if either country should change its legislation but to further understand the factors that may impact a country's harsher legislation against prostitution. As well to hopefully reduce stigma through education to make sex work a safer and less stigmatized option for those who would like to pursue a job in the industry. This is a complex problem, with little consensus among individuals, academics, government officials and sex workers. There is no universal way to solve it, nor a

universal way to study and understand it. However, it is important to address societal inequality by researching, improving access to education, and further understanding it. Thus, what societal aspects affect legislation regarding sex work?

## Literature Review

### *Sex Work, Prostitution, and Semantics*

While there are distinctions between sex work and prostitution, in this essay, their terms will be used interchangeably. Although, not before discussing the definitions and distinctions between the two. Kissil and Davey (2010) point out that defining prostitution is difficult as it is socially constructed and consistently changing in time and location (p. 3). Prostitution refers to the direct selling of sexual favours, usually in exchange for money or another desirable commodity (Oselin, 2011, p. 185). There are different types of prostitution, including call girls, brothel workers, and street workers. The stigma surrounding prostitution is often focused on street prostitution, the most visible kind of sex work. Depending on the legislation, criminalizing selling or buying sex often pushes sex workers onto the street, making it significantly more dangerous (Albert, 2021, p. 660).

While all prostitution is sex work, not all sex work is prostitution. Sex work is an all-encompassing term used to include different work beyond prostitution, including cam girls, pornography, sugaring, stripping, massage parlour workers and more (Kissil & Davey, 2010, p. 812). This term, coined by Leigh (1997), was created "to be a more affirmative and inclusive term for erotic labour within feminist movements" (Brooks-

Gordon et al., 2021, p. 812). Recently there has been an attempt to change the language that surrounds sex workers, opting away from the term prostitute for the term sex worker as an attempt to separate the work from the historical and cultural stigma that is attached to the label “prostitute” (Kissil & Davey, 2010, p. 3). In this paper, the term prostitution will be used to refer to the act, and sex worker to refer to the person, to not reduce the worker to their role that is historically stigmatized. Discussion and education are far larger contributors to reducing stigma versus simply changing vocabulary and hoping for change.

### ***Prostitution in Society***

Often cited as one of the world’s oldest professions, with evidence being found in the second century, women would prostitute themselves as a form of a religious act to honour their female goddesses (Oselin, 2011, p. 185; Frazer, 1890, pp. 778-779). Some even believe that prostitution existed before men and women when primates would exchange sex for food or protection (Bullough & Bullough, 1987, p. 1). While some may think that sex work is more popular now, Kissil and Davey (2010) tell us that the percentage of women in the 19<sup>th</sup> and 20<sup>th</sup> centuries engaged in prostitution is much higher than today in the 21<sup>st</sup> century (p. 4). Victorian views on sex work were tied, in large part, to class, gender and race, just as it is today (Rosen, 1982, p. 6).

For the most part, prostitution in popular culture, media, and literature is seen as immoral and impure; the women are often labelled as a “whore” while still an object of curiosity and desire (Sanders et al., 2018, p. 2). A person’s opinion of prostitution affects whether they see it as exploitation or a chance for women to commodify their own labour. Sex work is inherently tied to many feminist movements, where female autonomy is often discussed. When discussing sex work, it is not only bodily autonomy but also financial. Many anti-sex work feminists see it as sexual slavery and want to abolish it entirely (Comte, 2014). While others, including the pro-sex work feminists, prioritize this autonomy and attempt to reduce stigma and decriminalize prostitution (Comte, 2014). The sex work debate among feminists seems to be the most radically opposed in their discourse. The first wave of feminism involved allowing women to vote; however, it primarily focused on higher-class white women and did

not attempt to include lower-class or minority women (Sanders et al., 2018). Therefore, as sex workers were often either minorities or treated as outsiders within their own society, they did not benefit from this wave as much as wealthier whiter women. The second wave of feminism focused a bit more on the societal inequalities regarding gender manifesting in the large institutions that affected daily life, specifically the inequalities that manifest in the workforce (Sanders et al., 2018). However, even then, sex work was stigmatized and not considered real work, which resulted in the continued othering of these workers. Historically, there is an inherent rejection of the female body and the expression of sex. Feminism of the 1980s, the period after the second wave, discussed the differences between men and women to understand further and rectify the inequality. Sex work would exist as a discussion as it was a consequence of an inherently unequal society where women are often treated as objects or commodities. These feminist movements, therefore, attempt to understand why often women are pushed into sexual labour due to necessity rather than choice. Radutniy (2016) explains that the spread of feminist movements in the 1980s and non-governmental organizations attempted to improve the rights of sex workers (p. 157). However, there were still many feminists who did not support sex work, or the empowerment of these women who they believed were morally corrupt.

### ***Laws and Legislation***

There is little commonality between different countries and their specific legislation on prostitution. However, there are three main legislative approaches: criminalization, decriminalization, and legalization (Barnett & Casavant, 2015). Basically, criminalization attempts to make it illegal to engage in any sort of prostitution. Decriminalization and legalization are similar in that they both call for the removal of laws criminalizing prostitution. However, they are different in that legalization often includes more interference from the government, with more rules and regulations, while decriminalization attempts to make sex work safer while allowing for less government involvement.

Within criminalization, there are three subcategories that Barnett and Casavant (2015) explain: prohibitionism, abolitionism and neo-abolitionism. Prohibitionism criminalizes all forms and aspects of

prostitution. Abolitionism is seen as a sort of in-between, where they believe that prostitution is a social problem and should only be allowed when it does not disrupt the public or have any safety concerns. Lastly, neo-abolitionism refers to the idea that prostitution is inherently violent and, therefore, should not criminalize the actual act of prostitution but criminalize all other aspects.

Comte (2014) describes the three ideological stances that some academics believe as abolitionism, sex-positive feminism, and decriminalization (p. 196). Abolitionism is similar to criminalization, but instead of faulting or punishing the workers, they believe that the workers are victims and therefore aim to abolish all forms of sex work, not only prostitution. Sex-positive feminists see sex work stigma as forming from the patriarchal society and its views of sex and women's role within it. Sex-positive feminists then see prostitution and sex work as a way for women to take grasp of their sexual autonomy and reject the sexist and misogynistic societal views of sex.

### ***Contemporary Stigma and Discussions***

Since the beginning of media and advertising, we are told that sex sells, and we can see this in popular media, yet sex work is still stigmatized (Sanders et al., 2018, p. 3). There becomes a time in everyone's life when they are made aware of prostitution, whether that is from parents and the dreaded talk, through school sexual education, playground secrets or media. Today it can be a hard topic to avoid, especially with its prominence within popular media. For example, in video games like Grand Theft Auto (GTA), players are encouraged to pick up sex workers and receive life points for engaging in sexual activity (Gabbiadini et al., 2017). However, as much as sex work has become more socially accepted in terms of how often we see some mention of it, it is usually represented negatively. To illustrate, there is an often-practiced act in GTA where players can kill the sex worker after having sex so they can get their money back (Gabbiadini et al., 2017). This demonstrates that although sex work is in popular media, these workers are disposable objects to be used and discarded. Viewpoints like this especially taught to young men, reiterates the historical stigma that has been plaguing the sex work community. These acts reinforce this stigma and promote violence against these women.

Sex work has not often been portrayed realistically in popular media unless you turn to documentaries by characteristically provocative and often independent media publications. Other sources, especially historically, tend to use to "fallen women" trope to portray these women with loose morals and unwavering sexuality (Biswas, 2019, p. 1). These women are often portrayed without values, as poor, desperate addicts with daddy issues and abusive relationships. Hipkins and Taylor-Jones (2017) explain that much of the prostitution represented on screen reinforces the idea of women as victims, physically or financially (p. 5). With capitalism being the driving force of the 21<sup>st</sup> century, sex work and women's reason for pursuing it is tied to the monetary benefits. Therefore, stigma is also produced through the social hierarchy, as often richer individuals find it difficult to empathize with poorer individuals.

The discussion of feminism is inherently connected to sex work and the role of women in the world. Comte (2014) explains the connection between sexual stigma, women not being allowed to express their desires as well as the separation from the traditional monogamous relationship and the nuclear family (pp. 200-201). Albert (2021) tells us there are cases where there is no decrease in stigma once prostitution was legalized; however, this is most likely because sex work was highly stigmatized prior to the removal of the legislation (p. 672). If one is to reduce stigma, education about sex work must increase prior, otherwise, nothing will change.

### ***Social and Societal Norms***

Often, the true purpose of studying sex work is not to understand the sex workers directly but instead the "underlying hierarchies around race, class, gender and sexuality," as well as to reveal the larger underlying structures of society (Harris et al., 2020, p. 1174; Rosen, 1982, p. xi). Much of a country's legislation, especially in cases of sex work and other deviant behaviour, is tied to what the public believes is morally right or wrong. There are many aspects that would interfere with how someone views sex, including religion, political views, and other hereditary/familial norms. If a country has a higher population of religious citizens, they are more likely to have a negative view of sex collectively. Huang reminds us of the orthodox views on sex, which state that intercourse should be

solely for committed relationships and marriage (2016, p. 84). As well, not directly tied to religion, but a population that is significantly more conservative, in a traditional sense, not a political sense, would also lead the country to have harsher legislation against deviant behaviour of a sexual nature. The rejection of sex, pleasure and equality are characteristics of these traditional societal dynamics that lead to negative views of sex workers.

### Analysis

This project aims to explore the factors that differentiate sex work criminalization in Canada and Ukraine. The analysis focuses on their relationship with stigma, violence, cultural norms, population, average salary, and inequality to get more perspective on the societal differences. A historical comparative study will take place to further understand why one country may have harsher legislation when dealing with sex work. Each country's current and historic legislation will be analyzed, as well as the general population and economic factors to further explore the economic and societal situation in which sex workers are present. The cultural difference between each country, the importance of religion, and general inequality between the genders can be used to understand if there are differences in legislation. Table 1 can be viewed to understand the aspects present in each country and what differences may manifest in legislation. Both stigma and violence are present in Canada and Ukraine and, therefore would not be the main contributor to sex work legislation, however, religion is more important in Ukraine as well; the Ukrainian population is much more homogenous compared to Canada's colloquially named 'melting pot.' The economic state in Ukraine is also worse than in Canada and, therefore, may manifest within the workforce and affect the prominence of sex work in the country. While none of these factors alone inherently tell us the difference in sex work or its legislation in either country, together, they can be analyzed to further explore their relationship and potentially the reasoning behind these differences (see Table 1).

### Case Study 1: Canada

#### *History of Sex Work and Legislation*

When Canada was established in 1867, prostitution was ready to become a booming business; as Canada became more populated, brothels became more popular, and prostitution flourished near railways and large cities (Shaver, 2011). Sex work, just as the regular labour market, was heavily impacted by the two world wars, and at this point, prostitution moved from brothels to street prostitution as the legislation made it more difficult to procure. These laws mostly attempted to reduce vagrancy in Canadian cities versus controlling prostitution. As time went on, laws were put into place to try and reduce the number of women being exploited and forced into the industry, therefore criminalizing pimps and brothel owners. In the 1980s, the Canadian government repealed the law that made street prostitution a status offence. There were revisions to laws regarding communication for selling sex, procuring, and living off the avails and much more serious charges for those buying sex from minors (Shaver, 2011). However, although the legislations seem similar, women were being charged significantly more than men.

The most significant change in recent years regarding sex work legislation came in the 2010s with the Bedford V. Canada case, where a group of sex workers and a lawyer recognized that this legislation was unconstitutional and led to unsafe work for these workers (Shaver, 2011). The Ontario Superior court did agree that laws regarding keeping a common bawdy house, living on the avails and communication were indeed endangering sex workers. However, there was little in terms of actualized change from this court proceeding. These laws were in place to reduce the amount of exploited and trafficked individuals but instead made it much more difficult to work safely, whether that is in a place that is controlled and monitored, or the hiring of drivers and bodyguards. After this, Bill C-36, also known as the *Protection of Communities and Exploited Persons Act* was introduced, with the purpose of trying to criminalize the buyers more than the sellers. From this bill, buying sexual services was now criminalized, as well, now acquiring money or material benefit from prostitution is criminalized. Bill C-36 not only made sex work more dangerous but also pushed sex work underground

further. Criminalizing the buying did not reduce the demand for sex work as intended but instead just increased the number of dangerous individuals buying sex, and increased opportunity for violence against these workers (Shaver, 2011).

So, the selling of sex itself is not criminalized, but many other aspects relating are, resulting in sex work being more dangerous. While being decriminalized itself, it still is largely stigmatized. Canada uses a form of the Nordic model; therefore, selling is not illegal, but prostitution is illegal because the buying of sex is criminalized (Guy, 2014). The government claims that it is to protect the dignity of women and girls and lower exploitation (Department of Justice Canada, 2014). Criminalized actions as of 2022 include the purchase of sexual services, the advertising of these services, receiving material or monetary benefit with money acquired from prostitution, and procuring, convincing, recruiting, or holding another person into prostitution (Department of Justice Canada, 2014). As well, as communicating or providing sexual services in public places near groups of children, including playgrounds and schools, for example. Among academics as well as sex workers, there is little in terms of unanimous agreement when it comes to Bill C-36 and the changes that came with it (Guy, 2014, p. 4).

### **Wealth in Canada**

According to a 2016 report, Canada's population was 35.5 million, with a gross domestic product (GDP) (per capita) of 50,235 US dollars (Scelles, 2016, p. 171). This measures the economic output of a country, per person, often used to have a better understanding of a country and its citizens' economic situation (The Investopedia Team, 2022). Canada is a wealthier nation, with only 1.50% of the population living on less than \$10 per day in 2018 (World Population Review). According to Numbeo (2022), the average monthly net salary in Canada is just over \$3,500 US dollars and lands at the 6<sup>th</sup> highest amongst 104 other countries where the data is available. In terms of sex work, the average price for sexual favours is largely debated among sources, due to the underground nature of prostitution, but usually sits around 200 to 300 USD.

### **Stigma and Inequality**

Canada's gender inequality index is 0.129, ranking 25<sup>th</sup> among 147 other countries (Scelles, 2016, p. 171). While this number does not inherently tell us why women, specifically sex workers are treated negatively in Canada, it does give us some insight into the inequality that exists not only in the labour market but within society as a whole. The Canadian Women's Foundation (2022) mention some gender difference statistics to further understand the social position of women and sex workers; 160 women and girls were killed by violence in 2020, and women still make only 76.8 cents to the dollar that men make. So, although inequality in Canada may seem minimal, there is still sexism, misogyny and lengths that must be met to improve the general lives of women. Higher rates of inequality lead to higher rates of violence, as it solidifies the idea that men are better, more powerful, and more important than women.

Canada is a culturally diverse country, with many citizens of different ethnic, cultural and religious backgrounds. And while of course, white nationalism thrives in North America, the cultural diversity makes it more difficult for these ideals to survive among the many Canadians that actively attempt to make it a more welcoming place. Due to its diversity, Canada is a more liberal country, and not so much in a political sense directly, but in a cultural norms sense. Canadians are used to seeing many cultures and therefore things like sexual intimacy and non-monogamy are less frowned upon than in more conservative countries.

Violence and even prostitution statistics, in general, are not only difficult to find but also go unreported due to the criminal nature of prostitution. Canada claims they have no real prostitution statistics, and violence against sex workers goes unreported because of excess stigma and violence often placed upon sex workers by police and other institutions (Scelles, 2016, p. 171).

### **Case Study 2: Ukraine**

#### **Sex Work Legislation**

Ukraine's sex work legislation historically is not as detailed as Canada's due to Ukraine being a republic of the USSR until 1991. While a part of the Soviet Union, prostitution, while illegal, was handled the same way all deviant behaviour was handled in the USSR, largely

ignored, and blamed as a phenomenon of a decaying capitalistic society (Wilks & Tess, 2005). Since sovereignty, the criminal code of Ukraine (2001) has sections regarding trafficking, crimes against sexual freedom, crimes against public order and morality, and even articles criminalizing the sale and distribution of pornography. In Ukraine, running or creating brothels is illegal, as well as pimping or forcing another into prostitution. As of 2006, prostitution in Ukraine, while illegal was sort of decriminalized as selling sex is only considered a minor crime, punishable with a fine, instead of imprisonment (Radutniy, 2016, p. 154. & Criminal Code of Ukraine, 2001). Their government's stance is considered prohibitionist because their goal is to remove deviance and prostitution in their country (Scelles, 2016, p. 410). Radutniy explained that decriminalization has kind of occurred without meaning (2016, p. 152).

### **Wealth in Ukraine**

In 2016, Ukraine's population was 44.9 million, while the GDP (per capita) was 3,082 US dollars (Scelles, 2016, p. 410). Ukraine is the poorest country in Europe, with a Gross National Income (GNI) per capita of 3,540 US dollars (World Population Review). Ukraine's poor economic state is due in part to the collapse of the USSR, as well as the corrupt government and the consistent conflict in their country. According to Numbeo (2022), the average monthly net salary in Ukraine is just over \$500 US dollars and lands the 69<sup>th</sup> amongst 104 other countries where the data is available. The price of sex work favours in Ukraine is highly disputed, from sources saying as low as 3 USD for a favour, to scholars claiming around \$80 (The Global Network of Sex Work Projects, 2017.; Radutniy, 2016, p. 156).

### **Stigma and Inequality**

Ukraine's gender inequality index is 0.286, ranking 57<sup>th</sup> among 147 other countries (Scelles, 2016, p. 410). This inequality leads to more sexism and violence against women, as well as reinforces gendered roles in communities and relationships. CARE International (2022) mentions that gender-based violence affects around a fifth of all Ukrainian women (aged 15-49) in their lifetime. According to one study, 66.7% of Ukrainian respondents were subjected to some form of violence while they were sex workers (Kurmaiev, 2019,

p. 22). Sexual violence rises around conflicts, and of course, Ukraine is a country with very high levels of conflict due to their relationship with superpower Russia (Lapatina, 2021). In Ukraine, it is apparent that violence does not increase due to these changes in legislation but instead due to increases in war and morally corrupt men in their cities. Many sex workers in Ukraine say that working in Kyiv was much safer before the Donbas war in 2014 which increased conflict in the area and therefore violence against these women (Lapatina, 2021).

Ukraine is a historically very religious country, with a notably homogenous population of white Christians/Catholics (U.S. Department of State, 2019). Therefore, due to their lack of exposure, there are most likely more citizens that are against new or more liberal norms, for example, more liberal or explicit sexuality. Religion has a large influence on sex in a country, as many God-loving, or fearing individuals believe that sex is reserved for marriage and conception (Huang, 2016, p. 84).

### **Comparison of Canada and Ukraine**

The legislations within Canada and Ukraine while differently labelled are similar in terms of actual laws and crimes. Canada claims to use a form of the Nordic model, where the actual selling of sex is not criminalized but instead all other aspects, including advertising, buying, procuring, or running a brothel (Guy, 2014, p. 3). In Ukraine, the prohibitionist label is usually used to describe their laws regarding sex work, however, the actual selling of sex is only considered an administrative crime and is therefore only punishable by a fine (Scelles, 2016, p. 410). Both countries have their legislation in place to reduce the number of trafficked individuals as well as exploited sex workers. However, both actually act to exclude these sex workers from safe working conditions. While their legislation is similar, Ukraine's legislation is harsher than Canada's regarding sex work. Canada worked to allow the selling of sex to be decriminalized to reduce exploitation. However, in Ukraine, sex workers can and still are punished for selling sex. Both countries' legislations put their workers at risk due to the extra criminalizing of buyers and other actors. Countries with a prohibitionist system usually attempt to reduce the amount of prostitution, and not reduce the amount of violence or abuse that sex workers go through. Sex

trafficking is a large problem for both countries; one that is being actively worked against. The anti-sex work legislation in place in both countries is there to try to protect against trafficking and exploitation, although it leads to more stigma and violence and no reduced trafficking.

Ukraine's population in 2016 was around 10 million more than Canada's population. However, in terms of wealth, the GDP in Canada is over 45,000 US dollars higher. This means that while the population may be significantly larger in Ukraine, its people are significantly poorer than Canadians (Scelles, 2016, p. 410). A gentle reminder that Ukraine is the poorest country in all of Europe, and this is understandable when you contemplate the number of citizens and the amount of land, and goods that must be distributed (World Population Review). Their average monthly net salary is almost 3000 USD below Canada's average salary (Numbeo, 2022). Of course, this large difference in the country's economy can be blamed in part on Ukraine's relationship and history with Russia and the Soviet Union until 1991. The wealth of Ukrainian manifests within crime and deviant behaviour. Often poorer citizens resort to unlawful acts or immoral behaviour as a way to provide for themselves. Therefore, more citizens may go into sex work to support themselves and their families. In the case of Ukraine, because the country is so poor, there is more sex workers as well as more opportunity for deviant behaviour, violence, and exploitation. Ukraine is a particularly corrupt country with a Corruption Perceptions Index of 27, with 0 being highly corrupt and 100 being very clean, while Canada has an 83 (Scelles, 2016, pp. 171, 410). Ukraine, therefore, has had significantly less time to gather wealth while consistently being affected by conflicts and interference from Russia, and a historically corrupt government. The country's lack of wealth also affects the citizens, their wages, and the price of goods. Unemployment is higher in Ukraine, with 8.9% of their population unemployed compared to 7.5% of Canadians (The World Bank). Therefore, there may be more women in Ukraine that turn to sex work due to the financial need and the inability to find other work. The population and economy of Ukraine do not directly explain the reason for sex work legislation being harsher in Ukraine, but it

would influence how the industry is viewed by the government as well as the general public.

Related to the wealth of a nation, Crabtree (2010) mentions that religion is highest in the world's poorest nations. The U.S. Department of State (2019) explains that around 65% of Ukrainians are of Catholic or Christian denomination. More traditional Catholics and Christians believe that sex is something that is reserved for marriage and should be reserved for reproduction, therefore if more than half of Ukraine's citizens believe this, their outlook on sex work would of course be significantly more stigmatized due to this (Huang, 2016, p. 84). Ukraine is also a significantly more traditional country compared to Canada and therefore many individuals would see sex work as immoral. Canada is a multicultural country, with a wide range of cultures, norms, and practices due to the large number of immigrants who call Canada home. However, Ukraine is more homogenous, with its white catholic citizens being the majority (U.S. Department of State, 2019). This would result in a more conservative viewpoint on social actors and actions due to the lack of representation. These norms would influence the population's opinion and attitudes regarding sex work and therefore influence politics and how the government determines sex work legislation.

Canada and Ukraine's gender inequality ratio sits at 0.129, and 0.286 respectively, sitting 32 spots away from each other on a list of 147 other countries (Scelles, 2016, pp. 171, 410). This number represents gender disparities in health, empowerment, and the labour market (World Health Organization). These numbers reflect maternal mortality ratio, adolescent fertility rate, number of parliamentary seats, education attainment level and women's participation in the workforce (World Health Organization). Therefore, inequality is higher in Ukraine, which may help better explain the harsher legislation. If women are seen as inferior, then their ability to commodify their own labour, or pursue their sexual commodification would be seen as more promiscuous, immoral, and wrong. If inequity is higher in a country, then the job markets would be saturated with this ideology, therefore it might be more difficult for women to find jobs in male-dominated labour markets. Therefore, women having their own way to make money, that is most often

relying on men, would be looked down upon by misogynistic individuals.

## Discussion

Stigma is something that exists for sex work in both countries. It does have a direct effect on the workers, to quote Shaver (2011), “Stigmatization is often grounded in misperceptions of sex work that lead to mistreatment and denial of human rights.” When stigma is higher, so is violence, as many would not believe this violence to be a societal problem because they already think so negatively of sex workers. People who hold a negative stigma often blame sex workers for the violence and abuse they undergo because they live a high-risk lifestyle. Societal perceptions of sex work do set a precedent for how sex workers, women, labour, and sex, in general, are treated. With stigma comes increased violence and sexual exploitation, and with harsher legislation comes increased stigma (O’Doherty, 2011, pp. 218, 219). Currently, studies show that when sex work is decriminalized the stigma does not decrease, but this is because this stigma existed before the change in legislation (Albert, 2021, p. 672). It has been said that increasing education regarding sex work increases awareness, and empathy and decreases stigma and violence (Long et al., 2012, p. 126).

In an individual sense, sex work legislation affects not only the sex workers’ safety and autonomy, as well as their mental and physical health but also the buyer’s safety. Sex work legislation also impacts peer support and stigma. Workers may lose connections due to the criminal status of their work, therefore, making it more difficult for sex workers to find help or support when they need it, physical or emotional. Decriminalization leads to safer practices, the ability to screen clients, set up STI testing, decreased violence, the ability to pay for help, and the ability to exist in your own safe space while working.

Societally, sex work legislation as well as all the other factors that impact it affect not only social stigma but also sexual stigma generally and sexual education. Sex work stigma affects family dynamics, relationships, and the ability to exist freely among peers and in social settings. While stigma seems to be the main component of the impact of sex work legislation societally, it is a massive factor that affects everyday interactions,

relationships, and connections with the world we live in. Stigma affects how people treat others, how they navigate their interactions, and how they discuss and treat minorities or sex workers. With changes in sex work legislation come changes in social order as well as social control. Women would have a more difficult or specifically more dangerous time trying to commodify their sexual labour and therefore put many women at the bottom of the social hierarchy, therefore susceptible to more stigma. When the government is able to tell sex workers what they can and cannot do with their bodies, the government is able to tell women in general what they can and cannot do with their bodies. The government’s ability to police sexuality and pleasure is not limited to only paid pleasure. Once changes come that affect one group of people, specifically minorities (as poor and women of colour are large percentages of sex workers), the government finds it easier to start to police other minorities, including people of colour and LGBTQ2+ individuals. Once governmental changes occur, public perceptions follow, leading to the stigma that affects everyone.

Institutionally, healthcare, policing, prisons, correctional facilities, and economic institutions are all affected by sex work legislation. These workers are often not taken seriously when it comes to serious harm against them because they choose to live a high-risk lifestyle—often being dismissed or even assaulted by the police. If sex work were to be decriminalized and therefore, hopefully destigmatized, then the police would have less interaction with these workers. Less time and police budget would be spent on sex work reduction. This reduction in interactions between sex workers and the police would also reduce the number of sex workers assaulted or harassed by police. These workers are often not treated properly in hospitals either due to their profession. Health care and mental health are often not regarded as important for these women. With decriminalization, there would be a decrease in violence which would minimize the number of sex workers in hospitals. It would also lead to a reduction in STIs in the community, as there would be more opportunities to control and screen clients. If sex work were destigmatized, sexual education, in general, would also improve. Currently, due to the negative perceptions of sex, sexual education is not seen as important or essential. It is often seen as deviant or a way to teach kids to have sex instead of a way to



educate children about the realities of the world. If sex and sex work became destigmatized, parents would have an easier time teaching safe sex to their kids and the importance of consent, protection, and responsibility. Because of the stigmatized nature of sex and sex work, it is often an avoided topic which results in unsafe, non-consensual education regarding sex.

Sexual stigma, prostitution, and society's attitudes towards it may be explained through world society theory. The theory by John W. Meyer focuses mainly on social institutions and how they are impacted and changed through many systems and dynamics including other institutions, individual actors, social norms, etc. (Sorokin, 2020). This theory relies mainly on institutional thinking and focuses on the culturally constructed and rationalized nature of the actors involved, as well, as Sorokin (2020) explains, the idea that our social structure is a "complex, multilayer- set of "scripts," and "models" (p. 509). There is a focus on self-hood and the concept that people make decisions based on both rational choice theory as well as economics and political science. This is where world society theory is placed in arguments pertaining to sex work and stigma and how the legislation reflects societal attitudes. Sex workers, as well as the general attitude toward sex workers, rely on the institutional opinions and attitudes, and these actors, including stigma, legislation, policing, corrections, norms, and economic status of countries and people involved all affect the public beliefs of sex work and not only its reason but also how we treat those involved.

Of course, there is no correct answer or solution regarding sex work legislation, as it is highly disputed among governments, scholars and even sex workers themselves. There are an incredible number of things to consider when legalizing sex work (Muravyey et al., 2015). Radutniy (2016) mentions that it is an argument of morality and that it is challenging to legalize while still impacting other criminal activities. While prostitution legislation may differ in these two countries, they both actively try to reduce the number of sex-trafficked individuals in their individual countries, and this seems to be the reason for the unconstitutional laws.

## Conclusion

Sex work and sex work legislation is a highly debated topic, and how it is handled by institutions and actors relies entirely on the purpose or belief and reasoning behind sex work. If the goal is to make sex work safer, then a prohibitionist standpoint is not a reliable option. However, it is an easy option when most individuals deciding on legislation are anti-sex work. There are options and avenues that countries can enforce to improve the lives of sex workers. Muravyey et al. (2015) mention that designating a street for legal sex work in a city results in a 30-40% decrease in cases of registered sexual abuse and rape in the first two years, as well as a reduction of drug-related crimes in said cities. We know prostitution rates are "directly influenced by legislation and police enforcement practices" (Rotenberg, 2016, p. 4).

If we want to live in a good, content society where everyone is treated well regardless of their historically deviant behaviour, then the first step is reducing stigma; allowing sex work to be a safe option for those who want to partake. Anti-sex work legislation does not lower or decrease the numbers of sex workers or even trafficking, but it does indeed lead to more violence and pushes the industry underground, where it is significantly more difficult to regulate, study or care for workers. While the point is not to discuss the reasons decriminalization should occur, it is to discuss the impacts that sex work and its legislation have on a country's citizens and, therefore its social interactions/culture. The difference in legislation is not due to a singular difference between the countries but instead the collection of many aspects, including societal norms, historical legislation, stigma, population, education, a country's economic state and much more. Finding the reason for the difference in legislation is difficult because so many actors play into this legislation. Therefore, there is no correct answer, but increasing knowledge regarding norms and institutions will lead to a greater understanding of countries' sex work legislation, as well as their attitudes towards sex work generally.

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**Table 1. Factors that may impact Sex Work Legislation in Canada and Ukraine**

	<b>Stigma</b>	<b>Violence</b>	<b>Religion</b>	<b>Culture</b>	<b>Average Salary + GDP</b>
<b>Canada</b>	Present	Present	Not as present	Heterogeneous	Higher comparatively
<b>Ukraine</b>	Present	Present	More present	Homogenous	Lower comparatively