

Master Thesis

Policy field of prostitution – the case of Lithuania



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Abstract

Prostitution as an occupation prevails within the society from ancient times. However, just recently this phenomenon started to receive more attention in the international and national setting, the states intend to find the best way to address and regulate it. Various agents involved, such as international and national organisations, governments, NGO's, human right activists, social movements, Church etc. holds opinion about the way prostitution should be governed. These diverging opinions, discourses of prostitution dominating within the state and also historical aspects underly the way prostitution is controlled. Besides, prostitution in itself is a delicate subject, thus, prostitutes are often seen as victims and sexually exploited. This Master thesis offers a critical analysis of the prostitution policy field in Lithuania. By employing Carol Bacchi's approach to policy analysis *What's the Problem Represented to be? (WPR)*, it breaks apart and interrogates the policy field of prostitution. Besides, it reflects on the construction and framing of the discourse of prostitution as well as on the existing standpoint, which all underlie the legal regulations and explain state's rationalities behind them. The findings of the research suggest that the state of Lithuania frames prostitution as just being forced, therefore, the outcome of human trafficking, while other prostitutes are criminalised and silenced. The overall discourse of prostitution is rather hostile which explains the current position and legal framework adopted.

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Introduction

Prostitution is often addressed as the ‘oldest profession’ existing – it occurs throughout the world and is engaged for too long to trace it. This phenomenon does count hundreds of years prevailing in different shapes and forms. Nowadays, the mass and pop culture encourage the occurrence and demand of sexuality and pleasure. Liberal views, free market economy influence and reshape the moral norms of society, westernization and globalization spread them, making the tolerance of prostitution acceptable across the countries. Consequently, in some states the phenomenon of prostitution is getting to be perceived as an acceptable economic, social and cultural outcome, involving the growing number of individuals - mainly women. Even though prostitution has a long-lasting history and development, only in relatively recent time the states seriously endeavoured to regulate it through governmental interference.

The current debate on this occurrence has opposing opinions in the international and national settings: known as *sex work* and *abolitionism* (Spanger, 2011, p. 518). These concepts will be elaborated on subsequently. Moreover, there are numerous agents involved in the controversy, such as governments, social movements, international organizations, NGOs, Church and so on. Each of them might carry a contrasting opinion, which can be further divided, about the acceptable and optimum ways of approaching and governing prostitution. Consequently, policy fields of prostitution, proposed resolutions and rationale vary depending on the country. One is known for now – to properly address the needs and exigency of the most important stakeholders in this situation, an exceptional and innovative approach will have to be created.

The current liberalised setting of prostitution forces international and national authorities to adjust to inevitable changes and adopt policies which would govern it in an optimum way. However, since this matter is delicate and controversial, touches upon moral, public health and order issues, the justification for changing or attaining different regulations is complex. Besides, the public provision towards prostitution might vary between the states and influence the outcome of the policy field. As it is seen, prostitution and the context around it is complex, it evokes various opinions, triggers discussions and stimulates the change. However, the dispute can be beneficial, because it spreads the word about the problem, introduces diverse opinions and shares insights.

Problem area

The main focus of my MA thesis lies within the historical evolutions and current political motivations of prostitution policy field in Lithuania. Especially, the emphasis is put on the state's participation and conditioning the manner of approaching and regulating this occurrence. With the help of Carol Bacchi's approach to policy analysis *What's the problem represented to be? (WPR)* and Michel Foucault's ideas on governmentality and discourse, I want to grasp the pattern on the problematization of prostitution within the state of Lithuania and how this determines current policy field. The discourse of prostitution contains different opinions and controversies, thus, I want to examine them and understand how this affects the way prostitution is addressed and governed.

Therefore, this research seeks to explore the policy-makers and authorities' attitudes towards regulation of prostitution. In doing so, the historical background of prostitution in Lithuania is provided, to grasp how it evolved up until today. Also, how it was influenced by various historical malfunctions, the international community and where the emphasis is put by Lithuanian authorities.

In order to be able to investigate the problem area a research question is formulated. To answer this question in more detail, two more sub-questions seek a deeper comprehension of the field of interest:

How is prostitution addressed and regulated by the state of Lithuania?

1. *What kind of discourse of prostitution is currently predominant?*
2. *How does this discourse condition the policy field of prostitution?*

The research is structured around interconnected parts, both theoretical and empirical. Firstly, an outline and a review of existing research in the field of prostitution policies are provided. It is significant to acquire an overview of the field of interest and get acquainted with what has already been achieved in the research area. It is sequenced by the methodology which was used to collect data for research and analyse it in the most effective way. In addition to this, the issues and limitations, which were encountered during the compilation of the research, are pointed out. Chapter three includes a theoretical framework of critical discussions of concepts and theories that capture the characteristics of problematization of prostitution in Lithuania, therefore, are being used to dispute the findings. Later, relevant concepts and terms concerning prostitution, human trafficking, opposing positions and legal frameworks are being defined. This is crucial in order to delimit the area of interest in which this research can be placed as well as provide an understanding of it. Following chapter provides an overview of prostitution development in Lithuania starting from the history of occurrence

until current policies and regulations. Chapter six addresses analysis of the data collected and reflects on the theoretical framework as an analytical tool which provides the way to interrogate the policy field of interest and compile the findings. Following the discussion and conclusion which ends the MA thesis.

In conclusion, the objective with which this research has been compiled is to seek to contribute a crucial outlook of the policy field of prostitution in Lithuania as well as of the research area.

1. Literature review

Before starting my own research, it is important to have a look and study the body of work already existent in the field of interest. However, the literature search disclosed that contemporary policy field of prostitution in Lithuania has not been approached nor explored by scholars. Consequently, I review researches conducted in the policy field of prostitution of the other European countries. The findings and contributions of the other scholars help me to clarify the context, distinguish the most important and problematic parts of the field. Therefore, the following section offers an overview of existing research. I selected the time frame of 2008 – 2018 in order to reflect on the newest researches and ideas in the field of prostitution policies. Articles will be introduced from the oldest to the most recent.

Lisa Carson and Kathy Edwards (2011) did a research on a comparative prostitution policy analysis in Sweden and Victoria, Australia, since these two cases represent two distinct approaches to regulating prostitution. As I presented earlier, Sweden adopted ‘Nordic model’ which criminalizes all parties except the prostitute, on the other hand, a model adapted in Victoria legalizes and regulates sex industry (Carson & Edwards, 2011, p. 63). Researchers utilized Carol Bacchi’s WPR approach and through the discourse analysis of relevant policy and law examined how prostitution and sex trafficking are framed within the policy field and cultural context. Moreover, they draw upon the link between prostitution and sex trafficking (Carson & Edwards, 2011, p. 64). Carson and Edwards follow up with the representation of two polarised standing points towards prostitution: ‘sex work’ and ‘neo-abolitionism’ which are represented by the cases chosen to analyse. WPR approach to policy analysis enables scholars to spot different discourses underlying the Victorian and Swedish approaches and how they frame or represent the problem of prostitution. A significant finding is the one stating that the state is a ‘crucial player’ in the debate and discourse of prostitution. Authors state that: *“In considering the representation of the problems of prostitution and sex trafficking it is thus imperative to address the state, and particularly the kind of market that the state supports, and the ideological precepts that this produces. These have a significant impact on how the discourses of prostitution are deployed in order to make certain positions possible, but to limit others.”* (Carson & Edwards, 2011, p. 84). This research pointed out how important is to problematize the way how prostitution is problematized – what kind of discourse is widespread in the country because this leads to the policies initiated and lives regulated.

Marlene Spanger (2011) reflects on the transformation of the Danish policy field of prostitution which, according to her, developed from the national and international pressures (Spanger, 2011, p. 518). The WPR approach of Bacchi is adapted in this research. The author argues that the wider migration related prostitution and the bigger international/national attention to the human trafficking made a foundation for the change in the policy field of prostitution in Denmark. The changes occurred in the Penal Code, sequenced by several Action Plans to combat human trafficking. According to the researcher, this initiative of Danish government became a way for feminist movements to spread their voice about abolishing prostitution (Spanger, 2011, p. 518). The main interest of an article lies within the transformation of the Danish policy field of prostitution throughout the time emphasizing the influence of the historical discourses which underlie the policy. Five main discourses were identified: feminist, religious, medico-scientific, juridical, social policy (Spanger, 2011, p. 519). As a conducted analysis presented, these discourses were prevailing throughout the time differing in the emphasis and shaping Danish policy field of prostitution. Following from 1990 onwards, social policy discourse became dominant which lead to feminist voice taking a position and influencing policy field (Spanger, 2011, p. 523). The way of how prostitution and human trafficking are problematized in Denmark allowed feminist voice and women's movement campaign to prohibit buying sex and create a '*national rescue apparatus*' directed to undocumented migrants involved in the sex industry in Denmark (Spanger, 2011, p. 536). Spanger concludes by stating that documented migrants selling sex resulted to be silenced by this approach because they do not fit into the wording of the program, herewith, the 'prostitute' is racialized (Spanger, 2011, p. 536).

Isabel Crowhurst (2012) did a critical analysis of the prostitution policy reforms in Italy in 2000's led by centre-right government coalitions and Silvio Berlusconi. The main focus was on the construction of prostitution discourse which underlined the laws adopted. The discourse of prostitution in that time was hostile – it was addressed as: "*an emergency issue of public safety and of sexual exploitation*", consequently, the aim of the government was to pass the penal anti-street prostitution law which had to solve this 'problem' and end the exploitation (Crowhurst, 2012, p. 223). Researchers goal was to investigate the discourse used by authorities to underlie and sustain this proposal. As it was indicated and drawn upon by the researcher, the regulation of prostitution is often linked with some other problems (e.g. sex trafficking, illegal migration, drug issues) which need to be disciplined and regulated. The connections of different issues are sustained and addressed by policy initiatives and the measures applied varies across national contexts. Hence, the attention switched to the thinking underlying policies or, in other words, the discourse of prostitution prevalent within the country

(Crowhurst, 2012, p. 224). Crowhurst highlighted the relevance of knowledge and discourse used by the state to frame and make regulation acceptable and applicable. The main argument of the research was that government of Italy did not put much effort into analysing the complex field of prostitution and the issues underlying it. The government completely ignored other stakeholder's, who had first-hand knowledge of the issue, opinions, and inputs. Consequently, the regulation was based on narrow and simplistic understanding and the discourse of prostitution being a crime, danger and a threat to public security and morality (Crowhurst, 2012, pp. 230–231). This ignorant attempt of the government to regulate prostitution did not contribute to the progress of policy field of prostitution.

Since the Republic of Ireland recently debated on whether to adopt Swedish approach on prostitution, Sharron FitzGerald and Kathryn McGarry (2016) is interested to interrogate the construction of prostitution discourse and policy debates and see what processes shape Ireland 's anti-prostitution standpoint. To achieve this, they also invoke Carole Bacchi's WPR approach focusing on the question: How is prostitution problematized in Irish law and policy? (FitzGerald & McGarry, 2015, p. 290). Authors point out that involvement of the Church in the state 's affairs shaped how country approached sexual and reproductive freedoms. Moreover, this backdrop was a stimulus for abolitionist lobbying and consideration of Swedish model. Irish society can be defined by the discourse of patriarchy, heterosexual marriage and interpretation of women as mothers and wives of the nation (FitzGerald & McGarry, 2015, p. 291). This kind of discursive practices lie behind the anti-prostitution debates, contributes to producing a certain way of understanding this phenomenon and shaping the policy field of Ireland. Research is concluded by stating that campaigners for the adoption of Swedish model *“present as truth a particular way of knowing prostitution, namely as always exploitative. As prostitution is only ever exploitative, prostitutes by definition are always exploited”* (FitzGerald & McGarry, 2015, p. 305). Moreover, the voices of sex workers are silenced, and the process of problem representation became the space where any other views are rejected, and the abolitionist view campaigned. Prostitution through the discourse mechanism was framed as an issue of gender inequality and institutionalized in law and policy.

By reflecting on already conducted researches, I can place my problem statement into this context and see how the research could contribute to the field of interest. Moreover, since Lithuanian policy field of prostitution is not approached and analysed by scholars, literature review provides and suggests methods and the best ways of discussing and answering the research question of this MA.

2. Methodology

The aim of this chapter is to present the methodological approaches – the manner of collecting data and knowledge about the topic, by obtaining it from different sources, such as secondary data, policies and theories. Moreover, this part will present analytical approach adapted to get a cognition of the problematisation of the policy field and limitations encountered.

2.1 Research design

The interest of this research lies in the case of Lithuania - the representation and regulation of prostitution in this European country. The great amount of responsibility is placed on me while studying this field due to its delicate character and the vulnerable agents involved. Therefore, the methodological tools are significant in understanding and presenting the findings in the best manner.

In order to grasp the attitudes of legal authorities (politicians, policy makers) and governmental bodies towards prostitution and sex work activities in Lithuania, I explored two types of data which was relevant for the topic: literature-based (reviews of books, articles, journals and research already conducted on the field of interest) and document-based (legal frameworks, legislation, policies, action plans and governmental reports). Various sources of data aimed at providing perspectives from more angles on the prostitution and workers involved in this industry and situate them within the contextualized political frameworks which legal authorities adapted within the state.

The relationship between theory and data in this project is the one of an inductive reasoning – theoretical presumptions were obtained out of the empirical data collection and verification (Bryman, 2012, pp. 24–27). I started by researching the field, collecting relevant data and interpreting it. The existing theory, which I refined, and which fit the explanations of my case, emerged later on during the process (Alasuutari, P., Bickman, L., & Brannen, 2008, p. 224). The empirical point of departure was the legislation, policies, and strategies adopted in Lithuania which are directed to regulating prostitution and other related practices. Based on perspectives spotted throughout the legal frameworks and policies, I try to comprehend the meanings of prostitution dominant in public discourse in Lithuania and how this position actually influences the strategies and conceivable changes adopted in the country. Besides, the understanding of the identities, ideas, norms, and culture is a significant part of revelation the ground of policies of prostitution. This attempt to understand social meanings is very much in tune with the epistemological stance of **interpretivism**. Epistemology helps to understand information, presents how researcher approaches the world and creates the knowledge (Bryman, 2008; Alasuutari, P., Bickman, L., & Brannen, 2008). There are

diverse ways of making sense of the world around us. For instance, the social world is complex, and everyone might perceive it in a different way; understanding and assigned relevance is subjective. Since I am interested in analysing the social issue, I know it can always be approached by using another path, but a clear definition of the epistemological stance provides me with the tool of how to construe the knowledge in this research about the setting of sex for sale and subsequently emerged policies in Lithuania. The epistemological position of interpretivism comprehends social reality by interpreting it – it is based on subjectivity and qualitative manner of research (Lamont, 2015, pp. 18–20). In this perspective, the research is driven by my elucidation, values, beliefs and world outlook, since interpretivism demands a certain subjective understanding of policies adopted in Lithuania. My perception of social realities and knowledge production is also used.

The ontological position is the one of social constructivism due to its claim that human development is socially situated, and knowledge is constructed through interactions with others. Moreover, social entities, in this case governmental bodies (such as Seimas – Lithuanian Parliament, ministries, especially Ministry of the Interior, since it is responsible for implementing policies of interest), and socio-political processes (such as gender inequality, economic instability, unemployment, migration) are the ones which execute social phenomenon, its meanings and the forms of knowledge (in this case regulation of prostitution) (Bacchi, 2009, p. 33). ‘Reality’ is a construction of human consciousness and the ability of interpretation (McHoul & Grace, 1995, p. 2). Besides, constructivist scholars argue that social meanings are constantly revised and the researcher, while investigating the specific issue, presents certain social reality, constructed according to one’s own subjective sense, and the outcome cannot be admitted as a definitive (Bryman, 2012, p. 33). Moreover, it claims that social science knowledge is directly linked with ordinary people’s everyday knowledge about society, thus, the proper way of analysing this element is through society and social relationships (Alasuutari, P., Bickman, L., & Brannen, 2008, p. 73). In practice, I define social meanings used in the research (such as state as an internal actor, phenomenon of prostitution) and I use them to explain social reality leaning on my subjectivism and knowledge constructed on the topic. Inevitably, the findings I produce out of this research is not unquestionable, but it contributes to the field and opens the door for discussions, revisions and improvements.

Furthermore, the approach of social constructivism is eligible in the case of Lithuanian prostitution policies because of how participants of the policy-making process understand the world and accomplish the governing through organizational forms and social practices (Bacchi, 2009, p. 32). Policy and decision makers interpret the social reality of prostitution through their own perception of

knowledge of the field influencing and shaping personal lives of the people involved in the sex industry. This shows that one truth does not exist, but rather the truth is a construction (Bryman, 2012). Therefore, I propose a social constructivist approach in this MA thesis.

The scale of this case study of Lithuanian policy field of prostitution is not substantiated for generalization. However, the small range of research provides both, breadth and depth, which are necessary to understand complex social phenomena of governing prostitution. Besides, this case study can contribute effectively to the field of social sciences by focusing deeply on the field of interest.

2.2 Data collection and analysis

The research conducted for the project consists both, primary and secondary data collection. Firstly, the secondary data was gathered as a fundamental knowledge and the background of the field. This data mainly contains literature review of relevant scientific articles (Acus (2001), Carson & Edwards (2011), Crowhurst (2012), FitzGerald & McGarry (2015), Pruskus (2010), Puidokienė & Acus (2013), Spanger (2011), Marcinkeviciene & Praspaliauskiene (2003), Abel & Fitzgerald (2012) etc.), academic books (Barberet (2014), Bevir (2012), Gutting (2005), Nola (1998), Oliver (2010), Walters (2012), Weeks (2011) etc.), journals, scholar observations and researches, reports (UN, EU, LT), media papers and online surveys (“Spinter”). I chose this manner of gathering data because it led into building ponderable understanding about the complex matter, different legal approaches existent nowadays, which regulates prostitution. Besides, secondary data led me to the definition of the most significant concepts, historical background and the discourse of prostitution in Lithuania. All of this provides an essential knowledge in order to do an analysis and the background information for the reader to better understand the objective and findings of the research. Moreover, relevant concepts and theories, such as the theory of discourse and governmentality, used as analytical tools, helped to determine, elaborate and critically analyse further research findings and answer the problem statement (Bryman, 2012).

Secondly, after assembling the knowledge required for deeper insight from the secondary data, the primary document-based data were gathered in the form of the governmental action plan - *Control and Prevention Programme of Human Trafficking and Prostitution* adapted by the Ministry of Interior of the Republic of Lithuania. This program is directed to:

“eliminate the complex causes of this [crime] phenomena, to modernize and strengthen the system of law enforcement and other state institutions, to support the activities of non-governmental organizations, to dismantle networks of criminal structures involved in trafficking in human beings

and organization of prostitution, child abuse and commercial exploitation. Trafficking in human beings and prostitution are the social phenomena, therefore, it is planned to organize a system for its control and prevention, including a complex of legal, scientific, organizational, tactical, informational, analytical, financial, and other measures of education, socio-economic, medical, national and international level.” (Prekybos žmonėmis ir prostitucijos kontrolės bei prevencijos 2002 – 2004 metų programa, p. 1).

The program was implemented in three periods: the first strategy covered 2002 – 2004 year, second – 2005 – 2008 and the third one – 2009- 2012 year.

The action plans are selected to be analysed as a primary data because of their origin and purpose, as it is stated as an objective of the plan, which is precisely directed at combating prostitution and human trafficking in Lithuania. Moreover, this strategy is based on systematic approach: it encourages cooperation between different governmental bodies in order to achieve improved outcomes:

“Prevention and control of trafficking in human beings are primarily based on a systematic approach [...] the general need to be improved and developed the system of coordination of actions of the state and municipal institutions and bodies, non-governmental organizations against trafficking in human beings” (Prekybos žmonėmis ir prostitucijos kontrolės bei prevencijos 2009 – 2012 metų programa, p. 2).

The data will be analysed primarily using Carol Bacchi’s (2009) approach to the policy analysis: *What’s the problem represented to be? (WPR)*. WPR approach is relevant for analysing policies because it does not take anything (any discourse within the policy field) for granted – it interrogates policy itself to the roots breaking it apart, exposing hidden meanings and understanding the role of the government in the problematization of the social world. The implication that ‘there is a problem’ which must be solved, reveals that ‘problems’ are framed and highlights the tensions within or across the field. Moreover, by examining specific policies, WPR approach comes in handy in understanding how governing takes place and what effect it does on those who are governed (Bacchi, 2009, pp. ix-xv).

As stated by the author, policies imply some sort of change: problems are not understood as separately existing inevitable matter, but rather as an outcome of some sort of policies and strategies adopted and the perception they carry. In other words, ‘problems’ are perceived as **endogenous** – shaped within the process of policy-making; policies by their means determine or define the problem instead of addressing them (Bacchi, 2009, p. x). This approach was utilized in the MA to grasp Lithuanian

policymakers' perception and attitudes towards the delicate topic and the change, which are implied and would be appropriate, according to them. On the contrary, WPR approach claims it is not acceptable to understand 'problem' as naturally occurring in the world, as policies and discussions suggest, it challenges this presumption: 'problem' is artificially manufactured by policymakers in the course of **problematizing activities**. In other words, policies problematize our everyday setting by impersonating 'problem' and the manner of fixing it - it is the central approach of governing (Bacchi, 2009, p. xi). By applying WPR approach, I am able to switch the focus from the 'problem' created by policy to the shape and character of problematization. This side of the policy presents the attitude about the social environment and what, according to authorities, needs to be changed.

Furthermore, policies and strategies adapted to tackle one or another problem have an undeniable cultural dimension: the way policymakers choose to go around the issue is influenced by historical and national or international contexts. In other words, it is a cultural outgrowth (Shore and Wright in Bacchi, 2009, p. ix). Applying this assertion to the scope of this MA, I can discover the viewpoint of Lithuanian state regarding prostitution and the magnitude of how this attitude actually conditions current framework. Carol Bacchi argues that every policy proposal "*may reflect deep-seated cultural assumptions*", therefore, policies contain silences and unforeseen negative effects (Bacchi, 2009, p. x). In addition, be able to present a problem as some sort of one (put it in the tight frame), the problem must be intelligible – the complexity of the issue is reduced at the same time reducing dimension it covers, the problem is framed. This is significant because the way 'problem' is framed and presented simulates the discourse of the policy (what is included/left out) keeping in mind that all policies touches upon and influences real-life experiences (Bacchi, 2009, p. xviii).

The WPR approach is executed by applying four key questions proposed by Bacchi, to grasp the problem representation within the policy field of the choice:

1. What's the 'problem' represented to be in a specific policy?
2. What presuppositions or assumptions underlie this representation of the 'problem'?
3. How has this representation of the 'problem' come about?
4. What is left unproblematic in this problem representation? Where are the silences? Can the 'problem' be thought about differently? (Bacchi, 2009, p. 48).

It should be stressed that WPR approach is not made to evaluate policy or judge the choice of the governments. WPR approach aims to the policy analysis lies within the critical mode of analysis: to grasp the fundament assumptions and presuppositions invoked by governments which lie behind an

actual policy by interrogating the problem representation and anticipated silences behind it (Bacchi, 2009, pp. xiv-xv). I want to break apart and question the policy field of prostitution in Lithuania and penetrate to the problematisation of it: what policy-makers stress and perceive as significant to talk about, what is left muted, what discourse, in general, predominate this policy? WPR approach helps to get answers to these questions, descry the hidden meanings and see the outcomes on social reality. Besides, shifting attention from shaped ‘problem’ to the representation of that ‘problem’ might prompt innovative and/or critical thinking about the surrounding and governance, ameliorate the management and development of policy-making and problem-solving.

2.3 Limitations of the study

The most important limitation in compiling the report on this topic was the complexity of the field of research: prostitution and human trafficking are sensitive and complicated phenomena. The availability of qualitative data is also limited, it is not easy or sometimes possible for the researcher to arrange interviews or surveys with the persons involved in the sex industry. The methods and approaches to analyse the field of prostitution are shaped by this availability. Consequently, internet-based, archival-based or policy analysis is more reasonable ways to approach the issue. I chose to analyse how the discourse of prostitution influences regulations of the state.

Moreover, the data selected to be analysed includes just governmental materials. I do not consider how other actors, for example, NGOs shape the field of prostitution in Lithuania, or how policy field influences their work. I understand that involving other important stakeholders would provide me with the wider outlook of the issue itself, the examples of how policy field of prostitution is executed and real-life aftereffects. Unfortunately, this research has a time and length limits which did an impact on the data and methods I have chosen. The quality and novelty of findings are shaped by the methods adapted – more theories or analytical tools could lead the analysis to be more in-depth, revealing valid insights which might not have been spotted.

Moreover, the policy field of interest is compiled in Lithuanian language but the project – in the English language. This situation imposed the great responsibility and challenge for me to properly translate and interpret the statements of the policy. I endeavour not to lose any vital information, but the chance of losing the richness of data can hardly be avoided and some significance might possibly be lost in translation.

It is worth mentioning that this research does not sit outside of the discourse – it is affected by and creates meanings itself. I am aware that this issue has emerging binary discourses and I should be

critical while studying various articles. Furthermore, qualitative research is truly dependent on individual investigation skills and can easily be influenced by personal inequity and biases. I understand that research might be affected by subjectivity and my case is not an exemption, therefore, I need to stay cautious throughout the compilation of MA. Besides, the extent of information on prostitution in Lithuania is not broad or quality, it is vaguely researched topic, therefore, this influenced the process of research and findings.

3. Theoretical framework

The following chapter gives an overview and explanation of the theory of discourse and the concepts of the state and governmentality, which are combined together with the WPR approach as analytical tools to analyse prostitution policy field of Lithuania and the current widespread discourse underlying it. This theoretical framework draws upon the ideas of Michael Foucault and is relevant to my research as it highlights the aspects of how government conditions the public knowledge and the making of policy. They will be helpful in analysing and gaining a more thorough understanding of how certain policies come about by underlying structures. The definitions of government and governance are presented too because it contributes to the comprehension of governmentality and the state.

3.1 Governmentality and the state

To analyse and understand the premise underlying a political discourse, a policy-making and a policy field within the nation-state, it is necessary to define clearly the concepts of the state, government, governance, and governmentality to avoid any misinterpretations in this body of work. They might seem as synonyms, however, each concept, even though interconnected, carries certain meaning and they should not be mixed. Therefore, I will present each notion and emphasize the significance of this theoretical framework for the research.

The term **state** refers to an organized community or sovereign political entity (in an international setting) which lives under established and accepted political structure and government – set of institutions. Besides, the state also describes the geographical territory over which the government holds control and power and is often said to have a monopoly on the legitimate use of force over it (Bevir, 2009, p. 199). Very well known and widely discussed theory of the state was introduced by Karl Marx. It can be briefly presented through the three main emerging characteristics of the state: pre-capitalist state, states in the capitalist (i.e. present) era, and the state (or absence of one) in a post-capitalist society (Neocleous, 1996, pp. 27–31). The Marxism was an inspiration for scholars and many ideas were developed outside this theory. One of them is the shift of the focus from the state to ‘civil society’. It is defined as a unit of non-governmental organizations, institutions or individuals in a society which is independent of the government. They all focus on the interests and will of citizens.

However, in this MA thesis, I will use French philosopher, historian of ideas and social theorist Michael Foucault’s thoughts on the state. He rejects state-civil society distinction, instead focusing

on the state as: “*an instrument and effect of political strategies that define the external borders between the public and the private and the state and civil society*” (Lemke, 2002, p. 1). The state is interpreted as imaginable, the same as politics or economy – these entities are not physically existent, but they are still conceivable as a part of reality. “*The state is not an object that is always already there, nor can it be reduced to an illusionary or ideological effect of hegemonic practices. Rather, the state is conceptualized as a ‘transactional reality’*” (Foucault in Lemke, 2002, p. 6). The state comprises out of dynamic relations and combinations that execute structures, institutions, perceived knowledge of the state and are served by a continuous change of different governments which embodied it.

I interpret **government** as a controlling body of a community, nation or in this case - a state. A legally established and publicly admissible system which contains a group of people and organize the life of a society within the country. As Foucault puts it: “*What government has to do with is not territory but, rather, a sort of complex composed of men and things [relations to wealth, resources, territory etc.]*” (Inda, 2005, pp. 3–4). Anglo-American political theory refers to the formal institutions and the monopoly they hold of legitimate compulsive power while addressing government (Stoker, 1998, p. 17). It is compulsive because we live in the world of regional, national and international systems and rules imposed on us which more or less affect each aspect of our lives and maintain public order: “*at stake in the management of populations is essentially nothing other than life itself. It is that the vital processes of human existence are what really matter when it comes to governing.*” (Inda, 2005, p. 5). The main characteristics of government are the ability to make decisions and competency to enforce those decisions on society (Stoker, 1998, p. 17). It is important to stress a distinction between the state and the government: the government is administrative bureaucracy which controls the state at a given time and it employs the power of the state. To be more distinctive – the state is non-physical object whereas government is made of groups of people with a certain power and monopolized decision-making.

Governance, usually mistaken as a synonym of government, on the other hand, is an action or process of governing. It signifies the change in a meaning of government and refers to emerging new processes of governing (Stoker, 1998, p. 17). Forasmuch as, the way in which nations are controlled evolved throughout the history and contemporary society faces new innovative approaches to governance, one of which is the global governance. Global governance refers to a way in which various actors in international setting come together to address global problems (Bevir, 2009, p. 85). I will not elaborate more on this aspect since it falls out of the scope of interest of my research.

Besides, governance can be undertaken not just by a government, but by any market, network or institution and is imposed over social systems, such as nation, society, family, tribe or association. In the context of a state, governance is exercised through the policies, laws, rules, norms, power, and language (discourse) and enforced by the government (Bevir, 2012, pp. 1–3). A significant characteristic of governance is one of the blurred boundaries between and within public and private sectors and the established structures, which are the result of influences and interactions between different actors involved (Stoker, 1998, p. 17). Whereas, a variety of external actors without decision-making power, such as lobbies, businesses, non-governmental organizations or media interact together and can influence the process of governing.

The last concept I want to embark on is **governmentality**. I will present and elaborate on this one, thereby, use it as a part of the theoretical framework to spot and explain rationalities underlying Lithuanian government's discourse in the policy field of prostitution. There are many various definitions of this concept: the organized practices, as mentalities, rationalities, and techniques, through which subjects (e.g. state) are governed, the way governmental bodies try and reach the best-suited policies for society and the rationality behind those decisions (Kelly, 2014, p. 141). However, all these explanations lie under the thinking of Michael Foucault - the concept of governmentality cannot be approached without mentioning his ideas, therefore I will introduce them.

Foucault was the one who invented the term 'governmentality' itself. Around 1980's he addressed the ideas of governmentality without using this term, instead preferring already known expressions as 'political rationality', 'state rationality' or 'the art of government' (Kelly, 2014, pp. 138–140; Walters, 2012, p. 10). These phrases already indicate the path of interpreting and comprehending governmentality according to Foucault. As Foucault said himself:

„I mean by 'governmentality' the ensemble formed by the institutions, procedures, analyses and reflections, the calculations and tactics that allow the exercise of this very specific, albeit complex form of power which has population at its target, political economy as its principal form of knowledge, and apparatuses of security as its essential technical instrument.” (Foucault in Kelly, 2014, p. 141).

In the broadest sense of governmentality is the implementation of the power in terms of 'conduct of conduct'. It is not strictly applicable just in the scope of the state, it can also be applicable on the individual level when person shapes his own conduct or conduct of others (Walters, 2012, p. 11). Interpreting this thought within the state and policy field means that there are standards and norms

presumed to be acceptable within society which individuals and groups should pursue (Dean, 2010, p. 18). Since the government has the power to exercise regulations (conduct) it can influence and from our behaviour (conduct) according to some norms which are admissible.

“Government is any more or less calculated and rational activity, undertaken by a multiplicity of authorities and agencies, employing a variety of techniques and forms of knowledge, that seeks to shape conduct by working through desires, aspirations, interests and beliefs of various actors, for definite but shifting ends and with a diverse set of relatively unpredictable consequences, effects and outcomes.” (Dean, 2010, p. 18). In short, human behaviour is seen as something that can be regulated, controlled and conditioned to the specific outcomes and government attempts to direct it, but the result is not foreseeable. The government operates to produce and impose policies on the society through the process of governance; it is achieved using the power of knowledge and discourse. Practices, techniques, and rationalities which lie under the making of conduct are addressed as governmentality (Walters, 2012, p. 11).

William Walters, a professor at Carleton University, whose field of research is Foucault, studies of governmentality and the body of work which is already done on Foucauldian ideas of governmentality. He offers critical encounter on this set of ideas and proposes that: *“Rather than a set of arguments to be endlessly rehashed or interpreted, hidden meanings or references to be uncovered, we can relate to it [governmentality] as something to be used, adapted, set to work in grappling with problems. We can regard governmentality as a particular kind of intellectual technology.”* (Walters, 2012, p. 45). His argument is that studies of governmentality can contribute into perspectives to political science, not just as a theoretical but also as a research framework or analytical tool.

It is claimed that the approach of governmentality to study politics does not propose any assumptions about the meanings lying behind the policies of interest, by contraries, studies engage into ‘desubstantialisation of power’ (Gordon in Walters, 2012, p. 57). There is no premature standpoint about the political world and stakeholders involved and no conjecture what kind of occurrences, judgments or beliefs might shape it. By this theory, Foucault believed that the real truth, practices, and strategies could be observed and an actual sense of the world around us made. Inevitably, governmentality focuses on events, controversies and the moments of problematization which governments of the state adopted as a way of executing various affairs (Walters, 2012, p. 57). It is an analysis of the process of government’s work from acknowledging the problem as some sort of, to proposing the best solution and implementing policies which, eventually, condition peoples’ lives.

Theory of governance or a tool, as Walters define it, questions what is taken for granted in the process of governance and direct attention to the ‘specificity of governance’ (Walters, 2012, p. 58). All the practices, adopted by the government, and complex rationalities behind them need to be explored to comprehend what kind of habits and identities, which are already normalized and taken for granted, evidence over political imagination.

In conclusion, all concepts are complex and interconnected, however, they all carry different meaning and should not be promiscuous. The described and applied thinking of Foucault primarily engages in the interrogation of the decisions and actions of government and rationalities behind them. It is a useful tool to gain deeper insight into the discourse of government regarding certain policy field.

3.2 Theory of discourse

When talking about a discourse, the first meaning crossing the mind is the one of the analysis of written (text) and spoken (speech) communication. To be more specific – the aspects of semantics and linguistics, vocabulary, and intonation; it is closely linked with the discipline of socio-linguistics. The first scholars who elaborated on this were Harris (1952) and Mitchell (1957) (McHoul & Grace, 1995, p. 27). On the other hand, Michael Foucault introduced a critical and variant understanding of discourse (Oliver, 2010, p. 27). I will elaborate on his reading of discourse and I will use it as a part of my theoretical framework.

Foucault’s work primarily addresses the relationship between power and knowledge, and how these tools are used as a form of social control which is enabled through societal institutions. As a part of the wider perception of the nature of social knowledge, he studied the contribution of discourse to the way of how the world is approached and understood. He defined discourse as: “*representation itself, represented by verbal signs*” (Foucault in Oliver, 2010, p. 27). Besides: “*When Foucault spoke of discourse, he was not necessarily referring to discourse in the sense of talk and interaction between individuals, but to the discourse of a field or set of truths, the works and writings on a given subject, which determine, as well as reflect, the reality we perceive.*” (Bristowe & Harris, 2014, p. 552). This insight suggests that discourse contains more in itself than just semiotics and meanings behind it; discourse carries and structures the knowledge about a certain matter of interest, for example, institution or social group.

Naturally, there are different subjects around us, so as many different discourses of these subjects. All of them contain various characteristics according to which they can be intelligible. Ideas and concepts, typical to the subject, are distinctive attributes to the context of the discourse and reflects

the goals and purposes. The discourse of a given subject is very much in tune with the knowledge which is considered as legitimate, valid and possible in that context (Oliver, 2010, p. 28). Embarking on the study of prostitution in Lithuania, this Foucauldian undertaking is a valuable and relevant resource in the exploration of governance of prostitution. Primarily, to spot the ruling knowledge and the characteristics of the discourse of prostitution which is accepted within the country and relate them to the current policy field.

French philosopher was also engaged in how particular periods in history relate to the various modes of discourse. Current dominant discourse, the knowledge about a subject, is highly influenced by historical events mainly because discourse reflects on culture, customs, values, and traditions formed over the time which are prevailing within the society. Society does not just create the knowledge on the subject outright, by contraries, perception or a discourse, unfolds throughout the time and is affected by various historic encounters (Oliver, 2010, pp. 30–31). Furthermore, the discourse of historical periods induces the knowledge of today (set social norms, rule of law) and this is profoundly addressed as the study of genealogy: *“First, the subject matter of the history is the origins of present rules, practices or institutions that claim an authority over us. Second, the primary intent is not to understand the past in its own terms or for its own sake, but to understand and evaluate the present, particularly with a view to discrediting unjustified claims of authority.”* (Gutting, 2005, p. 50). Historical context, in the hands of authorities and stakeholders, forms public discourse of today which reveals itself through the rules, norms, policies, and the process of governance of everyday aspects of our lives.

Foucault firmly linked discourse not just with the knowledge but also with the power. This is clearly noticeable and evident within the field of politics and policy-making. Political discourse becomes a tool to control society: *“It [discourse] helps to define where exactly power will be located. And it acts as an advocate of power, helping to inform and persuade the majority of citizens to accept the exercise of power in certain ways, and not in others”* (Oliver, 2010, p. 29). Manipulation of information empowers politicians to set political agendas, put an emphasis on particular issues and/or solutions at the same time silencing the other ones. Besides, the ones with the power (e.g. politicians) are able to transform or shape the public discourse which underlies our knowledge (Gutting, 2005, p. 50). This is the mean of impelling the certain opinion or understanding about the subject which might be beneficial for stakeholders. It is important to keep in mind that those who exercise power and create systems, influence real people’s lives (Oliver, 2010, p. 31). In the scope of the MA thesis, the utilization of the power to control and shape the discourse of prostitution is seen during the occupation

period - elimination of prostitution discourse to be more precise. Applying Foucault's emphasis on the power helps to draw the link between the historical period of Lithuania and the discourse prevalent nowadays regarding prostitution.

Power is executed every day, simple things such as traffic rules or bureaucratic processes regulate our lives; it is imposed on society by the power holders – government and its institutions. Foucault argued that each institution or sector of society (e.g. government, business, non-profit, family) has its own identifiable and distinguished modes of discourse (Oliver, 2010, p. 27). This statement suggests that there are diverse forms of powers, such as legal, administrative, economic, military etc. situated within society (McHoul & Grace, 1995, p. 65). These powers produce their own knowledge through the discourse their exercise and this creates different power relations. Foucault reflected on this:

“In a society [...] there are manifold relations of power which permeate, characterize and constitute the social body, and these relations of power cannot themselves be established, consolidated nor implemented without the production, accumulation, circulation, and functioning of a discourse. There can be no possible exercise of power without a certain economy of the discourse of truth [...]. We are subjected to the production of truth through power and we cannot exercise power except through the production of truth.” (Nola, 1998, p. 112).

Each power creates and spreads its believed truth through the discourse they exercise. But powers might have contradicting trust and execute disagreements in the production of knowledge. Consequently, the knowledge is constructed through the discourse of power which has considerable authority over the other powers and it is able to produce effects in the world and on the people (Nola, 1998, p. 111). This effect of hegemonic power explains variations of the success of some discourses and defeat of others. Yet, the discourse might express what is believed to be sooth, but not all the discourses are true or express knowledge (Nola, 1998, p. 112).

Michael Foucault looked to the definition of discourse through the different critical angle and traced its role in wider social processes such as legitimization and power. The emphasis in his thinking is put on the power relations, the construction and maintenance of truth which shapes society and public discourse (McHoul & Grace, 1995, pp. 65–66). Consequently, the discourse prevailing within society underlies and constructs knowledge and openly acceptable truth. The governance of society is achieved through the constructed knowledge and acceptable truth which touches and influences personal life stories. Anybody, who does not ‘fit in’ or has a different truth, becomes an outsider – is marginalised by the state and society.

4. Background information

The aim of this chapter is to discern and define the most important concepts, which will be used in the project and are necessary to understand the basis of the issue. Firstly, the terms prostitution and human trafficking (sex trafficking) will be defined sequenced by the definition of and the distinction between different legal frameworks (criminalization, legalization, decriminalization, Swedish Model) regulating prostitution. Afterwards, the brief introduction of the polarising positions towards regulation of prostitution will be given.

4.1 Definition of basic concepts

Prostitution is known to exist way before contemporary times, counting down to Ancient Greece, China, India and Medieval Europe. By the initiative of Athenian Reformer Solon in 550 BC Greece, the brothels were established with the idea to strengthen Athens' social climate and protect families. Prostitution in China during Zhou dynasty (1100 – 221 BC) acquired institutional shape: aristocrats would have courtesans, escorts, musicians and all sorts of performers in their homes. During Tang dynasty (618 – 907 AD) the prostitution caste was formed, which included both illiterate girls and subtle courtesans. The preparation system for prostitutes settled which was adopted by Japan and birth of 'geisha'. Also, the episodes of prostitution can be spotted in ancient India - dancing temple girls, Medieval Europe – it was perceived as inevitable evil (Acus, 2001, pp. 59–60).

Prostitution in contemporary society is defined as an exchange of sexual services for economic reasons, such as cash, accommodation, expensive presents, drugs and/or alcohol (Abel & Fitzgerald, 2012, p. 8). Mainly it is seen as an irregular, from an emotional point of view – indifferent sexual intercourses (Acus, 2001, p. 57). The concept and understanding of prostitution changed throughout the time. Latter-day prostitution exists in many different forms, such as individual sexual services, street-based or casual work, small business and brothels to larger agencies and broad international criminalised networks and it is spread worldwide (Weeks, 2011, p. 140).

The main reasons which set the path for becoming a prostitute are financial scarcity, high unemployment rate, dysfunctional surrounding, previous experience of sexual exploitation. Moreover, it is seen that most of the times prostitutes are alienated, they do not have family, relatives or close friends to trust and count on – they must deal with the problems on their own (Puidokienė & Acus, 2013, pp. 120–121). Prostitution can take place in different surroundings: brothels, escort

agencies, homes or rented premises and most commonly – streets. The latter is considered as the riskiest, due to obscurity regarding the clients, unfamiliar environments and the helplessness at the site of violence (Abel & Fitzgerald, 2012, p. 8). Since prostitution is unsafe and harmful activity, prostitutes are constantly exposed to the risk environment - sometimes they can sell sexual services not with the consent, but by force. Therefore, governments try to find the best ways of controlling, diminishing or eradicating the act itself.

Another term important for the context of the research is human trafficking. It is a relatively new term which defines national or international trade in people mainly for the purpose of forced labour or sexual work. Trafficking for sexual services or sex trafficking attained the most attention and controversies, raising crucial issues about gender inequalities, exploitation, victimization, economic affairs and limits of choices (Weeks, 2011, p. 215). Human trafficking involves perpetrators and criminal networks which operate to traffic, sell and exploit vulnerable people (Barberet, 2014, p. 116). Human traffickers use the vulnerability and despair of victims, global inequality or politically unstable setting, they take an advantage of them, driven by the greed and high profit, yet, encountering relatively low risk because of the defenceless people who can be used repeatedly for labour force or sexual services (Barberet, 2014, p. 126). Latter is the most common within the industry of human trafficking.

Sex trafficking is connected to the forms of prostitution and mainly involves women and children, moreover, it became a multibillion-dollar industry and it is labelled the modern form of slavery (Weeks, 2011, p. 215). Besides, it is a gendered phenomenon and most of the times are linked with women - they are the main actors who are blamed, stigmatized or victimized. Men mainly stand on the other side of the issue - they are buyers, pimps or exploiters. This pattern is explained by the gender inequality and the feminization of poverty, women are the ones with lack of education and choices to access education, which takes away equal rights for labour market (Barberet, 2014, p. 119). Consequently, socio-economic profile determines the ways of reaching for a job, financial instability and obscurity force them into accepting vague job offers which might lead to the sex trafficking.

Inevitably, the sex industry is flourishing, prostitution is leaving ‘the dark corners’ of the cities and is openly advertised online, offering various forms of entertainment and intimacy (Weeks, 2011, p. 140). However, prostitution holds many significant questions and affairs behind it, such as the civil and human rights of prostitutes, societal attitudes, human trafficking. Consequently, states come across a challenge to find the most effective ‘policy regime’ to govern prostitution and different legal

frameworks emerged within Europe which define and set the outline for prostitution: criminalization, decriminalization, and legalization. In order to critically analyse policy field of prostitution, it is important to be familiar with all legal frameworks prevailing.

4.2 Legal frameworks of prostitution

The most common legal approach adapted worldwide is the criminalization of sex work, meaning that selling or buying sexual services or any other similar activities is criminalized by law (Lutnick & Cohan, 2009, p. 38). Penalty differs within the countries, but it can be fine or arrest for a prostitute or for both - the seller and the buyer. It is important to draw attention that: *“prostitution has been seen as a response to male sexual needs, a biological necessity which shapes the inevitability of selling sex and makes it a universal institution”*, but the prostitutes are being prosecuted more often than the male customers. This angle sets the way for exploitation, marginalisation and deprivation (McIntosh in Weeks, 2011, p. 138). Moreover, *“Even imperfect forms of regulation are better for the human rights of sex workers than the illegality that automatically comes with the outright prohibition of prostitution.”* (Wagenaar, Helga, & Altink, 2017, p. 3)

The framework of criminalization is criticised and labelled as inadequate due to unbounded violence prostitutes experience in criminalized setting, such as police abuse or use of physical force by clients (Lutnick & Cohan, 2009, p. 44). Moreover, some scholars argue that endeavour to forbid the sector of sex work will only dislodge sex workers to remote and thus dangerous locations where they are more vulnerable. This raises the chance of assault, brutality attacks and unsafe sex practices (Abel & Fitzgerald, 2012, p. 9; Abel, Fitzgerald, & Brunton, 2009, p. 528). The voices of prostitutes are strongly against criminalization because this legal framework puts them into a precarious situation without the escape. In contrast, they want to achieve: *“a social and political environment where they would have legal rights and could seek help when they were victims of violence”* (Lutnick & Cohan, 2009, p. 43). Criminalization of prostitution makes prostitutes, especially ones based on the street, to be more reconciled about the violence they experience and accept it as an inevitable part of their working conditions (Abel & Fitzgerald, 2012, p. 16). In summary, scholars argue that criminalization of sex industry has a deep and seriously unfavourable impact on the distinct aspects of the life of sex workers, positions them as stigmatized criminals in the society and pushes in precarious living conditions.

The other legal approach is legalization – sex work is legally allowed and regulated by the state. Nevertheless, the business and individuals, which are involved in this industry, face regulations and

licensing procedures, such as registration in the specific databases, determined working conditions, restricted mobility and mandatory health check-ups (Lutnick & Cohan, 2009, p. 38). The Sex Worker Environmental Assessment Team in 2004 conducted the research in San Francisco which involved interviews with prostitutes. Some of the women in the sex industry expressed their approval for the legalisation of the sex work due to the reassurance of safety, protection from the police, no continual fear of being arrested and the possibility to unionize (Lutnick & Cohan, 2009, p. 41). Additionally, legalisation sets the base for breaking the link between the sex industry and organised crimes, by controlling environment and enabling the rule and protection of the law (Carson & Edwards, 2011, p. 66). As the body of literature asserts, legalisation of prostitution is beneficial for people involved in this industry because it defends and protects their civil and human rights.

The controversial legal framework for regulating prostitution is decriminalization. It is considered to be the most liberal towards prostitution and is the preferable legal framework by various public health, human rights and harm minimisation bodies (Abel et al., 2009, p. 515). It does not establish any specific laws which would be aimed only at the sex work-related activity, and prostitution is regulated by the same laws which regulate other business. This means that admissible taxation, planning, health standards and other employment laws are applicable to sex work-related structures (Lutnick & Cohan, 2009, p. 39). The research mentioned earlier shows that prostitutes see decriminalization as the opportunity to negotiate various concerns, such as the meeting with customers which results in the safety before an actual encounter. Moreover, they addressed the issue of stigma and the belief that decriminalization could actually increase the understanding and acceptance of prostitutes: *“It might change the way people perceive or think about sex workers...because that would kind of start to heighten people's awareness about how this moral stigma has affected us.”* (Lutnick & Cohan, 2009, p. 41).

The first country in the world to decriminalise prostitution was New Zealand. It passed the *Prostitution Reform Act* (PRA) in 2003 lifting and changing all previous laws which criminalized sex-based work. The new law was a positive change of policy from moralistic to a public health and human rights approach (Abel et al., 2009, pp. 515–517). The main purpose of PRA is to secure human rights of prostitutes by ensuring them with the health and safety, protecting from risky working environments and exploitation. This act was widely criticised, and the rise of prostitutes was expected. However, the review after five years showed that it had limited impact on the number of people working in the sex industry. In the big picture, the Act was beneficial social policy action and individuals involved in the sex industry are better under the PRA, comparing to the situation before

(Abel et al., 2009, p. 526, 527; Abel & Fitzgerald, 2012, p. 9). The PRA is perceived as a tool to minimize the harm for prostitutes.

The manner of decriminalization approach is focused around reduction of risk environment for sex workers at the same time giving social and health benefits and empowering to make beneficial decisions, unite and have the same rights and protection as the other form of work in various sectors.

While liberal feminist attitudes towards sex work are spread around, the harsher position is taken towards the male clients (Weeks, 2011, p. 140). The last legal framework for regulating sex work emerged in Sweden in the early 2000's under the feminist pressure and is introduced as Swedish Model of prostitution control. The main idea of this framework lies within the decriminalisation of sex workers, providing them with help and support in order to leave this industry, and criminalisation of the client. This model is directed to the reduction of the demand for sex services and trafficking. More countries, such as Norway, Iceland, the island of Ireland, Canada, France, adapted this or slightly modified model (Nordic Model Now, 2014). Even so, the opposition of the policy states that it did not reduce the number of sex workers, it just drove them underground and made more vulnerable to exploitation, violence, and danger (Abel et al., 2009, p. 528).

The acquaintance of existing legal frameworks for regulating prostitution showed that states have various approaches for this issue. Each state has a sovereign right to criminalise or legalise prostitution. However, it must be stated that: *"policy choices have consequences. What looks good and morally just on paper has concrete, real-world consequences once the policy is operationalised and implemented"* (Wagenaar et al., 2017, p. 3).

4.3 Polarisation towards prostitution

Prostitution as a social problem was approached quite recently bringing attention to the complexity of the issue and the moral background behind it. The most important discussion goes around the extent of exploitation and the degree to which people involved are victims or free actors. Consequently, two polarised positions emerged on prostitution - 'sex work' approach and *abolitionism*, which are based on the key issues and advocacy over human rights issues, harms, understanding of gender and inequality, sexuality et cetera.

'Sex work' approach treats selling of sexual services not as a prostitution but as sex work. Former concept is more entrenched that is why it carries negative connotations and stigma. To banish the unfavourable undertone and premature blemish, the term 'sex work' was introduced. It implies the

sex work to be treated the same as any other occupation (Barberet, 2014, p. 117). This understanding originated from liberal feminism and supports legalization of prostitution because it is considered as a free choice of employment (Cho, 2013, p. 2). Some people might enter the sex industry driven by economic reasons, then the legal systems deny their rights as workers, judge them as immoral.

‘Sex work’ advocates do not see prostitution as a safe occupation but argue that illegal status makes it risky and harmful, hereafter, the legalisation would improve protection of labour laws and social welfare for prostitutes (Carson & Edwards, 2011, p. 66). Moreover, they believe that seeing sex work as any other occupation would remove the stigma which influences how state, society, law enforcement and even health care specialists treat prostitutes (Carson & Edwards, 2011, p. 66). For now, the overwhelming harm in prostitution is the marginalisation and stigmatization of sex workers.

On the discourse of human trafficking for sex, ‘sex work’ adherents claim that prostitution and sex trafficking are two separate matters and should not be approached the same. According to them, human trafficking for sex should be treated as sexual slavery or forced labour mostly due to the absence of consent (Carson & Edwards, 2011, p. 66). Many prostitutes do not see themselves as trafficking victims, they do this with the consent and as a way to earn money.

On the contrary, feminist abolitionists, who criticise liberal approach of ‘sex work’, claim that any form of prostitution is exploitative and violates women’s rights: *“Feminist abolitionists believe that all sex work is harmful to women and epitomizes the negative consequences of gender inequality. Prostitution dehumanizes and commodifies women and is another form of violence against them.”* (Barberet, 2014, p. 119). Abolitionists focus on gender differences and inequalities, believe that sex work cannot be approached differently than damaging - it violates basic human rights and dignity, no matter if sex work is done in a free will or forcibly, any case is a ‘sex slavery’ (Weeks, 2011, pp. 215–216). Mainly because prostitution propagates ‘male’s sex right to women’s bodies’ and women’s subordination (Carson & Edwards, 2011, p. 67).

All advocates of abolitionism agree that prostitution is not just linked with human trafficking for sex, it is the main cause of it. The argument underlying this is that prostitution industry induces the need and provide the framework for sex trafficking (Carson & Edwards, 2011, p. 68). Moreover, it is claimed that there is no theoretical disparity between prostitution and sex trafficking in reality since the demand for buying sex does not identify trafficked women from prostitutes (Farley in Carson &

Edwards, 2011, p. 68). In the end, acceptance of prostitution as an occupation just urge the need for trafficked women and manifold the harms.

5. Prostitution in Lithuania

The following chapter aims at further exploring the problem area of this research, namely the situation of the policy field of prostitution in Lithuania. First, an overview of the history and development of prostitution and an effort to regulate it is given. Then the present-day legal framework to prostitution and human trafficking are looked at. This is done because it contributes to a holistic understanding of the discourse and the policy field of prostitution in Lithuania.

5.1 Historical aspects

Prostitution in Lithuania is not very well researched field, the information existent or accessible is limited, some articles available are outdated or questionable quality. Especially the information regarding the historical background of prostitution in Lithuania is without a doubt narrow and not profound. However, I did a brief introduction about how prostitution evolved in Lithuania.

Even though the value of family and morality was strongly present among citizens of Lithuania, the beginning of prostitution is traced back to 15th age. It is claimed that the ‘fashion’ of prostitution was brought to the Grand Duchy of Lithuania by the foreign travellers and noblemen due to trading relationships with the West (Pruskus, 2010, p. 109). Legally the act of prostitution or infidelity for the first time was defined in the *Third Statute* – a set of legal regulations, of the Grand Duchy of Lithuania in 1588. The adultery in the matrimony was punished by the death sentence and the big monetary fine was designated for non-marital sexual intercourses. However, the Statute introduced punishment, such as whipping, renouncing of the daughter or losing the right to inherit to the females (Pruskus, 2010, p. 110). There was nothing said about punishment for men.

Due to some historical causes, Lithuania became a part of Tsarist Russia in 1795 and the serfdom was abolished there in 1861. The scale of prostitution grew after this, mainly because peasants migrated to the urban spaces to create a better living. After failing to get a job, women would start selling sexual services to survive. Russian government intended to regulate it by registering women and forcing them to do a mandatory health check. Lithuania was not an exemption and the same rules applied there. Since prostitutes were not happy about mandatory health checks many of them switched to underground; after some time, regulation was abolished due to its ineffectiveness (Pruskus, 2010, p. 110).

After the First World War and the restoration of Lithuanian independence, the issue of prostitution was still present in the country. The contradicting attitudes towards this problem were current: left-wing parties condemned prostitution because of the capitalistic system, wanted to regulate it clearly and treated prostitutes as victims, while the right-wing party – more specifically Christian Democrats, for who the family and morality were the ground values, was strongly against legalization. Moral contemplation in the press worsened the situation (Pruskus, 2010, p. 112). As a result of this dispute, prostitution regulation rules were released in 1919, which did not criminalize prostitution as such, but brothels were forbidden, and all sex workers had to be registered. However, the crucial step was made at that time in marginalizing prostitutes – the passports were deprived and instead the special ‘prostitute’s book’ was issued to them. Besides, they were not allowed to live together or with minors and they were banned from attending theatre (Pruskus, 2010, p. 113). This led to the depreciation of the prostitutes – society treated them as ‘others’.

The women attempted to interfere prostitution regulation in the year of 1922 while the Constituent Assembly of Lithuania was drafting Constitution. Around that time the feminist movement formed in Europe and Lithuania which caused the voice of activist women to be the present and determined participation of women in political and state matters (Birmontienė, 2006, p. 35). The women suggestion to the draft of Constitution was to include an article which would determine the moral equality between genders and eliminate the legislative regulation of prostitution (Birmontienė, 2006, p. 38). Even though the proposal was estimated as anti-constitutional and rejected by voting, it presents the existence of women voice at that time.

Prostitution as a social phenomenon was completely silenced during the post-war time and the Soviet occupation. After the occupation prostitutes were deported to Siberia together with the intelligentsia, seeing them as a threat to Soviet ideology (Marcinkeviciene & Praspaliauskiene, 2003, p. 652; Pruskus, 2010, p. 118). The goal of USSR was to eradicate any trace of prostitution and also delete the word itself from the public discourse. The Criminal Code came into force in 1940 which had ‘no stipulation of criminal liability for prostitution’. Moreover, the word was abolished from encyclopaedias and all possible written sources – there was no official information available on prostitution. Even the Criminal Code had nothing written on this issue (Marcinkeviciene & Praspaliauskiene, 2003, p. 652). The main intention was to convince Soviet Lithuanian society that prostitution did not exist.

However, just because it was not present in written sources, it did not mean it was abolished from society. As long as women were employed and had at least part-time official jobs, which are ‘useful

to society' they could have been engaged in the prostitution and not be convicted. But the ones who did not work in an official job could have been sentenced up to five years in prison or deported to remote areas of Lithuania and be constantly watched (Marcinkeviciene & Praspaliauskiene, 2003, pp. 653–654).

Even though the discourse of prostitution was eliminated from public life, the press would still write articles about impudent behaviour women who take an advantage 'coaxing money from weak-willed men'. Sometimes militia would lack evidence to convict a woman for prostitution, journalists would still castigate the person in the eyes of society as a sinner and criminal (Marcinkeviciene & Praspaliauskiene, 2003, p. 654). Again, the blame was put on the one side – women were narrated publicly as the deviants and the causes of the abnormal and amoral demeanour. This shaped an attitude where every woman who was not officially employed was labelled as a prostitute (Marcinkeviciene & Praspaliauskiene, 2003, p. 655).

The main reason for being engaged in prostitution at that times was an economic deficiency and was titled as 'survival prostitution'. Single women would prostitute themselves in order to get through, sometimes government officials would also use their services (Marcinkeviciene & Praspaliauskiene, 2003, p. 656). As long as women had an actual job and used prostitution as an additional source of income, government, even knowing the fact, did not take any measures to stop it. Legal authorities were powerless against prostitutes with legal jobs because Criminal Code did not cover prostitution and legally declare prostitution as an offence would mean to go against Soviet ideology and admit it actually existed (Marcinkeviciene & Praspaliauskiene, 2003, pp. 657–658). USSR did not dare to acknowledge this, consequently, the discourse of prostitution did not prevail in Lithuania until the collapse of Soviet Union in 1990's.

Historical facts show that the presence of prostitution changed throughout the time in Lithuania. However, the most recent and the substantial impact on the discourse was done during silenced times of Soviet Lithuania. Society attuned to the Soviet manner of approaching prostitution - it is a delicate, controversial and highly marginalized topic until these days.

5.2 Contemporary approach

After getting back the independence in 1990, Lithuania started functioning as a separate and autonomous from the Soviet Union country. Even though it was severely silenced during the occupation, prostitution was still present within the state. A young country with the trail from the past had to decide how to address prostitution and which measures to adapt to regulate it.

The aftereffect of being a part of Soviet Union was present in the mentality of society. It is something hard to dispose of, thereby, the attitudes and approaches towards prostitution did not change much after the independence. Sexuality and sexual pleasure were and still are a taboo – it is not an appropriate public topic and it is firmly connected with the private family matters and reproduction (Acus, 2001, p. 58). The family is a model and moral standard of community and the fundament of the nation. This emphasis on the family is present within the ex-Communist countries because of the need to re-define their national identity. It relates to the strong feeling of belonging to the same nation and highlighting the significance of the family (Wakefield, Kalinauskaite, & Hopkins, 2016, p. 450). This stance is present in Lithuania, the country of which Constitution states: “*The family shall be the basis of society and the State.*” (Constitution of the Republic of Lithuania, Article 38, 1992). Thus, the phenomenon of prostitution is seen as an immoral act which does not go along the lines of idyll family picture; women involved in this industry are treated as a profligate silenced and stigmatized by society and legal authorities.

Hence, the state adopted legal framework which criminalises prostitution – both selling and buying sexual services are prohibited and everyone involved should be punished at the same level. The Code of Administrative offences 487 article states:

“1. Transmission of prostitution or paid use of prostitution services imposes a fine of ninety to one hundred and forty euros.

2. The administrative misconduct referred to in paragraph 1 of this article, committed repeatedly, shall be punishable by a fine of one hundred and forty to three hundred euros.” (Lietuvos Respublikos Administracinių Nusizengimų Kodeksas, 2015 m. birželio 25 d. Nr. XII-1869).

Since Lithuania, especially the region around the capital, due to historical factors populate other nationalities, the distribution of prostitutes is quite broad: most commonly they are Russians, Belarussians, Polish, a small part of Romans (Palavinskiene, 2004, p. 38). The age of prostitutes varies, but as some researches show, the most common age is between 19 – 26; girls start to prostitute themselves from the very young age, 14 – 15 years old (Chaplinskis & Mårdh, 2001, p. 177; Palavinskiene, 2004, p. 37). The most common feature of prostitutes in Lithuania, especially ones based on the street, is the addiction to alcohol or drugs. Many times, the addiction and eagerness to make fast money to be able to buy drugs become an inducement for starting to prostitute themselves. (Palavinskiene, 2004, pp. 41–43).

Human trafficking, on the other hand, is perceived as an unlawful deprivation of human liberty and more research is done in comparison with prostitution in Lithuania. Besides, it is covered by law more thoroughly: Criminal Code of the Republic of Lithuania, article 147 states:

“1. Anyone who has sold, bought or otherwise disposed of or acquired a person or recruited, transported or held a person in captivity using physical violence or threats, or otherwise deprived of the opportunity to resist or using the victim's addiction or vulnerability, or by fraudulent use, or by paying money or providing other material benefits to a person who effectively controls a victim if the perpetrator knew or sought to bring the injured person into prostitution or to be profited from the prostitution of this person or was exploited for pornography or forced labor is punishable by imprisonment from two to ten years.

2. Anyone who has committed the act referred to in paragraph 1 of this article for two or more victims, either by participating in an organized group or in order to obtain the body, tissue or cells of the victim, shall be punished by imprisonment from four to twelve years.” (Lietuvos Respublikos Baudžiamasis Kodeksas, 2000 m. rugsėjo 26 d., Nr. VIII-1968).

Besides this, Lithuania also adopted the main international means for fighting trafficking in human beings, such as UN *Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children*. This reflects on Lithuania's attempt to comply and collaborate with the international setting.

6. Analysis

This chapter contains an analysis of the data collected to answer the problem formulation proposed in the introduction – *How is prostitution addressed and regulated by the state of Lithuania?* The analysis will be done by following analysis strategy which consists of Carol Bacchi’s approach to the policy analysis – *What’s the Problem Represented to be? (WPR)* and analytical tool - the theoretical framework presented earlier. WPR approach and the theoretical concepts of state, governance, governmentality and discourse will enable me to break down the policy field of prostitution, grasp the meanings and discourse underlying it and critically interrogate how the current state was reached. Comprehension of what discursive aspects influence the state to adapt one or another legal framework for regulating prostitution, and how it reasons the selection, will help me to answer the research question.

6.1 Current discourse on prostitution in Lithuania

Before starting to interrogate and analyse policy field of prostitution, it is significant to reflect on the discourse of prostitution currently prevailing within the state. Different actors, such as politicians, law enforcement and NGOs contribute to the public discourse of this issue which later on unfolds to the legal regulations and real-life aftereffects. Even though I did not conduct a survey on public attitudes towards prostitution, societal outlook also plays a crucial role in this analysis, since it contributes to the overview attitudes towards prostitution. Thus, I will briefly present public position using already conducted survey.

As it was presented earlier, the offer and the demand of prostitution is criminalised in Lithuania. Although both parties are equally responsible and punishable, procurers are charged noticeably less in Lithuania. It is impossible to find official statistics of charge of prostitutes and the clients, but different online sources present a vast contrast – women are made the scapegoats of this offence. As an example, 207 women and 4 men-client were charged in 2008, more than 500 women were punished in 2012 in comparison with 11 men during the same year (Juknevičiūtė, 2013). A similar tendency of charges sequences in other years. The contrast is tremendous, even though the piece of legislation holds both parties equally responsible and accountable. Law enforcement has the justification for this enormous gap claiming that: *“It is easier to catch a prostitute than the client who buys their services”*. Moreover, the police ironically state that the preference to catch and charge the clientele would remind the Don Quixote fight with windmills. Because now it is enough to pretend to be a client and

the prostitute can be easily snatched (Kazakevičius, 2015). This kind of statements presents the indifference, apathy and unprofessionalism of the law enforcement. It contributes to the formation of the prostitution discourse in Lithuania which unfolds into insensibility and marginalization of the prostitutes and disapprobation towards prostitution.

The issue of prostitution generally is not widely discussed, and no variation appeared in the policy field and legal framework. However, there were some endeavours to change established regulations. The first move which stirred up the discussion of prostitution was made in 2012 when parliamentarian suggested decriminalising prostitutes. The second, more constructive attempt, was made in 2015 of three women politicians and it received wider attention. The main objective they wanted to achieve was the replacement of the Code of Administrative Offences, Article 487, which criminalizes both – selling and buying sexual services, to a Nordic Model and criminalize the clientele. The proposal did not pass the parliamentary voting and Lithuania still criminalizes prostitution (LRS Balsavimo rezultatai, 2016). Nevertheless, this debate was continued – Provisional Women’s group of Lithuanian parliament and Development Cooperation, Reproduction and Human Rights group members together with Centre for the Fight Against Human Trafficking and Extermination organized a meeting on decriminalisation of prostitution and the imposition of stricter penalties for clientele and pimps (Plikūnė, 2017). Even though nothing is still achieved, the discussion is the first step.

On the other hand, these proposals brought media’s attention, consequently, it became a debatable topic presenting various opinions. Different NGOs working with the victims of prostitution and human trafficking responded positively to the proposals. Director of the Family Support Center of the Missing People stated: *“Our country is ready to follow the example of the Swedish model and try to adapt this model to Lithuania [...] not to hurt the prostitutes, women who provide sexual services but to criminalize the purchase of women [...] and admit that the purchase of prostitution services is a violence against woman”* (BNS, 15min.lt, 2013). The spokesperson of Caritas said that organisation endorse the change in legal framework because, even though prostitution is forbidden and punishable, it still thrives (BNS, Izinios.lt, 2012).

The most controversial statement was made by the Minister of Justice at that time Juozas Bernatonis, who claimed that he does not have an opinion on this issue because: *“I do not use this kind of services, so I have no personal experience. This proposal is not new, I think, that Parliament will discuss it and make the right decision. I really do not have my own opinion.”* Moreover, when asked if he plans to make some proposals on this issue, he added: *“Maybe when we will solve more relevant issues for Lithuania”* (BNS, 15min.lt, 2013). This response illustrates that prostitution is treated by authorities

as subordinate and not so important, or it is done intentionally to hush the public discussion. Inevitably, when it subsides, and media's attention is grabbed by other breaking news, prostitution again is left unannounced and silenced.

In any way, political discourse contains power and knowledge in itself: “[..] politicians discuss and debate issues, and ultimately pass on their decisions to the electorate. However, one could argue that one feature of such discourse is often lack of precision.” (Oliver, 2010, p. 30). It can lack precision or contain silences and some groups might not be heard or treated in the best way.

Market and public opinion research company “Spinter” did a public poll on prostitution and the question of legalization in 2013. The answers illustrated societal opinion about prostitutes - 43,5% of survey participants strongly believed that it is woman's personal choice to become a sex worker. 36,6% thinks they choose this way due to the absence of other choices and just 17,4% believe women can be tricked into working as a prostitute and be a victim of exploitation. To the question who should be charged for the activity of prostitution, the majority – 42,7% answered that everyone: pimp, prostitute, and the client. A small part of 4,7% thinks that prostitute should be charged and the smallest percentage of 1,5 expressed that the client should be charged; 28,3% would like the fine for prostitutes to be higher than it is now. The opinion to the most controversial question about whether prostitution should be legalised in Lithuania divided almost equally: 48,9% claims it should not be legalised mainly because prostitution is immoral, and legalisation would stimulate the growth of prostitution; 48% is for the legalisation of prostitution reasoning that state would collect taxes and legalization would be beneficial to the legal status and protection of prostitutes. 3,1% has no opinion (“Spinter”, 2013). The results of questionnaire illustrate what aspects predominate public discourse of prostitution. Mainly, women are not seen as victims who should get help and support from the state, because they chose this way of surviving and they should be charged for this.

Lithuanian society is based on established moral norms which are passed within the family, community, and the state. From the early times Lithuanians perceived themselves as virtuous, because: “to be a wicked Lithuanian is impossible, because wicked person cannot be called Lithuanian anymore” (Baločkaitė, 2003, p. 34). The sexual moral imperative is ingrained into Lithuanian society due to the Soviet regime – sex and sexuality were hidden from the public discourse behind the notion of the family which was interpreted as a standard (Acus, 2001, pp. 57–58). Family oriented values was disclosed as preferable over social or professional ones: “family was one of the most important values in the period of rapid social change. Family life was seen as the most appropriate lifestyle. [...] every individual should sooner or later get married and have a family.”

(Juozeliuniene, 1999, p. 74). Therefore, it is acceptable to control individual's sexual behaviour and expect them to relate it to the marriage, family and childbearing; the foundation of this must be love and commitment. Thus, prostitution is seen as a dissolute act, is not reasonably addressed by the government and as a consequence – is silenced.

6.2 What's the 'problem' represented to be?

Prostitution as the subject does not have a separate policy field which would cover issues precisely related to the regulation of prostitutes and their clientele. Instead, it is incorporated in the policy field of human trafficking and prostitution is seen as an outcome of it. This policy field is complex and consists of articles in the Code of Administrative Offences and The Criminal Code, various guidance papers for the police or social service authorities reports on a headway et cetera. The practical text which I selected to analyse is an Action Plan - *Control and Prevention Programme of Human Trafficking and Prostitution*. It was introduced for the first time on 17 January 2002 and ruled by the government of the Republic of Lithuania. After the first 2002 – 2004 programme, two more programmes sequenced covering the time frames of 2005 – 2008 and 2009 – 2012. I selected specifically this programme because it covered both, human trafficking and prostitution. It was impossible to find a paper/report/action plan which would be directed just to the prostitution. This peculiarity already imposes some presumptions about the state's discourse on prostitution. The main points and goals of the programme are:

- to eliminate the causes and conditions for the prostitution and human trafficking to exist;
- to create and implement the system of measures to prevent prostitution and human trafficking;
- to erode the criminal networks which are involved in the prostitution and human trafficking industry (Prekybos žmonėmis ir prostitucijos kontrolės bei prevencijos 2002 – 2004 metų programa, p. 2).

The highlights of the programme assert that international organized crime network prevails, and it is the premise for the existence of prostitution and human trafficking. According to the state, in order to reduce and/or abolish prostitution and human trafficking, the complex educational, socio-economic, medical, national and international measures should be adopted (Prekybos žmonėmis ir prostitucijos kontrolės bei prevencijos 2002 – 2004 metų programa, p. 1).

It is important to consider the time (2002) when this programme was introduced for the first time. UN *“Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime”*

was adapted in 2000 and it did work as an inducement for Lithuania to adjust to the international system; it ratified the protocol in 2002. Moreover, Lithuania was in the preparation period to become a part of European Union (it became a member in 2004), thus, international trends and pressures can be spotted in this resolution. Ratification of UN protocol and this Action Plan was just first steps to fight human trafficking: it was sequenced by collaboration between the state and various NGOs, prevention measures (public video clips, posters, web pages, etc.) to spread the word about the danger of human trafficking, establishment of the commission to coordinate human trafficking. Lithuania, as a part of the international system, responded to the increasing concern regarding human trafficking and took some measures to combat it.

The way in which prostitution (current discourse) and the human trafficking are discussed by the state suggests, that Lithuanian government approaches and presents prostitution as an outcome of human trafficking and does not address it as a matter itself. This claim can be supported by the fact that there are no state actions channelled directly to the prevention of prostitution or the support for prostitutes. The concept of prostitution goes hand in hand with human trafficking in the discourse of the policy field of prostitution. This assertion will be elaborated later on in the analysis.

The state is a crucial agent in the formation and the representation of the problem, consequently, the discourse which state supports have a significant effect on how prostitution is unfolded (Carson & Edwards, 2011, p. 84). Since the government has the power to produce public discourse and decision-making of the state, and if other actors in the field of prostitution do not hold the capacity to persuade the public discourse, it can inform and feed the citizens with the information beneficial for reasoning its own decisions. Foucault believed that the discourse used by authorities enables them to control the majority of public opinion and exercise the power in certain ways (Oliver, 2010, p. 29). The objective of this analysis is to investigate and interrogate how prostitution is addressed by the state, what kind of knowledge and discourse it creates on prostitution and how this unfolds in the policy field.

6.3 What presuppositions or assumptions underlie this representation of the 'problem'?

A specific understanding of sexuality and morality presented earlier underpins the perception of prostitution and the ways it is approached and governed in Lithuania. This understanding predetermines the way prostitution is referred to in a prevention programme. The second question of WPR approach helps to investigate and find the 'knowledge' laying behind the policy – the meanings (assumptions and presuppositions) which influence problem representation and make the policy active and intelligible (Bacchi, 2009, p. 5). In other words, this question helps to investigate the policy

and discover conceptual logics which drive the policy one way or another. Conceptual logics are deep-seated and firmly related to culture and values existent in the country. This background awareness can be taken for granted within the society and the state itself, but it is the first step in breaking down the policy and discovering the premises of problem representation. This is achieved with the help of Foucauldian **archaeology** – “*the history of what could be thought; the established conditions under which certain statements are considered true and others false*” (Bacchi, 2009, p. 274).

As it was mentioned before, the family is one of the ground values for common Lithuanian and the state also promotes this merit: “*The family shall be the basis of society and the State*” (Constitution of the Republic of Lithuania, Article 38, 1992). This underlying moral ground strongly influences the perception of one’s sexual desires and socially admissible ways of satisfying physical needs. The virtuous and tolerable mean prevalent within Lithuanian community is through the marriage sacrament. People, who are in a relationship, already are or plan to become a lawful family, can have sexual intercourses without being judged and condemned by the society. Governmental structures justify, motivate and spread this discourse of morality and build legal frameworks based on it: “[...] *the state is constituted by discourses, narratives, world-views and styles of thought that allow political actors to develop strategies and realize goals.*” (Lemke, 2002, p. 7). Prostitution falls out of the scope of morality present in Lithuania, hence, the policy field is affected.

This emphasis on the family and moral norms govern the viewpoint of the state and the objective of the programme. The language used in the making – a selection of the exact wording, tells a lot about the assumptions, presuppositions, values underlying the policy and the creation of meanings (Bacchi, 2009, p. 7). The concept of ‘forced prostitution’ is prevalent throughout all drafts, assuming and claiming that prostitution precisely is a result of human trafficking (Prekybos žmonėmis ir prostitucijos kontrolės bei prevencijos programos). Voluntary prostitution, as an occurrence, does not exist in the policy field of Lithuania since it does not correlate with the accepted moral norms and values. To recur: the state does not address prostitution as an independent matter, therefore, prevention of prostitution is combined together with prevention of human trafficking acknowledging it as ‘forced prostitution’. This category used in the programme gives a deeper insight into the meaning of problem representation and has a significant effect for the ways prostitution is governed or in this case - silenced (Bacchi, 2009, p. 9). For example, one of the implementing measures of the programme is ‘Support for Victims’ which has objectives such as: “*To implement the help system for the victims of forced prostitution*” or “*to develop the social system which would help the victims of*

human trafficking and forced prostitution integrate into labour market” (Prekybos žmonėmis ir prostitucijos kontrolės bei prevencijos 2002 – 2004 metų programos 1 priedas, p. 3-4).

The state publicly acknowledges forced prostitution and human trafficking and appoints help to the victims of this exploitation. Whilst, prostitutes, who sometimes have no place to live, do not know other means to earn money, are addicted to alcohol/drugs and, in most cases, were sexually molested as minors, are not covered by the programme (Palavinskiene, 2004, pp. 40–43). “[.] *the mode of discourse of an institution or context is also very much connected to both the type of knowledge that is considered legitimate and valid in that context and also to the type of knowledge that can, in theory, be generated.*” (Oliver, 2010, p. 28). This proposes the assumption that in theory both categories of prostitution – forced and voluntary, could be legally addressed and supported by the state. But since the voluntary prostitution is inconvenient and not seen as legitimate – it is silenced, while the state still formally governs prostitution.

As a matter of fact, the wording of the programme title was changed after the first period from *Control and Prevention Programme of Human Trafficking and Prostitution* to *Control and Prevention Programme of Human Trafficking*. ‘Forced prostitution’ is still present in sequenced programmes, but prostitution as such is not addressed at all, leaving this problem not covered by any policy and women involved – without any protection or assurance of their rights. It is stated in the programme, that: “*The trafficking in women is often understood only as a form of forced prostitution in Lithuania [..] Trafficking in women is linked with the forced prostitution and the missing person, forgetting that all known forms of prostitution should be regarded as manifestations of violence against women and violation of their rights*” (Prekybos žmonėmis ir prostitucijos kontrolės bei prevencijos 2002 – 2004 metų programa, p. 3). First of all, the wording in the programme directly assumes that victims are females, this discourse on gender will be discussed broadly later on. Secondly, this kind of statement falls under the ideas of feminist abolitionism – all forms of prostitution are exploitative towards women. It could be interpreted that Lithuanian state advocates abolitionism; however, the legal framework shows that this statement is not certain because prostitution is criminalised.

Another valuable tool in uncovering the problem representation is binaries. A binary defines an A/not-A relationship – what is on one side of the binary, do not exist on the other side (Bacchi, 2009, p. 7). The binary spotted in the prevention programme is men/women discourse and it shapes the understanding of the problem itself. The language of the programme emphasizes the precarity of women and highlights the frequency of them being a victim of human trafficking and ‘forced prostitution’. In fact, the first programme exclusively distinguished women as victims and did not

mention men at all (Prekybos žmonėmis ir prostitucijos kontrolės bei prevencijos 2002 – 2004 metų programa, p. 3). The victimization of women can be explained through the hierarchy: one side of the binary is privileged and can be more valued than the other one (Bacchi, 2009, p. 7). Women in Lithuania were greatly influenced by unemployment and, in order to survive, were forced to accept vague job offers or take any jobs possible (even sell their bodies). In addition, gender inequality in Lithuania played the role since women would earn 82% of men's salary (Prekybos žmonėmis ir prostitucijos kontrolės bei prevencijos 2002 – 2004 metų programa, p. 4).

The binary of men/women present in the programme indicates government's rationality underlying the programme (women are seen more vulnerable than men): *“political decisions are based on neutral facts or rational arguments, thereby ignoring the role of strategic options and political alternatives. As a consequence, it often marginalizes central conflicts between different social groups”* (Lemke, 2002, p. 14). In this case, the state explicitly links human trafficking with women, marginalised and silenced group became men, because programme did not recognize them as possible victims. Moreover, females are portrayed as the vulnerable population which is constantly victimized and have no agency (Barberet, 2014, p. 121).

6.4 How has this representation of the 'problem' come about?

The next question in the WPR approach seeks to identify key points in the development of a contemporary understanding of prostitution in Lithuania. This understanding has led to the identified problem representation - prostitution being perceived and approached as an outcome of human trafficking. The main goal of this part is to reflect that this problem representation has a history (genealogy), thus, it could have been discussed or developed differently (Bacchi, 2009, p. 61).

The tool used to achieve this objective is Foucault's **genealogy** or: *“a historical methodology, which examines the twists and turns, the disjuncture or disconnections, in history. Genealogy emphasizes the power dynamics in historical developments, destabilizing accounts of the present as natural and inevitable.”* (Bacchi, 2009, p. 275). Using this approach, the point of departure is the present – the prominent problem representation of prostitution which is followed by interrogation of how this certain problematisation was reached. In doing so, I look back in time and trace 'roots' and 'descent' of the narrative within the policy field. Most of the times it is incorrectly assumed that the perception of one or another problem is *“inevitable product of 'natural' evolution over time”* (Bacchi, 2009, p. 10). However, the problem representation is shaped throughout historical twists and turns, power relations and key decisions made.

The history and evolution of prostitution in Lithuania was presented earlier, but it is necessary to distinguish and emphasize again the main breaking points and historical facts of governing prostitution which influenced current problematization. Prostitution manifested in the times of Grand Duchy of Lithuania due to the trading ties and foreigners passing the country (Pruskus, 2010, p. 109). It was a new occurrence and not widely prevalent throughout the country, hence, it was not involved in the first Lithuanian Criminal Code called *Kazimieras Law (1468)* (Pruskus, 2010, p. 110). Hereafter, the *Third Statute (1588)* made adultery and non-marital sexual intercourses punishable for the first time. It was not labelled as prostitution, however, these sexual misconducts were interpreted as a severe offence and could incur a monetary fine, whipping or even a death penalty (Pruskus, 2010, p. 110). These means of punishment evidence the moral ground ingrained in the medieval society of Lithuania and propose the assumption of governments attempt to dislodge any kind of sexual deviation out of Lithuanian community.

Lithuania restored its independence in the period of interwar. Family, tradition, morality and conservative outlook were present in a young country. The state addressed prostitution, but it prompted polarising debates and disagreements. Christian Democrats endorsed by Lithuanian Catholic Women's Society widely spoke against any kind of regulation of prostitution. They perceived it as an evil which demolishes the family and the moral ground of society. On the other side were left-wing parties which perceived all prostitutes as victims and wanted to create clear regulation of prostitution to minimize the harm (Pruskus, 2010, p. 212).

The power relations with two opposing attitudes are spotted here: according to the Bacchi who draws on the Foucauldian ideas of genealogy, some groups have more influence than others and they shape the problem representation (Bacchi, 2009, p. 11). Right-wing contrariety affected the policy field of prostitution – even though it was not criminalised, prostitutes were distinguished from the rest of the society. In summary, the outcome of this period governance was solid - public marginalization and stigmatization of prostitutes. Foucault argued that the government of the state via governance has a power to make decisions which are not always fair or consider the circumstances of all social groups and it can turn out to be alienating for some individuals. Or as he pointed out: “*individual can feel very disenchanted and disempowered by the authority of an organization.*” (Oliver, 2010, p. 121).

One of the most important breaking points in governing prostitution happened after the occupation of Soviet Union (USSR) during the Second World War. Soviet ideology did not acknowledge the existence of prostitution or other social sores such as drug or alcohol addictions. It was claimed that these phenomena are peculiar and widespread within a capitalistic society. Consequently, prostitution

was completely silenced in Soviet Lithuania and prostitutes expatriated to Siberia (Marcinkeviciene & Praspaliauskiene, 2003, p. 652; Pruskus, 2010, p. 118). For around half a decade Lithuanian society was fed with Soviet propaganda and prostitution was eradicated from literature, encyclopedia, media and public – it was an untouchable prohibited topic. Michael Foucault claimed that: *“there is an intimate tie between knowledge and power. [...] changes in thought are not due to thought itself, suggesting that when thoughts change the causes are the social forces that control the behaviour of individuals. [...] power transforms the fundamental archaeological frameworks (epistemes or discursive formations) that underlie our knowledge.”* (Gutting, 2005, p. 50). Soviet ideology took control over every aspect of life, not just controlled but also shaped public discourse. The silencing of prostitution and the perception of it as a taboo subject rooted in the society, correlated affirmatively with the long-lasting value of morality and conservative worldview.

Various power dynamics can be seen throughout the evolution of prostitution in Lithuania and its policy field. Undoubtedly, the period of Soviet occupation and the silencing of prostitution made the greatest impact. It was a forbidden topic and the society lived by this approach, hence, the change in the mentality of the public cannot happen suddenly. Contemporary Lithuanian society still carries remains of the Soviet regime, the policy field and the process of policy making sense the aftermath of it. Another apparent residual characteristic still conditioning the policy field of prostitution is the morality, the reverence of family and matrimony. This firmly conflicts with the prostitution which is labelled as the promiscuous and ignominious. As a result, innovative or just different approaches to regulating prostitution cannot thrust its way through the obsolete world outlook, ignorance and potent wall of morality.

This outcome can be explained by the framework of governmentality and mentality underlying it which claims that: *“The notion of ‘mentalities’ might not carry this rationalist weight. It entails the idea that thinking is a collective activity. It is a matter not of the representation of individual mind or consciousness, but of the bodies of knowledge, belief and opinion in which we are immersed.”* (Dean, 2010, p. 24). The common thinking of prostitution as deviant behaviour is spread within the public and political fields. The knowledge and the narrative which is propagated is not rational or liberal, but it is rooted collective understanding from which is not easy to break away.

6.5 What is left unproblematic? Where are the silences?

The answers to the previous questions helped to identify that the ‘problem’ of prostitution in Lithuania is represented and identified as an outcome of human trafficking, conceptualizing it as a ‘forced

prostitution’. But at this point, I must ask: what is missing in this policy? Does it cover completely the field of the problem? If not, where are the silences? In doing so, the **limits** in the underlying problem representation need to be considered and measured in order to critically interrogate the policy itself (Bacchi, 2009, p. 12). The critical analysis of limits in WPR approach allows to “*reflect upon the limitations of our own thought and how issues could be thought differently*” (Bacchi, 2009, p. 276).

The policy of *Control and Prevention Programme of Human Trafficking and Prostitution* which later was renamed to *Control and Prevention Programme of Human Trafficking* revolves around human trafficking. Since human trafficking in Lithuania is mainly linked with involuntary sexual work and exploitation, the concept of ‘forced prostitution’ comes into use in the policy. ‘Forced prostitution’ covers individuals, most of the times – women, who were deceived by the fake or vague job offer and tricked into working in the sex industry. Victims of this act are exploited, their basic human rights are violated, and they are casualties of a contemporary form of slavery (Prekybos žmonėmis ir prostitucijos kontrolės bei prevencijos 2002 – 2004 metų programa, p. 3).

On the other hand, there are prostitutes who fall under the socially vulnerable group of people, who likely suffered sexual exploitation, lack education and support from the family, friends or relatives, probably are dependent on alcohol and/or drugs, do not know or cannot find a better way of surviving and earning money. The latter exposed group is omitted from the programme, thus, silenced by the state. The first apparent step was made by changing the title of the programme and cutting out the word ‘prostitute’ after the first period. Secondly, the discourse of ‘forced prostitution’ which is prevailing within all documents distinctly draws the line between ‘forced’ (as an outcome of human trafficking) and ‘voluntary’ (as an outcome of unfortunate life or other reasons) prostitution.

Foucault’s ‘conduct of conducts’ elucidates this state’s action – government by its practices and policies seeks to direct human behaviour and it: “*presume to know, with varying degrees of explicitness and using specific forms of knowledge, what constitutes good, virtuous, appropriate, responsible conduct of individuals and collectives.*” (Dean, 2010, p. 19). Prostitution discourse carries negative connotations, thus, the state slightly modified the policy field to comply with the ground of morality.

The most important question which must be posed here is what kind of rationales and reasoning lie behind this decision? To answer this question, the Foucault’s ‘genealogy of the state’ and the ‘genealogy of the subject’, which lies under the theory of governmentality, must be employed on the

state of Lithuania: *“I think that if one wants to analyse the genealogy of the subject in Western civilization, he has to take into account not only techniques of domination but also techniques of the self.”* (Lemke, 2002, p. 202). Lithuania and its society were created, maintained and governed by the values of the family and morality, it is an important indication until these days. Additionally, Foucault concentrates the attention on: *“multiple and diverse relations between the institutionalization of a state apparatus and historical forms of subjectivation”* (Lemke, 2007, p. 2). Which means the Soviet occupation made a tremendous impact on the genealogy of the subject – prostitution, by eliminating it out of public discourse. Reflecting on the fact that Lithuania retrieved its independence from the Soviet Union in 1990 and exist as a sovereign state just for 28 years, proposes implication that the state still has so much work to do to shake off the discourse of the Soviet ideology and be open for novelties.

This explanation of the governing rationalities proves there could be a better way to approach the issue of prostitution and that this policy is compiled by the ways in which the ‘problem of prostitution’ is represented (Bacchi, 2009, p. 13). In fact, the most substantial problem, in this case, is not about omitting the prostitutes of the programme. The framing of public perception of prostitution and silencing the inconvenient part of it is the biggest harm of this discourse. The power Lithuanian government exercise and the discourse it spreads across the public has a capacity to influence peoples’ lives (Oliver, 2010, p. 31). Thus, these prostitutes are criminalized and treated as offenders, putting them in a more precarious position without practicable help from the government and without a voice.

This analysis draws attention to mentioned tensions and contradictions in problem representation, emphasizing limitations and inadequacies in the way ‘problem of prostitution’ is being represented in Lithuania (Bacchi, 2009, p. 13). Analysis helps to uncover that prostitutes are disregarded by authorities and government, they are not covered by any resembling policy/ action plan/ programme. This policy should be thought about differently in a way where policymakers would not combine both, victims of human trafficking and prostitutes. There should be a separate strategy to embrace both in need of a help and support. After all, human trafficking and prostitution are distinct issues and require specific approaches for both cases.

7. Discussion

Carol Bacchi, who has drawn the WPR approach to the policy analysis on the thoughts of Michel Foucault, acknowledged the importance of the state and the power it holds while addressing issues and shaping policy fields. The government of the state has a capacity to frame problems in order to fit them in particular policies. By invoking WPR approach and carefully interrogating problematisation of the policy field, I desired to explore how the state of Lithuania undertake and regulate prostitution and what kind of rationalities underlie the policy field of prostitution. It is done in order to reach a conclusion on the problem statement.

In Lithuania, all parties involved in the sex industry (prostitutes, pimps, clients) are criminalised and punished according to the Articles of the Criminal Code or the Code of Administrative Offences. However, the prostitutes are being arrested and/or fined considerably more than other actors just because they are exposed, and it is easier to catch them. Further, the paradox between the discourse of the Action Plan (programme) analysed in this research and an actual legal framework of prostitution is spotted: the wording of the programme clearly states a feminist abolitionist view on prostitution: “[..] *all known forms of prostitution should be considered as violence against women and violations of their rights*” (Prekybos žmonėmis ir prostitucijos kontrolės bei prevencijos 2002 – 2004 metų programa, p. 3). Nevertheless, prostitution is still criminalised by the state and prostitutes are made scapegoats regardless of their precarious position.

Continuing with the findings, Lithuanian society is based on the strong traditional family values and morality. Moreover, historical past of the Soviet occupation, and the complete eradication of the discourse of prostitution from the public left a mark on how this phenomenon is currently addressed. So, the standpoint of the state and society towards prostitution is rather hostile – they are seen as debauchees, instead of the ones in need of a help, they are stigmatised, marginalised and punished. As a result of this, the Action Plan acknowledges and covers forced prostitution and victims of human trafficking, leaving out any other sex workers who do not fall under this label. Besides this programme, there is no following action or consideration from the authorities regarding the support for prostitutes. They are silenced by the state leaving them without any voice and a legal help.

As the research on Italian approach to prostitution indicated, criminalisation is the easiest way of dealing with prostitution because it is narrow and simplistic and does not take into an account the complexity of the phenomenon (Crowhurst, 2012, p. 229). However, in this way, just the short-term

solution can be achieved which, actually, does not resolve the problem but covers it and distracts the public and state's attention from the political difficulties. Seems like the state of Lithuania does not want to seek any kind of consideration of this matter and prefers a status quo, since it is convenient. Further, the attitude of some authorities clearly illustrates that they see prostitution as a negligible matter which should be addressed after the other principal issues. This kind of treatment of prostitution intercepts the possibility of a change in the legal system.

The rhetoric which surrounds the current problematization of prostitution is underlined by the emphasis on the idyllic family picture and virtue. This recurrent theme is visible in other countries too (Crowhurst, 2012; FitzGerald & McGarry, 2015). In Lithuania, this discourse is induced by the historical turns and incurred occupations. After experiencing hostile occupation during which the outlandish ideology was shoved to society, the need to redefine the national identity is very strong. This is done through the feeling of belonging to the nation and society; the core of this value is the family. To condone and legalise or decriminalise prostitution, which is perceived an enticement for the virtuous citizens, would mean to trample the aspiration of upright happy society, based on love and relationship of the families.

The very significant characteristic, shaping the policy field of prostitution, which is visible throughout the researches of policy fields in different countries, is the overall discourse of prostitution embodied by the state. This discourse in each country might arise due to various reasons but it always engenders the way prostitution is problematized, thus, how it is approached and regulated (Carson & Edwards, 2011; Spanger, 2011; Crowhurst, 2012; FitzGerald & McGarry, 2015). Moreover, the way discourse is comprehended and read, forms the ground of governmental rationalities underlying the policy field. The state of Lithuania publicly approaches and legally embraces just forced prostitution and justifies it as an effect of human trafficking. Hence, the discourse on voluntary prostitution is either silenced or seen as irrelevant - in the context of the governmental discussions, or it is perceived as a shortcoming or a matter of entertainment - in the public.

This MA thesis is focused on the state's problematization of prostitution and approach it adopts to govern it. However, there are other important stakeholders involved in the issue (NGOs, social movements, media, human right activists, Church etc.). They might have a capacity to advocate and influence the decision-making of the government and the outcome of the policy field. Therefore, the standing point, the discourse and approaches to the prostitution of these actors in Lithuania should be addressed and analysed. This would give a more profound comprehension of how prostitution is talked about and undertaken within the different structures and if it coincides with the approach

employed by the state. If not, why there is no apparent movement to provoke political discussions and the change in the system.

Conclusion

The aim of this MA thesis is to spot the discursive practices which are evident in current understanding and interpretation of prostitution by the state of Lithuania and how this view conditions the legal methods and policy field. WPR approach and theoretical framework drew on Foucault's thinking of the power of discourse and governmentality are a beneficial interrogative tool to break apart the policy field and observe how prostitution is problematized and framed by the state. I use four key questions from the WPR approach which exposes the discursive practices prevailing in Lithuania.

In order to conclude the findings, it is necessary to come back to the main problem statement and the sub-questions and answer them:

How is prostitution addressed and regulated by the state of Lithuania?

- 1. What kind of discourse of prostitution is currently predominant in Lithuania?*
- 2. How does the discourse influence the policy field of prostitution?*

I argue that prostitution is presented in a certain way – as a result of sex trafficking and always being forced. This distinction adopted by the government influences the tool government embrace – an Action Plan and offers help just to the victims of forced prostitution, meantime, criminalising the ones who do not fall under the notion of ‘victims of human trafficking’. This approach affects lives of prostitutes in Lithuania, principally, in the way which limits the discourse of different type of prostitution to break through the built social constructs and ignorance of the society. As discourse has a materiality, discursive circumstances support this framing of prostitution and it evolves into laws and policies. Besides, discursive ramification delegitimizes and silences the voices of prostitutes and their social rights are not maintained. The failure to talk openly and address prostitution directly can result in precarious and destroyed destinies, stigmatization, constant punishment, addictions and even death.

However, the analysis showed that the issue regarding contemporary landscape of prostitution problematization needs to be looked at while taking into consideration historical nuances and impacts. Perception of prostitution in Lithuania or more accurate – the unwillingness to address it straightforwardly as a problem, is also a deep-seated cultural outcome. In this perspective, it requires a time and alteration of generations to modify a worldview of society and to change the way issues of sexuality is approached.

The intent of this research is not to assess the quality or condemn the choices adapted by the state in the policy field of prostitution in Lithuania. The overall perfect approach for governing prostitution is still to be executed. However, one of the objectives was to reflect critically on the regulations and governance of prostitution in Lithuania and above all - to shed the light on the current representation and the need for a change. Especially because the phenomenon of prostitution and the state's approach towards it is a relatively unresearched field.

List of references

- Abel, G. M., & Fitzgerald, L. J. (2012). “The streets got its advantages’: Movement between sectors of the sex industry in a decriminalised environment. *Health, Risk and Society*, 14(1), 7–23.
- Abel, G. M., Fitzgerald, L. J., & Brunton, C. (2009). The impact of decriminalisation on the number of sex workers in New Zealand. *Journal of Social Policy*, 38(3), 515–531.
- Acus, A. (2001). Marginalinės grupės tapsmas (sociologiniai prostitucijos tyrinėjimai). *Deviantinio Elgesio Sociologija*, 56–67.
- Bacchi, C. (2009). *Analysing Policy: What’s the problem represented to be?* Pearson Australia.
- Baločkaitė, R. (2003). Pokomunistinis sąmoningumas Lietuvoje: senųjų paradigmu nuvertėjimas bei naujųjų raida, (4), 33–37.
- Barberet, R. (2014). *Women, Crime and Criminal Justice – A Global Enquiry*. Routledge.
- Bevir, M. (2009). *Key concepts in governance*. SAGE.
- Bevir, M. (2012). *Governance: A Very Short Introduction*. Oxford University Press.
- Bilotaitė-Jokubauskienė, Ž., Paulikaitytė, A., Janušaitė, K., Kairiūnaitė, A., & Diliūnaitė, L. (2004). Prostitucija, kaip socialinė problema, Lietuvos spaudoje, 50.
- Birmontienė, T. (2006). Moterų teisių raida Lietuvoje: konstitucinis pripažinimas, politinio lygiateisiškumo siekis, 12(90), 34–41.
- BNS. (2012 09 26). *Policijos vadovas: ar legalizuoti prostituciją, sprendina nebent referendumu*. Lietuvos žinios. Retrieved from: <https://www.lzinios.lt/lzinios/lietuva/policijos-vadovas-ar-legalizuoti-prostitucija-sprestina-nebent-referendumu/54515>. Accessed on 10 March 2018.
- Bristowe, K., & Harris, P. (2014). Michel Foucault: Discourse in the modern medical consultation. *Medical Education*, 48(6), 552–553.
- Bryman, A. (2012). Social research methods, 766.
- Carson, L., & Edwards, K. (2011). Prostitution and Sex Trafficking: What are the Problems Represented to Be? A Discursive Analysis of Law and Policy in Sweden and Victoria, Australia. *Australian Feminist Law Journal*, 34(1), 63–87.
- Chaplinskas, S., & Mårdh, P. A. (2001). Characteristics of Vilnius street prostitutes. *International*

Journal of STD and AIDS, 12(3), 176–180.

- Cho, S.-Y. (2013). *Liberal Coercion ? - Prostitution , Human Trafficking and Policy*.
- Crowhurst, I. (2012). Approaches to the regulation and governance of prostitution in contemporary Italy. *Sexuality Research and Social Policy*, 9(3), 223–232. <https://doi.org/10.1007/s13178-012-0094-1>
- Dean, M. (2010). *Governmentality : power and rule in modern society* (2nd Editio). SAGE.
- FitzGerald, S., & McGarry, K. (2015). Problematizing Prostitution in Law and Policy in the Republic of Ireland: A Case for Reframing. *Social and Legal Studies*, 25(3), 289–309.
- Gutting, G. (2005). *Foucault: a very short introduction*. Oxford University Press.
- Inda, J. X. (2005). *Anthropologies of modernity: Foucault, governmentality, and life politics*. Blackwell Pub.
- Juknevičiūtė, Rūta. (2013 05 21). *Moteris perkantys vyrai bus baudžiami*. Respublika. Retrieved from: http://www.respublika.lt/lt/naujienos/lietuva/nusikaltimai_ir_nelaimes/moteris_perkantys_vyrai_bus_baudziami/.coments.1. Accessed on 04 April 2018;
- Juozeliuniene, I. (1999). Political Systems and Responsibility for Family Issues: The Case of Change in Lithuania. *Marriage & Family Review*, 28(3–4), 21–41.
- Kazakevičius, Kazys. (2015). *Kas kaltesnis: prostitutė ar jos klientas?* Lietuvos žinios. Retrieved from: <https://www.lzinios.lt/lzinios/lietuva/kas-kaltesnis-prostitute-ar-jos-klientas/213344>. Accessed on 2 March 2018;
- Kelly, M. G. E. (2014). *Foucault and politics a critical introduction*. Edinburgh University Press.
- Lamont, C. (2015). *Research Methods in International Relations*. Sage.
- Lemke, T. (2002). Foucault, governmentality, and critique. *Rethinking Marxism*, 14(3), 49–64.
- Lietuvos Respublikos Administracinių Nusižengimų Kodeksas (2015). Nr. XII-1869;
- Lietuvos Respublikos Baudžiamasis Kodeksas. (2000). Nr. VIII-1968;
- Lietuvos Respublikos Konstitucija (2002). Lietuvos Respublikos piliečių priimta 1992 m. spalio 25 d. referendumu. Vilnius: Teisinės informacijos centras.

- Lietuvos Respublikos Vyriausybė. (2002). *Prekybos Žmonėmis ir Prostitucijos Kontrolės bei Prevencijos 2002–2004 metų Programa*, nutarimas Nr. 62.
- Lietuvos Respublikos Vyriausybė. (2005). *Prekybos Žmonėmis Prevencijos bei Kontrolės 2005–2008 metų Programa*, nutarimas Nr. 558.
- Lietuvos Respublikos Vyriausybė. (2009). *Prekybos Žmonėmis Prevencijos bei Kontrolės 2009–2012 metų Programa*, nutarimas Nr. 110.
- LRS. (2016). *Balsavimo rezultatai (vakarinis posėdis)*. Retrieved from: http://www.lrs.lt/sip/portal.show?p_r=15275&p_k=1&p_a=sale_bals&p_bals_id=-22152&p_var=2. Accessed on 16 March 2018;
- Lutnick, A., & Cohan, D. (2009). Criminalization, legalization or decriminalization of sex work: what female sex workers say in San Francisco, USA. *Reproductive Health Matters*, 17(34), 38–46.
- Marcinkeviciene, D., & Praspaliauskiene, R. (2003). Prostitution in post-war Lithuania, 2025(2003), 651–660.
- McHoul, A., & Grace, W. (1995). *A Foucault Primer. Discourse, power and the Subject*. Routledge.
- Neocleous, M. (1996). *Administering civil society: towards a theory of state power*. Macmillan Press.
- Nola, R. (1998). *Foucault*. Frank Class Publishers.
- Oliver, P. (2010). *Foucault - the key ideas*. Teach Yourself.
- Palavinskiene, B. (2004). Gatvių prostitucijos Vilniaus mieste kriminologinė analizė, 61(53), 35–49.
- Plikūnė, Dalia. (2017). Požiūrį į prostituciją siūlo keisti radikalčiai: laikas bausti tikruosius kaltininkus. Delfi.lt. Retrieved from: <https://www.delfi.lt/news/daily/lithuania/poziuri-i-prostitucija-siulo-keisti-radikalčiai-laikas-bausti-tikruosius-kaltininkus.d?id=75946019>. Accessed on 02 May 2018.
- Pruskus, V. (2010). Socialinio elgesio nukrypimų teisinis vertinimas tarpukario Lietuvoje. *Mokslo Ir Technikos Raida*, 1(2), 109–121.
- Puidokienė, D., & Acus, A. (2013). Pagalbos moterims, užsiimančioms prostitucija, sistemos kūrimo problemos Klaipėdos mieste. *Tiltai*, 115–130.
- Spanger, M. (2011). Human trafficking as a lever for feminist voices? Transformations of the Danish policy field of prostitution. *Critical Social Policy*, 31(4), 517–539.

-
- Spinter Research. (2013 06 10). Lietuviai nežino, ką daryti su prostitutėmis. Retrieved from: <http://www.spinter.lt/site/lt/vidinis/menutop/9/home/publish/NTIzOzk7OzA>. Accessed on 14 April 2018.
- Stoker, G. (1998). Governance as theory: five propositions. *International Social Science Journal*, 50(155), 17–28.
- United Nations, G. A. (2000). Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations convention against transnational organized crime. *Transnational Organized Crime*, 2000 (November), 12.
- UNODC. (2016). *GLOBAL REPORT ON TRAFFICKING IN PERSONS 2016*.
- Wagenaar, H., Helga, A., & Altink, S. (2017). Designing Prostitution Policy, 0–26.
- Wakefield, J. R. H., Kalinauskaite, M., & Hopkins, N. (2016). The Nation and the Family: The Impact of National Identification and Perceived Importance of Family Values on Homophobic Attitudes in Lithuania and Scotland. *Sex Roles*, 75(9–10), 448–458.
- Walters, W. (2012). *Governmentality: critical encounters*. Routledge.
- Weeks, J. (2011). *The Languages of Sexuality*. Routledge.