

Georgi Petrunov¹
University of National
and World Economy, Bulgaria

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PUBLIC ATTITUDES TOWARDS PROSTITUTION IN BULGARIA IN THE CONTEXT OF SOCIAL AND LEGAL NEGLECTION

Ставови јавности према проституцији у Бугарској у контексту друштвеног и правног запуштања

ABSTRACT: *The article discusses the public perception of prostitution and its regulation in Bulgaria in the light of absence of knowledge-based discussions and legal regulation. A starting point for the paper is the premise that due to the specifics of the studied social phenomenon, the public opinion is one of the important components required in the process of acceptance of legal regulation towards prostitution, in accordance with the national context. The paper presents briefly the existing regulation models for prostitution around the world. It makes an overview of the sporadic initiatives to introduce regulation of prostitution in Bulgaria. The data used in the text is from two public opinion surveys on prostitution in Bulgaria, representative of the adult Bulgarian population. The surveys were carried out in 2010 and 2020 by reputable sociological agencies using questionnaires prepared by the author. The results of the two surveys, conducted with a 10-year gap, offer an important comparative perspective with regard trends and changes in the public attitudes towards prostitution. The attitudes towards the different types of regulation on prostitution as well as the differences in the opinion about the phenomenon depending on gender, age, education, settlement and ethnicity are explored. The importance of the relationship between moral judgments and (lack of) knowledge in the creation of public policies is discussed.*

KEY WORDS: *Public attitudes, prostitution, public policies, knowledge-based discussions, moral judgments.*

АПСТРАКТ: *Чланак истражује перцепцију људи о проституцији и њено регулисање у Бугарској у светлу недоследности јавних дискусија заснованих на знању и законске регулативе. Полазимо од претпоставке да је*

¹ georgipetrunov@unwe.bg; ORCID: 0000-0002-1979-8716

збої специфичности истраживаног друштвеног феномена јавно мњење једна од битних компоненти и потребних у процесу прихватања законске регулативе према проситицији, која адекватно одражава национални контекст. Текст почиње крајким представљањем postojećih модела регулације проситиције широм света. Направљен је крајак прећедствене иницијативе за увођење регулације проситиције у земљи. Подаци коришћени у тексту су из два истраживања јавног мњења о проситицији у Бугарској, репрезентативној за одраслу бугарску популацију. Истраживања су 2010. и 2020. године сровеле реноминане социолошке агенције на питања која је припремио аутор. Резултати две студије, сроведене у размаку од 10 година, омогућавају нам да истражимо трендове и промене у ставовима друштва према томе. Приказани су ставови према различитим видовима регулације проситиције, као и разлике које се идентификују у зависности од пола, старости, образовања, места становања и етничке припадности. Разматра се значај односа моралних судова и (не)знања у креирању јавних политика. Разматра се значај односа моралних судова и (не)знања у креирању јавних политика.

КЉУЧНЕ РЕЧИ: Ставови јавности, проситиција, јавне политике, дискусије засноване на знању, морални судови.

Introduction

Prostitution is a social phenomenon with a long history, regardless of whether it was approved, denied or prosecuted (Jeffreys, 1997). As a social phenomenon, it has also attracted the research interest of renowned sociologists such as Georg Simmel and Anthony Giddens, who interpret prostitution through the prism of the broader context of change in economic and social relations. That prostitution deserves serious sociological attention is confirmed by the work of Kingsley Davies (1937),² which justified the idea of developing a sociology of prostitution. In his works he poses such significant questions as: Why is a practice that is disapproved and strongly denied so widespread throughout the world? How can its sustainability be explained over the centuries? How can we approach it as an object of study? The American sociologist shows that prostitution is much more than a physical act, and its existence and persistence in time relates to human civilization and the institutions built in it.

The research of prostitution has become particularly intensive over the past three decades (Weitzer, 2009; Dewey, Crowhurst and Izugbara, 2018), and the topic is steadily entering the political and social agenda of some societies (Matthews, 2008). This interest reflects the growing debate in European countries, particularly since the middle of the 20th century, about the nature

2 Davis later developed his idea for the Sociology of prostitution into a collection edited by Robert Merton and Robert Nisbeth, two of the most influential names in the Sociology of deviance: Davis, K. (1961). Prostitution. In: Merton, R. & Nisbet, R. *Contemporary Social Problems: An Introduction to the Sociology of Deviant Behavior and Social Disorganization*. New York: Harcourt, Brace & World.

of prostitution, its place in society and the way it should be treated by the state. There are different positions towards it – in some countries it is considered an economic activity part of the people' life; in others, it is defined as an activity unacceptable to society and, therefore, prohibited. In Western Europe (e.g. in Germany, France and the Netherlands) and the Scandinavia (e.g. in Norway and Sweden), similar debates have resulted in the adoption of various forms of legal regulation of prostitution. In East European countries, on the other hand the topic has not been covered by an adequate research, it rarely falls into the center of public debate, and policy actions are underpinned by ideology more than by empirical data (Radačić and Pajnik, 2017; Radačić and Antić, 2023).

This article aims to highlighted public perceptions of prostitution and its regulation in Bulgaria in the context of rare knowledge-based discussions and lack of legal regulation. Prostitution is one of those empirical manifestations where citizens' role in the democratic governance can be explained. Although the survey of public opinion gives knowledge about the attitudes of the population only at a particular point in time without revealing the reasons and factors behind this state and without being able to take into account the influence of different groups in society (Blumer, 1948), it provides information on whether society is divided into groups with disparate interests or whether there is a general consensus on a certain issue. The fact that this kind of research sheds light on the areas of ignorance, worries, and frequently the direction of influence that surround a particular social issue is another crucial aspect. Public opinion on prostitution is only one element of the complex process of accepting particular type of regulation. This attitude develops as a result of the social processes that occur inside the social framework in which it is established (Blumer, 1948: 543). In this way, public opinion polls can contribute to data collection for prostitution, especially for its legal regulation. As noted by Ronald Weitzer (Weitzer, 2021: 59), data from empirical studies are relevant insofar as the policies must respond to and reflect the cultural and societal context in a particular country, in addition to identifying expectations and attitudes that can be embedded in future policies. Human rights lawyers/activists also point out that the approach a country should take to prostitution depends on how the public understands the fair balance between the interests of the sex workers and those of the society. The approaches could be diverse and dynamic, according to the trajectory of public attitudes and according to the results of empirical studies regarding the implementation of the certain legislation (Dobreva, 2011: 97). Thus, empirical research on public attitudes is an integral part of the efforts to understand prostitution and provides valuable input to legal regulations. In this respect the article first focuses on the most widespread policy models towards this phenomenon, describing their main characteristics. Then a brief overview of efforts to introduce regulation in the country is provided. Next a summary of the public opinion polls on prostitution and its evolution over a period of 10 years in Bulgarian society is presented. The absence of prolonged and in-depth public debates grounded in expert, scientific, and empirical data—which would have allowed society to come to a consensus on the type of regulation of prostitution in Bulgaria—is highlighted.

In this article »prostitution« is understood as offering paid sex services. The analysis will not focus on the different types and layers in prostitution which are discussed in detail in other studies (Petrunov, 2019; Petrunov, 2020); here the interest is on the public attitudes towards the general phenomenon of prostitution as a necessary element of creation of regulations in this sphere.

Models of public policies towards prostitution

A commonly accepted division of prostitution policies refers to abolitionism, prohibitionism, and regulationism, respectively. However, in the article as more appropriate the basic distinction between prohibitive and permissive is considered. This distinction clearly reflects the principles of the two main perspectives with regard to prostitution.

2.1. Prohibitive policies prosecuting sex workers

This type of prohibitive model aims to eliminate or restrict prostitution by defining the offering and provision of paid sex services as a crime. This implies the use of criminal law rules that prohibit and sanction statutory definitions of the crime. Penalties can range from a fine or community service to imprisonment. This type of policy is based on the concept that prostitution is associated with the immorality of the prostituting person and constitutes a crime on the part of the prostitute (Dobrevá, 2011: 82). Therefore, any type of prostitution is punished, without providing for exceptions in different circumstances.

In these types of policies, the legislation, as Dobrevá notes (Dobrevá, 2011: 83), is not motivated by care for the sex workers as it already assumes that the phenomenon is harmful to the public order and society. That is why there are no services to help sex workers get out of this activity. These prohibitive policies focus on prosecuting and punishing them, neglecting the role of the client – a practice stemming from the understanding that the leading element in prostitution is supply, not demand. This criminalizes the offering, but not the receiving, of paid sexual services, a situation that has been criticized by international organizations monitoring respect for human rights.

This prohibitive model is increasingly defined not only as unfit to effectively restrict prostitution (Pushkarova, 2010), but also as creating conditions for increasing violence against sex workers and their exploitation by criminal organizations (Petrunov, 2023). Prohibitive policies which prosecute the sex workers are not found in the Member States of the European Union. The pattern of prohibitive policies targeting sex workers has been adopted in most U.S. states and in the Middle East.

2.2. Prohibitive policies pursuing customers

Under this type of policy, it is not forbidden to sell sex, but to purchase it. The countries that have introduced this model accept the understanding of prostitution as the exploitation of woman by man – the result of gender

inequality and male dominance. Hence the claim that there can be no »voluntary prostitution« as it is a form of violence that has a devastating impact on the physical and mental health of women (Dobрева, 2011: 82). Therefore, punitive measures are directed at users of paid sex services, and sex workers are encouraged to quit their work.

The first country to introduce this policy model was Sweden in 1999. A number of discussions and analyses led to the belief that prostitution violates values such as individual freedom and gender equality (Schulze et al., 2014: 51). The purchase of sexual services is prosecuted and punished, most often with a fine, but a custodial sentence is not excluded. The crime covers all forms of sexual services, whether bought on the street, in brothels, in massage parlors, such as escort services, etc. The basic idea is that if there is no demand from customers, there will be no supply. Policies are aimed at the integration of sex workers, which is why in Sweden there are a number of municipal and non-governmental organizations that advise and assist sex workers to get out of prostitution and find a job and integrate into society (Milenov, 2012: 13). In 2006 Finland has modified Sweden's regime by criminalizing the purchase of sex services only if the sex worker is forced into prostitution. The aim was to distinguish voluntary prostitution from violent prostitution associated in most cases with trafficking in human beings for the purpose of sexual exploitation. In 2009, Norway and Iceland also criminalized buying sex, not selling it. At different times, debates have been held in different countries (e.g. France, Ireland, Scotland) about the criminalization of buying sex, but without reaching a final decision. However, since 2016, it has been accepted in France to fine clients of sex workers, and since 2017, buying sex has also been criminalized in Northern Ireland.

The criminalization of the client is often seen as a softer model for sex workers, as it is not aimed directly against them and does not victimize them. Based on the idea that prostitution is a form of violence against women, whether voluntary or not, in 2014 the European Parliament (2014) adopted a non-binding resolution calling for the criminalization of the purchase of sex.

2.3. Authorisation policies governing prostitution

Unlike the approach leading to prohibition policies, the regulatory approach does not aim to eliminate prostitution, but to recognize it as an economic activity with supply and demand, regulated by law. The basic idea is that prostitution is an activity like any other, which is why adults who choose to practice it should be protected by means of labor and social security law, have access to healthcare, etc. The concept of permit policies is explicitly expressed in a report published by the International Labour Organization, in which prostitution is defined as an economic phenomenon by its nature which should be regulated (Lim, 1998). Other international organizations also treat voluntary prostitution as a form of work. For example, Grozev and Dobрева (2010: 121) note that the World Health Organization and the UN Committee on the Elimination of Discrimination against Women do not accept negative moral assessments of prostitution and require states to adopt regulations minimizing the direct violation of the rights of

sex workers. Models of policies which consider prostitution as legal (with some differences) are found in several countries of the European Union – Austria, Belgium, Germany, the Netherlands. There are cases when street prostitution is prohibited under the permit system, for example in Germany, the Netherlands, etc. Criminal responsibility lies with sex workers on the street and their clients.

States that have adopted this model of policies apply various regulatory measures, for example: requiring the operation of licensed brothels only and police controls; regulation of working conditions, requirements for concluded employment contracts and control by state institutions for their observance; compulsory registration of sex workers; compulsory regular medical examinations for sex workers in medical facilities designated by the authorities; imposing official prostitution zones. Failure to comply with state-imposed regulatory rules is sanctioned. By introducing this type of regime, sex workers receive rights like any worker – the right to sick pay, unemployment benefit, social benefits upon exit from this activity.

The fact that an authorization model operates does not mean that there is a lack of debate on the relevance and effectiveness of the policies in place. Weitzer (2021) for example reports an increase in political discourse over the past decade in order to clear the area of the Red-Light District of Amsterdam. Thus, there is both the concept of prostitution as a legitimate job, regulated by the market and controlled by municipal authorities, but also attitudes against its workers (especially towards sex workers from other countries). Weitzer points out that these sentiments are promoted by political elites, not by representatives of the sector, city residents or businesses, i.e. the motives for it are different from the proclaimed efforts to reduce human trafficking and organized crime. In Germany, too, there are a number of discussions in which the voices of groups concerned about the increase in the number of women from Eastern European countries in this market and the danger of an increase in the problem of trafficking in human beings for the purpose of sexual exploitation are particularly heard.

2.4. Tacit authorization policies

Under this type of policy, prostitution is not prohibited and sex workers are not prosecuted criminally. At the same time, it is not regulated, and there are no legal rules governing the status of sex workers. This lack of both positive regulation and explicit prohibition, as lawyer Dobрева points out (Dobрева, 2011: 93), pushes prostitution into the gray zone of semi-legality and semi-visibility for society, in which the state hardly exercises control.

The lack of regulations, and hence of rights and obligations, poses a number of dangers for sex workers – inability to report violence by clients; compulsion to contact intermediaries and pimps. International human rights organizations³ point out as a serious problem the situation in which the legal framework allows sex workers to be vulnerable to pimps and criminal organizations and increases

3 For example: the European Court of Human Rights, the Parliamentary Assembly of the Council of Europe, the World Health Organization, the International Labour Organization, the UN Committee on the Elimination of Discrimination against Women, etc.

the risk of forced prostitution and trafficking of humans. By virtue of international standards, as human rights lawyers point out (Grozeva and Dobрева, 2010), states have an obligation to regulate prostitution in such a way as to limit the risk of sexual exploitation and physical and psychological violence, as well as to investigate and prosecute the perpetrators of such crimes. This does not mean that these organizations promote prostitution. They even express the view that states are obliged to provide active support to sex workers to get out of prostitution and generally to pursue a policy of restricting this industry. This position was clearly formulated by the Parliamentary Assembly of the Council of Europe (PACE) in an opinion stating that it is »important that no one feels 'forced', even by circumstances, to engage in prostitution« (Resolution 1579, 2007).

3. Prostitution in Bulgaria – Prevalence and public debates

Albeit on different scales and in different forms, prostitution is a phenomenon in almost every historical period of Bulgaria's existence (Petrunov, 2020). However, it became a widespread practice in the 1990s, following the nation's political and economic upheaval after the fall of communism. Sex workers could be found on international roads and at rest stops, on the streets and hotels of major cities and resorts. The emerging organized criminal rings became especially interested in prostitution, which quickly became one of their well-established and profitable ventures. (Petrunov, 2020). In the middle of the first decade of post-socialism, organized crime achieved an almost complete monopoly on prostitution in the country and retained it to a considerable extent in the following years. During this time, the state was not able to prevent organized criminal groups from taking advantage of sex workers. For a long time, prostitution was ignored as a problem and was regarded as a deviant behavior of a small social group, while no attention was paid to the significant role that organized crime plays in its promotion. Police efforts targeting entire prostitution-controlling organizations didn't start until the accession of Bulgaria to the European Union in 2007. As a result, over the next few years, a number of organized criminal groups either totally ended or started to reduce their involvement in prostitution for a variety of reasons.

The phenomenon decreased its manifestation at national level in the first decade of the twenty-first century due to the growing export of sex workers, but it still presents a significant social challenge (Petrunov, 2020). The Ministry of the Interior does not regularly provide information on the number of established sex workers. Information for specific years is being provided to the public on certain occasions. For instance, it was said in 2003, during the then-Minister of Interior's speech to the National Assembly, that there are 4,611 sex workers in the country. In 2010 at a human trafficking conference it was mentioned that 1,326 sex workers had been detected that year (Petrunov, 2010). Numerous non-governmental organizations provide estimates of the extent of prostitution in Bulgaria. An estimate from 2007 stated that there are between 5,000–8,000

sex workers in Bulgaria (Petrunov, 2010: 38). The assessment was created using expert opinions of health workers working with sex workers. According to a study (Centre for the Study of Democracy, 2019: 25), the number of sex workers is between 6,000 and 10,000. Although the scale and visibility of prostitution have decreased in the last decade compared to the period of the 1990s, prostitution is still a significant source of income for criminal organizations. The annual turnover for organized crime from prostitution in the country is estimated at 226 million BGN (about 113 million Euro) for 2019 (Centre for the Study of Democracy, 2020: 23). With the development of the Internet, social networks, and other ICT channels more opportunities are created for independent sex workers to remain out of the sight of pimps and criminal groups.

There are several main types of prostitution in Bulgaria. These are urban, roadside or highway, resort and border-region prostitution. Each one of them has its specifics. Urban prostitution can be found in almost all larger Bulgarian cities – in some street areas, squares and parks. Paid sex can be also found in clubs, massage parlors, erotic bars, hotels, internet sites and others; it is offered in luxury mansions and by fashion agencies too. Roadside prostitution occurs on intercity roads and highways in Bulgaria. Border-region prostitution is found in cities located near the state border and significant part of the clients are foreign citizens. Resort prostitution is found in both summer and winter tourist resorts (Petrunov, 2020).

Prostitution in the country is not allowed, but it is not explicitly prohibited. This is typical of the tacit authorization policies described above. However, the practice in Bulgaria allows for the prostitution to be pursued as a form of »social parasitism and laziness« according to Art. 329(1) Criminal Code: »An adult able-bodied person who does not engage in lawful and socially useful labor for a prolonged period, but receives income not earned from employment in an unauthorized or immoral way, shall be punished by deprivation of liberty for up to two years or by probation.« Typically, sex workers are detained for 24 hours, but there are also cases when they are convicted of more serious crimes such as money laundering (Petrunov, 2023). The Criminal Code of Bulgaria dates back to 1968 and has been developed and adopted in a completely different historical and socio-economic context. Hence the application of Article 329 to sex workers in modern days has led to neglecting the real problems (actions of criminal groups, exploitation and trafficking in human beings) and their replacement with repression and double victimization of sex workers – once by the state and a second time by pimps and human traffickers (Petrunov, 2020). It was not until the autumn of 2022 that the above notorious article in the Penal code was declared unconstitutional. But the legal status of the sex workers is still ambiguous and it prevents them to protect their rights.

Over the past thirty years, several sporadic attempts have been made to create specific policies aimed at regulating prostitution, but the proposals have not been submitted for consideration and voting in the National Assembly and the subject remains far from public agenda.

In the beginning of 2006 an NGO – „Center of Women's Studies and Policies“, hosted a public discussion under the title: “Is legal regulation of prostitution in Bulgaria needed?” Participants in the event represented the state, the non-governmental organizations, academics, media, etc. Various aspects of the problem were discussed, opposing opinions about legalizing prostitution were expressed by the attendees. However, all participants in the discussion concluded that Bulgarian society and state are not yet ready to introduce any kind of formal prostitution regulation due to the influence of factors such as socio-economic conditions (high levels of poverty, unequal access to education and health care), criminogenic situation (action of organized criminal groups and corruption), as well as the attitude of society and the sex workers themselves towards any forms of legal regulation (Center of Women's Studies and Policies, 2006).

In 2007, shortly after Bulgaria's EU membership, the Ministry of Interior and a non-governmental organization representing the tourism business in the country – National Board of Tourism, started the process of drafting a law on the legalization of prostitution. At the Ministry of Interior, a working group of parliamentarians, non-governmental organizations, and prosecutors from the Supreme Cassation Prosecutor's Office was established. The Deputy Minister of the Interior at that time assured that the opinions not only of the general public, but also of sex workers regarding such a law will be considered, and that international best practices will be examined (Petrov, 2007). The primary goal of the initiators was to ensure that prostitution remains under state control so that the government could profit from this kind of activity. In opposition to this idea, a group of non-governmental organizations launched a „Civil action against the legalization of prostitution“ campaign, which in two months gathered over 3,200 signatures against the proposed law (News.bg, 2007). Shortly after the described events took place, another NGO (“Institute for Democracy and Stability”) organized a conference dedicated to combating women trafficking and strengthening the institutional and legal mechanisms to counter this crime, securing the involvement of top government officials. Most participants in the event expressed negative opinion about the adoption of a law to legalize prostitution (The Capital Journal, 2007). This led to the suspension of the Ministry of the Interior's working group's activities. No draft law was proposed for consideration in the National Assembly and the initiative did not develop into a broad public debate.

In the next few years the topic faded away from the public discourse. Occasionally, experts from the non-governmental sector shared news about their research on the subject and related issues. For instance, the non-governmental organization „RiskMonitor“ Foundation presented the findings of its research on prostitution and sexual exploitation at a conference held in the National Assembly of the Republic of Bulgaria at the end of 2010. The conclusion again was that more research is required to fully understand the complexity of prostitution in all its aspects —social, political, legal,

psychological, etc. (Popov, 2010). Several years later, in 2015, the topic of prostitution regulation in Bulgaria is raised again when a member of parliament proposed a law requiring sex workers and brothels to pay taxes and subject their activities to state regulation (BTV News, 2015). Once more, the motive was to draw attention to the money flows generated by this activity. However, the member of the Parliament who proposed this idea had to retract it and even apologize on national television due to the harsh criticism on behalf of various non-governmental organizations, stating that the law proposed violates the moral values of Bulgarian society (Society and Values Association, 2015).

All these short-lived initiatives have not led to the creation of some type of regulation or at least much-needed public debates on the matter. Proponents of legalizing prostitution swiftly changed their minds, arguing that the time for such a decision has not yet arrived. Opponents emphasize the moral aspects of the phenomenon. It is noteworthy, though, that sex workers—those who would be most affected by such a law—are conspicuously absent from these events.

Since many of the people debating the issue claim to speak on behalf of the general public, the question arises as to what the general public's perceptions of prostitution are. In the next part the public opinion towards prostitution in Bulgaria and the public attitudes regarding policies towards the phenomenon will be presented.

4. Methodology

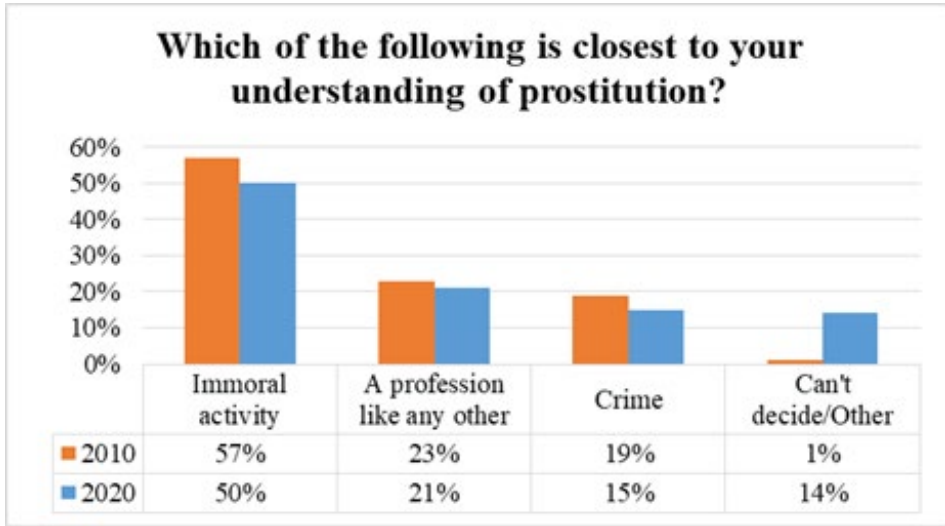
The empirical data used in the next part are collected through two nationally representative opinion surveys for the adult population in Bulgaria. These studies were conducted as a part of the author's research on the prostitution in Bulgaria during the last 15 years. The questions for the polls were developed by the author and were included in Omnibus surveys conducted by professional sociological agencies. The goal of the first study (2010) was to investigate Bulgarians' public perceptions of prostitution and the policies towards it. Ten years later, the study was repeated in order to trace the change in the public attitudes regarding prostitution. The first survey was conducted in July 2010 by the National Center for Public Opinion Research, which interviewed 1,000 adult residents across the country with a direct semi-standardized face-to-face interview in 125 nests. The second survey was conducted in August 2020 by the Trend research agency among 1010 adult residents across the country with a direct semi-standardized face-to-face interview in 104 nests. The two surveys which focused on the same issues and applied a similar methodology but are ten years apart allows a critical analysis of important shifts in the public attitudes towards prostitution and the respective attempts for policy regulations in Bulgaria.

5. Public attitudes towards prostitution in Bulgaria

5.1. Treatment of prostitution

The understanding of prostitution in Bulgarian society can be summed up in three main categories – prostitution is considered a crime, an immoral activity, and a profession like all others. The distribution of responses is presented in chart 1 below.

Chart 1. Understanding of prostitution

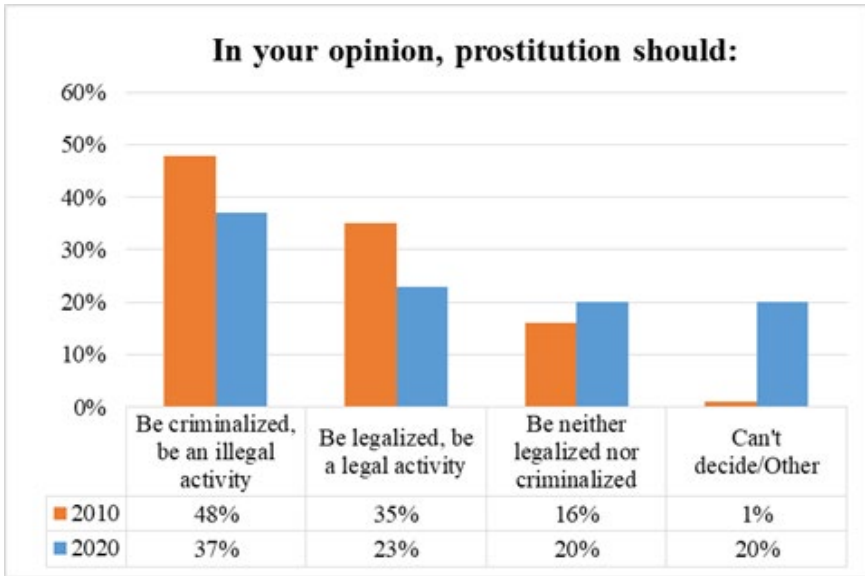


Source: Own calculation, based on two nationally representative opinion surveys

The largest share of the interviewees stated that the closest to their understanding of prostitution is its assessment as an immoral activity. The societal perception of this phenomenon shifts from the axis legal – illegal to moral – immoral. In this sense, regulation policies should also be tied to various forms of moral condemnation, not judicial sentences. Just over a fifth of those interviewed considered prostitution a profession like any other, and just under a fifth a crime. At the same time, the large percentage of people in 2020 who cannot give a definite answer about prostitution is impressive. This can largely be attributed to the lack of public discussion on the issue and the lack of knowledge about the real scale of the problem.

The opinion of Bulgarian citizens is divided regarding the way prostitution should be regulated in the country.

Chart 2: Legalization or criminalization of prostitution



Source: Own calculation, based on two nationally representative opinion surveys

Although there is no clear and firm position on this issue, the opinion prevails that prostitution should be declared an illegal activity. In 2020, the percentage of people who have this opinion has decreased compared to 2010. A significant part of the interviewees (16% in 2010, which grows up to 20% in 2020) said that prostitution should not be declared either legal or illegal, i.e., should not be regulated by law. As noted above, this means that the phenomenon will keep exist but in the grey zone with no regulations and unknown participants. Considering the high share of people who cannot decide, it is seen that Bulgarian society is very hesitant about the way this social phenomenon should be regulated. This indicates that the consensus on the kind of regulation that best serves the public interest, requires extensive and in-depth knowledge-based discussions.

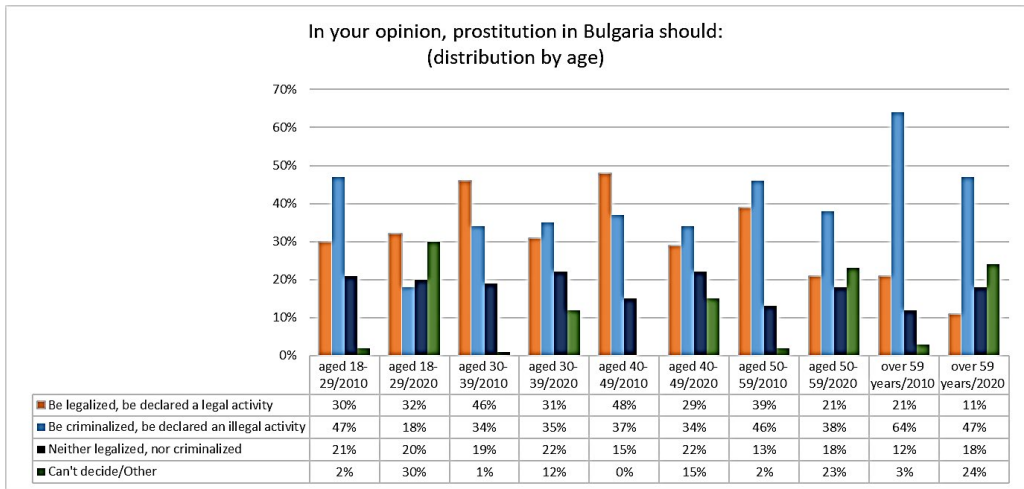
Differences in public attitudes towards the regulation of prostitution are observed depending on the socio-demographic profiles of the interviewees (gender, age, education, place of residence and economic status).

There are significantly more men in favor of legalization of prostitution than women: 43% of the men interviewed in 2010 and 31% in 2020 said that prostitution should be declared a legitimate activity, while only 28% of women in the survey conducted in 2010 and 15% in 2020 share that view. A higher percentage of women interviewed (55% in 2010 and 41% in 2020) believe that prostitution should be declared an illegal activity, and 40% (2010) and 33% (2020) of men respectively gave this answer. The data shows that while for men nearly equal numbers support declaring prostitution a legal or illegal activity, most women are in favor of criminalizing prostitution. The number of

interviewees of both sexes who agree that prostitution should neither be legalized nor criminalized is relatively the same (about 15%). The higher percentage of men compared to women who are in favor of the legalization of prostitution is most likely related to the fact that men are the main clients of paid sex services. Regardless of the reason for choosing paid sex, it is assumed that those who seek the service would feel safer if prostitution were a legal activity.

The results of the survey also show differences in the opinion of the interviewees from different generations.

Chart 3: Legalization or criminalization of prostitution (age distribution)



Source: Own calculation, based on two nationally representative opinion surveys

It is noteworthy that the interviewees over the age of 59 strongly support the opinion that prostitution should be declared an illegal activity (64% in 2010 and 47% in 2020), while only 21% (2010) and 11% (2020) of this age group are for legalization of prostitution. A predominance for declaring prostitution illegal is also found in people aged 50–59 years. This can be explained by the fact that a large part of people over 59 and in the age group 50–59 years have lived in times with different values, in which prostitution was categorically unacceptable; public attitudes (especially towards sexuality) were very different from the liberal values and the coexistence of different ways of life in the heterogeneous modern society. This circumstance has significantly influenced their attitude to the phenomenon today.

Observable is a reversal of the trend in people aged 30–39 and 40–49 from a predominant opinion of the interviewees for legalization to a predominance of the opinion on the criminalization of prostitution. In 2010, according to almost half of the respondents from these two age groups (46% and 48% respectively), prostitution should be legalized. While in 2020 the most common among the interviewees in both age groups is the understanding that prostitution should be criminalized (35 and 34% respectively).

A reversal of the trend in 2020, but in the opposite direction – from a dominant opinion about criminalization to a prevailing opinion about the legalization of prostitution, is noticeable in the youngest generation of 18–29 years old. An explanation for this trend can be related to the growing number of young people who have lived in Western European countries, where prostitution is legalized and is considered a profession like any other. Prostitution is hardly seen as crime by the age group of 18–29-year-old⁴.

Differences in attitudes towards the regulation of prostitution are also observed according to the educational level of the interviewees. Respondents with secondary or lower education are in favor of criminalizing prostitution and only a small part of them (15% in 2010 and 14% in 2020) share an opinion about legalization. Those with secondary and higher education, the supporters of criminalization and legalization are more evenly distributed. In 2010, the opinion prevailed (45%) of prostitution as a legitimate activity, while 34% were in favor of criminalizing it. In 2020, attitudes are reversed – 27% express an opinion on legalization and 38% are in favor of the criminalization of prostitution. The majority of respondents with secondary education (45% in 2010 and 36% in 2020) are in favor of declaring prostitution illegal, but the group of people with secondary education who agree that prostitution should be declared a legal activity is considerable – 39% in 2010 and 23% in 2020.

People living in villages and smaller towns that are not district centers, both in 2010 and 2020 are firmly of the opinion that prostitution should be declared an illegal activity. Those who have expressed a position on the criminalization of prostitution in the villages are more than twice as many as those who have expressed an opinion on its legalization (respectively 61% compared to 26%). This is fully expected in view of the data already presented that older people and people with lower education are the biggest supporters of criminalization, and a significant part of those live in villages. At the same time, prostitution is an urban phenomenon that hardly exists in small towns and villages, where family ties are stronger than in the big city, and a large number of people know each other.

Supporters of the criminalization of prostitution in the capital and regional cities are relatively evenly distributed, with no significant change in the last decade (about 30%). There is a decrease in the number of people sharing opinions on the legalization of prostitution in the capital and regional centers. In 2010, most interviewees from district centers (43%) said that prostitution should be declared a legitimate activity, while in 2020 their number decreased to 29%. In the capital city, the distribution between supporters of legalization and criminalization in 2010 was almost equal (39% each), and in 2020 the

4 The results of the 2020 survey show that when asked »Which of the following is closest to your understanding of prostitution?« only 7% of those interviewed aged 18-29 perceive prostitution as a crime, and about a third of the youngest respondents perceive it as an immoral activity and profession like any other.

number of residents of Sofia who believe that prostitution should be declared a legitimate activity is seriously reduced (23%) compared to those who are in favor of declaring it illegal (38%).

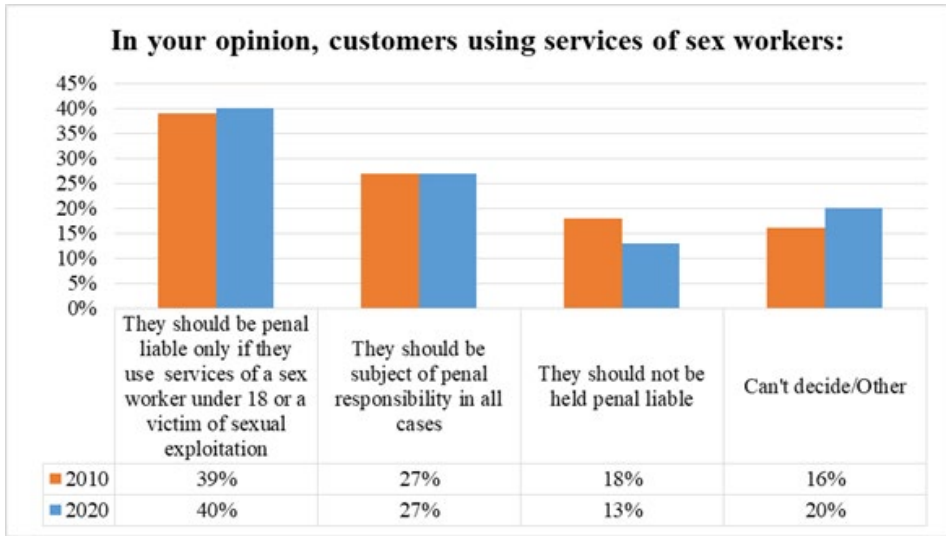
The economic status of the interviewees in both surveys is essential in forming a position on the legalization or criminalization of prostitution. Data from 2010 show that 49% of those living without deprivation, 36% of those living with some deprivation, 29% of those living with great deprivation and 22% of those living in poverty are for legalization. Conversely, for criminalization are 39% of those living without deprivation, 44% of those living with some deprivation, 57% of those living with great deprivation and 55% of those living in poverty. The data from the 2020 survey confirm this trend – for legalization are 37% of the interviewees with a personal income over BGN 1,000 (about EUR 511), 26% with a personal income of BGN 501–1,000, and 13% of people with personal income up to BGN 500. 21% of respondents with personal income over BGN 1,000, 39% of people with personal income between BGN 501–1,000 expressed an opinion in favor of criminalization, and 44% of the interviewees with personal income up to BGN 500 (about EUR 255). The survey in 2020 shows that the most supporters of legalization (34%) are in the group of managers, business and liberal professions, and the least in the group of interviewed pensioners – only 9%. Almost half of pensioners (47%) have expressed an opinion on the criminalization of prostitution in Bulgaria. The results of the two surveys strongly show that as the economic status of a person increases, the opinion about legalization increases and vice versa; as the economic status of the interviewees decreases, the opinion about its criminalization increases.

The results of the two national representative opinion polls show that according to the majority of the interviewees, prostitution in Bulgaria should be criminalized and the supporters of legalization are one tenth less. The difference between the two groups is not large enough to allow public attitudes to be categorically generalized to criminalization or legalization. The largest part of women, the population over 50 years of age, those living in villages and smaller towns, people with primary or lower education, interviewees experiencing material difficulties and living with deprivation, pensioners are the strongest supporters to declare prostitution an illegal activity. Most of the opinions for the legalization of prostitution are expressed by men, highly educated, youths, those living in regional centers and the capital, respondents with higher economic status living without material deprivation, the group of managers, business and liberal professions.

5.2. Attitudes towards policies pursuing clients in prostitution

Another important element in terms of prostitution policies are clients, which is why it is necessary to examine what is the public opinion towards them and what are the attitudes in Bulgarian society towards regulations persecuting the clients of sex workers.

Chart 4: Criminal liability for clients of sex workers



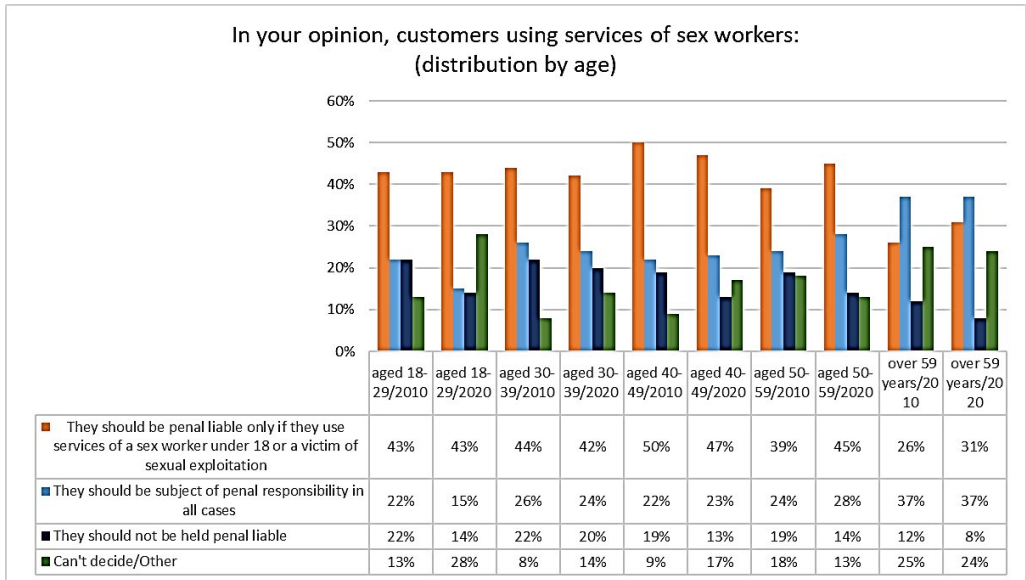
Source: Own calculation, based on two nationally representative opinion surveys

It is noteworthy that the data for 2010 and 2020 are similar. The majority of respondents believe that clients should be criminally liable only in cases of use of services of a sex worker under the age of 18 or a victim of sexual exploitation. At the same time, only 18% in 2010 and even less – 13% in 2020 – indicate that customers should not be criminally responsible for paying for sex. Again, the proportion of people who cannot respond whether customers should or should not be held criminally liable is significant.

Every third woman interviewed was of the opinion that clients using the services of sex worker should be criminally liable in all cases, and one in ten women stated that clients should not be criminally liable. For men, the distribution was more equal between those interviewed who said clients should be held criminally liable in all cases (21% in 2010 and 24% in 2020) and those who said clients should not be held criminally liable – 24% in 2010 and 17% in 2020.

Differences are also found in the opinions of interviewees from different generations.

Chart 5: Criminal liability for clients of sex workers (age distribution)

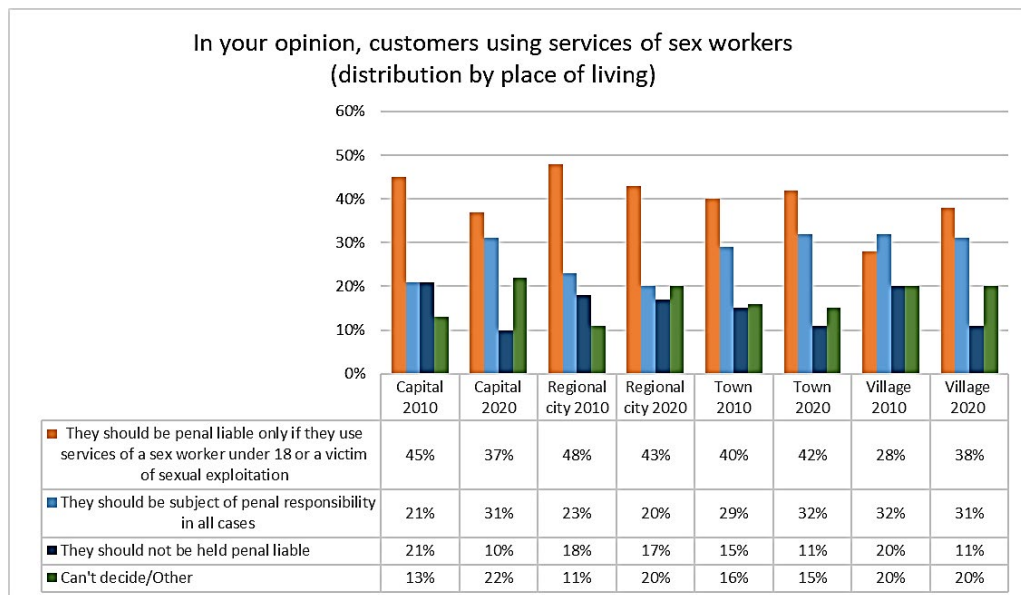


Source: Own calculation, based on two nationally representative opinion surveys

The most common opinion among interviewees from all age groups (except the oldest) is that clients should be criminally liable only if they use services of a sex worker under 18 or a victim of sexual exploitation. The only exception is the age group of over 59-year-old, the largest part (37%) of whom state that customers should be criminally liable in all cases. In contrast to their opinion, one in five respondents up to the age of 40 believe that clients should not be criminally liable. The older the population, the larger the percentage of people sharing the opinion that customers should be criminally liable in all cases; conversely, younger respondents agree that customers should not be criminally liable.

Unlike respondents with secondary and higher education, those with primary and lower education more often answer that clients should be criminally liable in all cases than the view that clients should be criminally liable only if they use the services of a prostitute under 18 or a victim of sexual exploitation.

**Chart 6: Criminal liability for clients of sex workers
(distribution by place of residence)**



Source: Own calculation, based on two nationally representative opinion surveys

The view that clients should be criminally liable only if they use the services of sex workers under 18 or a victim of sexual exploitation is most common among respondents from all settlements. The number of interviewees, according to which clients should not be criminally responsible, decreased in all settlements from 2010 to 2020. The decline is smallest in the district centers – only 1%. While in 2010 the opinion of those living in villages on all issues differed from that of people in other settlements, the data from the 2020 survey show an almost complete match between a capital, a village and a city that is not a regional center.

The results indicate that as the economic status of respondents increases, the number of those who believe that clients should not be held criminally responsible at all, and the number of those who believe that clients using the services of sex workers should be criminally liable in all cases decreases.

We can conclude that in Bulgaria public opinion is divided and there is no firm position on the issue of legalization or criminalization of prostitution. However, the position of criminalization has a slight predominance. Regarding other types of regulation – directed against clients, the dominant view is that clients purchasing sex should be criminally liable only if the sex worker is under 18 or a victim of sexual exploitation. This is largely regulated in the current Penal Code. At the same time, the position not to prosecute clients does not find unequivocal support among citizens. The hesitation we observe in the positions of Bulgarian society can be attributed to the lack of public discussions on the topic which could emphasize important aspects of prostitution in the country,

such as the scale of the problem; participants; types of prostitution; risks to sex workers and society; possible effects of different regulations, etc.

6. Conclusion: Towards the need of knowledge-based public debates and policies on prostitution in Bulgaria

The examination of the data presented reveals that public perceptions about prostitution in Bulgaria have not significantly changed over a ten-year period. A possible reason for this is the sporadic nature of discussions on the issue and the rapid demise when the question of the regulation is raised. It is critical to conduct further discussions to determine the cause of this pattern and to find an answer whether bringing the matter to the public's attention more actively will result in shifting the opinions on it. How to structure the debates in order to allow for the formation of knowledge-based opinions, reflecting various points of view, involving sex workers, citizens, experts and state—remains another crucial challenge. The overview of the discussions around the topic in Bulgaria reveals that the primary reason for legalization is the economic rationality, while the majority of the opposing arguments stems from moral judgments.

The results of the research presented in the article showed that in Bulgarian society moral assessments underpin the understanding of prostitution, along the “moral-immoral” axis. This, in turn, is one of the reasons why politicians fear the question of regulations in public discussion – none of them want to lose voters because they talk about phenomena defined as immoral. On the other hand, however, it is precisely the lack of public discussions in which, through research and empirical facts, the real dimensions of the phenomenon can be shown; the people who are included in it; the risks that exist for them and for the rest of society and other significant ones. Criminal groups and pimps benefit the most from this vicious circle, and thus an environment conducive to corrupt practices emerges. In this situation most at risk are the sex workers – both as victims of violence (by pimps or by clients) and subject to fines or convicted under laws created more than 50 years ago under completely different socio-economic conditions.

The previous discussion warrants the conclusion that the lack of public discussions and knowledge in the policy-making process on prostitution is a marked tendency. Writing about policies based on ignorance, Minev draws attention to a particularly important consequence of this process: »... If research shows negative effects (harm) of implemented policies and this knowledge is ignored by public policies, then it would turn out that decision makers (policies) bring harm to societies. But when they are deprived of such a guide, policies are formed in conditions of ignorance, the influence of other factors on their formation is increased – for example, moral values or any special interests« (Minev, 2011: 60). The use of moral values as a guide to judgments and decision-making, according to the author, becomes misleading when moral judgments are not based on knowledge. »It is not [wrong] moral values that reject prostitution, but moral judgments based on the combination of moral values and ignorance

(knowledge deficits). When moral values are used as a guide for judgements without being combined with adequate knowledge (but rather with ignorance), the sheer use of values for judgement and decision making can be misleading. And this possibility stands out particularly clearly in the public debate and policies on prostitution« (Minev, 2011: 75–76).

Public attitudes and the formation of adequate moral judgments about prostitution are very difficult in prohibitive policies, as they create the illusion that it does not exist. According to Minev, this makes it difficult to generate knowledge about prostitution, influences the formation of moral judgments and reduces the visibility of prostitution. Making a phenomenon invisible is not unambiguously related to the improvement of public morality (Mikov, 2013). Moreover, this carries serious risks: »... if one has to point out the truly dangerous consequences of social and legal neglect of the problem, then this is surely the 'invisibility' of social pathologies (created) through prohibitive regimes, because it profoundly deforms the overall mechanism of social control over a phenomenon and the risks it poses« (Minev, 2011: 74).

The policy on prostitution in force in Bulgaria is extremely outdated and inappropriate for modern conditions. Penal policies need to shift their focus from sex workers to the pimps, traffickers and organized crime who exploit them. Regardless of which model of regulation will be chosen for implementation, the policies must necessarily provide for uncompromising and severe criminal sanctions for solicitation, exploitation and deliberate use by clients of services of sex workers under the age of 18 and victims of forced prostitution; they must distinguish quite clearly between prostitution and trafficking in human beings; to ensure respect for the human rights of its participants; not to create conditions for the victimization and exploitation of sex workers by criminal groups and pimps. At the same time, policies must respond to public understanding of the phenomenon itself. The decision about the policy regime about prostitution must be the result of broad and in-depth public discussions involving a wide range of actors, including those to whom policies will relate directly. Considering the data that legalization is accepted to the greatest extent by representatives of the younger generation (18–29 years), it can be assumed that in a future period public attitudes may shift to approval of legalization. This moment has not yet come for Bulgarian society.

References

- Blumer, H. (1948). Public Opinion and Public Opinion Polling. *American Sociological Review* 13(5): 542–549.
- BTV News, 2015, Another idea for the legalization of prostitution in our country. *Btvnovinite.bg*. <https://btvnovinite.bg/bulgaria/poredna-ideja-za-legalizacijana-prostitutijata-u-nas.html>
- Centre for the Study of Democracy. (2019). *Bulgarian Organized Crime Threat Assessment 2019*. Sofia: Centre for the Study of Democracy. (in Bulgarian).
- Centre for the Study of Democracy. (2020). *Bulgarian Organized Crime Threat Assessment 2020*. Sofia: Centre for the Study of Democracy. (in Bulgarian).

- Center of Women's Studies and Policies. (2006). Is legal regulation of prostitution in Bulgaria needed? *CWSP.bg*. <http://www.cwsp.bg/htmls/page.php?category=439&id=688>
- European Parliament. (26.02.2014). Motion for a European Parliament Resolution on sexual exploitation and prostitution and its impact on gender equality. https://www.europarl.europa.eu/doceo/document/TA-7-2014-0162_EN.html
- Davis, K. (1937). The Sociology of Prostitution. *American Sociological Review* 2(5): 744–755.
- Davis, K. (1961). Prostitution. In: Merton, R. and Nisbet, R. *Contemporary Social Problems: An Introduction to the Sociology of Deviant Behavior and Social Disorganization*. New York: Harcourt, Brace & World (149–169).
- Dewey, S., Crowhurst, I. and Izugbara, C. (eds.). (2018). *Routledge International Handbook of Sex Industry Research*. London and New York: Routledge.
- Dobreva, N. (2011). *Policies on Prostitution*. In: »Pros« and »Cons« the Legalization of Prostitution in Bulgaria. Sofia: RiskMonitor Foundation (78–98) (in Bulgarian).
- Grozev, I. and Dobreva, N. (2010). Sexual Exploitation and Prostitution through the Lens of International Human Rights Regulation. In: Petrunov, G. (ed.). *Prostitution and Sexual Exploitation*. Sofia: RiskMonitor (120–138) (in Bulgarian).
- Jeffreys, S. (1997). *The Idea of Prostitution*. Victoria, Australia: Spinifex.
- Lim, L. (ed.). (1998). *The Sex Sector: The Economic and Social Bases of Prostitution in Southeast Asia*. Geneva: International Labor Office.
- Matthews, R. (2008). *Prostitution, Politics and Policy*. New York: Routledge.
- Mikov, V. (2013). Prostitution and Human Trafficking for the Purpose of Sexual Exploitation in Bulgaria: Characteristics, Causes, Public Policies. Unpublished dissertation. ISSK-BAS (in Bulgarian).
- Milenov, K. (2012). *Social Models of Integration of Prostitutes in Sweden, Canada, Germany and Bulgaria*. Sofia: RiksMonitor (in Bulgarian).
- Minev, D. (2011). *The Crisis of Public Policies in Developed Countries*. Troyan: Alya (in Bulgarian).
- News.bg. (2007). Thousands against the legalization of prostitution in our country. *News.bg*. <https://news.bg/politics/hilyadi-sreshtu-legalizatsiya-na-prostitutsiyata-u-nas.html>
- Petrov, K. (13.02.2007). The Ministry of Interior and the Tourist board are preparing a law to legalize prostitution. *Mediapool.bg*. <https://www.mediapool.bg/zakon-za-legalizirane-na-prostitutsiyata-gotvyat-mvr-i-turisticheskiyat-bord-news126005.html>
- Petrunov, G. (2010). Organized Prostitution in Bulgaria. In: Petrunov, G. (ed.). *Prostitution and Sexual Exploitation*. Sofia: RiskMonitor (19–61) (in Bulgarian).
- Petrunov, G. (2019). Elite Prostitution in Bulgaria: Experiences and Practices of Brokers. *Sexuality Research and Social Policy* 16: 239–250.

- Petrunov, G. (2020). *Prostitution in Bulgaria: Sociological Analysis*. Sofia: UNWE (in Bulgarian).
- Petrunov, G. (2023). Prostitution and Public Policy in Post-Socialist Bulgaria. *Croatian Political Science Review* 60(4): 11–34.
- Popov, S. (2010). Publisher's Foreword. In: Petrunov, G. (ed.). *Prostitution and Sexual Exploitation*. Sofia: RiskMonitor (5). (in Bulgarian).
- Pushkarova, I. (2010). Prostitution in the Legal State: Between Aggressive Prohibition and Indifferent Permission. In: Petrunov, G. (ed.). *Prostitution and Sexual Exploitation*. Sofia: RiskMonitor (95–119) (in Bulgarian).
- Radačić, I. and Pajnik, M. (eds.). (2017). *Prostitution in Croatia and Slovenia: Sex Workers' Experiences*. Zagreb: Institute of Social Sciences Ivo Pilar and The Peace Institute.
- Radačić, I. and Antić, M. (2023). Sex Work in Post-Socialist Europe. *Croatian Political Science Review* 60(4): 7–10.
- Resolution 1579 (2007) by PACE »Prostitution – What stance to take?« <http://assembly.coe.int/main.asp?Link=/documents/adoptedtext/ta07/eres1579.htm>
- Schulze, E., Canto, S., Mason, P., and Skalin, M. (2014). *Sexual Exploitation and Prostitution and Its Impact on Gender Equality*. Brussels: European Parliament.
- Society and Values Association. (19.05.2015). Kenov refused to legalize prostitution. *SVA.bg*. <https://www.sva.bg/>.
- The Capital Journal. (2007). Definitely not. The state position on the legalization of prostitution. *The Capital Journal*. https://www.capital.bg/politika_i_ikonomika/obshtestvo/2007/10/12/386174_kategorichno_ne/
- Weitzer, R. (2009). Sociology of Sex Work. *Annual Review of Sociology* 35: 213–234.
- Weitzer, R. (2021). Legal Prostitution Systems in Europe. In: Nelen, H. and Siegel, D. (eds.). *Contemporary Organized Crime*. 2nd Edition, Cham: Springer (47–66).