

What's in it for Maria?

Brazilian migrant sex workers' (de)mobilization of the “trafficking victim” identity

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Abstract

The article explores the (de)mobilization of the “trafficking victim” identity among Brazilian sex workers and the benefits that the counter-trafficking apparatus offers to Brazilian migrant women exploited in the sex market. In doing so, it considers their experience as much in their country of origin, Brazil, as in Portugal. Drawing on findings from ethnographic research, the article highlights the occasional and unstable mobilization of the “victim” label as a form of defense against the counter-trafficking apparatus, rather than as an instrument of recognition of rights that can substantially benefit Brazilian migrant women in the sex market.

Keyword: Sex work, Exploitation, Human trafficking, Brazil, Portugal

O que ganha a Maria com isso? A (des)mobilização da identidade de “vítima de tráfico” pelas trabalhadoras do sexo migrantes brasileiras

Resumo

O artigo explora a (des)mobilização da identidade de “vítima de tráfico” pelas trabalhadoras do sexo brasileiras e os benefícios que o aparelho de combate ao tráfico oferece às mulheres migrantes brasileiras exploradas no mercado do sexo. Ao fazê-lo, considera a sua experiência tanto no seu país de origem, o Brasil, como em Portugal. Com base nos resultados da investigação etnográfica, o artigo destaca a mobilização ocasional e instável do rótulo de “vítima” como forma de defesa contra o aparelho de combate ao tráfico e não como instrumento de reconhecimento de direitos que poderia beneficiar substancialmente as mulheres migrantes brasileiras no mercado do sexo.

Palavras-chave: Trabalho sexual, Exploração, Tráfico de seres humanos, Brasil, Portugal

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Introduction

*Que vantagem que levou vai levar
Por amar, por sofrer e viver por você?
Por deixar de ter sonhos e correr pelos seus
E ficar com o fardo do ingrato adeus?*
Fino du Rap, "Que Vantagem Maria Leva?", 2011¹

Migrant women in the sex market have been the subject of heterogeneous representations that portray them either as passive victims of the patriarchal male privilege and violence of organized criminal networks, or as a threat to the integrity of borders, public health, order, and sexual and gender mores (Doezema, 2010; O'Connell Davidson, 2016). This mobilization of contrasting narratives, which combine to make migrant sex workers a group "at risk" or "a risk" group (Oliveira, 2012: 32) and which justify salvific interventions that are also criminalizing and punitive has often been directed at Brazilian sex workers in the transnational sex market (Pais, 2016; Piscitelli, 2013; Sacramento, 2020).

These women are historically one of the main nationalities within the Portuguese sex market (Oliveira, 2018; Ribeiro et al., 2007; Silva et al., 2013) and they became particularly visible in the early 2000s with the increase in Brazilian migration to the country (Gaspar et al., 2017; Malheiros, 2007; Peixoto et al., 2015). The increased visibility of Brazilian women in the Portuguese sex market was testified to by the "Mothers of Bragança" case, in 2003. Both in the city of Bragança and in other cities in northern Portugal, the numbers of Brazilian sex workers in discos, bars, clubs, and on the streets assumed unprecedented proportions, igniting a nationalist, chauvinist, xenophobic reaction from a group of Portuguese women (Pais, 2016).

The "mothers" were led by four women who, concerned with the need to protect family economies and with the alleged cultural and social degradation of the region, labeled migrant sex workers as *brasileiras* (Brazilians) – and, alternatively, as whores, prostitutes, *macumbeiras* (black magic practitioners). The group demanded the closure of prostitution sites and the expulsion of foreign sex workers (Ibid).

The early 2000s were also the era of the global "call to arms" against human trafficking, which was closely identified in both Portugal and Brazil (at least for a certain period) with "sex trafficking" (Blanchette & Da Silva, 2011; Clemente, 2019). The actors of the Portuguese and Brazilian counter-trafficking apparatus mobilized yet another image of Brazilian sex workers, that of "victim." These actors produced data on trafficking (Clemente, 2017) and mobilized human and financial resources for the construction of both countries' current counter-trafficking apparatus (Clemente, 2022c).

The mobilization of the "trafficking victim" identity has been infrequent among migrant women in the sex market along the Brazil-Europe axis (Blanchette & Da Silva, 2011, 2012, 2013; Piscitelli, 2013; Silva et al.,

¹ What's in it, was in it will be in it / For loving, for suffering and for living for you? / For leaving her dreams and running after yours / And to carry the weight of an ungrateful goodbye? (Our translation).

2013). The present article explores the (de)mobilization of this identity among Brazilian sex workers in Brazil and Portugal.² It pays special attention to the conceptualization of "trafficking" in Brazilian and Portuguese counter-trafficking laws and policies, the "problem" of Brazilian women in the transnational sex market and the benefits or issues that the "trafficking victim" identity creates. Our analysis is based in different ethnographic experiences conducted in Portugal and Brazil over the past 15 years. Our data highlights a rare and unstable mobilization of the "trafficking victim" category among migrant Brazilian sex workers, who most often employ it to defend themselves from the counter-trafficking apparatus while rejecting the simplified State-created understandings of "trafficking." Inherent in this rejection is a belief, backed by concrete experience, that defining oneself as a "victim of trafficking" is not an effective means of conquering labor and migrant rights. In the context of our investigations, we also observed that, when it is employed, the trafficking victim category is mobilized mainly to avoid accusations of irregular migration to Europe and to diminish women's risks of deportation and stigmatizations as *brasileiras*.

Trafficking and the counter-trafficking "anti-politics machine"

Human trafficking - generally understood to involve the movement of people for the purpose of their exploitation in conditions similar to slavery - is currently a global concern, roundly condemned by a vast variety of social actors. Human trafficking, however, is also a fluid and polysemic concept, whose definitions and operational employment varies across space and time (Clemente, 2019; Piscitelli & Lowenkron, 2015).

The international instruments currently informing counter-trafficking legislation and policies in numerous states present a broader conceptualization of trafficking than that targeted by the conventions of the late 19th century and early 20th centuries. The 2000 United Nations Trafficking Protocol provides for a diversification of the types of exploitation, which are no longer limited, to the "exploitation of the prostitution of others" (UN, 1949: 1).³ Nevertheless, many of the constituent elements of the definition of trafficking in this instrument remain undefined (Anderson and O'Connell Davidson, 2002; Doezema, 2005). This is the case of concepts such as "coercion" and "vulnerability" and, above all, the recurrently evoked "sexual exploitation" (UN, 2000: 42).

This lack of definition is linked to the conflicting agendas of the agencies and organizations concerned with "trafficking" and it has prompted efforts to develop tools for more harmonic interpretations of the concept of human trafficking (see Jordan, 2002; Raymond, 2001). These have not limited the variability and subjectivity of the operational definitions of trafficking, however. The definitions that are currently employed to combat the crime mostly reflect moralistic, law and order, and immigration agendas, as well as other contingent political concerns, including to the control of migrant prostitution and female migration in general, as well as the criminalization of the purchase of sexual services (Carline, 2012; Clemente, 2022c; Doezema, 2005). The fluidity of the concepts of "sexual exploitation" encountered within anti-trafficking language is expressed by the emic meanings attributed to it by sex workers. Building on extensive ethnographic research in the sex markets in the urban areas of the South-Southeast region of Brazil, Blanchette et al. (2017) draw attention to the fact that various agents exploit sex workers in the Marxist sense of the word by extracting surplus from their labor. This, however, tends to leave sex workers feeling "economically exploited as workers and not as women supposedly reduced to the condition of slaves or mere inanimate objects" (Ibid: 210). From the point of view of sex workers, then, prostitution is not significantly different from other jobs in terms of its

² Following Fredrik Barth (2000), we understand social identities as constructed and not essential, being mobilized or demobilized, within socially defined limits, in accordance with agents' interests and abilities. "Trafficking victim" is one such identity, which may be taken on or rejected in this fashion.

³ The art. 3(a) of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (also known as the Trafficking Protocol or Palermo Protocol) refers to a list of exploitative practices including "the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs."

"exploitation" potential – a fact that has been repeatedly highlighted by sex workers throughout Blanchette's research (Blanchette & Da Silva, 2010, 2011, 2012, 2013, 2017, 2021).

However, the high stigmatization and non-recognition of prostitution as work requires the construction and maintenance of a "moral region" (Park & Burgess, 1984: 42) wherein prostitution is tolerated. In other words, the exploitation of prostitution as work is constituted in the control of the constant negotiations with and expenses paid to different actors so that these "allow" sex work to take place. One of the principal actors extracting surplus from sex work in this fashion include local authorities. Those people who are socially defined as "pimps" by the media and authorities are often nothing more than the intermediaries of this process, with the greater portion of the profits extracted from it ending up in the hands of agents of the State.⁴

Significantly, the same State that, in many different countries (including Portugal and Brazil), does not recognize the rights of sex workers and uses its police powers to prevent sex-working women from migrating, also proposes to rescue them as "victims of trafficking" (see also Clemente, 2022c). In so doing, the State abandons political intervention directed towards protecting or aiding these women as sex workers in favor of technical interventions which usually ensure little benefit to the victims of trafficking but which often they reinforce the bureaucratic power of State (Clemente, 2022c).

It is important to note here that the social and political construction of "human trafficking" itself has facilitated this process. As Jo Doezema (2010) points out, the round of debates that led up to the Trafficking Protocol were originally intended to disassociate sex work from the concept of human trafficking. Nevertheless, the wave of moral panic that swept the world following the signing of the Protocol specifically focused on sex work as being particularly conducive to human trafficking (Doezema, 2010; Bernstein, 2010). Furthermore, in many contexts, including Brazil and Portugal, the anti-trafficking field has been established from the top down by a select group of counter-trafficking agents, rather than in response to grassroots pressure from groups deemed vulnerable to trafficking (Atasü-Topcuoğlu, 2015; Blanchette & Da Silva, 2012; Blanchette et al., 2013; Clemente, 2021, 2022a, 2023). "Typical" cases of trafficking have thus often been characterized in policymaking circles, in the media, and in the parahumanitarian sphere (Amar, 2013), not through empirically evidence, but according to the "evidence by citation" or the "whoozle effect" (Blanchette & Da Silva, 2012; Stransky & Finkelhor, 2008).

The "whoozle effect" is an unscientific methodology whereby facts are created through the circuitous repetition of earlier and unfounded "guesstimates" or statements by authoritative-sounding sources. This effect in some cases amounts to what might be called a "bullshit ouroboros," evoking both the legendary snake that swallows its own tail and moral philosopher Harry G. Frankfurt's concept of "bullshit" as a form of discourse which intentionally and promiscuously mixes truth, falsehood, and pure imagination for the sole purpose of mobilizing affect and making a political impact (Frankfurt, 2006). In a "bullshit ouroboros," researchers, journalists, and political actors constantly cite one another in a multilevel hierarchically ordered scheme of nested meaning, where each level's "truth" depends upon the authority of another level of the scheme which, in turn, acts as authority for a third level, ultimately coming full circle back to the first level: "evidence by citation." Elizabeth Pisani (2008) provides an excellent example of how such an ouroboros was created in the anti-HIV/AIDS field in Africa and Asia during the George W. Bush administration and Blanchette & Da Silva (2012) have documented the existence of a similar scheme in definitions of human trafficking in Brazil. In countries such as Portugal and Brazil, the counter-trafficking field has employed this sort of bad faith circular argumentation to create structures that resembles the "anti-political machine" of "development," as described by James Ferguson (1990: xv; see Clemente, 2022c). This establishes a hegemonic interpretative grid employed in conditional and shifting fashion to engage with populations understood to be "vulnerable" to trafficking,

⁴ "Pimp" is an accusatory, legal, and emic category frequently employed to indicate third parties who supposedly profit from the sex work of others. As Blanchette & Da Silva have exhaustively documented elsewhere (2017), there is little etic or social-scientific value to this term, which is mobilized principally to create "monstrous" stereotypes that permit the acritical mobilization of state violence against certain populations.

not according to said populations' demands, but according to those of the institutions involved in maintaining and being maintained by said grid (Clemente 2021, 2022c). Anti-trafficking institutions thus create their own discourses, which simultaneously construct the populations said to be "vulnerable" to trafficking as objects of knowledge and as targets for State surveillance and control (Blanchette & Da Silva, 2010; Clemente, 2022c).

Our focus in the present article is to explore what favors and limits the mobilization of the "trafficking victim" category by Brazilian migrant women in the sex trade in this context, paying special consideration to the benefits that the counter-trafficking "anti-politics machine" (Clemente, 2022c) offers to them to take on the identity of "trafficking victim."

Methodology

Ethnographic observations and in-depth interviews with sex workers and anti-trafficking agents were the main methods used in the projects on which this study is based. These include two Portugal-based projects: one concerned with the protection of trafficked women in Portugal (2014-2018) where the presence of Brazilian sex workers helped spur the first Portuguese counter-trafficking efforts. The other project concerns the construction of counter-trafficking systems in Southern Europe (2018-2024). In these two projects, up to now, Clemente collected sixty qualitative interviews with Portuguese state and non-state actors and four with "trafficking victims" living in Portugal. The fieldwork included participation in training and awareness actions, groups and institutional networks,⁵ as well as first-hand observations at a Portuguese shelter for trafficked women between July 2016 and January 2017.

The Brazil-based projects were a series of investigations undertaken by Blanchette between 2003 and 2016, principally in the city of Rio de Janeiro, Brazil's largest *entrepot* for sex tourism and an origin point for sex workers bound for Europe. Originally, Blanchette conducted a total of 113 incursions into sex work venues in Copacabana (2004-2009). During these incursions, they conducted open interviews with 500 sex workers and semi-structured interviews with another twenty four. During this period, they also conducted seven semi-structured interviews with owners and managers of various venues and had thousands of interactions with sex workers and foreign sex tourists. This research was wrapped up in early 2010 with the closure of one of the most important and paradigmatic sex tourism venues of Copacabana (see Blanchette & Da Silva, 2009, 2015). As the counter-trafficking panic grew in Brazil, these investigations expanded to the other main sex work regions of Rio de Janeiro (Downtown and Vila Mimososa) and to the principal organs and committees dedicated to reviewing and enforcing Brazil's counter-trafficking laws.

This present article is mainly focused on interviews and informal discussions with three Brazilian "trafficking victims:" one in Portugal and two in the state of Rio de Janeiro with previous experiences in Portugal. In Portugal the interview (Alice) was conducted in 2019 in a city in Northern Portugal. In Brazil the interviews (Sara and Konni) were conducted in Rio de Janeiro, and also in official venues created to combat human trafficking, where self-identified victims of trafficking gather to relate their stories. Given the limitations of fieldwork in brothels our interview data in Brazil was reconstructed from field notes, as proposed by the classic ethnographic method of studying social situations in situ, pioneered by Bronislaw Malinowski (1976).

All the participants, who at the time of the interviews were aged between 29 and 46, self-described themselves as "*acompanhante*" (escort) or "*garota de programa*" (sex worker) and, as more fully described below, had begun traveling in Europe and, in particular, to Portugal, subsequent to the construction of the current counter-trafficking apparatuses. All of them occasionally mobilized the category of "trafficking victim" to describe the exploitation they experienced at some time in their experience as migrant sex workers. Significantly, these

⁵ This is the case of the Portuguese Network on Sex Work (RTS), the anti-trafficking group of the Alternative and Answer Women's Union (UMAR) and the Portuguese Networks for Support and Protection of Victims of Trafficking (RAPVT).

three are also the only self-described Brazilian "victims of trafficking" that we have encountered in the course of our intense ethnographic studies, detailed above.

The small number of interviews with Brazilian migrant sex workers who self-identify as "trafficking victims" could, at first glance, be seen as a limitation of this study. It should be remembered, however, that these three women are the only sex working, self-identified trafficking victims we have been able to uncover in over 15 years of ethnographic fieldwork in Brazil and Portugal – including in-depth discussions with state and private organizations that "aid victims of trafficking." If neither we nor the principal anti-trafficking groups involved in attending to self-identified victims of trafficking can find hardly any among sex workers, Occam's Razor would suggest that there simply are not many to be found.⁶ However, the analysis of the three cases we do have, along with a review of relevant anti-trafficking conventions, agreements, legislation, action plans, reports, and statistical data, offers a valuable opportunity to investigate in-depth the reasons for mobilization of the trafficking victim category by Brazilian women in the sex market on both sides of the Atlantic in those cases when it actually occurs – something which, as far as we have been able to uncover, has never actually yet been done. In order to contextualize these, in the next section, then, we must first look at the legal definitions of trafficking and the broader legal frameworks in Brazil and Portugal.

Anti-trafficking legislation in Brazil and Portugal

The crime of trafficking was originally defined in 1940 by Article 231 of the Brazilian Penal Code in the following manner, situating the international migration of female sex workers as the *sine qua non* of trafficking, in accordance with the international legal logic of the times (Doezema, 2010):

Promoting or facilitating the entry, into national territory, of a woman who comes here to exercise prostitution, or the exit of a woman who will exercise it in foreign lands.

This definition expressed the Brazil's abolitionist approach towards prostitution and was used on several occasions to prevent the migration of Brazilian women suspected of sex work and to arrest members of their social support network (Blanchette & Da Silva, 2018). In fact, under Article 231, giving a woman a ride to the airport to catch a plane to do sex work overseas was enough to qualify human trafficking. This law was not accompanied by any consideration of aiding victims. The year following Brazil's ratification of the Trafficking Protocol in 2004, Article 231 was changed to refer to "people" instead of "women," but violence, coercion and exploitation were still not understood to be necessary for trafficking to occur. 2005 also saw the creation of Article 231a, which similarly criminalized the assisted migration of sex workers within Brazilian territory. The next round of changes in Article 231 came in 2009, when "prostitution" was defined as a synonym of "sexual exploitation" and all forms of migration for "sexual exploitation" were criminalized under the law. The Brazilian Penal Code did and does not define "sexual exploitation," so while this change was presented as an improvement, it reinforced, in juridical terms, the migration of prostitutes as a necessary and sufficient condition for "trafficking." From 2009 on, however, through the Federal Ministry of Justice, trafficking began to be codified in legal praxis as a crime that affected other categories of humans than the "sexually exploited." Furthermore, the concept of the "trafficking victim" began to be ensconced in Brazilian counter-trafficking discourses and practices, if not in the law itself, as not simply "migratory prostitute" (Blanchette & Da Silva 2010).

⁶ Blanchette has also uncovered a fourth Brazilian sex worker who self-identifies as a "trafficking victim." As this woman went to Switzerland as a wife (and not as a sex worker) and mobilized the victim identity to disassociate herself from her husband, a sex club owner, we have decided that it is too difficult a story to recount in the present article. This fourth case, however, also shows all the marks of the conditional mobilization of the "victim" identity to avoid police persecution otherwise discussed in this article.

This social construction of the "trafficking victim" did not proceed from "the grassroots up" in response to civil society demands (Blanchette & Da Silva, 2018, 2012; Olivar Nieto, 2015). Rather, it followed the logic of security state parahumanitarianism (Amar, 2013), in which State actors subcontracted and empowered local NGOs (often religious) under the auspices of international and United Nations (UN) demands to identify, isolate, and attend to trafficking victims. Within this dynamic, "potential trafficking victim" became synonymous with pretty much every possible marker of social marginalization in Brazil (Blanchette & Da Silva, 2010). Although counter-trafficking discourses in Brazil have become more nuanced since 2009, the authenticating stereotypes of the trafficking victim remain alive today and "trafficking victim" is still associated in the public mind with black/brown, poor, female prostitutes, and destitute of agency (Olivar Nieto, 2015).

Brazil, however, has had a long history of sex worker organization. The Brazilian Prostitutes' Network (RBP) recognized the possible negative implications for sex workers in the renewed counter-trafficking panic and quickly took steps to disassociate sex work as synonymous with trafficking. Their efforts achieved them a seat at the decision-making table in the Brazilian Federal Anti-Trafficking Committee in 2013, which was charged with helping Congress to completely rewriting Brazil's counter-trafficking law to bring it into concordance with the Trafficking Protocol. The resulting bill, Law 13.344 passed in late 2016, eliminating Articles 231 and 231A. At the RBP's insistence, the new law eliminated the congruency between prostitution and sexual exploitation. This was a victory for the RBP, although L13.344 can still be used as an anti-vice measure, given creative judicial interpretations.⁷ It should also be emphasized that the Workers Party - for which the fight against slave labor has been a firm policy commitment - had been a major mobilizing force behind the new law that also opened up the definition of trafficking to any sort of coerced or fraudulent migration which results in a situation analogous to slavery (Blanchette & Da Silva, 2009, 2018).

More recently, the Bolsonaro government saw Brazil's anti-slavery laws as an impediment to economic progress. It soon attacked one of the key precepts of the counter-trafficking cause in Brazil: that work analogous to slavery should be criminalized as slavery under Brazil's labor laws (Amado, 2021). Along with this, the federal apparatus built up to combat slavery was systematically underfunded or dismantled (Stropasolas, 2021). As for prostitution and human trafficking, Bolsonaro appeared to be curiously ambiguous. Contradicting the position held by the Brazilian Federal Government for over 25 years, the President even seemed to be cautiously supportive of heterosexual sex tourism (Sudre, 2019).

Turning our gaze to Portuguese counter-trafficking, there are similarities but also differences with the Brazilian and with the wider international contexts. In Portugal, human trafficking was introduced into the Penal Code in 1982, where it was initially defined as the enticement, seduction or deviation of people, even with their consent, to practice prostitution or acts contrary to modesty or sexual morality in another country. In the same year, after two decades of prohibition and criminalization, prostitution was decriminalized, but with the crime of trafficking introduced. The criminalization of pimping and limitations on the migration of sex workers were further accentuated in this context (Silva et al., 2013). In subsequent years, Portugal ratified the 1949 UN Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others, and the 2000 UN Trafficking Protocol (in 1991 and 2004 respectively). The country's diligent implementation of international and European instruments against trafficking has encouraged successive adjustments of the legal definition of trafficking. In 2007, one of the most significant alterations occurred in Portugal when the country's national definition of trafficking was expanded to include non-sexual exploitation as well (Clemente, 2017). As analyzed elsewhere, the definition of the problem of trafficking and the social construction of its victims has seen the formal involvement of organized civil society, traditionally weak and substantially dependent on State political agendas in Portugal (Clemente, 2021, 2022b, 2023). The absence of any dialogue with sex workers

⁷ Crucially, the new law still defines migration for "sexual exploitation" as a sufficient condition for human trafficking. In no place, however, does Brazilian criminal jurisprudence describe what constitutes "sexual exploitation." Judges are thus free to determine how this concept is to be to.

themselves (a category only recently organized in relatively more solid forms in Portugal) has contributed to a widespread definition of trafficking as a problem of transnational organized crime (Clemente, 2022c). This has relativized some of the phenomenon's political dimensions, beginning with the fact that prostitution continues to be unrecognized as work in Portugal, although it is not criminalized (Oliveira, 2018; Silva et al., 2013). The institutional difficulty of modifying prostitution laws (a source of conflict among feminist and religious groups, as well as a secondary concern for some politicians) has led to a cautious employment, on the part of the Portuguese State, of the idea of "sex trafficking" and an emphasis on other, more heterogeneous forms of trafficking (Clemente, 2019, 2022c).

Despite the widespread mobilization of humanitarian language in training courses, counter-trafficking campaigns, shelters, and other initiatives, protection for trafficking victims in Portugal has been subordinated to the arrest and persecution of traffickers (Clemente, 2022c). Thus in 2007, Portugal's Immigration Law transposed into the Portuguese legal system several community directives, making provision for a residence permit to be issued to "victims of trafficking" only under three cumulative conditions, including (i) the benefit of the victim's presence for the purposes of investigations and criminal proceedings; (ii) the victim's intention to cooperate with the authorities to facilitate investigations; and (iii) the victim's cessation of relations with the persons suspected of having committed trafficking. Also in 2007, a special regime was proposed for granting a residency permit for trafficking victims unwilling or unable to cooperate with law enforcement. This, however, has never been applied in practice.

The Portuguese definition of trafficking and the country's resulting policies have historically constituted a strong obstacle both to the formal identification of trafficking victims (and of the responsibility of security forces to these people) and to their access to the rights formally provided for them by the Portuguese State. As a representative of the police force explained to Clemente:

We work closely with victims so that they collaborate with justice and don't disappear. Sex trafficking victims are more difficult. They need to earn money. Brazilian women come here to improve their living conditions, to continue prostituting themselves, to gain economic capacity that they did not have in Brazil. They don't want to be here for months on end doing nothing, or with jobs for which they don't earn anything.

Thus, not surprisingly, only slightly more than a quarter of the trafficking victims reported in Portugal have been confirmed as such by the authorities (Clemente, 2017). Furthermore, according to data provided by the Planning and Training Office/SEF, only 142 residency permits were issued between 2008 and 2018 for over 2000 "presumed victims" of human trafficking. This data becomes particularly significant if we consider that residency permits are a precondition for victims' access to work, healthcare, legal aid, etc. Predictably, as emphasized by the more recent GRETA report (2022), legal provisions for compensation are also far from effective in Portugal.

Trafficking Cases #1 and 2: Sara and Konni

In the face of the mobilization of the idea of trafficking by the Brazilian and Portuguese States and their allies in the counter-trafficking field (police forces, anti-trafficking NGOs, labor ministries, local and municipal governments, academic allies), our sex working interlocutors have been loath to take on the label of "trafficking victim" and its accompanying stereotypes for themselves. In the course of more than 15 years of ethnographic field work among migrating sex workers in Rio de Janeiro and Portugal, and although these women shared much information about incurring debts in order to migrate to and from Europe to work, we only encountered less than a three cases (presented below) of women who considered themselves to be "trafficking victims."

The few instances in which sex workers even brought up the term "trafficking" were generally in the context of avoiding deportation while overseas. As Sara, a white 32-year-old Brazilian sex worker put in in 2008:

I got arrested for working in a club in Europe. I was going to be deported for immigration violations and illegally working. I told the police that I had been forced to sell sex because I had become indebted. I had come to be a maid, but they forced me to be a prostitute and they took my passport.

None of this was precisely true, Sara confirmed. She had gone to Spain by taking out a debt with a club owner there. This man had come to Brazil the previous Carnival to specifically recruit women. According to Sara: "If you wanted to work in Spain, you had to get in line." The women would be extensively interviewed and, if chosen, would have their plane tickets and housing paid, working in the clubs until they cleared their debts. All the women we talked to were adamant that this was not a form of "debt slavery" as the debts were relatively quickly paid off and, afterwards, the woman would be in Europe, free to work entirely for herself. Typically, during a good year, it took around six weeks to pay off the debt. Many women reported staying on voluntarily in the clubs they worked in after they cleared their debts because such arrangements were found to be convenient.

Sara thought the idea of women being enslaved or forced to prostitute themselves was ridiculous: "Why would a club owner bother to fool a woman into working for them when so many want to do so willingly? If you want to work in Spain [selling sex], you have to get in line." As a Brazilian brothel manager also told Blanchette in 2008, the economic logics behind "forcing" women to work in prostitution just do not add up:

Why the hell would I have unwilling women working for me? Do you know how much money it would take to hire the gunmen that would be needed to make that work, let alone the police bribes? And all it would take is one client going to any cop you haven't paid off and it would be over.

It is fair to say that this system was rigged to give club owners a high degree of control and profit and that they did not shy away from confiscating women's passports as "collateral" until the women had paid their debts. But as numerous sex working migrant women have pointed out, one does not become a slave simply because one has lost one's passport. A trip to any Brazilian consulate should provide a new one. A lost passport is an expense and an inconvenience, not some key item whose absence deprives its original bearer of all agency or possibility of movement. We must emphasize the fact that sex workers themselves often tell the authors this. The only people we hear routinely repeating the myth that "lack of passport = slavery" are State officials who openly admit that they feel that it is their responsibility to reduce the level of Brazilian irregular immigration overseas, by frightening potential immigrants, if necessary (see Blanchette & Da Silva, 2011, 2012 for individual case studies of this).

In Sara's case, the possibility of her being a trafficking victim was presented to her by the police:

They asked me if I was a trafficking victim. I asked, 'What is that?' and they said someone who was forced to come to Spain to prostitute themselves. I asked them 'What happens if I am this thing?' They told me I wouldn't be deported immediately and might not even be deported at all. So, I became a trafficking victim.

Sara laughed as she said this, seeming to find it absurd. When asked what she gained from adopting the label "trafficking victim," she was very clear: her eventual deportation back to Brazil did not go into her records as a deportation, but as a repatriation. Sara felt this was important because, according to her, a deported Brazilian cannot easily take out another passport.⁸

As the first decade of the 21st century passed into the second, migrant Brazilian sex workers increasingly began to incorporate "trafficking" in their vocabulary, if only because Brazilian women of all types were being

⁸ We have not been able to discover whether or not this is true but there are many indications that it is, including testimony by deported sex workers that they had to pay a bribe to the Brazilian Federal Police to "get their record clean" (*ficha limpa*) before getting another passport.

increasingly surveilled for "signs of trafficking" as they crossed international borders (Blanchette & Da Silva, 2021). Following the European and North American economic collapse of 2008 many of our Brazilian sex worker informants also found themselves in Europe – and particularly in Spain – with no ability to pay off the debts they had incurred to travel. Different than what the counter-trafficking model would suppose (i.e. forced slave labor), all of our sex working informants reported about how debts and repayments needed to be renegotiated in these circumstances.

In more recent times, on the eve of the FIFA World Cup in 2014, the counter-trafficking moral panic in Brazil had reached a new height and began percolating outwards, from the country's main urban centers (Olivar Nieto, 2015). At the same time, itinerant male laborers in construction and agriculture and trans- sex workers began to appear in the Brazilian Justice and Labor Department's reports as potential trafficking victims. Certain sex working leaders also began to understand "trafficking victim" as a category that could be mobilized to acquire scarce resources to aid sex working populations.

In this context, as a member of the Federal and Rio de Janeiro State anti-trafficking committees in literally hundreds of meetings convened by state authorities to deal with the threat of trafficking in mega-sporting events during the 2010-2016 period,⁹ Blanchette encountered one firsthand case of the use of trafficking as a situational identity by a sex worker: one that was mobilized when it could move resources for said sex workers' projects, but which was rejected in other circumstances. On this occasion, a middle-aged white trans woman, Konni, spent an entire lunch break talking to Blanchette and a handful of sex worker activists, exchanging "war stories" of their time in Europe. Konni remembered how she had acquired a debt to migrate to Paris via Portugal and Italy for sex work and had spent three months working it off. She claimed it had taken her longer than usual because she took a month see the World Cup in France without asking her employers' permission. "When I came back they were really pissed," she declared. "But what were they going to do? They added onto my debt, but I cleared it off in a month. It was so worth it. It was the best time of my life!"

The very next day at the conference's lunch break, Blanchette overheard Konni telling the same story to a Catholic lay worker. In this recounting, she was smuggled across the French border by "mafiosos" who locked her in a closet-like room when she wasn't working. She "ran away" during the Cup but was "recaptured" and then savagely beaten. She only managed to free herself by going to the police a month later, but the police didn't want to help her because she was trans-. She was then deported back to Brazil. Which version of the story is "true" is of no import for our purposes. Konni was not lying to either Blanchette or the Catholic social worker. She had gone to Europe illegally, had been smuggled across two borders, had to pay off a debt, had skipped out on her employers and, almost certainly, had encountered all sorts of violence – physical and symbolic – on her journey. With prostitution rights activists this became a triumphant tale of resistance and self-sufficiency; with Catholic anti-trafficking activists who had money to fund Konni's NGO, it became a first-hand testimony of the horrors of trafficking.

Konni knew what she was getting in either case: political allies on the one hand and funding for a street-level trans drop-in center on the other. For the first group, "trafficking" wasn't an issue so much as the rights abuses sex workers are more generally subjected to. This group wanted Konni's NGO's support for the new counter-trafficking law, which would decriminalize prostitute migrations. In return, Konni's NGO would get cis-gendered sex working allies in her struggle within Brazil's trans movement. To this group, then, Konni used her story to signal her willingness to engage in political struggle. To the Catholic group, Konni presented herself as a classical trafficking victim, touching on almost every trope then in fashion in the Brazilian mediaspheres regarding the phenomenon (Appadurai, 1996). Her experiences highlighted her luck in surviving a situation in which others died in and underlined her acceptability as a leader of an organization that would dedicate itself to keeping young transwomen out of traffickers' clutches.

⁹ See Blanchette & Da Silva (2021), for a breakdown of these activities and our insertion into this political process, which resulted in the reformation of Brazil's anti-trafficking laws in 2016.

Trafficking Cases #3: Alice

The limited benefits that the mobilization of the trafficking victim category offers in Portugal are clear to many sex workers. Since 2014, when Clemente began the first research in Portugal within structures and networks dedicated to their assistance, encounters with self-declared victims of trafficking have been the exception (see also Clemente, 2017, 2022c). Meanwhile, constant informal conversations with Brazilian sex workers in Portugal suggest their paths, albeit heterogeneous, are characterized by a common element: none were forced to enter prostitution. This is also the case of Alice, who is the only Brazilian sex worker Clemente met who has declared herself to be a trafficking victim.

Alice met Clemente on her day off. The women went to the offices of a local NGO where Alice explained that she began selling sex when her family was experiencing economic difficulties. One of her sisters went to school and the others stayed at home to save money while her grandmother sent groceries to help the family. Alice started selling sweets at school and passing out leaflets for pay on the street. When Alice was 15 years old, a man offered her 100 reais for sex, but her friends suggested that she should ask for more because she was young: "I started playing around. I saw the difficulties my parents were going through. I thought, 'I am already giving it up for free to the boys in the neighborhood. Why not do it for money with old white guys?'" The times during which Alice sold sex alternated with periods of sexual-affective relationships in which access to her body still meant material and symbolic compensation. In the words of Alice: "I began dating businessmen in the city when I was 17. I won't lie or be a hypocrite: not only were they cute, they had money." Around the age of 25, when Alice was attending university that she felt the need to professionalize herself as an *acompanhante* (escort). Her family's situation had improved, but Alice wanted a higher standard of living:

I was working for Herbalife. I attended the evangelical church. At that time, they called me a *patricinha* because I lived in a good place. My father was doing better, but I wanted things for myself. At the university there were girls who dressed well. I tried to understand if they also did what I did. I was envious of my classmates. In the [my city], it was enough to go to the beach. In the [inland northeast] I needed to learn. So I contacted an agency. I had to observe and learn how things were done. In three days, I learned everything I needed.

Confirming the findings of previous studies (Da Silva & Blanchette, 2017), Alice's experience suggests that prostitution is only one form of "sexual-economic exchange" (Tabet, 2004: 7) that can alternate in individual biographies, being in its more professionalized dimensions one of the most effective means of socio-economic ascension, as well as guaranteeing enough money to meet basic needs. Even when, as in Alice's case, a woman has access to other forms of work, prostitution is also often the most effective form of social ascension outside of marriage. Prostitution is not described as an easy job by Alice. She points out that "Thank God the only one who does that it is me. I do not wish this on my sisters." As an illustration, Alice also mentioned the problems she had only a few hours previously, when one of her clients first tried to remove his condom and then tried to steal from her. This situation was alleviated thanks to the presence of a trans colleague with whom Alice works. When not traveling, the two women work together in an apartment. Alice, like most sex workers in Portugal and Brazil (see Blanchette & Da Silva, 2009; Oliveira, 2013) works mainly independently: she places ads and responds to clients. She does not share her profits with anyone and the rent of about 150 euros per week is the price necessary to secure that the moral region for labour (Park & Burgess, 1984), made necessary by the non-recognition of prostitution as a work. Both the owner of the house and any "pimp" (Blanchette & Da Silva, 2017) she resorts to when she travels for work offer services that Alice values:

The owner is one of the people I like to work with the most. She is very human and charismatic. She went through a lot because she wasn't in Portugal, where the same language is spoken. In Italy, her hair was cut and she had to wear a wig and work on the street.

Meanwhile, when Alice is working outside Portugal, she usually splits her earnings 50% with third parties – so-called “pimps.” Alice emphasizes, however, that “it’s something I look for: it makes me work less in managing calls and reservations and then I have just to open the door and serve the client.” In other words, when Alice’s lack of knowledge of contexts or linguistic capital requires it, she herself seeks out the services of third parties that will allow her to work with greater safety and comfort.

At the time of her meeting with Clemente, Alice appeared to be well-acquainted with the different European sex markets. This was not the case when she first came to Portugal more than ten years ago. In recalling that period, Alice resumed talking about her lover (Lourdes) and the end of their difficult relationship, as well as her friend (Dolores) with whom she travelled to Europe:

Dolores knew that I had already traveled to Germany. That I had fallen in love with Lourdes and my life was not easy. Lourdes used my money for other things besides the planned ones. Dolores made me the offer: ‘We are evangelicals abroad. We’re going to Portugal to try a different life. I have an old man I met in Portugal. I asked him to set up a café for me. We will work with food and we’ll see if we can find someone for you to marry.’

Dolores’ proposal was not related to prostitution but, as Alice emphasizes:

I will not be hypocritical. If she had told me: ‘let’s go to Portugal, let’s take advantage of this old man and let’s sell sex,’ I would have accepted it because it’s something I already did in Brazil, I wouldn’t have been hurt doing it in Portugal earning much more than in Brazil.

Alice did not contract any debt to travel. Rather, she sold some of her assets and travelled to Portugal with her own money. Meanwhile, Dolores was the person who already knew how things worked in Portugal: she had the cultural and social capital that Alice lacked. Despite Dolores’s friendly welcome in the days following Alice’s arrival, the situation changed:

It was Sunday and my second week in Portugal was starting. I realized that something was happening. I couldn’t scream or do anything, for two armed men and a driver appeared. (...) They put me in a basement with no windows. I started at 9-10 am and came back at 4.30-5 am. I was there 23 days without seeing sunlight. I had one meal a day, and when I didn’t reach my goal at the club, I was beaten. I have marks here that I can show you from aggression...

After a few weeks Alice managed to escape the situation that she defined without hesitation as “exploitation.” Her exploiters, thinking they had “tamed her,” gave her responsibilities and a certain autonomy in the management her affairs which she used to escape. Confirming what our self-identified “trafficked” interlocutors in Brazil have reported, Alice did not consider either reporting her abduction to the police or returning to her home country. As she put it:

I didn’t want to go back to Brazil with nothing, after having suffered everything, I had suffered with my relationship. So I said: ‘No, I’m going to stay now. I’m going to marry a man, whether for money or for love. I’m going to make my life and, when I set foot in Brazil, it will be after I get what I want. I started working for myself, paying the daily rent for the room. I think it’s correct because when I worked abroad, when I stayed in hotels, I didn’t stay there for free. I had to pay for my hotel room.

The person who helped Alice (Antonia) is an acquaintance she met during her first week in Portugal. She introduced Alice to the club in which she worked but also suggested that Alice move to work in an apartment of a friend (Patrícia) fearing that Alice would be identified by those whom she describes as her “exploiters:”

Patricia helped me a lot. Everything I know about Europe, about this work, I owe to Patrícia and Antonia. When I got up the courage marry Zé to marry, Patricia went with me to open a bank account and to deal with the papers.

Although free to work independently, Alice soon found herself in an irregular situation in Portugal. The solution she encountered was to marry a Portuguese man: "Our marriage started out as being for pay," explains Alice. "That didn't happen, however. When he saw me, he fell in love." Alice's marital relationship, which was to be a purely economic exchange, thus turned into a sexual-affective exchange. This does not mean that it did not arouse the suspicions of the police in one of the raids in which Alice was involved. It was following this that Alice mobilized the identity of "trafficking victim" for the first time:

I said I was a manicurist, but they'd already seen me in online ads. Then I said that I was selling what is mine. I knew I could prostitute myself and I wasn't pimping. But SEF [the Portuguese Immigration and Borders Service] suspected that my marriage was fake. I was desperate and asked them why they hadn't helped me when I was trafficked. I showed the marks I had from the beatings and aggressions. They were very tough at first, but then they changed their attitude.

Faced with the need to defend herself from police persecution, Alice mobilized a different identity from that of *acompanhante* or *garota de programa* that she earlier referred to. What favored police recognition of Alice as a "trafficking victim" was her decision to denounce her traffickers and the fact that these men were already being investigated by the police. Alice's collaboration prevented her request of citizenship from being compromised by the intervention of the police. Indeed, when we met, Alice had filed for divorce, having obtained Portuguese citizenship. She also kept the contacts of the three police inspectors assigned to her case on her cell phone.

Discussion and Conclusions

The experiences of our interlocutors remind us that exploitation and violence are not rare. They encountered these in their trajectories of migration for sex work, and all of them are aware of that. Our research has found that sex workers understand the concept of "human trafficking." In contrast with the discourses created by the "bullshit ouroboros" that has grown up around trafficking (Amado, 2021; Sudre, 2019), however, the exploitation reported by our informants does not reference transnational criminal networks of traffickers. While recognizing exploitation by the social and professional networks that made their labor possible, these women distinguish this from trafficking.

Significantly, moreover, in the two cases we collected of Brazilian women claiming to be trafficking victims, one of these women was "coerced" to be such by the counter-trafficking authorities themselves.¹⁰ Two of our informants, Sara and Alice, took on the identity and started to describe certain people as traffickers in order to avoid prosecution, thus becoming a victim in a legal case in order to not become tried for their irregular presence in Europe. Sara and Alice identify the biggest threat to their work and lives as the police themselves (a qualification often repeated by our non-trafficked interlocutors) and the danger of deportation and punishment. The experience of these informants indicates that, through police work, the State can actively fabricate cases of "trafficking" among "vulnerable" populations involved in international migrations and sex work. Furthermore, according to all three of our "trafficked" interlocutors, the police are not considered to be useful in confronting the truly dangerous situations migrant sex workers find themselves in.

The original goal of all our informants was to do sex work in Europe and make money and the route between Brazil and Portugal has been and is privileged by them for this end. In all our investigations of sex worker migrations along the Portugal-Brazil axis over the years, however, Alice is the only sex working migrant that we have met who has been capable of gaining some sort of positive social capital in the eyes of the State through the mobilization of the trafficking victim category.

¹⁰ This was also the case in Blanchette's fourth case, not reported here (see note 8).

Our research has highlighted the occasional and fluid use of the victim category among transnational sex workers as a means to negotiate with the current regimes of work, migration and gender. Konni's case, which sees counter-trafficking as a potential space for building social and economic capital around the cause of trans migrant sex workers, is further confirmation of this. As Maria Dulce Gaspar (1985) has pointed out, sex workers (and, indeed, humans in general) frequently use real life experiences as the raw materials to tell different stories and "manipulate" the perceptions of their interlocutors. The best stories, according to Gaspar's informants, are those that are not made up but have a grain of truth to them. The stories of Sara, Konni and Alice, with their base of truth, can occasionally be mobilised as trafficking stories by both its "victims" and the counter-trafficking apparatus. However, our long-term ethnographic study points to the fact that such category has not allowed our interlocutors to obtain anything more than a defense of themselves from the same State apparatus that depoliticizes their stories and casts them as victims.

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