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Sex work abolitionism and hegemonic feminisms: Implications for gender-diverse sex workers and migrants from Brazil

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Abstract

This article investigates and analyses the main characteristics and issues involving Western hegemonic feminisms, especially so-called 'radical feminism', on the topic of sex work and trafficking in persons/migration, to understand how these discussions have influenced the main conventions, regulations and legislation on this global subject. In particular, it enables understanding of how these regulations invisibilize and, sometimes, criminalize trans* and gender-diverse people in migratory contexts. The contributions to decolonial feminism and transfeminism made by decolonial trans writers are essential to analyse and critique some of the conceptions espoused by Western hegemonic and especially trans-exclusionary feminisms that have influenced the international anti-trafficking and anti-prostitution discourse today. These discourses often affect the voluntary migration of trans* and gender-diverse sex workers, mainly from the Global South, such as in the Brazilian case.

Keywords

gender diversity, human trafficking, migration, sex work, Western feminism

This piece aims to bring a decolonial and Brazilian transfeminist critique to bear on the Western hegemonic discourse presented in many radical feminist debates, and in the leading international and national conventions and legislation on human trafficking, migration and sex work. The history of colonialism and slavery, the imposition of binary, white, heteropatriarchal and cissexist norms, and consequently the global economic model of capitalist hegemony, is essential to comprehend how these structural systems have generated enormous inequalities between and within several countries, as is the

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case of Brazil. The reason to emphasize this historical and complex background is to show how trans* and gender-diverse people were relegated to sex work, as the only option for work. This subjected them to violence and social stigma, resulting in the migration of a significant part of this population to Europe, and also vulnerability to exploitation within some schemes of trafficking (Baker, 2015; Desyllas, 2007). It is also important to foreground the debate on the stigmatization of the sex work, and how the voices of trans* and gender-diverse sex workers are very often not heard by some hegemonic white (cis)feminists from the Global North.

The community of trans* and gender-diverse people, and especially people of colour, recurrently face rejection by their families, discrimination when accessing essential health services, as well as discrimination and abuses of power in public institutions and in access to the labour market across the world (Reisner et al., 2016; Whittle et al., 2008). They also do not have access to citizenship in many places, since there is rarely an unbureaucratized, fair and democratic access to the rectification of names and genders in their national documents (Hines et al., 2018). Therefore, informal work and especially sex work is often viewed as an opportunity to obtain a source of income to survive (Transgender Europe [TGEU], 2017). The choice of sex work is, then, a reflection of limited livelihood options and scarce economic resources, but also an area where trans* and gender-diverse people can build a sense of community and not have to deal with transphobia found in other areas of cis-dominated formal occupation (TGEU, 2017).

Although trans women or transfeminine people represent the large part of the trans* and gender-diverse population who perform sex work, it is important to emphasize that there is a significant participation of trans men or transmasculine people within this market as well. However, due to their invisibility, there are few academic discussions on the subject, and few specific data are found on trans men or transmasculine sex workers' migration characteristics. However, the 2015 National Survey on Transgender Discrimination in the United States found that 26.4% of respondents to the question of sexual market participation were trans men or transmasculine (Fitzgerald et al., 2015).

Brazil is a compelling case for analysis, being a country geopolitically situated in the Global South, having suffered for years under the processes of colonization and institutionalized racism by European powers, having high rates of discrimination and violence against diverse trans* and gender-diverse people, and presenting a high rate of migration of trans* sex workers to Europe. The topic of migration characteristics of trans* and gender-diverse sex workers from Brazil to Europe is also important since, in addition to the high presence of this community in several European countries, they also face significant violence on the European continent itself. Data from the Transgender Murder Monitoring project of Transgender Europe (TGEU) show that of the 32 trans* and gender-diverse individuals known to have been murdered in Italy from 2008 to 2017, 22 (i.e. 69% of all victims) were migrants, 16 of whom were from Brazil.[1] Moreover, the only trans* murder recorded in Portugal in 2008 was of a migrant from Brazil (TGEU, 2017).

The United Nations Office on Drugs and Crime notes that:

> Although trafficking from South America occurs in a smaller number of countries, it is often severe in the places where it does occur. The main destinations for South American victims are Spain, Italy, Portugal, France, the Netherlands, Germany, Austria, and Switzerland. Almost all

> of this trafficking is for the purpose of sexual exploitation, and it includes transgender victims. Among South Americans, Brazilian victims have been increasingly detected in Europe. Trafficking originating in this country mainly affects the poor communities of the north (such as Amazonas, Pará, Roraima, and Amapá), rather than the richer regions of the south. (UNODC, 2010, p. 44)

Therefore, this article aims to raise some issues regarding hegemonic Western feminist discourses, especially those relating to sex work abolitionism, as they do not support the promotion and defence of sex workers' human rights. Some are even opposed to the existence of trans persons. To this end, I will use a transfeminist and decolonial perspective to understand how trans and gender-diverse people from the Global South who wish to migrate from their localities, or who end up being victims of some trafficking processes, are being affected by these discourses.

The hegemonic Western radical (cis) feminist debates on sex work and trafficking

There are several feminist debates on sex work, migration and trafficking in persons, which can vary from region to region, from country to country, from culture to culture, and from time to time. Likewise, there are a range of views on sex work among Western feminists, with a growing number that consider sex work a kind of work. However, radical and abolitionist feminisms are among the main (cis) feminist strands currently considered hegemonic in the debates of sex work and trafficking in persons internationally, which also tend to dominate discourses around policies and conventions on trafficking and sexual exploitation globally and in many countries in Europe (Pelúcio, 2011). For this reason, they have enormous influence in the decision-making and regulation processes of the leading international organizations, such as the United Nations, and of the leading national/regional organizations or institutions on the subject, mainly in the United States and Europe, regions that receive a large contingent of migrants currently (but institutional influence is increasing in Latin America).

Radical/abolitionist feminists typically hold the view that sex work is a violation of human rights, analogous to slavery, and therefore a form of sexual violence, which affects mainly women. That is, sex work, and, consequently, the trafficking of women for purposes of sexual exploitation, is the reproduction of the subordination of women by men (Bindman & Dozema, 1997; Desyllas, 2007; Halley et al., 2006; Outshoorn, 2005).

Furthermore, the abolitionist perspective categorically criticizes the process of legalization or decriminalization of sex work that has been taking place in some countries and regions. Janice Raymond (2004, p. 316), for example, highlights that:

> Some people believe that, in calling for legalization or decriminalization of prostitution, they dignify and professionalize the women in prostitution. But dignifying prostitution as work does not dignify women, it simply dignifies the sex industry. People often do not realize that decriminalization means decriminalization of the whole sex industry, not just the women in it. And they have not thought through the consequences of legalizing pimps the legitimate sex entrepreneurs or third party people in business, or the fact that men who buy women for sexual activity are now being accepted as legitimate consumers of sex.

The abolitionists then address the international trafficking of women as a consequence of the existence of prostitution, and argue that the best way to eliminate or combat it would be to abolish prostitution and the sex industry as a whole (Desyllas, 2007). Concerning the specificity of trans* and gender-diverse people, the analyses made by abolitionist feminists do not substantively or systemically address trans* issues within the specific context of sex work. But it is important to note here that this lack of attention is not something shared only by abolitionist feminists, but within most Western and hegemonic (cis)feminist accounts too. However, many abolitionists have been described by trans* activists and scholars as trans-exclusionary radical feminists (TERFs), because in addition to failing to address the specificities of trans* and gender-diverse sex workers, they have tended to debate and delegitimize, in a very transphobic and racist way, the mere existence of trans identities or expressions. For example, Raymond (1979) argues that trans* and gender-diverse people 'rape women's bodies by reducing the real female from an artifact, appropriating this body for themselves' (Raymond, 1979, p. 104).

As we shall see later, the abolitionist perspective has influenced current anti-trafficking and anti-sex work discourses throughout the world, including significant policies and conventions. Hence, it is important to note how this can affect particularly trans* and gender-diverse sex workers, when cisnormative and transphobic discourses are also tied to abolitionist feminist perspectives (Carneiro, 2016; Whittle, 2002).

The (cis)radical feminists take over the international and national regulations on trafficking in persons and sex work

In order to understand how the migration of Brazilian trans* and gender-diverse sex workers is being affected/criminalized by anti-trafficking discourses, it is necessary to provide historical context on how the international and national debates on trafficking in persons and sex work are currently structured. The hegemonic (cis)feminist debates from the Global North over the past decades have not only analysed and criticized the problem of gender-based violence through academia and activism, but also influenced the construction of policies and regulations against trafficking in persons, especially those involving sexual exploitation.

Initially, around the 1950s, opposition between different (cis)feminist positions was almost non-existent within the leading international organizations, mainly due to the invisibility of other feminist groups and demands, such as black, indigenous and trans feminists, among others. This invisibility still exists today concerning the demands of people of colour, indigenous persons, persons with disabilities, sex workers, queer and trans* feminists, as we will see later. The topics of prostitution and the human rights of women were marginalized more generally, as was the relationship between prostitution and human rights itself. Gradually these topics began to be discussed and incorporated into some international conferences, but always under the leadership of (cis)feminist groups originating in the Global North, with a focus on the Global South, which demonstrates some colonialist and imperialist thinking (Halley et al., 2006). At the United Nations, radical (cis)feminists/abolitionists have been able to be recognized and inserted more easily within the organization's debates, with the main UN operations located in

the Global North (New York and Geneva). In addition, the (cis)radical/abolitionists feminists had already found in the UN a convention that could benefit their position. Considered the first international document on the subject of human trafficking and 'forced prostitution', the Convention on the Suppression of the Trafficking in Persons and of the Exploitation of Others, adopted by the UN in 1949, suggested that sex work should be illegal, irrespective of any level of consent or choice on the part of persons practising that profession. Therefore, all activities also around the subject of human trafficking and prostitution had a significant influence from the NGOs formed by (cis)radical/abolitionists feminists (Halley et al., 2006, pp. 348–356).

The final definition of trafficking in persons in the UN Protocol (2000, p. 2) on the subject, known as the Palermo Protocol, was as follows:

> 'Trafficking in persons' shall mean the recruitment, transportation, transfer or harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of giving or receiving payments or benefits to achieve the consent of a person having control over another person, for the purposes of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

Some positive aspects of the Palermo Protocol can be recognized in its changing some abolitionist perspectives from the 1949 Convention, for instance by bringing in the distinction between forced and voluntary prostitution. Moreover, the focus on working conditions rather than on women's morality and sexuality was also a necessary change (Desyllas, 2007). However, we will see later that although there are good elements to the protocol, there is still a long way to go in relation to the international debate on trafficking in persons/migrants and sex work, since the discourse, in addition to invisibilizing trans* experiences, also reproduces racism, binaries, colonialism, and dramatically affects the human dignity of migrant sex workers, by stigmatizing sex workers from the Global South as unconscious and weak women who need to be rescued or saved by the Western women from sexual exploitation (Desyllas, 2007; hooks, 2000).

However, the existence of the Palermo Protocol also did not prevent some countries from having a focus on women's sexuality in their internal regulations on trafficking in persons and prostitution. This was the case with US anti-trafficking policy, for instance. The United States Congress also approved the Victims of Trafficking and Violence Protection Act in 2000, ostensibly to combat the crime of trafficking in persons and to protect its victims. However, what was presented in the mainstream media was a policy to fight against international sex trafficking. The law passed in the United States was supported by leaders of religious groups, neoconservatives and abolitionist feminists. In the very title of the law, it is possible to identify the discourse that all trafficked people, including all women and even trans* people, are victims of trafficking and need to be rescued and protected (Desyllas, 2007). This matters on an international level because the United States has been a huge player in international relations in the past years, influencing several migration laws or regulations in other countries, especially in the Global South – although this might now be changing due to the 2020 COVID-19 crisis.

The European Union has also taken severe measures in recent years concerning border control, immigration and the fight against trafficking in persons and sexual exploitation. The European Union Framework Decision on Combating Trafficking, adopted in 2002, calls on member states to develop practical, proportionate and dissuasive policies to combat trafficking in persons. The European Union has also prioritized cooperation between police and security institutions to prevent what is considered 'one of the most dangerous threats to the EU Member States', i.e. international trafficking in persons (Europol, 2003, p. 9). Although the European Parliament has mechanisms that focus on the protection of victims of trafficking, authors such as Desyllas (2007), argue that a number of European countries have defined criminality in a way that positions 'trafficked people' as perpetrators of the crime of trafficking in persons. Consequently, migrant sex workers, mainly from the Global South, can find themselves targeted by the police or by immigration institutions because of the regulations developed to end international trafficking networks.

Sweden's abolitionist model, known as the 'Nordic Model', influences several policies and actions on sex work in various parts of Europe, including Finland, Norway, France, the United Kingdom, Ireland and the European Union itself, through the European Parliament. This model is based on the legislation criminalizing the purchase of sexual services in Sweden, which was passed in 1999. This process of criminalization was celebrated and supported by adherents to the radical/abolitionist feminist perspective, who believe it is the solution to combat international trafficking in women and sexual exploitation through prostitution. The Swedish government also stated that by adopting such legislation concerning the criminalization of the purchase of sexual services, a series of oppressions against women and children would be combated (Halley et al., 2006; Hubbard et al., 2008). Nevertheless, some national and international organizations of sex workers, such as the Red Umbrella Project (RedUP) and the Swedish Association for Sexuality Education (RFSU), are extremely critical of the Nordic Model and its results following the adoption of the Swedish legislation. Their main arguments are that sex work, as well as the international trafficking of women, did not diminish or disappear in Sweden; in fact, these practices just changed form, taking place underground in more dangerous spaces for sex workers. This has meant worsening working conditions for sex workers, with lower payments, more reliance on pimps, and higher risks to their health and safety (Global Network of Sex Work Projects [NSWP], 2015; Halley et al., 2006).

The so-called legalization model or 'Dutch Model' was applied in the Netherlands in 2000. The criminalization of bordellos was withdrawn, and a process of legalization of the voluntary commercial organization of adult prostitution began. Some other European countries have also followed this model, as is the case in Germany and Greece. Thus, sex workers gained access to retirement, social security benefits, specific healthcare, and the right to seek justice when their rights were violated (Halley et al., 2006). However, while some studies argue that women working in regulated areas of prostitution are now less marginalized, it has also been found that many sex workers in Germany remain unregistered, mostly to avoid paying taxes (Bettio et al., 2017). To return to the specific focus of this article, the Dutch legalization model still has limitations regarding the protection and regularization of sex workers who are in situations of greater vulnerability and

marginality, as is the case of those who have uncertain migrant status, drug users and trans* or gender-diverse people, primarily those who are black or people of colour. Thus, marginalized communities of trans* sex workers do not have all the protection guaranteed by law, which further increases the risk of rape and abuse by both clients and police officers and agents of security and immigration (Bettio et al., 2017).

Decolonial and transfeminist perspectives on colonialisms, globalization, capitalism, migrations and trans* sex work

After this brief overview of the hegemonic feminist debate and its influences on the central discussions and norms of international organizations and of US and European Union legislation, it is necessary to highlight decolonial and transfeminist perspectives, especially with regard to the specificities of trans* and gender-diverse migrants and sex workers from the Global South. It is essential to contrast these with the discussions and debates presented above, but also to provide visibility and legitimacy to the debates and perspectives of subaltern, racialized and non-cisgender feminists on the topic at hand.

To have a serious and coherent discussion about Brazilian trans* and gender-diverse migrant sex workers, it is important to avoid reproducing frequently encountered academic narratives that treat trans* sex workers of the Global South only as victims with some mental disorder (due to past pathologization through the World Health Organization), or as metaphors used only to introduce greater social problems. It is necessary to bring to light the intersectionalities and connections between sexuality, gender, race, ethnicity, body, disability, capitalism, colonialism, legality, nation-state, and the power discourses of the medical and legal domains (Rev & Geist, 2017). Therefore, it is imperative to emphasize that the community of concern in this article comprises a huge diversity of conscious agents, navigating between different complex and valid identities, with different experiences of life.

Some feminist perspectives, such as the postcolonial or decolonial perspective, criticize the main arguments developed by (cis)radical/abolitionist and liberal/libertarian feminists, for being either orientalist or imperialist, mainly because of the way subaltern and racialized women are represented in their discourses uncritically as victims of the systems of human trafficking and/or prostitution (Baker, 2015). Decolonial writers such as Kempadoo and Doezema (1998) argue that the state, as well as capitalist, patriarchal and colonialist power relations, are key paradigms commonly overlooked or neglected in the central feminist debates of the Global North that examine how people are exposed to exploitations of sex work, migration, and trafficking in persons. Also, it is vital to recognize the self-determination, capacity and awareness of sex workers, as well as the legitimation of sex work as a platform for income generation and survival in which many people in the Global South are continually voluntarily and conscientiously engaging. Thus, contrary to the abolitionist perspective previously seen, sex work should not be regarded as a form of oppression or victimization, but rather it should be examined from a perspective of empowerment and resistance (Kempadoo & Doezema, 1998).

bell hooks (2000) and Espinosa-Miñoso (2009) also illuminate the fact that, in addition to the agency of sex workers of the Global South often being invisible, there is a

constant reproduction of a Western epistemological framework by the hegemonic feminisms, which promotes a form of 'epistemicide' (Espinosa-Miñoso, 2009, p. 45). Through this, the philosophies and contributions of indigenous and native peoples, and people of African descent, among other people of colour, are erased from homogenized 'global' perspectives on gender or women (Espinosa-Miñoso, 2009; Lugones, 2008; Mignolo, 2008). This perpetuates the image of otherness for women from the Global South, especially Afro-descendants, indigenous women, lesbians, bisexual women, trans* women and sex workers (Hall, 2006). There is therefore a contrast made between the 'weak and unprotected third world women/people' and 'powerful western women' (Desyllas, 2007, p. 64; Doezema, 2002; hooks, 2000). This highlights the perpetuation of colonialism and imperialism that also substantially affects trans* and gender-diverse sex workers from the Global South.

The colonial systems that have been developed and implemented in several countries for centuries, such as in Brazil, had as a reproduction matrix the construction of a historical project of white supremacy and structures of global hierarchy (Lugones, 2008; Quijano, 1997). For instance, the postcolonial author Quijano (1997) presents the concept of 'Coloniality of Power', which principally is the process of production of global hierarchical structures, by the European colonization system of the modern era. For him, this formed the basis for structural and institutionalized oppression and violence based on gender, race, ethnicity, sexuality, religion, epistemology, language, among others, which we find in various regions of the globe. Moreover, these hierarchical structures were only possible to establish through the institutionalized racism and slavery of the native and African peoples, generating the rise of the capitalist, patriarchal and colonial system, as well as strengthening the institutionalization of nation-states and borders (Quijano, 1997, p. 117).

With inspiration from theory developed by Quijano (1997), the decolonial author Maria Lugones (2008) expresses that 'coloniality of power' as a framework of analysis also helps in the understanding that colonization brought a racist, patriarchal, heterosexual and binary mode of organization to social relations. This results in the transformation of non-white women into subordinates, and the pathologizing of any form of expression, identity and/or corporeity that deviates from the endosexual,[2] cisheteronormative and patriarchal norms regarding sexual relations, gender, affection, community, bodies, genitalia, clothing and non-Western roles or performances of gender (Lugones, 2008, pp. 77–78).

Therefore, with the colonial project that resulted in the violent incorporation of Western, white, Christian, binary, endosex and cisheteropatriarchal norms, the body diversity and expressions/identities of several gender identities or expressions were gradually exterminated and criminalized by the process of colonization (Araruna & Carneiro, 2017; Carneiro, 2016; Vergueiro, 2016). Consequently, it is possible to affirm that the decolonial perspective is very close to that of transfeminism, due to how issues of gender, sexual orientation, race and ethnicity, among others, are linked to the history of colonialism. The Brazilian decolonial and transfeminist scholar Viviane Vergueiro (2012) observes that 'it is imperative to have a matrix of decolonial and transfeminist analysis on the issues of trans* and gender-diverse people from the Global South' (Vergueiro, 2012, p. 9). According to Vergueiro (2016, p. 64):

> This masking of power relations hampers the perception that supposedly scientific 'sexual dimorphism' is aligned with Euro-American ways of understanding how the world works . . . . All bodies and genders have a history, and binaries, as a Eurocentric socio-cultural normativity defines and restricts the destinies of many of them around the world.

This in turn is relevant also to migratory sex work contexts, once one can denounce the colonizing nature of some institutional and non-institutional obstacles that work against the dignity of this community. Moreover, as we have seen previously, hegemonic feminisms often have imperialist views and do not consider the colonial history of resistance from non-white women/people. For Raymond (1979), the category of women, and their respective narratives and experiences of oppression, are delimited to the genitalia. She, like other trans-exclusionary authors, argues that the trans* community has emerged as a product of the medical and pharmaceutical industry, and that the fact that transfeminine people have had male socialization or a genital organ considered socially masculine, even if for a short period, means they are hierarchically positioned above cisgender women and will never experience the oppression of cisgender women (Raymond, 1979; Whittle, 2002). Nevertheless, what the decolonial and transfeminist perspectives allow us to perceive is that the whole Eurocentric relationship between genitalia and binary sex/gender systems originates from colonial mechanisms that aim to reinforce global hierarchies based on racism/ethnocentrism (Hayward & Gossett, 2017; Lugones, 2008; Vergueiro, 2016).

It is also crucial to bring the transfeminist critique to bear on ideas defended by (cis) abolitionist/radical feminists, based on the discussions around trans* people in the sex trade, mainly in the Brazilian context. The transfeminist writer and sex worker Amara Moira (2018) emphasizes that the argument that sex work is comparable to sexual slavery or paid rape, much advocated by many (cis)radical feminists/abolitionists, only demonstrates that this view comes from people who have never exercised this job (Moira, 2018). The argument also often reveals it is used without the recognition that sex workers are able to consciously identify when they are experiencing a rape situation or not.

The 'European dream'

For trans* and gender-diverse sex workers, the migration process often starts within the country itself, when they are expelled from their homes by relatives or laid off from their jobs when they transition or assume a transsexual identity. They move to the major cities and capitals of Brazil, especially São Paulo and Rio de Janeiro, mainly because they have a huge community of trans* sex workers already installed, who help in the process of integration for new sex worker arrivals, but also, due to the ease of international migration from these cities, for which Europe is the main destination (TGEU, 2017). As indicated earlier, *Travestis*[3] and trans women represent the majority of sex workers within the trans* and gender-diverse community, so it is important to highlight the 'crisscrossing of oppression' especially for those with the *Travesti* identity (Pelúcio, 2011, p. 115). Class, gender and race paradigms are important factors for the deepening of marginalization and vulnerability of these people, especially for contexts of sexual exploitation and some exploratory schemes of trafficking in persons/migrants.

Some motivations for the migration of Brazilian trans* and gender-diverse sex workers to Europe are linked to the context of discrimination, inequality, violence, transphobia and lack of opportunities that this community faces. The quest for the European continent is very particular and characteristic of Brazilian trans* migrations, especially for trans women, *Travestis* and transfeminine people. However, many of the factors that intensify this migration are not commonly taken into consideration by organizations that fight against trafficking in persons, within hegemonic feminist debates and/or by migrant assistance organizations in Europe (Pelúcio, 2011).

Within the Brazilian trans* migratory context, economic motivators – which are those related to the desire to obtain better living and working conditions or a higher income – intersect with motives related to individuals' search for safer environments and less discriminatory places to perform sex work and express their gender identities. However, another factor motivating migration (specific to Brazilian *Travestis* and transfeminine sex workers, but relatable across trans* Latin American populations) is I will call 'the European dream' – a shared dream within the community of becoming European. Some ethnographies and analyses of the experiences of trans women and *Travestis* who migrated to Europe or dream of migrating show it is possible to find a guiding axis that refers to the symbolic, social and cultural capital they seek to acquire (Nogueira, 2017; Pelúcio, 2011; Teixeira, 2008). For a number of Brazilian trans* and gender-diverse (especially transfeminine) people, being a sex worker in Europe brings approval from the family and other sex work colleagues in Brazil, as well as offering a place where the imaginaries of 'luxury', 'wealth' and 'glamour' replace the reality of dehumanization, poverty and violation of their bodies and dignities in Brazil. There is even a phrase used among the *Travestis* in Brazil: '*Travesti* is Luxury, *Travesti* is Glamour', which is much used as an analogy between the *Travesti* identity and the European continent (Pelúcio, 2011, p. 109).

Thus, for trans* and gender-diverse people, there is a specific relationship between cultural and social status, and migration to Europe. This shows how historical, colonial legacies still have effects and consequences within the colonized countries to the present day. The European imaginary, and ideas of being European, are always related to progress, cultural, social and economic development, and evolution (Pelúcio, 2005). Countries from the Global South, such as Brazil, are positioned as inferior, with no cultural and symbolic value, mainly due to all the economic, political and social difficulties that one must face in Brazil, especially when belonging to a marginalized social group. Being a trans* sex worker in Brazil is extremely difficult due to discrimination, violence and stigma; therefore, the search for Europe or being European can be linked to the search for acceptance, respect and identity legitimacy by family, friends and society in general (Montvalon, 2014, p. 35). However, both the difficulties faced in Brazil and much of this idealized perspective on European nationality have their origin in the colonial legacy or in the effects of the international political economy, being based on the production of inequalities between the countries and within them, within the hegemonic global capitalist system (Lugones, 2008; Quijano, 1997). Therefore, the connection between colonialism, capitalism, social inequality, discrimination and territories is also crucial to understand the migratory phenomena of gender-diverse peoples from Brazil to Europe (Pelúcio, 2011, p. 111). But these paradigms can also be used to understand the

existing demand within the European sex market for Latin American sex workers, which also contributes to the enormous popularity of the European continent as a migratory destination.

Brazilian sex workers represent a cheap sexual pleasure for the European imagination, which at the same time is fetishized through the characteristics of cultural difference and 'otherness' (Burgio, 2017). However, Brazilian trans* sex workers use this construction of racialized stereotypes in a strategic way to achieve success in the European sexual market. This means that there is awareness of this imagery of eroticization, which, despite being part of the colonial discourse of racial superiority, is also a way of surviving and succeeding in this field on the European continent. Pelúcio (2011) adds that:

> In the transnational sex market, many Brazilian *Travestis* are affected by these relationships and by the interweaving between notions of sexuality, gender, race, ethnicity, and nationality. But what I realize is that they are manipulating these stereotypes to promote themselves in that competitive business. They learn to play erotic games that deal with roles of power and submission, domination and passivity. Finding out that there is a dense sexual grammar that composes the codes for these encounters. (Pelúcio, 2011, p. 113)

The context of marginalization and vulnerability for sex work in Brazil, structured around exploitative relations and overseen with great vigilance by the police in an arbitrary and discriminatory way, disproportionately affects trans women and *Travestis*, since they are so often located within the sex market and because of their vulnerability to transphobic attacks and hate crimes from clients, from the state and from society (TGEU, 2017). This scenario, coupled with the state's complete failure to protect the rights of this community, means that trans women and *Travestis* are especially vulnerable to exploitative schemes for trafficking in persons. They have an enormous interest in leaving these contexts of violence in Brazil, and face significant difficulties in navigating the formal barriers that the countries of the North pose for the voluntary migration of people from the Global South (TGEU, 2017).

Therefore, we must consider the trafficking of Brazilian trans* and gender-diverse sex workers in a broader context, with attention to the particularities and specificities that these people face in the sexual market due to discrimination, violence and, in some cases, exploitation. The exploitative schemes of trafficking in persons often reveal national social issues, unequal international relations, and much greater vulnerabilities among particular marginalized groups. Some discourses and discussions end up positioning people who are trafficked as mere victims of crime, forgetting the whole social, economic and political context that puts people in that situation, often in a voluntary and conscious way, since the place of origin can be threatening to these bodies (Fernandes, 2014; Pelúcio, 2011; Teixeira, 2008).

A critique of the international anti-trafficking discourse

To analyse the migration of trans* and gender-diverse Brazilian sex workers to Europe, it is necessary to understand how the Brazilian reality of transphobia and violence obliges this community to depend on trafficking to achieve the European dream and escape the

exploitative and violent environments in which they live. As such, most trans* and gender-diverse migrant sex workers in Europe do not consider themselves victims, or as objects that do not consent to their realities (Navas, 2013, pp. 5–6). While there is still a need to combat any kind of exploitation or marginalization, in order to understand the phenomenon of international human trafficking, it is also necessary to reflect on how the global capitalist economy is structured, and how unequal and neocolonial international relations influence social, political and economic development, creating inequalities within and between various countries (Navas, 2013; Office of the United Nations High Commissioner for Human Rights [OHCHR], 2014).

However, what we find in hegemonic international anti-trafficking discourses, especially those in the Global North, which influence the attitudes of security institutions in the Global South also, is a 're-inscription of colonialism and western imperialism' through the implementation of anti-trafficking policies (Desyllas, 2007, p. 72). Some decolonial feminists, such as Kempadoo (2005) and hooks (2000), point out that the anti-trafficking agenda prioritizes criminalization, punishment and immigration control over bodies that have a specific origin and skin and, I would add, gender identity or expression. In addition, anti-trafficking discourse reproduces a racism and binarism that invisibilizes the specific issues experienced by some communities, such as trans* and gender-diverse people, in addition to defining migrant sex workers as always the victims of sexual exploitation (Kempadoo, 2005). In the anti-trafficking hegemonic discourse there is a stiffening of the binary categories of man and woman, in addition to the reinforcement of cisheteronormative gender stereotypes. In addition to sexual exploitation being commonly associated with sex work and trafficking, it is seen as affecting only cisgender women, disregarding the experiences and specificities of trans* and gender-diverse people, as well as cisgender men. This perception of sex work as sexual exploitation also presupposes the illegitimacy of autonomy for those working in the sex industry abroad with the intention of earning increased economic security (Frisso, 2014, pp. 80–81). The personal experience outlined below, reported in an autoethnography by the author Claudia Cojocaru (2016), offers a greater understanding of this context. According to her:

> Individuals may react to traumatic events in ways that do not always fit into neatly delimited categories. Most of the women I had contact with experienced violence to some degree, whether it was at the hands of family members, romantic partners, other men and women, pimps, clients or bar staff. Despite personally experiencing violent incidents, neither I nor most of these women would identify with disempowering and stigmatising conceptualisations of victimisation or exploitation in the sex industry. The anti-trafficking sexual humanitarian discourse lumps all women who sell sex into a common category: whether they are trafficked or not, they are invariably understood to be vulnerable, passive and witless victims. According to abolitionist logic, these women's perceived lack of agency and self-determination justifies a range of coercive interventions, from stigmatising labelling, to highly intrusive and destabilising rescue missions. (Cojocaru, 2016, pp. 19–20)

There is a common discursive construction within the hegemonic anti-trafficking debate: the connection between sexual exploitation and international trafficking with the category of 'modern slavery'. This conflation is much advocated by abolitionist

feminists, by some human rights organizations, as well as by security institutions. These simplistic comparisons between trafficking and slavery reveal how the representation of migrant sex workers, particularly those from the Global South, as 'powerless victims' erases their agency and autonomy. It also omits the real purpose and context of migratory processes and conceals the truth that for many trans* and gender-diverse migrants, sex work is the main way to earn an income and achieve some degree of social mobility (Andrijasevic & Mai, 2016, p. 2). The supposed relationship between international trafficking and modern slavery also reveals discourses that try to untangle the white privilege from the actual effects of slavery on people of colour, and especially black and indigenous peoples. On this, author Julia O'Connell Davidson (2017, p. 5) states that:

> The abolition of slavery did not mark the end of race as a system of domination. It persisted, and it continues to privilege white and devastate black lives in the contemporary world. The discourse of 'trafficking as modern slavery' actively deflects attention from this. It works to minimise the scale and nature of the atrocity of transatlantic racial slavery (epitomised by the oft-repeated claim that 'there are more slaves today than at any point in human history'), and to dissociate it from the specifically anti-black racism it fostered. It thus produces a lens that occludes the relationship between white privilege and the on-going devaluation and endangerment of black lives in the US, Brazil and other former slave and colonial states.

An alternative to the anti-trafficking perspective is to remove moral lenses that stigmatize and marginalize trans* and gender-diverse sex workers, and move to a perspective of protecting all migrant workers from precarious working conditions. Several Brazilian sex worker activists and organizations have in the past recommended that it is necessary to fully regulate and legalize sex work (Prada, 2018). In 2012, Brazilian legislator Jean Willys introduced a Bill for the legal regulation of sex workers, named after Gabriela Leite, a Brazilian sex work activist who organized the first Brazilian sex workers' conference. The Bill was never approved. But since then, a growing debate has emerged among progressive sex worker activists, including trans* activists, especially through the internet and social media forums. For instance, the famous Brazilian sex work activist Monique Prada (2018) argues that:

> Regulation is a complicated thing, actually. I can't say that in any country things are going well, things are working out. The big question is that the great model that is being defended worldwide is the abolitionist model of prostitution which aims to end demand, through criminalizing the man who pays for sex. Well, that model was implemented in 1999 in Sweden, and today there are still prostitutes in Sweden. This model was implemented in France a year ago, and the reports are that the effects of this model are severe, they are strong. Spain wants to implement this model, and Brazil also wants to implement this model. We talk a lot about the Gabriela Leite Bill, but no one remembers talking about the Bill 377/11, by the Legislator João Campos, who uses feminist arguments [from radical feminists or TERFs] in a very cynical and very inappropriate way [manipulating information with fake and sensationalist news]. When we are starting to join with the fundamentalists parliamentarians' Bills, I think it is time to take a step back. (Prada, 2018, translation by author)

Therefore, there is a counter-argument to legalization, that likewise stands opposed to abolitionism. The Dutch model discussed earlier has adversely affected sex workers due

to high taxes and also other restrictions, such as how places and venues are authorized. In addition, sex work ends up being authorized for people with official Dutch documentation and with certain symbolic capital. This mainly excludes trans* and gender-diverse people, especially those who are not cis-passable, migrants, people of colour, people with disabilities and the poorest.

Through legalization (as opposed to decriminalization), the total regulation of sex work by the state may culminate in several human rights violations (English Collective of Prostitutes, 2016). Regulation by the state can present many requirements to be fulfilled by sex workers, which will mainly affect trans* and gender-diverse, people of colour and/or black people. Bureaucracies that reproduce structural transphobia, and put the regulation of this category in the hands of the state, may lead to a new 'illegalities', where people cannot hope to meet the requirements of the legislation as the result of the enormous social inequality that exists in Brazil, especially among trans* people (English Collective of Prostitutes, 2016).

A demand common among most progressive sex worker activists, which I support as well, is the call to decriminalize sex work in all respects and take into account the agency, autonomy and conditions of trans* sex workers in the context of prostitution and trafficking in persons. Marginalized groups need to be able to speak for themselves, and must have their voices and demands heard, so they can prioritize their own agendas and experiences (Desyllas, 2007). Most importantly, it is vital to focus on the empowerment of vulnerable and marginalized groups, rather than on a process of rescue by the Global North (Andrijasevic & Mai, 2016).

Conclusions

This article presented a discussion of the issues, specificities and central characteristics of the migration of Brazilian trans* and gender-diverse people to Europe. As most Brazilian trans* and gender-diverse migrants on the European continent are trans women, *Travestis* or transfeminine sex workers, who often arrive in the Old World from trafficking in persons/migrants schemes or networks that support the migratory process, giving voice to these individuals in the debate on trafficking in persons and sex work has become essential. What we can conclude is that the hegemonic feminist debates on the subject of trafficking in persons and sex work, especially the abolitionist, as well as the hegemonic anti-trafficking discourse, often reproduce colonialisms, cissexisms and racism, due to the way trans* migrant sex workers from the Global South are represented. Therefore, many laws, regulation, and norms designed to confront trafficking in persons/migrants or to criminalize the purchase of sex bear hidden interest: that is, to eliminate prostitution and migrants from the Global South, especially those who deviate from moral Christian, white and cisheteropatriarchal norms. The self-determination, the capacity and the conscience of all the people positioned within the context of sexual work must be respected and it is necessary to understand that given the severe oppression of patriarchal, transphobic, colonial, state and capitalist relations, sex work and migration to the European continent reveal themselves as a search for the means of survival, resistance and independence. Sex work does not in and of itself generate victimization and is not directly associated with sexual or moral violence: rather, cases of exploitation and violence can and do happen, as in any

other work or social environment. For these exploitations and violence to diminish, it is vital to promote the following: decriminalization and regulation of prostitution in all states; the protection of the economic, social and political rights of professional sex workers; efficient and targeted public policies that benefit trans* and gender-diverse people; and a more receptive perspective on migrants in the Global North. This is especially the case for those who are most vulnerable and marginalized, such as trans* and gender-diverse sex workers from the Global South.

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Notes

1. Given the lack of attention to monitoring violence towards trans* and gender-diverse populations, it is likely that the actual murder rate is much greater.
2. Endosex or endosexual is a category used to define a person who is not in any way intersex. According to the Organisation Internationale des Intersexués (OII), 'Intersex people are born with atypical sex characteristics. Intersex relates to a range of congenital physical traits or variations that lie between stereotypical definitions of male and female. That is physical differences in chromosomes, genetic expression, hormonal differences, reproductive parts like the testicles, penis, vulva, clitoris, ovaries and so on. Many different forms of intersex exist; it is an umbrella term, rather than a single category' (OII, 2012).
3. *Travesti* is a Latin American and Brazilian transfeminine gender identity. The origins of the word refer to cross-dressing, however the term was reaffirmed so much within *Travesti* communities to the point of being re-signified and understood in Brazil as related to gender identity, and not to cross-dressing per se. This identity is a quite open one, so today there are *Bichas Travestis* (Queer Travestis), there are *Travestis* who identify as both as *Travesti* and as trans women or women, there are some who identify neither as man or woman, describing themselves as only *Travestis*, in a way that sits outside the Western gender binaries (Luz, 2018).

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