

anti trafficking review

Issue 19, September 2022

ISSN: 2286-7511

EISSN: 2287-0113

Special Issue - Migration, Sexuality, and Gender Identity

Editorial: Thinking with Migration, Sexuality, Gender Identity, and Transactional Sex

Thematic Articles

Missing, Presumed Trafficked: Towards non-binary understandings of 'wayward' youth in Jamaica

Workers, Migrants, and Queers: The political economy of community among illegalised sex workers in Athens

The *Thirunagai* Promise: Gender as a contingent outcome of migration and economic exchange

Queering Sex Work and Mobility

Why the 'Ideal Victim' Persists: Queering representations of victimhood in human trafficking discourse

'Not A Sufficient Reason': LGBTQ asylum seekers in the Russian asylum system

Short Articles

'They Kill us Trans Women': Migration, informal labour, and sex work among trans Venezuelan asylum seekers and undocumented migrants in Brazil during COVID-19

Queering Protracted Displacement: Lessons from Internally Displaced Persons in the Philippines

CAER: Co-creating a Collaborative Documentary about the Lives and Rights of Trans Latinx People Working in the Sex Industry in Queens, NYC

Interview: Queerness, Sex Work, and Refugee Status in Nairobi: A conversation with Queer Sex Workers Initiative for Refugees

anti trafficking review

GUEST EDITOR
SVATI P. SHAH

EDITOR
BORISLAV GERASIMOV

EDITORIAL BOARD

RUTVICA ANDRIJASEVIC, University of Bristol, United Kingdom
LYNDSEY BEUTIN, McMaster University, Canada
JACQUELINE BHABHA, Harvard School of Public Health, United States
XIANG BIAO, Oxford University, United Kingdom
DENISE BRENNAN, Georgetown University, United States
AMALIA CABEZAS, University of California Riverside, United States
LUCIANA CAMPELLO, Independent consultant, Brazil
JOY NGOZI EZEILO, University of Nigeria; Former UN Special Rapporteur on trafficking in persons, especially women and children, Nigeria
ANNE T. GALLAGHER, Independent scholar and legal advisor, Australia
JOHN GEE, Transient Workers Count Too, Singapore
YANA HASHAMOVA, Ohio State University, United States
SUZANNE HOFF, La Strada International, The Netherlands
KAMALA KEMPADOO, York University, Canada
ANNALEE LEPP, University of Victoria, Canada
MARIKA MCADAM, Independent consultant, Australia
SANJA MILIVOJEVIC, La Trobe University, Australia and Oxford University, United Kingdom
SVERRE MOLLAND, Australian National University, Australia
JENNIFER MUSTO, Wellesley College, United States
MARINA NOVAES, Business & Human Rights Resource Center, Brazil
VICTORIA IJEOMA NWOGU, United Nations Development Programme, Somalia
JULIA O'CONNELL DAVIDSON, University of Bristol, United Kingdom
PIA OBEROI, Office of the High Commissioner for Human Rights, Thailand
SAM OKYERE, University of Bristol, United Kingdom
ELAINE PEARSON, Human Rights Watch, Australia
NICOLA PIPER, University of Sydney, Australia
ADRIANA PISCITELLI, University of Campinas, Brazil
NIVEDITA PRASAD, Alice Salomon University of Applied Sciences, Germany
JOEL QUIRK, University of the Witwatersrand, South Africa
CAROLINE ROBINSON, Independent human rights expert, United Kingdom
JYOTI SANGHERA, Office of the High Commissioner for Human Rights, Switzerland
MARIE SEGRAVE, Monash University, Australia
KIRIL SHARAPOV, Edinburgh Napier University
ELENA SHIH, Brown University, United States
REBECCA SURTEES, NEXUS Institute, United States
SALLIE YEA, Independent scholar and consultant, Australia
CATHY ZIMMERMAN, London School of Hygiene and Tropical Medicine, United Kingdom

ANTI-TRAFFICKING REVIEW

Special Issue

MIGRATION, SEXUALITY, AND GENDER IDENTITY

Issue 19, September 2022

The *Anti-Trafficking Review* (ISSN 2286-7511) is published by the Global Alliance Against Traffic in Women (GAATW), a network of over 80 NGOs worldwide focused on advancing the human rights of migrants and trafficked persons.

The *Anti-Trafficking Review* promotes a human rights-based approach to anti-trafficking. It explores trafficking in its broader context including gender analyses and intersections with labour and migration. It offers an outlet and space for dialogue between academics, practitioners, trafficked persons and advocates seeking to communicate new ideas and findings to those working for and with trafficked persons.

The *Review* is primarily an e-journal, published biannually. The journal presents rigorously considered, peer-reviewed material in clear English. Each issue relates to an emerging or overlooked theme in the field of anti-trafficking.

Articles contained in the *Review* represent the views of the respective authors and not necessarily those of the editors, the Editorial Board, the GAATW network or its members. The editorial team reserves the right to edit all articles before publication.

The *Anti-Trafficking Review* is an open access publication distributed under the terms of the Creative Commons Attribution License (CC-BY).

The *Anti-Trafficking Review* promotes the sharing of information, and we therefore encourage the reproduction and onward dissemination of articles published with us.

ANTI-TRAFFICKING REVIEW

Issue 19, September 2022

- 1 Editorial: Thinking with Migration, Sexuality, Gender Identity, and Transactional Sex
Svati P. Shah
- Thematic Articles: Migration, Sexuality, and Gender Identity
- 9 Missing, Presumed Trafficked: Towards non-binary understandings of 'wayward' youth in Jamaica
Jacqueline Sanchez Taylor and Julia O'Connell Davidson
- 28 Workers, Migrants, and Queers: The political economy of community among illegalised sex workers in Athens
Valentini Sampethai
- 47 The *Thirunangai* Promise: Gender as a contingent outcome of migration and economic exchange
Shakthi Nataraj
- 66 Queering Sex Work and Mobility
Ntokozo Yingwana
- 87 Why the 'Ideal Victim' Persists: Queering representations of victimhood in human trafficking discourse
Anna Forringer-Beal
- 103 'Not A Sufficient Reason': LGBTQ asylum seekers in the Russian asylum system
Ekaterina Rosolovskaya

Short Articles

- 119 'They Kill Us Trans Women': Migration, informal labour, and sex work among trans Venezuelan asylum seekers and undocumented migrants in Brazil during COVID-19
Yvonne Su and Tyler Valiquette
- 125 Queering Protracted Displacement: Lessons from Internally Displaced Persons in the Philippines
Romeo Joe Quintero and Amrita Hari
- 130 CAER: Co-creating a Collaborative Documentary about the Lives and Rights of Trans Latinx People Working in the Sex Industry in Queens, NYC
Nicola Mai and Liaam Winslet
- 134 Interview: Queerness, Sex Work, and Refugee Status in Nairobi: A conversation with Queer Sex Workers Initiative for Refugees
Subha Wijesiriwardena

Editorial: Thinking with Migration, Sexuality, Gender Identity, and Transactional Sex

Svati P. Shah

Suggested citation: S P Shah, 'Editorial: Thinking with Migration, Sexuality, Gender Identity, and Transactional Sex', *Anti-Trafficking Review*, issue 19, 2022, pp. 1-7, <https://doi.org/10.14197/atr.201222191>

This special issue of *Anti-Trafficking Review* bridges the fields of queer and transgender studies, migration studies, research on sex work, and critiques of the discourse on human trafficking. Along with centring LGBTQI+ subjects as actors within the empirical contexts of domestic and cross-border migration and transactional sex, this collection offers a unique set of perspectives on the operations and production of heteronormativity and juridical power within the spaces of informal economies. Broadly, these papers address the implications of the heightened juridical recognition of sexual orientation and gender identity for debates on migration, sex work, and human trafficking. In so doing, they demonstrate how queer theory can build on and complicate extant critiques of the trafficking framework regarding, e.g., the conflation of trafficking and prostitution, and the reduction of people who sell sexual services to tropes of cishnormative female victimhood and helplessness.

Theoretically, the papers in the issue address a key problematic of binary gender that emerges with the consolidation of the contemporary anti-trafficking framework in the late 1990s, discussed in more detail in the sections that follow. This problematic is built around the ways in which the trafficking framework renders sexuality and gender identity in relation to cross-border migration almost exclusively in terms of violence. Because violence subsumes questions of survival within this dominant frame for sex work and, increasingly, migration, any gender identity or sexual orientation other than cis-male heterosexuality is rendered as vulnerability that cannot act, speak, or transact. The issue addresses this gap by repositioning questions of violence, e.g., in marking the violence of state actors, and by revealing how the discursive elisions constituted by this use of violence are manifested in the everyday lives of people surviving impoverishment around the world. This critique has significant implications for how queer, transgender, and all non-cishnormative people, and non-heteronormative practices, 'appear' as juridical categories in migration, asylum, and refugee processes, along with

the implications this has for understanding transactional sex itself. Rather than eschewing the existence of unfree labour and human trafficking, the issue shows that mistaking economic migration for trafficking erases significant swathes of lived experience of the vast and growing numbers of people who live in extreme forms of privation and precarity.

Recursive Queer Feminist Critiques

In a sense, the issue demonstrates how new research on sex work is revisiting and extending the kinds of connections, critiques, and alliances that were being made by queer feminists in the 1970s and 1980s, when they argued that sex work and queerness were part of the universe of radical sex politics because both challenged heteronormativity.¹ In a time when homosexuality was still criminalised in most of the world, critical alliances amongst sex workers of all genders, transgender and non-binary ‘gender outlaws’,² queers, lesbians, bisexuals and gay men, including those who were first- and second-generation migrants and immigrants, were part of the porous landscape of sexuality-based activism. Although marginal and often struggling for visibility, these alliances regularly included feminist, anti-racist, or trade unionist movements.³ Histories of LGBTQI+ activism around the world include many such alliances, demonstrating that sex work was part of the broader context for queer and transgender organising, and vice versa, particularly during the first decades of HIV/AIDS in the 1980s and 1990s. This broader context included questions of survival, of which the discourse of migration is necessarily a part.

¹ See, for example: F Delacoste and P Alexander (eds.), *Sex Work: Writings by Women in the Sex Industry*, Cleis Press, Pittsburgh, 1987; G Pheterson (ed.), *A Vindication of the Rights of Whores*, Seal Press, Seattle, 1989; A Snitow, C Stansell, and S Thompson (eds.), *Powers of Desire: The Politics of Sexuality*, Monthly Review Press, New York, 1983; J Nagle (ed.), *Whores and Other Feminists*, Routledge, New York, 1997; for some perspectives from India, see S P Shah, ‘Sex Workers’ Rights and Women’s Movements in India: A Very Brief Genealogy’, in S Roy (ed.), *New South Asian Feminisms: Paradoxes and Possibilities*, Zed Press, New York, 2012, pp. 27–43 and R Kapur, *Erotic Justice: Law and the New Politics of Postcolonialism*, Routledge, London 2005.

² K Bornstein, *Gender Outlaws: Men, Women and the Rest of Us*, Routledge, New York, 1994.

³ C Cohen, ‘The Radical Potential of Queer? Twenty Years Later’, *GLQ: A Journal of Gay and Lesbian Studies*, vol. 25, issue 1, 2019, pp. 140–144, <https://doi.org/10.1215/10642684-7275334>.

This sensibility changed over time, particularly in the wake of the feminist ‘sex wars’⁴ in the late 1980s and 1990s, and the consolidation of the contemporary discourse on human trafficking and prostitution abolitionism as radical feminism’s essential crisis and cause in the late 1990s. This consolidation inaugurated the discourse and debates that have animated the literature on sex work and human trafficking that now seem almost timeless, along with its attendant emphases on questions of choice, force, consent, and carcerality.⁵ If the contemporary discourse on human trafficking is marked by the key debate on sex work as violence versus labour and livelihood, then it should also be noted that the conflation of violence and transactional sex was rhetorically achieved by rendering transactional sex as the province of cisgender ‘femaleness’ and therefore as distinct from non-heteronormative and non-cisgender modes of being. This discursive turn had a profound impact on the power of the anti-trafficking narrative, particularly with respect to its ability to harness the discussion of migration away from poverty and towards the role of the state in rescuing women and girls from violence.

Drawing from Everyday Complexities

The papers in this special issue draw on the ways in which transactional sex, queerness, and migration status work and are debated in geographic contexts spanning Western and Eastern Europe, the Americas, Asia, and Africa. They build on the understanding that economic questions are not exclusive to those of sex and gender, and that sex work is a capacious category for critiquing the imbrications of sexuality, gender identity, material survival, affect, age, and agency. The phenomenon of economic migration offers a way toward clarifying these connections. Reflecting renewed interest in the literature toward these imbrications, this collection proceeds from the insight that, as the juridical legibility of non-binary, non-heteronormative, and non-cisgender forms of sexuality and gender identity moves forward, it appears to de-emphasise the explicit connections that sexuality- and gender-based social movements have historically drawn between identity, governance, and material survival. The need for this kind of critique is particularly urgent because of the pace at which forms of legal recognition for LGBTQI+ subjects has been expanding. In the Global North, this legibility has taken the form of legal recognition via expanded rights to adopt children, to form civil unions, and to marry. Around the world, this expansion has also included greater social legibility for some forms of non-cisgender identity and comportment. In the Global South, juridical LGBTQI+ legibility has taken

⁴ L Duggan and N D Hunter, *Sex Wars: Sexual Dissent and Political Culture*, Routledge, New York, 2006.

⁵ J Doezema, ‘Who Gets to Choose? Coercion, Consent, and the UN Trafficking Protocol’, *Gender and Development*, vol. 10, issue 1, 2002, pp. 20–27, <https://doi.org/10.1080/13552070215897>.

form via movements calling for the decriminalisation of homosexuality (see India, Trinidad and Tobago, Singapore, or Kenya, for example) or laws that now recognise local forms of non-cisgender identity. Some countries now recognise sexuality- and gender-based identity categories in granting asylum and refugee status. These kinds of developments require analytic attention because the discourse of ‘trafficking’ has also expanded significantly, now serving as a universalising frame for making sense of the intersections of sexuality, gender, and migration.

Queer Migration and Critical Trafficking Studies

Of the critical interventions that are circulating in relation to human trafficking, this special issue is perhaps most in dialogue with critiques of sex work as labour, and with the literature on Queer Migration Studies and Critical Trafficking Studies. A recent example of the intersection of these two frames of critique is a 2018 special issue of *Women’s Studies in Communication*, edited by Annie Hill and Karma Chávez.⁶ The issue reflects an emphasis in the Queer Migration Studies literature on scholarship that focuses its critiques on the workings of American empire and racism in globalised discourses of the dangers of migration and migrants. This literature has emphasised how the administrative illegibility of undocumented queer migrants plays out in the violence of border crossings into the US, and in the rhetoric of the US border itself.⁷ Like this literature, the articles in this issue of *Anti-Trafficking Review* are also concerned with people who are identified and categorised as ‘queer’ and ‘transgender’, while including geographic contexts in which discourses of migration and sexuality reference non-US histories and problematics.

This Special Issue

The papers in this special issue range in their approaches and foci, covering topics as diverse as street-based sex work, social welfare schemes for irregular migrants who are transgender, and the discursive ways in which children and women are figured in the matrices of juridical power. These contributors aim to reposition, rather than to eschew, the role that violence plays in our critiques of migration’s relation to sexuality and gender identity. Some articles reflect a particular temporal location in their ability to address the context of COVID-19, with several reflecting

⁶ A Hill and K R Chávez, ‘Introduction: Inciting Communication Across Queer Migration Studies and Critical Trafficking Studies’, *Women’s Studies in Communication*, vol. 41, issue 4, 2018, pp. 300–304, <https://doi.org/10.1080/07491409.2018.1544000>.

⁷ For example, see E. Luibhéid, *Entry Denied: Controlling Sexuality at the Border*, University of Minnesota Press, Minneapolis, 2002.

research done during the pandemic and associated lockdowns and other health and economic measures taken during 2020 and 2021.

The first four papers, by **Jacqueline Sanchez Taylor and Julia O'Connell-Davidson, Valentini Sampethai, Shakthi Nataraj, and Ntokozo Yingwana**, are all drawn from field work in, respectively, Jamaica, Greece, India, and South Africa. Sanchez Taylor and O'Connell-Davidson show how the category of 'sex trafficking' in policy and social welfare programming often obscures the violence that LGBTQ youth face in Jamaica. Their paper is based on interviews with 25 adults who, in their youth, had experienced forms of violence and control that are now rendered via the rubric of 'sex trafficking'. Participants' stories paint a complex picture of home, childhood, work, sex, pleasure, and violence that challenge dominant assumptions about 'wayward youth' in the country as victims of trafficking. The authors conclude that the heavy-handed rhetoric of 'sex trafficking' obscures children's (and adults') unmet needs for care and the realisation of their own freedom projects.

Sampethai and Nataraj offer ethnographic perspectives on sex work in Athens and South India, respectively, that disrupt the normative reduction of sex workers to cisgender women or victims of trafficking. Sampethai draws on an ethnography with local and migrant, cis and trans, women sex workers in order to understand 'grassroots tactics and community-building processes that respond to the material realities of criminalisation, violence, and devaluation'. She argues that mainstream trafficking discourses obscure the diverse relationships of help, community, exploitation, and obligation that exist between migrants, sex workers, brokers, gatekeepers, and police. The article describes the ways in which informal labourers in the sex industry, including trans mothers, ageing local and migrant women, and young gay and trans refugees, form communities to navigate 'overlapping forms of illegalisation' due to their migration status, gender identity, work, health, and other factors. These communities and chosen families, the author concludes, can be a source of exploitation but are also of life-and-death importance in overcoming the violence of impoverishment and surviving in street-based economies.

Nataraj draws on long-term ethnography with people who identify as *thirunangai* (transgender) and *kothi* (feminine gay men) in South India. Using a popular newspaper story about a migrant *thirunangai* and her conversations about it with the author and a group of *thirunangais* and *kothis* in Chennai, she shows how gender identity can be shaped by migration, labour, class, family, and intimate relationships. This argument has broad implications, not only for combatting regressive legislation on trans rights, but also for better understanding migration, marriage, and women's labour. The paper posits that 'thinking of social gender itself as a product of migration and economic exchange.' Both papers draw on longstanding traditions of urban and feminist anthropology.

Yingwana's paper is based on Feminist Participatory Action Research with 17 migrant and mobile cis and trans, gay and straight sex workers in Cape Town, South Africa. Through participants' stories, collected via live and WhatsApp-mediated focus group discussions, the paper examines 'intersections of sex work, mobility and gendered sexualities—specifically as they pertain to notions of (sexual) citizenship'. It shows how sex work can allow people to explore their sexuality and experience new forms of sexual (dis)pleasure, thereby broadening the body's 'erotic vocabulary'. Research participants highlight the ways in which migration provides the anonymity needed for this experimentation to take place.

The papers by **Anna Forringer-Beal** and **Ekaterina Rosolovskaya** address the themes of the special issue via discourse and legal analyses. They consider how the inclusion of LGBTQI+ perspectives in the historical imagination of trafficking and in contemporary asylum claims, respectively, change how we frame our historiographical and policy perspectives on the intersections of sexuality and mobility. Drawing on a queer genealogical reading of British campaigns against white slavery in the late nineteenth century, Forringer-Beal demonstrates how the ideal victim of trafficking is a construction which serves to personify cultural anxiety over limiting migration and maintaining white hegemony. A queer analysis of the history of anti-trafficking, she concludes, allows for the removal of the ideal victim and the destabilisation of harmful anti-trafficking approaches.

Rosolovskaya offers a critique of the Russian Federation's treatment of asylum claims based on sexual orientation and gender identity (SOGI). She provides an overview of the evolution of the Russian asylum system, including in the context of increasing state homophobia and intolerance towards human rights over the past decade. She reviews the courts' and immigration authorities' decisions in twelve cases of gay men seeking asylum in Russia on the basis of SOGI. She finds that the authorities either did not sufficiently consider the criminalisation of homosexuality in claimants' countries of origin or stated that their being gay was not a sufficient reason for granting asylum. She highlights how this leaves rejected asylum seekers without the right to work or use social services, rendering them vulnerable to exploitation.

In addition to these long-form articles, the special issue also includes four short pieces. **Yvonne Su** and **Tyler Valiquette** discuss the difficulties facing Venezuelan transgender people who are migrating to Brazil to escape Venezuela's prolonged economic crisis. The article discusses in particular how COVID-19 impacted their livelihoods and increased their vulnerability to exploitation. **Romeo Joe Quintero** and **Amrita Hari** apply a queer lens to challenge the current definition of protracted refugee situations (PRS) as outlined in international legal instruments. Drawing on life stories of women and gender-diverse internally displaced persons (IDPs) in the Philippines, they highlight the fluidity and complexity of protracted displacement and IDPs' imagination of 'home'. They call for an extension of the definition of PRS to IDPs.

Nicola Mai and Liaam Winslet discuss the film *CAER*, produced by a transgender women's collective in Queens, a New York City borough with a high immigrant population. The film-within-a-film format shows how undocumented trans women who work as sex workers navigate immigration and policing in the United States in a time when anti-immigrant sentiment is high. Finally, this special issue concludes with an interview by **Subha Wijesiriwardena** with Bwaggu Mark from the Queer Sex Workers Initiative for Refugees—a community-based organisation in Nairobi that provides services and support to queer refugees engaging in sex work in Kenya. They discuss the organisation's work within the context of the policing of borders as well as the criminalisation of homosexuality and sex work in Kenya and across Africa.

Conclusion

Taken together, the articles in this special issue add to and expand the literature in queer migration studies by exploring non-North American contexts and internal migration scenarios as well as those which cross international borders. The issue serves to 'queer' the literature on trafficking by showing that there are no stable gendered referents among those who sell and transact sex. In drawing from the critiques of racism and racialisation and from processual understandings of sexuality and gender identity as constantly in the process of becoming, the collection expands our understanding of how survival is waged in the worlds of migration and informal labour.

Acknowledgments

I am indebted to Borislav Gerasimov, the Editor of the *Anti-Trafficking Review*, and the Global Alliance Against Traffic in Women, the journal publisher, for bringing this special issue into being. I am also grateful to all the peer reviewers and the authors for their time and contributions.

Svati P. Shah is an Associate Professor of Women's, Gender, and Sexuality Studies at the University of Massachusetts, Amherst, and a Research Associate in the Department of Anthropology, Archaeology and Development Studies at the University of Pretoria. Email: svati@umass.edu

Thematic Articles: Migration, Sexuality, and Gender Identity

Missing, Presumed Trafficked: Towards non-binary understandings of 'wayward' youth in Jamaica

Jacqueline Sanchez Taylor and Julia O'Connell Davidson

Abstract

Boys and LGBTQ youth, especially those who go missing from home, have recently started to appear in mainstream anti-trafficking discourse as a group of children who are peculiarly vulnerable to human trafficking. This paper reports findings from research with Jamaicans who experienced various forms of violence and exploitation as children. Our data is consistent with the claim that boys and LGBTQ Jamaicans are amongst those who experience forms of violence and exploitation that policy makers often discuss under the heading 'sex trafficking'. However, the same data also challenges the conceptual binaries used to frame assumptions about 'sex trafficking' as a significant threat to Jamaican youth and informs assumptions about missing children as victims of trafficking. In this way, the paper provides empirical support for criticisms of the turn towards including boys and LGBTQ youth as victims of 'sex trafficking', and of dominant discourse on 'child trafficking' more generally.

Keywords: LGBTQ youth, child 'sex trafficking', missing children, binary thinking

Suggested citation: J Sanchez Taylor and J O'Connell Davidson, 'Missing, Presumed Trafficked: Towards non-binary understandings of "wayward" youth in Jamaica', *Anti-Trafficking Review*, issue 19, 2022, pp. 9-27, <https://doi.org/10.14197/atr.201222192>

Introduction

The way in which governmental and non-governmental actors in the United States interpret the concept of 'trafficking' has impacted, and continues to impact, well beyond the country's own borders. Congress has given a mandate to the Office to Monitor and Combat Trafficking in Persons 'to issue annual Trafficking in

Persons (TIP) reports that rate each country's progress on eliminating trafficking',¹ and 'under-performing' nations are threatened with sanctions.² Jamaica is one of a number of global south countries that has been negatively affected by the TIP process. It was given a Tier 3 ranking in the 2005 report. Though Jamaican governments have subsequently enacted all the measures demanded by the TIP Office, it has never managed to secure more than a Tier 2 ranking. TIP reports continue to claim the island is a source and destination country for human trafficking, and that domestic 'sex trafficking' of children is a particular problem.³

Where trafficking was once imagined as a problem solely or largely affecting women and girls,⁴ boys and LGBTQ youth have recently started to appear in mainstream US anti-trafficking discourse as a group of children who are peculiarly vulnerable to human trafficking. Exodus Road notes that 'LGBTQ youth face tremendous pressure and an increased risk of sex trafficking',⁵ while a Polaris blog explains that the multitude of unique obstacles faced by transgender youth in their everyday lives position them 'at higher risk of being targeted by traffickers'.⁶ The risks are said to be especially high for children who run away from home, and this includes many children who are LGBTQ. In line with this shift, recent TIP reports now also identify LGBTQ youth in Jamaica as 'at risk' of trafficking, and further claim that 'many children are reported missing in Jamaica',⁷ 'some' of whom fall victim to 'sex trafficking'.

¹ M Desyllas, 'A Critique of the Global Trafficking Discourse and U.S. Policy', *The Journal of Sociology & Social Welfare*, vol. 34, issue 4, 2007, pp. 57-79, p. 66.

² E O'Brien and M Wilson, 'Clinton, Bush and Obama: Changing policy and rhetoric in the United States Annual *Trafficking in Persons Report*', in M Dragiewicz (ed.), *Global Human Trafficking*, Routledge, London, 2015, pp. 123-137, p. 124.

³ K Cruz, J Sanchez Taylor, and J O'Connell Davidson, 'Tourism and Sexual Violence and Exploitation in Jamaica: Contesting the "trafficking and modern slavery" frame', *Journal of the British Academy*, vol. 7, issue s1, 2019, pp. 191-216, <https://doi.org/10.5871/jba/007s1.191>.

⁴ O Martinez and G Kelle, 'Sex Trafficking of LGBT Individuals: A call for service provision, research, and action', *Int Law News*, vol. 42, no. 4, 2013, pp. 1-6.

⁵ B Giovagnoni, 'LGBTQ Youth: At risk for human trafficking', The Exodus Road, 17 June 2021, retrieved 15 May 2022, <https://theexodusroad.com/lgbtq-youth-at-risk-for-sex-trafficking>.

⁶ Polaris, 'Unique Obstacles Put Transgender People at Risk of Trafficking', Polaris Blog, 10 March 2017, <https://polarisproject.org/blog/2017/03/unique-obstacles-put-transgender-people-at-risk-of-trafficking>.

⁷ US Department of State, *Trafficking in Persons Report 2021—Jamaica*, US Department of State, Washington, D.C., 2021.

On first inspection, the inclusion of boys and LGBTQ youth in policy discourse on trafficking may look like a welcome shift away from heteronormative assumptions about the sex in 'sex trafficking'. And given that male homosexuality is still criminalised and LGBTQ people heavily stigmatised in Jamaica,⁸ it might also appear as a step towards addressing concerns voiced by a number of human rights organisations about violations of LGBTQ rights on the island.⁹ Yet critics have noted that in other contexts, the recent turn towards including boys as victims of 'sex trafficking' is 'less useful—and more harmful—than it may appear',¹⁰ and that constructing LGBTQ youth as 'exceptionally vulnerable' to trafficking does not necessarily lead to policies that safeguard their rights.¹¹

We were recently involved with a study in Jamaica that generated interview and survey data consistent with the claim that LGBTQ Jamaicans are amongst those who experience the constellation of violence and exploitation discussed under the heading 'sex trafficking' by policy makers and many NGOs.¹² Yet the same data also challenge the framing of that violence and exploitation as 'sex trafficking', and the idea that missing children can be presumed trafficked. This paper draws on that data to add to criticisms of the turn towards extending the 'victim of trafficking' category to boys and LGBTQ youth. It argues that because mainstream anti-trafficking discourse emerges from and reproduces the conceptual binaries of liberal thought, it fails to address the material and ideational structures that create vulnerability to violence and exploitation or to recognise Jamaican youths'

⁸ J Gaskins Jr., "Buggery" and the Commonwealth Caribbean: A comparative examination of the Bahamas, Jamaica, and Trinidad and Tobago', in C Lennox and M Waites (eds.), *Human Rights, Sexual Orientation and Gender Identity in The Commonwealth: Struggles for Decriminalisation and Change*, Human Rights Consortium, Institute of Commonwealth Studies, London, 2013, pp. 429-454; K West and N Cowell, 'Predictors of prejudice against lesbians and gay men in Jamaica', *The Journal of Sex Research*, vol. 52, no. 3, 2015, pp. 296-305, <https://doi.org/10.1080/00224499.2013.853725>.

⁹ Amnesty International, "I Feel Scared All the Time." A Jamaican Sex Worker Tells Her Story', Amnesty International, 27 May 2016, retrieved 8 March 2019, <https://www.amnesty.org/en/latest/news/2016/05/apple-sex-worker-testimony-jamaica>; N Goshal, 'Human rights body calls for repeal of Jamaica's anti-LGBT laws', Human Rights Watch, 17 February 2021, <https://www.hrw.org/news/2021/02/17/human-rights-body-calls-repeal-jamaicas-anti-lgbt-laws>.

¹⁰ K Kaye, 'The gender of trafficking, or why can't men be sex slaves', in M Skilbrei and M Spanger (eds.), *Understanding Sex for Sale*, Taylor & Francis, London, 2018, pp. 180-198, p. 180.

¹¹ A Boukli and F Renz, 'Deconstructing the lesbian, gay, bisexual, transgender victim of sex trafficking: Harm, exceptionality and religion–sexuality tensions', *International Review of Victimology*, vol. 25, no. 1, 2019, pp. 71-90, <https://doi.org/10.1177/0269758018772670>.

¹² Cruz *et al.*

ambiguous standing as both subjects *and* objects, victims *and* agents. As a result, it is unlikely to inform policies that will improve the situation facing either heterosexual or LGBTQ youth in Jamaica.

Research Methods

Between 2017 and 2019, together with Katie Cruz, we held British Academy research funding for a project that explored whether the legal and policy understandings of child sexual exploitation and trafficking in Jamaica map onto the sociological realities of the country's informal tourism economy.¹³ We employed non-random sampling methods and snowballing techniques to recruit a sample of 13 cis women, 10 cis men, and 2 trans women for biographical narrative interview, all of whom were adults working in the informal economy in Jamaican tourism areas either as sex workers or ambulant beach vendors or both. All had experienced, when under the age of 18, one or more of the following: labour exploitation, physical violence, rape, and trading sex for material or financial benefits. In addition, all but 3 of our 25 interviewees had either run away from home, or been thrown out, or orphaned or abandoned by parents or carers when under the age of 18. At the time of interview, our interviewees' ages ranged from 18 to 44, and their childhoods thus spanned the decades from the late 1970s to the 2010s.

As Jamaica did not introduce its *Trafficking in Persons Act* until 2007, few of our interviewees would have been legally considered 'victims of trafficking' at the time they experienced childhood sexual or labour exploitation. Nonetheless, many of the experiences they describe (such as running away from home or entering into sexual-economic exchanges with adults) would today be cast as 'trafficking' or considered to place them 'at risk of trafficking'. Their retrospective accounts can therefore shed light on the phenomena today discussed under the rubric of 'child trafficking'. Moreover, retrospective interviews with adults about their childhood experiences of sexual exploitation and violence helps to avoid some of the most challenging ethical dilemmas presented by conducting research on these forms of abuse with persons currently below the age of 18.¹⁴ Such dilemmas are all the more vexed when the researcher works in settings where welfare and support services for children in difficult circumstances are very limited, and/or where children are known to also be at risk of violence and abuse in the institutional care homes to which they may be referred if they are reported to the authorities as runaways or involved in sex work.

¹³ *Ibid.*

¹⁴ M Melrose, 'Labour Pains: Some considerations on the difficulties of researching juvenile prostitution', *International Journal of Social Research Methodology*, vol. 5, issue 4, 2002, pp. 333-351, <https://doi.org/10.1080/13645570110045963>.

In addition to retrospective narrative biographical interviews with adults, we conducted 10 in-depth interviews with tourism employers and employees; 15 background interviews with police officers, academics, and civil society actors; and two Focus Group Interviews with sex workers (15 participants in total). We worked in partnership with the Sex Workers Association of Jamaica (SWAJ), an association formed in 2007 to address issues facing sex workers in Jamaica and to work to empower sex workers to advocate on their own behalf. Our research partners at SWAJ assisted with recruitment of sex workers for interviews, and with the design of a survey of sex workers. They then gathered survey data from a non-random sample of 165 sex workers (87 cis women, 52 cis men, and 26 trans women) recruited in the course of their outreach work, and advised on data analysis.¹⁵ Members of SWAJ were also invited to participate in project dissemination activities in the UK, the US, and Brazil. Unfortunately, they were denied visas by the UK and US authorities, but they were able to travel to Brazil for meetings with policy makers and sex worker rights activists.¹⁶ Neither interviewees nor survey respondents were offered any inducement to participate in the research. However, when fieldwork was complete, interviewees were given a sum of money to thank them for their participation and cover any expenses incurred or earnings lost as a result of time devoted to the biographical narrative or focus group interviews.

As we have written about data from the survey and from our interviews with cis women in more detail elsewhere,¹⁷ in this article we focus on data from our narrative-biographical interviews with 12 interviewees assigned male identity at birth, analysing it in relation to dominant discourse on boys and LGBTQ youth vulnerability to trafficking. All interviewees have been given pseudonyms to protect their anonymity.

¹⁵ M Haughton *et al.*, 'Not Trafficking But Abuse. Policy Briefing 78', Policy Bristol, Bristol, 2019.

¹⁶ M Haughton, J Levi, and B Santos, 'Sex workers united by respect —an interview with the warrior women's association of Brazil', *Open Democracy*, 12 March 2020, retrieved 29 April 2022, <https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/sex-workers-united-by-respect-an-interview-with-the-warrior-womens-association-of-brazil>.

¹⁷ J Sanchez Taylor and J O'Connell Davidson, 'Sex Work in Jamaica: Trafficking, Modern Slavery and Slavery's Afterlives', in K Kempadoo and E Shih (eds.), *White Supremacy, Racism and the Coloniality of Anti-Trafficking*, Routledge, London, forthcoming 2023; Cruz *et al.*

Binary Thinking and ‘Child Trafficking’ Discourse

Trafficking discourse rests on a series of conceptual divisions—between voluntary and forced migration, between smuggling and trafficking, between poor work and forced labour, and so on. These divisions are grounded in and reproduce the mental structure that, from the seventeenth century on, was developed by liberal thinkers to explain and represent social and political reality. That structure rests on a series of conceptual binaries or dualisms,¹⁸ which, emerging from histories of colonialism and slavery, are highly racialised (modern/primitive, civilised/barbarous, West/the Rest, white/black).¹⁹ It also historically relied on an assumed split between the public realm of political, civil, and economic life in which propertied white men exercise rights, duties, and freedoms, and the private, domestic realm of the household and family, to which their wives, children, servants, and slaves are relegated.²⁰ As many critics of anti-trafficking discourse have observed, political claims-making about ‘trafficking’ emanating from the US, and also from Europe, has reinvented these gendered and racialised binaries.²¹

The social categories ‘Adult’ and ‘Child’ also map onto the public/private divide, with children imagined as embodying all that adults are not (passive, innocent, dependent) and belonging firmly in the domestic sphere of the home and in educational institutions until such time as they make the transition to adulthood. This reflects the liberal assumption that children lack the capacities required for the exercise of freedom. Children have rights, but these rights must be protected and enacted by adults on their behalf. Through this lens, the home is a place of safety for those who are incapable of exercising political rights and duties, and

¹⁸ R Prokhovnic, *Rational Woman: A feminist critique of dichotomy*, Routledge, London, 1999.

¹⁹ C Mills, *The Racial Contract*, Cornell University Press, Ithaca, 1998.

²⁰ C Pateman, *The Sexual Contract*, Polity, Cambridge, 1982.

²¹ K Kempadoo, ‘The Modern-Day White (Wo)Man’s Burden: Trends in Anti-Trafficking and Anti-Slavery Campaigns’, *Journal of Human Trafficking*, vol. 1, issue 1, 2015, pp. 8–20, <https://doi.org/10.1080/23322705.2015.1006120>; L M Agustín, *Sex at the Margins: Migration, labour markets and the rescue industry*, Zed Books, London, 2007; B Anderson and R Andrijasevic, ‘Sex, Slaves and Citizens: The politics of anti-trafficking’, *Soundings*, issue 40, 2008, pp. 135–145; J Doezema, *Sex Slaves and Discourse Masters*, Zed Books, London, 2010; D Gadd and R Broad, ‘Troubling Recognitions in British Responses to Modern Slavery’, *The British Journal of Criminology*, vol. 58, issue 6, 2018, pp. 1440–1461, <https://doi.org/10.1093/bjcr/azx082>.

unready to enter into contracts in the public realm of the market.²² The adult/child, active/passive, and market/home binaries remain so central to today's mainstream anti-trafficking discourse that leaving the home becomes part of the very definition of 'child trafficking' for a number of campaigning organisations. The Bedford Borough Council tells us that 'Trafficking is where children and young people [are] *tricked, forced or persuaded to leave their homes* and are moved and transported and then exploited, forced to work, or sold'.²³ Or as UNICEF put it:

Once separated from their family [trafficked children] can become malnourished and neglected, and are subjected to violence and sexual abuse. They are also at risk of HIV infection. Trafficked children are driven by fear. Their traffickers control them with threats, rape, violence and drugs.²⁴

As with campaigns against the Commercial Sexual Exploitation of Children (CSEC) in the 1990s, campaigns against child trafficking implicitly rest on an opposition between a pleasant, healthy, and sheltered childhood in the bosom of the family, and a 'lost', 'stolen' or 'raped' childhood for those who are forced to leave the protected environment of home.²⁵ The childhood experience of our interviewees does not fit into this framework.

Market/Home, Adult/Child, and the Location of Danger

As children, the home lives of our interviewees were powerfully shaped by the legacies of colonial exploitation that undermine human security and flourishing in the Caribbean region.²⁶ Since 1977 (in other words, during the decades of our interviewees' childhoods), Jamaica has been heavily dependent on financial assistance from the International Monetary Fund (IMF) to stabilise its economy,

²² J O'Connell Davidson, *Children in the Global Sex Trade*, Polity, Cambridge, 2005.

²³ Bedford Borough Council, 'Child trafficking and modern slavery', n.d., retrieved 31 May 2022, <https://www.bedford.gov.uk/social-care-health-and-community/children-young-people/safeguarding-children-board/practitioners/child-trafficking/> (emphasis added).

²⁴ As cited in J O'Connell Davidson, 'Moving Children? Child trafficking, child migration, and child rights', *Critical Social Policy*, vol. 31, issue 3, 2011, pp. 454-477, <https://doi.org/10.1177/0261018311405014>.

²⁵ H Montgomery, *Modern Babylon?: Prostituting children in Thailand*, Berghahn Books, London, 2001.

²⁶ A Nixon, *Resisting paradise: Tourism, diaspora, and sexuality in Caribbean culture*, University Press of Mississippi, Jackson, 2015.

and the neoliberal structural adjustment packages tied to IMF loans have had a devastating impact on ordinary people's lives. The poverty rate doubled between 2007 and 2014, while infant mortality rates increased and the number of children completing primary school declined.²⁷ Austerity measures led to real-term cuts in wages while the cost of living rose dramatically. Between 2001 and 2013, electricity prices increased by over 135 per cent, and in 2011, the average price of a basket of basic goods rose by 15.5 per cent.²⁸ The government's inability to spend on infrastructure, housing, education, health, and welfare makes the lives of its poorer citizens much more difficult and expensive, and many ordinary Jamaicans find themselves trapped in what Jovan Scott Lewis terms 'a geography of sufferation', struggling to survive, supplementing paid work (if they can get it) with informal earning activities in an economy of makeshifts.²⁹

All our interviewees were originally from poor families in rural villages, and in the context described above, their adult carers found it almost impossible to provide for them and their siblings, especially to meet the costs of travel to and from school, uniforms, and lunch money. Because their parents often worked long hours in multiple jobs, most of our interviewees had taken on domestic responsibilities, including care for younger siblings, before they reached the age of ten. As young teenagers, some would also occasionally accompany their mothers to their workplaces to assist them. Billy (born 1992) told us his single mother was a domestic worker, and he would sometimes help her:

Like if she was going somewhere and she could take me along to help out, hang clothes on the line, help her to rinse clothes and all of that. And like she will have me rake up the yard if the people that she's working for have a yard... But I was more like a mum, the mother and the father of the house. Because my mom would leave me in the house with my smaller brother while she go out to work, and I have to interact and take care of him, feed, bathe, and keep him clean and I loved to always clean our house.

As this interview excerpt illustrates, the home is not necessarily a space in which children are the passive recipients of care and children's domestic labour can cross the imagined boundary between home and market. For Billy, taking on 'adult'

²⁷ N Dearden, 'Jamaica's Decades of Debt are Damaging its Future', *The Guardian*, 16 April 2013, <https://www.theguardian.com/global-development/poverty-matters/2013/apr/16/jamaica-decades-debt-damaging-future>.

²⁸ J Dear, P Dear, and P Jones, *Life and Debt: Global Studies of Debt and Resistance*, Jubilee Debt Campaign, 2013, p. 6.

²⁹ J Scott Lewis, *Scammer's Yard: The Crime of Black Repair in Jamaica*, University of Minnesota Press, Minneapolis, 2020, p. 47.

responsibilities in the home and helping his mother at work was a source of pride and pleasure. Another interviewee, Dante (born 1997), explained that when he was 15, his father was out of work and he realised that his mother was responsible for paying all the bills, providing food, and covering costs for his younger siblings to attend school: 'And so I started feeling uncomfortable because I am there, not contributing and still using water and food.' This prompted him to look for paid work outside the home, which is how he came to take up sex work. But not all our interviewees spoke of childhood labour in these terms, Sanka and Paul being cases in point.

My mother grow me until I four years old, then send me to live with my dad. I cried that day, so much. I didn't feel the vibes to stay there, I love my mother so much. It was a Sunday evening and they beat me to stay. I hate it ... I didn't want to stay there... My dad didn't want me, because he have a next woman and having kids, so he give me to my grandmother... She worked me so hard. I wasn't to call her granny, she have her kids, her kids to call her granny, but she take a hate to me. I do most work in the yard. Everything they call on me. In those days, you have to be a farmer, you have to plant peanuts, make the bammy. I was the first one in the yard that could grate and wash a cassava, grating cassava from the age of seven year old, wash it. I have to stop from school they work me so much. Hard work. I have to go to the bush to look sticks to make fire, make the bammy. They were selling the bammy in Mo Bay and Kingston... Growing up, they said I was a bad boy. Never give no trouble, just seven years old, growing up, what could I do? Just a kid... Too much work, still keeping up with the bullshit. Because I was hungry. Sanka (born 1984)

When I was growing up my mother was always bitching on me... There were four other kids... and I am the oldest one, and I have to do all the dishes and wash the clothes, clean the yard, spread the beds same way, you know what I am saying, empty the chimmy [potty], I have to do all that. So every time I help my mother as I'm growing up to ten, my mother... treat me like... cruel... She used to break everything down on my head that she could get. Paul (born 1980)

In Jamaica, corporal punishment remains lawful in the home under the common law right to inflict 'reasonable and moderate' punishment, and it is also lawful in schools. Focus group research in 2008 with 60 children aged 7-12 found they all experienced harsh disciplinary measures, including beating with objects such as belts, rulers, garden hose, and boards. The Jamaica Survey of Living Conditions

2018 found that ‘beating was the most used method of child punishment across regions, age groups and quintiles, for both boys and girls... Although most methods were used equally with boys and girls, more boys were beaten with an implement (23%) than girls (13.7%)’.³⁰ It is therefore unsurprising that, other than Dante, all interviewees reported having been beaten by adult carers as children. However, physical and sexual violence featured particularly strongly in the narratives of our gay and trans interviewees. Kevor (born 2000) said that he was just ten years old when his father began to suspect that he was gay, ‘and he would think that when him beat me I’m going to change’. Billy was about twelve when:

all the community members starting to realise or notice that I was a bit different from the other boys who were growing up in the community. I normally get into a lot of fight trying to defend myself, I have a lot of scars from those days to show... I was threatened by family members, saying I’m a batty man [gay], they’re gonna put me in a chopped tyre, light me. I’ve gotten beaten from my cousin’s gang, beaten, properly beaten, bruises when the beating done because them say I gay. I remember my uncle beat me, said him gonna beat it out of me.

The same uncle subjected Billy to a ‘punishment’ rape when he was 13 years old. Candy (born 1994) was also raped by an uncle. She was just 11 years old at the time. She told her father, who beat her for lying. The uncle confessed a year later, ‘but my father didn’t even apologise. Even though he know his brother was HIV positive, he still didn’t care’.

Our interviewees’ life stories remind us that it is not only when children are separated from their family that they can become malnourished and neglected, experience labour exploitation, violence and sexual abuse, and risk HIV infection, as UNICEF puts it. All these things can happen at home or under the control of family members. This is further evidenced by the fact that Jamaica’s National Children’s Registry figures showed that of cases of child sexual abuse that came to light in 2012, 70 per cent (1,147 cases) involved children who were abused in their own homes.³¹ Nor is institutional care provided by the state necessarily a safer alternative. When Tarone (born 2000) was ten, his mother was imprisoned and

³⁰ End Corporal Punishment, *Corporal Punishment of Children in Jamaica*, 2020, <http://www.endcorporalpunishment.org/wp-content/uploads/country-reports/Jamaica.pdf>; see also: D Smith, ‘Corporal punishment of children in the Jamaican context’, *International Journal of Child, Youth and Family Studies*, vol. 7, no. 1, 2016, pp. 27-44, <https://doi.org/10.18357/ijcyfs.71201615415>.

³¹ R Mathison, ‘Children being abused in their own homes’, *The Gleaner*, 19 July 2021, <https://jamaica-gleaner.com/article/news/20210719/children-being-abused-their-own-homes>.

he was placed in a children's home. In line with reports that children's homes in Jamaica are often run along the lines of penal institutions,³² he described having been subjected to horrific punishments by staff, including being forced to kneel for hours on gravel in the beating sun, arms outstretched and holding heavy stones.

Our data also confirm something else that is somehow forgotten in discourse on child trafficking, namely, the fact that children (defined as persons below the age of 18) are not necessarily passive objects of adult control.

Active/Passive, Resistant/Compliant

As children, our interviewees did not passively accept their lot, but resisted and sought to transform the hand that fate had dealt them. When their parents refused or were unable to meet their material needs, they acted. From the age of 10, Elijah (born 1974) started to go out to beg for money on the street, and also scavenged uneaten food from rubbish bins. Levi (born 1981) lived with his grandmother who was caring for twelve children. At the age of 13, he began working at weekends. Because he was a good swimmer, he started going out to sea spear fishing, and would flag down cars on the road to sell his catch. Sometimes he fished with friends, sometimes alone; the risks of the work intensified by the presence of barracuda fish. But, he observed, 'back then, times was hard, and there was no electricity for a while, no good water for a while, so you know, it was to survive'. Yet acting outside the home was also a means to something more than bare survival.

One time I met a white guy, he's from the States. He gave me some money and he buy me some food and I'll never forget, he take my address, and told me that when he goes he'll send me a pair of Puma... I was the happiest kid in town. It was the first time I ever get anything from a foreign country. I loved it so much. That was one of the best shoes I ever owned, cause I couldn't afford to get shoes. (Elijah)

When I was 14, I want to work, because I used to like things, like corduroy jeans and I wanna buy them, and clog shoes. Because I used to sing reggae music and I sing good, and I dance good, so I want these things so I can perform. (Levi)

³² K Hibbert, 'Review how children are treated in state care, says official', *Jamaica Observer*, 7 June 2015, retrieved 8 March 2019, http://www.jamaicaobserver.com/news/review-how-children-are-treated-in-state-care--says-official_19077194.

As they entered adolescence, our interviewees also started to resist the violent control of their parents/carers. Aged 15, Sanka finally snapped when his granny came to beat him yet again: 'I hold her finger back until it crack. Broke it that day'. Then he ran away from home. Except for Dante who remained at home with his parents until he was 18, Paul who was orphaned at 12, and Tarone who was detained in a children's home from the age of 10, all the other interviewees assigned male identity at birth ran away or were thrown out after conflicts that centred either on their sexuality, or their assertion of independence, or both. Kevor observed that 'young people want to have fun and this and that', but his father, who suspected him of being gay, set a strict curfew of 8 pm and beat Kevor if he returned late. Following many arguments about this, his father threw him out of the house aged 14. Billy ran away from home at the same age, after being raped by his uncle and threatened by cousins and other community members. Candy's father threw her out at the age of 13, Ylette (born 1994) ran away at 15. Elijah was 14 when he left, Paul was 12, and Tony (born 1978) was just 10 years old.

When they ran or were ejected, they headed for places bustling with life—the tourist towns of Negril, Montego Bay, or Ocho Rios, and in Sanka's case, to Kingston. Again, they actively sought out ways to survive. Sanka joined a group of adolescent street dwellers, who made a living from washing the windscreens of cars that stopped at traffic lights during the day, and robbing car radios at night. Levi and Tony worked as day labourers on construction sites. Paul initially earned tips by hanging round outside a supermarket and carrying bags to shoppers' cars, then later, like several other interviewees, he made links with older people working at tourist craft markets and/or dealing weed, and earned a cut by 'hustling' tourists to buy their wares. Friendships and sexual and intimate relationships were also crucial to our interviewees' survival after leaving home.

Sex as Work/Sex as Pleasure, Emotional/Economic Relations

Through the lens of the liberal conceptual binary of public/private, economic and emotional life are cleanly separated and sex is typically assumed to belong firmly to the private realm of intimate and affective relations. Our gay and trans interviewees' experience does not fit this model. All described themselves as sex workers, and all started to exchange sex for money between the ages of 13 and 15. However, the line between sex for pleasure and sex for money was initially blurred, since both were discovered simultaneously. Motivated by desire for sexual experience, both Dante and Kevor began to look for partners online, and here they discovered that they could get paid for sex. As Kevor explained:

I started off on-line. That's where I meet other guys and, uh huh, and we make plans to link up at a certain place... At that time I was going to school, me have to find my lunch money, them no give me my fare to get there, nothing to eat, no fare to come back down.

*So when I'm at school, me have to find me fare and everything...
I reached a point where I see that if I don't do something about
it, I won't go to school or whatever, you know? Him [father] nah
go send me so me nah going go. So I see opportunity, so I take it.*

Billy also started to seek out opportunities for sexual experience at the age of 13, and quickly found that sex with men was also a way to earn money. He met a friend of a friend for sex, a man in his twenties who was a sex worker and knew the business. He offered to arrange for Billy to meet tourist clients, 'Because he was much older and you know, most of the time the tourists doesn't want the older men, they want the younger, slimmer guys'. If the lines between pleasure and work were blurred, so too, in some cases, were the lines between work and violence, and between intimate friendships and abuse. Billy's 'friend' did not pay him a 'fair share of what I was supposed to get' from hook ups, nor did he protect him from violence. On several occasions, Billy was gang raped having entered a hotel room expecting to service one client, only to find up to four men waiting inside. Dante described being gang raped in identical circumstances, by four police officers.

When Kevor's father threw him out of home, he decided to turn to a 35-year-old man he had previously met at a party and had sex with. The man took him in and said he would take care of him. He provided shelter and food for Kevor for two years, but expected sex in exchange and was abusive and controlling: 'When you stay with somebody, you do anything they want, you do whenever they want, so it was very hard. Very, very hard. But I still made it through, and I'm still alive'. At the same time, Kevor engaged in sex work to earn money for clothing and other necessities. The man was then evicted from his apartment, and Kevor found someone else to live with. At the time of interview, he was still living with the second, also much older partner, still having sex in exchange for shelter ('he is also the kind of person that love to have sex every minute, and I have to give him what he wants'), and still earning what he could from sex work. He said it would be 'complicated' for him to leave the relationship, because 'if I tell him I want to leave, he's not going to take that easy'.

The conflict that led to Candy's father throwing her out aged 13 was precipitated by the fact she arrived home bruised after having been beaten by a male sexual partner. Her father asked what had happened, and she told him. He then told her to get out of his house. At the same time, others in her village accused her of being gay and beat her: 'I was told to drop everything and leave the community'. She travelled to a tourist town and started sleeping rough, begging, and selling sex to survive. After a few months, she was picked up by the police and returned home. Because she explained that she had not run away but had been thrown out 'because of my sex life', she was assigned a probation officer and referred to a psychologist. Candy was extremely grateful for the latter. She explained that she had been suicidal and the psychologist helped her find ways of coping with

her feelings of despair and rejection. However, her father kicked her out of the house again at the age of 16.

This time, she was befriended by a 22-year-old cis woman who allowed Candy to sleep in her apartment and provided her with clothing ('because I see myself as a female and I dress as a female going out'). The friend was a sex worker, and Candy used to accompany her to her place of work. If any client asked for anal sex, a service that she did not provide, she would direct them to Candy. She did not control Candy's sex work or take a cut of her earnings, although Candy did contribute to the costs of rent and food when her earnings allowed. As Candy put it, 'she helped me, she gave me options, she showed me what I could do to benefit and I make the decision'. The existence of a queer community is known to be of huge importance to gay and trans Jamaican youth who have run away or been expelled from home.³³ Those cast out of 'respectable' society (which includes straight cis female sex workers as well as people who are LGBTQ) often offer each other friendship, care, and support. 'We see each other as family', Billy explained, and continued:

If like a bunch of us is living in one house, the older one will be housemother, the others will be sister, brother, cousin, we just have a family. We are a small community so we just make it a family.

Through the lens of the dominant discourse on trafficking, the 22-year-old woman who offered Candy what care and support she could provide would be criminalised as a 'trafficker'. Candy's father would not. However, as Kevor's story and our survey data show, it would be as mistaken to romanticise alternative, queer families and relationships as it is to romanticise birth families and heterosexual relationships. As they too involve dependencies, they too can be sites of abuse and violent control as well as of care.

The line between sex for pleasure and sex for economic reasons, and between intimate relationships and friendships and economic relations, was also blurry for our heterosexual cis male interviewees. Sex was part of the freedom they enjoyed as adolescents who had run away from home and adult control. Living in tourist towns, sometimes sleeping rough or on a makeshift bed in the craft market, or staying at friends' homes, 'we tackle with the girls and we have fun. Just enjoy life', as Elijah put it. That fun could also generate material benefits. Sanka explained:

I found out when I come to Negril you have white girls and they say, OK, you are this you are that, and you sex them nice and they

³³ L Mills, 'Dwayne Jones and the Dangers of Tragedy Tourism', *Making Queer History*, 24 February 2017, <https://www.makingqueerhistory.com/articles/2017/2/24/dwayne-jones-and-the-dangers-of-tragedy-tourism>.

say, OK, come on, and they give you stuff... You know, it's just the way it is. In Kingston, you have to pay for sex, in Negril you get a girl and she pay you for sex. [Laughs]

Sanka also reflected back on his intimate, though not sexual, relationship with two older expatriate white women positively. While still in Kingston and aged 16, they gave him work and a place to live but also offered him care and affection: 'they were good people to me, and I just deal with them with respect. Although I was a bad boy, they see the real me, and they just try to break me out of that shit because they see the real me'. In Negril, Paul found friendship amongst a group of rastas who were living and working at the tourist craft market. They trained him to make jewellery and wood carvings to sell to tourists, taught him to cook vegetarian food, and encouraged him to learn to swim and snorkel. Interacting with tourists also opened up a sense of possibilities for Paul, an idea that life could be otherwise. He spoke of his wonderment on finding that white tourists saw him as glamorous, attractive, cool:

I never know that I was Jamie Foxx, or was going to be called Michael Jordan. I didn't know that I was going to get all these great titles man! God! As soon as I cut my hair, bald it off, make it shine, from that I'm Michael Jordan and Jamie Foxx. I swear to God these people pin names on me. These people see a star and I couldn't believe it. What white folks see in me, Jamaican people never see.

He found it very easy to 'hustle' white tourist women looking for sex, and such relationships helped him to survive economically. Yet reflecting on his experience as a 15-year-old having sexual relationships with much older tourist women, he said:

They rape you! They know you are Jamaican and you are a lucky guy today. But you're the one getting raped... Cos there is no benefit from it. They just want to have fun and that's it, so you shouldn't expect nothing from it.

At the time, he imagined these relationships were the gateway to something more, but today he says he knows he will never be able to walk on the same streets as those women. He is stuck in Jamaica, on the beach, hustling for small change. Although Paul used the term 'rape', he did not report having been violently assaulted by women. Indeed, in marked contrast to our gay and trans interviewees, violence did not feature in any of our heterosexual male interviewees' accounts of their sexual experience as teenagers. They did, however, face violence or its threat in the course of their daily lives both from fellow street dwellers and 'hustlers', and from police officers and security guards. More generally, the imagined division between 'bad' criminals and 'good' state actors does not map onto the childhood or current experience of our sex worker interviewees and survey respondents. It has already been noted that Dante was raped by four police officers, and our

survey data also found that police officers are amongst those who harass, beat, and rape sex workers.³⁴

Wayward Youth?

US TIP Reports do not cite sources, but when they assert that many children go missing in Jamaica, they are presumably making use of figures collated by Jamaica's Office of the Children's Registry (OCR). Those figures have been widely publicised in media reports, and also by the NGO 'Hear the Children's Cry' (HCC). The website of the latter informs readers that between 2010 and 2020, 'approximately 15,000 children have been reported missing in Jamaica, a problem that continues to create tremendous social concerns and ramifications for families, communities, and the wider society'.³⁵ In a very small number of tragic cases, children reported missing have later been discovered murdered or to have died from other causes. However, both TIP Reports and HCC fail to mention that OCR data also shows that the vast majority of children who are reported missing are very quickly found or return home. One study by the OCR found that a quarter of those reported went missing for less than one day, and almost half only left home for between two to six days. Just thirty-one per cent went missing for more than a week. The Child Protection and Family Services Agency (CPFSA) states that in 2017, a total of 1,674 children were reported missing and 1,476, or 90 per cent, returned home or were recovered. The OCR study found that the majority of children reported missing are aged between 14 and 18, and more girls are reported missing than boys. Children are frequently reported missing during holidays and following events popular with young people. As an OCR spokesperson observed, these findings are not consistent with the idea that the phenomenon of missing children is linked to criminal activities, such as trafficking.³⁶

A government unit that followed up on cases of children reported missing in 2019 found that most cases involved children who were afraid to go home for fear of punishment, peer pressure, the child going to another relative or friend's house without the knowledge of a parent, or 'a wish for freedom'.³⁷ Journalists reporting on such children sometimes describe them as 'wayward', and our interviewees' narratives certainly speak to Saidiya Hartman's use of the term in

³⁴ Cruz *et al.*; Haughton *et al.*

³⁵ 'Missing Children's Support Programme', HCC, n.d., retrieved 9 August 2022, <https://hearthechildrencryja.com/missing-children>.

³⁶ C Robinson, 'When girls go missing – Sex, family woes and peer pressure', *The Gleaner*, 27 May 2017, <https://jamaica-gleaner.com/article/lead-stories/20170528/when-girls-go-missing-sex-family-woes-and-peer-pressure>.

³⁷ A Saunders, 'Missing children problem persists', *Jamaica Observer*, 14 January 2020, <https://www.jamaicaobserver.com/news/missing-children-problem-persists>.

her recent book.³⁸ The book draws on a range of archival materials to explore the ways in which impoverished young black women in the early twentieth century United States refused the subordinate existence assigned to them and rejected the standards of respectability used by sociologists as well as social reformers and state agents to frame them as deviant, criminal or wayward. 'Wayward', Hartman observes, is 'related to the family of words: errant, fugitive, recalcitrant, anarchic, willful, reckless, troublesome, riotous, tumultuous, rebellious and wild',³⁹ and she approaches the wayward lives of these young black women as experiments in the pursuit of freedom, as 'the untiring practice of trying to live when you were never meant to survive'.⁴⁰ The young women Hartman is concerned with hungered for something more than the life of drudgery that had been scripted for them; they sought beauty, pleasure, entertainment, and other such accoutrements of freedom. It was the fact that they acted on the basis of their longings and desires that made them 'wayward'. In this respect our Jamaican interviewees have much in common with them.

Although as children they mostly ran away from home to escape abuse and homophobia, or were ejected as an act of abuse, and although they often faced further abuse and harms of various types after leaving, our interviewees' accounts of life beyond their homes are also narratives about actively and hopefully pursuing desires. They were looking for sex, fancy clothes, excitement, and other kinds of fun that children are not traditionally supposed to want. At the same time, however, they also longed for things that children are supposed to have a right to—love, intimacy, care, food, shelter, belonging, acceptance, and in most cases also a chance to complete their education and obtain the qualifications necessary for a 'good' job. They imagined how their lives could be otherwise, they envisioned themselves transitioning from childhood to adulthood, dependence to independence, unloved to beloved, victim to agent, debased to respected, and in some cases also man to woman, and then acted on the basis of those desires. In so doing, they experienced moments of solidarity as well as betrayal, kindness as well as cruelty, beauty as well as ugliness. These moments did not add up to a linear trajectory in either direction. It was not that their stories started badly but ended happily, or vice versa. Instead, and like the young migrants that Mai studied in Europe whose mobile orientations unfolded 'between "errant" and more agentic forms of mobility',⁴¹ our interviewees shuttled between such moments, or experienced them simultaneously, and continued to do so even in adulthood. All of them still lead 'wayward' and precarious lives that cannot be neatly boxed into the conceptual dichotomy between agent-victim that is so central to the trafficking frame.

³⁸ S Hartman, *Wayward Lives, Beautiful Experiments*, W. W. Norton, New York, 2019.

³⁹ *Ibid.*, p. 227.

⁴⁰ *Ibid.*, p. 228.

⁴¹ N Mai, *Mobile Orientations*, University of Chicago Press, Chicago, 2018, p. 73.

Conclusion: Beyond the binaries of anti-trafficking

Human trafficking entered into policy and political discourse as a problem of criminal justice and enforcement, but one that was simultaneously represented as a security threat and a humanitarian crisis.⁴² It therefore required a cast list of clear and unambiguous perpetrators and victims, and mainstream anti-trafficking discourse was and remains inextricably bound to the agent-victim or subject-object binary. It divides people into those who are the authors and subjects of their journeys and destinies, and those who are victimised, controlled by traffickers, and reduced to mere objects of trade and exploitation. To the extent that the trafficking frame now accommodates LGBTQ youth, it does so by casting them as non-agential victims. But the trafficking frame distorts the realities faced by Jamaican youth. As a result, it encourages demands for carceral solutions,⁴³ rather than efforts 'to imagine a genuine abolition' of the systems that produce suffering.⁴⁴

Official statistics show that far more children are reported as sexually abused in their own homes than as going missing for longer than a week. The lives of even larger numbers of children are blighted by physical abuse from parents and other authority figures, and the numbers of children whose well-being is negatively impacted by structural adjustment measures and neoliberal economic reforms in recent decades are greater still. The hyper-visibility of 'sex trafficking' in international policy discourse deflects attention from the global and neocolonial power relations that make it impossible for Jamaican governments to provide the kind of welfare support that would allow poorer Jamaicans to meet the material needs of their children.⁴⁵ In national as well as international policy discourse, it renders invisible the social practices and laws that harm children, such as those that sanction corporal punishment and which stigmatise and criminalise homosexuality and sex work.

James Kincaid has observed that the telling and retelling of Gothic tales about an epidemic of child molesting works to reassert a vision of 'children' as empty, vulnerable, dependent, and biddable, as the opposite of sex, the opposite of us, and so also a vision of ourselves as good and worthy 'adults'.⁴⁶ Media and policy discourse on 'child sex trafficking' does the same thing, while also confirming fictions about the goodness of 'respectable' heteronormative families and sexuality. These are stories that protect socially cherished ideals of childhood, as opposed to

⁴² *Ibid.*

⁴³ E Bernstein, *Brokered Subjects: Sex, Trafficking & the Politics of Freedom*, University of Chicago Press, Chicago, 2018.

⁴⁴ Y Goyal, *Runaway Genres*, New York University Press, New York, 2019, p. 28.

⁴⁵ Cruz *et al.*

⁴⁶ J Kincaid, *Erotic Innocence: The culture of child molesting*, Duke University Press, Durham, 1998.

actual, flesh-and-blood children.⁴⁷ The real stories of children like our interviewees are very different. They are tales about children being failed in multiple ways by numerous individuals, agencies, systems, and structures, and about their own efforts to change the lives that had been scripted for them by these failures. As Kaye argues, we need a 'new template for understanding... one that not only identifies a multiplicity of harms and needs, but that recognises the complexity of confronting multiple difficulties simultaneously'.⁴⁸

Genuine concern with the realities of our interviewees' lived experience would not lead to the conclusion that 'sex trafficking' is the problem in need of a policy solution. Nor would it lead to attempts to slot their experience into oppositional conceptual binaries. If we actually cared about them in all their non-binary ambiguity, as both subjects and objects, agents and victims, we would be focused on responding to their unmet needs for care (as adults as well as children), and dismantling the structural, legal, and social obstacles that stand between them and the realisation of their freedom projects.

Acknowledgements

We are indebted to the British Academy for funding the project on which this article is based ('Revisiting child sex tourism, rethinking business responses', Award Ref: TS170020), to our co-investigator Katie Cruz, and our research partners at SWAJ, especially Miriam Haughton and Joel Levy. Julia O'Connell Davidson is also grateful to the European Research Council for funding a project that has helped to inform the discussion in this paper (Modern Marronage: The Pursuit and Practice of Freedom in the Contemporary World, ERC ADG 788563).

Jacqueline Sanchez Taylor is Senior Lecturer in Sociology at the School of Law and Social Sciences, Royal Holloway. She has researched and published on female sex tourism and cosmetic surgery tourism and held grants for research on informal tourism economies in the Caribbean. She has a longstanding interest in feminist debates on sexuality and their intersection with questions about race and racism. Email: jacqueline.sancheztaylor@rhul.ac.uk

Julia O'Connell Davidson is Professor of Social Research at the University of Bristol. She has longstanding research interests in economic life, sex work, childhood, and mobility, and is the author of *Children in the Global Sex Trade* (Polity, 2005) and *Modern Slavery: The Margins of Freedom* (Palgrave, 2015) as well as other works. She currently holds an ERC Advanced Grant for the project 'Modern Marronage? The Pursuit and Practice of Freedom in the Contemporary World'. Email: julia.oconnelldavidson@bristol.ac.uk

⁴⁷ O'Connell Davidson, 2005.

⁴⁸ Kaye, p. 1

Workers, Migrants, and Queers: The political economy of community among illegalised sex workers in Athens

Valentini Sampethai

Abstract

This article unpacks practices of collaboration and community-building among sex workers in Athens, weaving them with an analysis of labour and illegalisation. In the field, cis and trans, local and migrant workers alike pointed to the pervasive material realities of harm, exploitation, and devaluation as inseparable from the multiple processes of illegalisation and dispossession to which they were subjected. They also demonstrated their own grassroots strategies to deal with these realities. Such practices are examined as concrete efforts of collectivities to survive together through diffuse forms of (state) violence. Nevertheless, the article shows that ‘community’ is by no means straightforward, harmonious, or free from instrumentalism, but situated within a multiplicity of relationships of support, collaboration, subjection, exploitation, obligation, and bondage between sex workers, migrants, and various brokers and gatekeepers. In tracing the connections forged between people occupying multiple positions as informal (sexual) labourers, migrants, and queers, sexuality and gender emerge as inextricable from class, and community as inseparable from political economy.

Keywords: sex work, migration, statecraft, criminalisation, gender, sexuality, political economy

Suggested citation: V Sampethai, ‘Workers, Migrants, and Queers: The political economy of community among illegalised sex workers in Athens’, *Anti-Trafficking Review*, issue 19, 2022, pp. 28-46, <https://doi.org/10.14197/atr.201222193>

Introduction

Following Shah's call to 'reposition, rather than eschew'¹ the discussion on violence and exploitation in the sex industry, this article weaves together the stories of cis and trans women selling sex in Athens, Greece, with an analysis focusing on labour and illegalisation. Although sex-working women are consistently discursively reified as victims of violence, the ways my interlocutors spoke and acted in the field did not correspond to linear narratives of victimisation and rescue. Instead, cis and trans, local and migrant women alike pointed to pervasive realities of harm, exploitation, and devaluation as inseparable from the processes of illegalisation and dispossession to which they were subject. They also demonstrated a rich set of grassroots strategies to deal with these realities, on their own terms.

The following analysis focuses on practices developed among workers who partake in shared material realities, such as extreme precarity, criminalisation, transphobia, and racialised violence, and try to mitigate violence, exploitation, and devaluation from that standpoint. Occurring across gender identity, these practices constitute concrete efforts of collectivities to survive together through diffuse forms of (state) violence. This does not mean such efforts are straightforward, harmonious, or free from instrumentalism. Following my interlocutors' own perspectives, I unpack the conundrums of 'community' by considering the multiplicity of relationships of support, collaboration, subjection, exploitation, obligation, and bondage that emerge between sex workers, migrants, and different kinds of brokers and gatekeepers.

Bringing different groups of sex workers into one analysis, I illuminate the connections that surface between people occupying multiple positions as informal (sexual) labourers, migrants, and queers. Building on the work of scholars like Shah and Allen,² I examine sexuality and gender as inseparable from class and materiality and argue that the legibility promised within these communities is inextricably tied to a recognition of the political economy of migration, illegality, and the options people deploy for survival.

These perspectives on violence, exploitation, and community in the field mark a departure from hegemonic representations of sex workers and trafficking victims, which obscure structural questions of work, survival, and mobility, depicting (usually cisgender) women as victimised, isolated, and suffering from extreme, if episodic, forms of individualised harm. As Kempadoo, Bernstein, and others have shown, such narratives only serve the interests of increased criminalisation and

¹ S P Shah, *Street Corner Secrets: Sex, Work, and Migration in the City of Mumbai*, Duke University Press, Durham, 2014, p. 192.

² *Ibid.*; J S Allen, *Venceremos?: The Erotics of Black Self-Making in Cuba*, Duke University Press, Durham, 2011.

border control across the spectrum of sex work and migration, with devastating consequences for workers experiencing different levels of coercion.³ Plambeck speaks of a ‘trafficking-industrial complex’ that spans licit and illicit economies of rescue, facilitation, and detainment.⁴ Similarly, O’Connell Davidson illustrates how the markets built around both sanctioned and unauthorised migration turn migrants into debtors, leaving them ‘vulnerable to exploitation, violence, and other forms of abuse, whether they have moved through legal or irregular channels’.⁵ Besides illuminating the role of the state in producing workers’ vulnerability, this literature advances a critical understanding of debt’s relation to labour. I build on such work by considering how different kinds of mutual obligation structure relations of both exploitation and community in the sex industry.

In the remainder of the article, I review the specificities of sex work in Greece, outline my methodology, and situate the ways critical approaches to ‘community’ resonate in my field. I provide some examples of interventions based on shared material realities, and unpack specific themes in them, such as the construction of chosen families among trans sex workers and the ways kinship relates to economics. Finally, I consider more intersectional forms of collaboration among sex workers who encounter one another in common spaces of work and sociality.

Sex Work and Illegalisation in the Field

My material concerns sex workers with a long history of involvement in different parts of the sex industry, as well as occasional wage labour. They include locals and migrants (including LGBTQ asylum seekers), cis and trans women. The spaces of work and commensality they populate include trans brothels, flats, online platforms, the trans sex stroll of Syngrou Avenue in southern Athens, and the historic stroll and cruising area of Omonoia in central Athens, which combines street and hotel work by cis, trans, male, female, migrant, refugee, and local people.

³ K Kempadoo, J Sanghera, and B Pattanaik, *Trafficking and Prostitution Reconsidered: New Perspectives on Migration, Sex Work, and Human Rights*, 2nd Edition, Routledge, New York, 2016; E Bernstein, *Brokered Subjects: Sex, Trafficking, and the Politics of Freedom*, University of Chicago Press, Chicago, 2018.

⁴ S Plambeck, ‘Points of Departure: Migration Control and Anti-Trafficking in the Lives of Nigerian Sex Worker Migrants After Deportation from Europe’, PhD Dissertation, 2014, p. 204; cf. ‘Sex, Deportation and Rescue: Economies of Migration among Nigerian Sex Workers’, *Feminist Economics*, vol. 23, no. 3, 2016, pp. 134–159, <https://doi.org/10.1080/13545701.2016.1181272>.

⁵ J O’Connell Davidson, ‘Troubling Freedom: Migration, Debt, and Modern Slavery’, *Migration Studies*, vol. 1, issue 2, 2013, pp. 176–195, p. 184, <https://doi.org/10.1093/migration/mns002>.

Whether they are migrants or locals, all my interlocutors encounter some form of ‘differential inclusion’⁶ to worker-citizenship, as the effect of a combination of policies. Although sex work is legal and regulated in Greece, on the ground this translates to effective criminalisation. Solicitation on the street and work anywhere outside licensed brothels remain illegal. A large part of the local workforce is unable to fulfil the requirements for a work permit, which exclude people who have any psychiatric history, are married, test positive on bi-monthly mandatory STI testing, use drugs, etc. Permits for brothels are restricted by zoning laws that make it impossible to operate legally within the municipality of Athens; consequently, almost all its brothels are illegal. Overall, sex workers occupy an awkward position between workers and criminals, resulting in informal, precarious labour conditions that make them illegible to state apparatuses, a situation compounded by gender normativities, migration, public health, and public order policy.

The management of sex workers and other ‘dangerous classes’ through legislation on work, public health, and public order has a long history in Greece,⁷ tracing back to the birth of the Greek state. Prostitution has been regulated more or less continuously since 1836, through a French-inspired regulatory system where police and doctors collaborated as ‘sanitary police’.⁸ This system worked through the interconnected spaces of brothels (including the state-run brothel-prison of Vourla),⁹ venereal hospitals, prisons, and reformatories. From early on, the interest in controlling and containing sexual commerce was part of state projects to discipline the working classes to specific ethics of work, sexuality, and gender, and punish those who did not conform.¹⁰ Sex workers were subject to illegalisation if they worked ad hoc, or confinement and strict supervision by police and doctors, if they were declared as prostitutes in state registries. This system was reworked multiple times in the post-war era, introducing changes such as privatisation and the closure of public brothels, and the prohibition of cooperative working arrangements. The main logic of supervision and containment on medical

⁶ S Mezzadra and B Neilson, *Border as Method, or, the Multiplication of Labor*, Duke University Press, Durham, 2013, p. 159.

⁷ M Korasidou, *When Disease Threatens: Surveillance and the Control of the Populations’ Health in 19th Century Greece*, Tipothito/Dardanos, Athens, 2002; P Hantzaroula, ‘Prostitution in Athens’ in J-M Chaumont, M R Garcia and P Servais (eds.), *Trafficking in Women 1924–1926: The Paul Kinsie Reports for the League of Nations*, vol. 1, United Nations Publications, 2017, <https://doi.org/10.18356/3126d79b-en>.

⁸ Korasidou, pp. 35–36.

⁹ A Fotakis, *The Creation of the Town’s Police and the British Mission 1918–1932*, PhD Dissertation, University of Athens, 2016, pp. 64–65.

¹⁰ *Ibid.*; see also: D Tzanaki, *The History of Non-Normativity*, Asini, 2016, pp. 154–155.

or criminal terms, however, has persisted¹¹ through the current legislation, implemented in 1999.

Nowadays, besides the illegality produced by regulation itself, sex workers are subject to various other laws that criminalise them and make them vulnerable to exploitation by clients, police, predators, and brokers. For example, ordinances related to ‘public decency’ were often used to arrest and fine street-based workers I encountered through my fieldwork when solicitation could not be proven. Laws relating to public health, such as the ban on ‘unnecessary movement’ and the curfews imposed during the COVID-19 pandemic, criminalised workers’ mere presence in public space, and by extension, many of their survival tactics. Frameworks for migration and asylum, with their vast grey areas of waiting, indebtedness, and the constant threat of deportability or lapse in one’s fragile legal status, also have an immense effect on how people work and rely on or are exploited by others. Finally, besides dangerously conflating irregular migration, sex work, and human trafficking, anti-trafficking policy focuses more on fighting organised crime than protecting workers.¹² The argument that sex workers must always be locatable by the authorities in order to ‘weed out’ potentially exploitative situations, is consistently used to illegalise independent, mobile work in people’s homes, hotels, and bars. In a recent proposal drafted to re-examine the current system of regulation,¹³ the fight against human trafficking constituted a central argument against allowing these forms of freelancing.

Therefore, ‘regulation’ translates to a reality where direct criminal penalties coexist with a vast grey area of illegality and invisibility. Although I use ‘criminalisation’ and ‘illegalisation’ interchangeably, ‘illegalisation’ emphasises how a *continuum of illegality*¹⁴ is produced by these processes. This continuum does not rest simply on

¹¹ For these continuities, see also: A Michalakea, ‘This is the Law of the Plague: Public Health Crises, the Law, and Sex Work’, in P Kapola, G Kouzelis, and O Konstantas (eds.), *Imprints in Moments of Danger*, EMEA, Nissos, 2020, pp. 537–544.

¹² A Boukli and G Papanicolaou, ‘Human Trafficking in Greece’, in J Winterdyk and J Jones (eds.), *The Palgrave International Handbook of Human Trafficking*, Palgrave Macmillan, Cham, 2019.

¹³ (In Greek) K Asimakopoulos, ‘Brothels: The Government’s Big Bet for Changes and Legalisation’, *Ethnos*, 9 June 2020, retrieved 30 July 2022, <https://www.ethnos.gr/greece/article/109177/oikoianoxhstomegalostoixhmathskybernshsgiaallageskainomimopoihsh>; Greek Ministry of Citizens’ Protection, *Strategy to Combat Human Trafficking, 2021–2025*, July 2021.

¹⁴ Here I draw from: N P De Genova, ‘Migrant “Illegality” and Deportability in Everyday Life’, *Annual Review of Anthropology*, vol. 31, issue 1, 2002, pp. 419–447, p. 419, <https://doi.org/10.1146/annurev.anthro.31.040402.085432>; and S P Shah, ‘Impossible Migrants: Debating Sex Work and Gender Identity amid the Crisis of Migrant Labor’, *South Atlantic Quarterly*, vol. 120, no. 3, 2021, pp. 515–532, <https://doi.org/10.1215/00382876-9154884>.

imposing direct criminal sanctions and is more productive than straightforwardly repressive. Indeed, it produces value across institutions, spaces, and communities through fines and bribes paid to the police, debt and loans, fees for private insurance, unofficial circuits of exchange involving remittances and collaborative practices, and the establishment of entire industries around rescue, facilitation, and detainment.

Finally, my reading of relative historical continuity in the state's management of sexual labour differentiates itself from Lazos' definitive study of sex work and trafficking in Greece. Conducting research in the late 1990s, the criminologist posited that the influx of migrant labour which followed the dissolution of the Soviet Union introduced a radical break in the Greek sex industry, whereby a 'new, economically oriented, [...] antisocial prostitution of coercion' replaced the 'legal prostitution' that had prevailed.¹⁵ The pervasive exploitation faced by impoverished, illegalised migrant women subject to various forms of organised mobility, and the effects of the introduction of a vast pool of devalued labour in the local sex industry, are undeniable. However, a historical approach sheds another light on the circulation of value within regulatory systems, whereby migration *policy* constitutes another terrain of illegalisation and, as Lazos calls it, primitive accumulation,¹⁶ in a long line of many. Accordingly, since the transformations he described, various 'crises' relating to national debt, migrants and refugees, and public health, have reshaped the landscape of the sex industry, accompanied by state policies that continuously stretch the meanings of devaluation and multiply the conceivable positions across the spectrum between legality and illegality.

Methodology

This paper is based on PhD fieldwork in my hometown Athens. I gained access to the field by volunteering in a day centre for sex workers in Omonoia and participating in streetwork and outreach in brothels and streets city-wide, from 2018 until I started fieldwork.¹⁷ I began systematic field research by having informal talks with sex workers I knew from volunteering. Through them, I gained independent access to various groups—local trans sex workers, LGBTQ migrants from South America and the Caribbean, and multi-ethnic street-based workers in Omonoia. I interacted with an array of sex industry participants who were aware of my status as a researcher, but worked closely with six interlocutors, starting

¹⁵ G Lazos, *Prostitution and International Trafficking in Contemporary Greece: I. The Prostitute*, Kastaniotis, Athens, 2002, p. 12.

¹⁶ *Ibid.*

¹⁷ I owe my access to the field and a wealth of knowledge to the team of Red Umbrella Athens, with whom I consulted, collaborated, and volunteered during the preliminary stages of my research.

in January 2020 and continuing to the time of writing this article. Additionally, my methodology included consulting historical research, discourse analysis, and monitoring relevant policy reforms.

After the first exploratory discussions, I conducted interviews to get a sense of interlocutors' trajectories in the sex industry. Questions addressed the types of work they did, how they learnt the job and took safety precautions, their relations with co-workers, as well as their expenses and how they paid for them. Following that, the depth of my material varies. Although I conducted qualitative research before and throughout the pandemic, during that time the field underwent transformations which impacted some research relationships. COVID-19 measures deeply affected public space and the ways of working and socialising there. As my access to Omonoia's street-based workers depended on spatial dynamics that were shifting and fracturing, while these workers were experiencing major crises in their livelihoods, I could not maintain the same continuity of presence there. As one interlocutor put it after the first lockdown: 'There is no work and we are all on edge. Let's talk in autumn if things have calmed down'. That autumn, the government announced another lockdown that ended up lasting six months, plunging illegalised workers into new depths of dispossession.

Since all my interlocutors found themselves having to constantly diversify or live with less to cope with the changing landscape of this crisis, the rest of my fieldwork moved towards a more active involvement in people's daily conundrums. Contradictions and shifts began to emerge, enriching and complicating my interview material. More practically, rather than demanding extra work from already overworked women, I tried to make myself useful in the time we shared. I provided translations to non-Greek speakers, learnt and explained bureaucratic procedures, searched for lawyers, helped women set up online profiles, spoke with husbands about residence permit procedures, and visited people in detention. Interlocutors came to my apartment, I dropped by their homes and workplaces, we ate, celebrated, chatted, and dealt with paperwork together.

In such situations, the boundaries between research and sociality can become blurred, and informed consent needed to be addressed continuously. I discussed with interlocutors how or whether I could write about workplace dynamics or legal procedures that were still unfolding. I took care to anonymise them in my writing but also to one another. I worked to maintain boundaries within communities and to differentiate between one-on-one relationships and collective interactions. Depending on people's wishes, I would record or make notes of our discussions when we spoke in private, or alternatively write notes after I was home.

ProblematISING ‘Community’

Critical examinations of the notion of ‘community’ have warned about how it can be mobilised to divest responsibility from the state, lend a stamp of authenticity to different political interventions, or gloss over exploitative and unequal relations through romanticised appeals to abstract collectivities.¹⁸ They also show how community can refer to sex workers’ and minorities’ ‘subversive solidarities [and forms of collective survival] in public space’.¹⁹ Similarly, Allen’s idea of ‘building community in the face of terror’,²⁰ situates queer communal practices within material realities that relate to gender, sexuality, race, state violence, and survival. Scholars such as Wekker²¹ and Shah²² have also repeatedly shown the situatedness of gender, sexuality, and kinship vis-à-vis political economy, further grounding the stakes of belonging and community in materiality and class.

Building on such analyses, I present an ethnographic account of community as the often fraught and complicated ways that people with shared concerns and material circumstances find to try and survive together amidst state violence. Complicating community’s relation to identity in any abstract or bounded form, my interlocutors’ ways of speaking about and practising togetherness point towards ways of surviving together and recognising one another that are inextricable from material realities, class, and illegalisation. While the word ‘community’ only surfaced in the context of NGO work, people in the field used a host of spatial and practice-oriented terms instead, such as ‘one of our own’, ‘she comes out here’, ‘in the life’. These expressions referred to commonalities vis-à-vis non-normative genders and sexualities, such as being trans or gay, but also sex work itself. Accordingly, I use ‘queer’ as an analytical rather than emic term, that speaks to these intersections between non-normative genders, sexualities, and labours.²³ Finally, in interlocutors’ accounts and my own observations, community and kinship were part of a continuum that involved support and exploitation, care and instrumentality.

¹⁸ G Vijayakumar, ‘Collective Demands and Secret Codes: The Multiple Uses of “Community” in “Community Mobilization”’, *World Development*, vol. 104, 2018, pp. 173–182, <https://doi.org/10.1016/j.worlddev.2017.11.009>; M Joseph, *Against the Romance of Community*, University of Minnesota Press, 2002.

¹⁹ Vijayakumar, pp. 180–181.

²⁰ Allen, p. 132.

²¹ G Wekker, *The Politics of Passion: Women’s Sexual Culture in the Afro-Surinamese Diaspora*, Columbia University Press, New York 2006, p. 129.

²² Shah, 2014, p. xi.

²³ Cf. N M Stout, *After Love: Queer Intimacy and Erotic Economies in Post-Soviet Cuba*, Duke University Press, Durham, 2014, pp. 25–26.

Saving One Another

This section addresses the ways sex workers navigate violence, exploitation, and risk within their social milieus. My interlocutors found ways—however imperfect—of protecting one another, which took into account the continued pressures they were facing, and the available options they had. Community-building emerged from shared understandings and material preoccupations, common risks and harms that led to interventions, which differed greatly from state missions that often ‘rescue’ or ‘rehabilitate’ women into uncertain futures.²⁴ Focusing on two examples from my interlocutors’ first years on the job, and some more recent tactics that workers employed during the COVID-19 pandemic, I show how building relationships and exchanging know-how constitute crucial parts of learning how to (survive at) work.

Street-based interlocutors from different strolls similarly described learning to navigate risk by talking and working with other women. Teresa, a local trans woman in her fifties, recounted narrowly escaping an attack by a client, who was later convicted for the murders of three sex workers. After taking some time off to work at her boyfriend’s bar, she returned to Athens single and without any job prospects. She found herself back at the stroll of Syngrou, where she had met her attacker. The prospect of taking a client alone terrified her. Some of her trans friends were still working there—the ‘sisters’ with whom she started out on the job, after being introduced to it by the same ‘mother’. ‘It’s our own version of family, you see’, she said, and described how they took care of her during those first months of her return. ‘They took turns with clients so I wouldn’t be on my own on the street and arranged threesomes or group sex with me, so that I could work without being alone’. They did this for months, until she could handle herself better: ‘then, they told me the educational seminar is over, time to go out on my own now’. Looking back, Teresa said she had been completely ignorant of the risks involved in sex work. It was only upon return, and with the help of her sisters, that she developed what most people in my field alluded to: the skill of reading and filtering clients.

Foucault has spoken of (homo)sexuality as a way of inventing new kinds of relationships. Addressing the subversive potential of affection and companionship among queer men, he writes: ‘to imagine a sexual act that doesn’t conform to law or nature is not what disturbs people. But that individuals are beginning to love

²⁴ D Brennan and S Plambech, ‘Editorial: Moving Forward—Life after trafficking’, *Anti-Trafficking Review*, issue 10, 2018, <https://doi.org/10.14197/atr.201218101>; E Shih, ‘The Anti-Trafficking Rehabilitation Complex: Commodity Activism and Slave-Free Goods’, *Open Democracy*, 19 August 2015, <https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/antitrafficking-rehabilitation-complex-commodity-activism-and-slavefree-goo>.

one another—there's the problem'.²⁵ Some years later, queer ethnographers set about 'understanding how persons in the process of taking on a new, ostensibly sexual, identity, find themselves talking as much about kinship as sexuality'.²⁶ The way relations of mutual support, friendship, and kinship are created through both trans-ness and sex work in Teresa's story adds a crucial, material dimension to these arguments: it shows how such modes of relationality among working-class people of non-conforming genders and sexualities can constitute ways of surviving across regimes of disposability and illegalisation.

Besides the threat of actual death, illegalised sex workers were subject to other forms of violence and hyper-exploitation, which they tried to navigate together. Eleni, a local cis woman who started selling sex as a divorced mother barely scraping by on a minimum-wage job, described similarly vital processes of community-building in Omonoia. In her first year at work, she was blackmailed into repeatedly providing free sexual services by a man posing as a policeman. While not a case of police abuse in itself, her story suggests how illegality produces opportunities for exploitation for a diffuse host of actors; this man recognised and appropriated for his benefit a structural relationship between sex workers and police that prevailed in my field and elsewhere,²⁷ wherein the former were prey to tactics ranging from arbitrary arrests and rapes to fines and bribes. It was only after talking with other women in Omonoia's cafes that Eleni realised the man was scamming her and sent him packing. Finding companionship on the stroll allowed Eleni to counter at least some of the pervasive exploitation and violence that came with being an illegalised worker selling sex in public space.

Consequently, and as other scholars have shown,²⁸ while necropolitics partly rests on the decision to 'let die', it is inextricable from slower processes of exploitation and precarisation that can reach the point of extermination. This confluence

²⁵ M Foucault, 'Friendship as a Way of Life', in P Rabinow (ed.), *Ethics: Subjectivity and Truth: Essential Works of Michel Foucault 1954–1984*, vol. 1, The New Press, New York, 1994, pp. 135–140, p. 136.

²⁶ K Weston, *Families We Choose: Lesbians, Gays, Kinship*, Columbia University Press, New York, 1997, p. 18.

²⁷ T Blanchette, G Mitchell, and L Murray, 'Discretionary Policing, or the Lesser Part of Valor: Prostitution, Law Enforcement, and Unregulated Regulation in Rio De Janeiro's Sexual Economy', *Criminal Justice and Law Enforcement: Global Perspectives*, vol. 7, 2017, pp. 31–74.

²⁸ B Santos *et al.*, 'Sex Work, Essential Work: A Historical and (Necro)Political Analysis of Sex Work in Times of COVID-19 in Brazil', *Social Sciences*, vol. 10, issue 1, 2021, <https://doi.org/10.3390/socsci10010002>; N De Genova, 'Viral Borders: Migration, Deceleration, and the Re-Bordering of Mobility during the COVID-19 Pandemic', *Communication, Culture and Critique*, vol. 15, issue 2, 2022, pp. 139–156, <https://doi.org/10.1093/ccc/tcac009>.

became apparent during the pandemic, when state policy towards informal workers offered renewed tools for familiar forms of labour discipline.²⁹ Besides financial penalties, this involved the ‘re-bordering’³⁰ of both international mobility and people’s movements within national territories. Restrictions on mobility were accompanied by a proliferation of checkpoints that subjected illegalised workers to intensified policing and confinement, even as they had to continue making a living under worsening conditions. In Athens, sex workers faced lockdowns and measures that shut their workplaces, criminalised their and their clients’ presence in public space, and left them without the state compensation registered workers were entitled to. Teresa angrily enumerated the trans friends and work acquaintances who ended up homeless, incarcerated, or even dead in the aftermath of this crisis. For my part, I observed interlocutors whose ways of working had become obsolete either go into huge debt or having to make sense of new and shifting landscapes of work, mobility, and illegality, while navigating a still uncharted health risk. Some who had previously relied on a mix of brothel work, street solicitation, and escorting, shifted decidedly towards the latter. As the lockdowns stretched bleakly into months, the most daring women began arranging trips to smaller towns, where there was more demand, since the usual traffic of mobile workers had stopped due to the travel bans. Facing the risk of fines for ‘unnecessary travel’, interlocutors exchanged information about different towns, accommodation, and policing patterns; this temporary hustle got them through tough months of sporadic work in the Athenian market. Considering how most were relatively recent trans migrants whose statuses ranged from asylum seeker to undocumented, they found themselves with no alternative income, and running expenses such as inflated rents and legal fees. Their participation in a community where workers exchanged information, taught each other new ways of working, supported sick friends, lent each other money, and shared working and living spaces, was literally life-sustaining.

All these small but fierce acts of support are worlds apart from interventions usually described as ‘rescue’ and can only occur within communities of shared understandings and material conditions. As the stakes of queerness, criminalisation, work, and violence intersect, such practices of surviving together evoke Allen’s reflection that sometimes, ‘managing to *be*... is at some very basic level a resistance in a global political economy in which, as Audre Lorde reminds us, the traded, enslaved, and still marked “were never meant to survive”’.³¹

²⁹ A Dziuban, M Możdrzeń, and A Ratecka, “‘Very little but a lot’: Solidarity within the sex workers’ community in Poland during the COVID-19 pandemic”, *Gender, Work, & Organization*, vol. 28, issue S2, 2021, pp. 366–377, <https://doi.org/10.1111/gwao.12677>.

³⁰ De Genova, 2022, p. 12.

³¹ Allen, p. 30.

Chosen Families, Brokerage, and Entering ‘the Life’

In her landmark study on chosen families, Weston refers to queer kinship as the product of cooperative histories of collective survival.³² Simultaneously, many anthropologists working on sexuality have connected kinship and community to labour and economics. Ferguson’s research among gay men in Senegal testifies to the importance of spaces, that, like Omonia and various other gay and trans hangouts, are hubs for commercial activity and non-normative sexualities. In such spaces, young men ‘learn about what it means to be gay, learn to stand up to abuse, and discover a new language and new possibilities for sexual identification. More striking, they learn about the sexual labors that are so deeply intertwined with this community’.³³ This process is facilitated through men’s incorporation into kinship networks, wherein parents/mentors introduce newcomers to gay life and sex work.³⁴ Other studies have shown how familial discourses among sex workers and their pimps construct belonging while providing a moral and affective framework for exploitation.³⁵ In her research with Nigerian sex workers operating under debt indenture in Europe, Plambech describes how facilitators arranging their travel were often themselves deportees from Europe, while madams were current or former sex workers who had completed the same trajectory. Showing that increased reliance on facilitators results from restrictive migration policies, she notes that ‘migrant women often voiced ambiguous moral perspectives about their madams in which they were simultaneously viewed as role models, mother figures and exploiters’.³⁶ In all these scenarios, the boundaries between facilitation and community, debt and obligation, are blurred, and navigating common realities as illegalised migrants, workers, and sexual minorities does not necessarily correspond to easy distinctions between solidarity and exploitation.

In my field, I approach the relationships extending from madams and brokers to chosen families as a continuum that responds to the same issues of criminalisation, precarity, entering competitively structured working spaces, and heterogeneous notions of community and family. The familial idiom in Teresa’s story is interesting here, especially considering the role of the ‘mother’ as the older, more experienced

³² Weston, p. 115.

³³ J L Ferguson, ‘“From the Heart”: Sex, Money, and the Making of a Gay Community in Senegal’, *Gender and Society*, vol. 31, issue 2, 2017, pp. 245–265, p. 254, <https://doi.org/10.1177/0891243217690715>.

³⁴ *Ibid.*, pp. 257–259.

³⁵ K Weinkauff, ‘Yeah, he’s my Daddy: Linguistic Constructions of Fictive Kinships in a Street-level Sex Worker Community’, *Wagadu: A Journal of Transnational Women’s & Gender Studies*, vol. 8, 2010, pp. 14–33.

³⁶ Plambech, pp. 194–195; see also P Testai, ‘Debt as a Route to Modern Slavery in the Discourse on “Sex Trafficking”: Myth or Reality?’, *Human Security Journal*, vol. 6, issue 1, 2008, pp. 68–77.

sex worker who introduces a younger one to the job. In our group discussions, Mary and Teresa, both local trans women in their fifties, described it as mostly a supportive relationship, that includes helping one's mother as she gets older and struggles. This obligation for care reflects a long-standing pattern in elderly care and kinship in Greece, but also speaks to the abandonment that specifically older queers can encounter. For one, state provisions for care are sparse in Greece, and care labour for elderly people and children is usually carried out by kin networks or private domestic workers, who usually themselves constitute a devalued migrant workforce.³⁷ Furthermore, Yiannakopoulos has described what aging has meant for older generations of gay and trans people who survived multiple forms of criminalisation: 'As they grew older, they were in and out of prisons, elderly homes, and brothels where they worked as support staff. Many died in poverty'.³⁸ As he showed, people's luck varied depending on class background and relationship with families. The few who survived did so through the support of lovers and other queers. This perspective further illustrates how friendship, kinship, and eroticism are not only about desire or identity, but also collective survival.³⁹

Besides 'mothers', scenarios where the various women facilitating sex work are called 'madams' or '*patrones*' (female patrons), exhibit a more complex mix of support and exploitation,⁴⁰ wherein obligation is quantified as debt. Among trans sex workers, madams are usually older workers who have contacts and know-how and use that to facilitate newcomers' entry into the industry. Brokerage in these cases is a retirement strategy, which can occasionally become very exploitative and be condemned by other sex workers. Mary spoke of people 'who live parasitically, cases where the relationship is pure exploitation'. Another interlocutor explained there have been:

different madams over the years, older trans women who had saved up money from sex work and bought real estate that they rented to others. Many women enter into a lot of debt to work in their flats, like, Christina still owes money to this madam even though she quit working for her a while ago. Obviously, she isn't going to repay all of it, but it's a constant hassle when they see each other.

³⁷ A Lyberaki, "'*Deae ex Machina*': Migrant Women, Care Work, and Women's Employment in Greece', GreeSE Paper no. 20, Hellenic Observatory Papers on Greece and Southeast Europe, November 2008.

³⁸ K Yiannakopoulos, 'For a Trans* History: *Kinaidoi*/fags in post-war Greek society', Lecture given as part of the lecture series 'Anthropology of Gender: Current Dimensions and Perspectives', at Panteion University in Athens, Greece, April 2022.

³⁹ See Allen; Foucault.

⁴⁰ See also: N Mai, *Mobile Orientations: An Intimate Autoethnography of Migration, Sex Work, and Humanitarian Borders*, University of Chicago Press, Chicago, 2018, p. 171.

Such examples are not uncommon. Christina, a trans woman from the Greek provinces, started out without savings or support from her family, so she had to rely on a madam to find a room in a working flat. These rooms offer a workspace close to the stroll, condoms, clean sheets, etc., but are highly overpriced. This is because rentals are expensive in the area, but also because landlords assume that trans tenants are selling sex illegally, so they either overcharge them, or prefer to rent to families or otherwise heteronormative people. For trans brokers who have saved up from sex work and bought real estate there, this constitutes an economic opportunity, where they provide working spaces to newcomers ensuring that they will avoid problems with neighbours and landlords and can start working and repaying their debt.

The ways debt can produce severe forms of exploitation among migrant sex workers are familiar and have been noted by numerous scholars.⁴¹ However, it should be emphasised that this is not unique to the sex industry and points to larger processes of capitalist appropriation of productive and reproductive realms.⁴² In my field, these kinds of agreements represent the more profit-oriented side of a continuum of mediation involved in entering the specific stroll. The more someone can rely on her community, the less dependent she is on such forms of brokerage and indebtedness. Yet, the distinctions are not entirely clear-cut. The continuities between community and economics within chosen families are evident in the following dialogue between two interlocutors:

- If a girl goes out in Syngrou without backup, she will get beaten up. Someone needs to 'take you out' on the stroll. I was lucky because I knew a lot of working women before I went out. I knew my sisters, I knew others from the bars where we partied. Of course, in her way, Natalia [her trans mother] profited economically from me, mommy dearest... She would say, 'how I like this plant, would you buy it for me?' Her apartment had twenty pots of plants which were all personally paid for by me... or she would just go into my wallet while I was asleep and get money without telling me, but I knew.
- The way I see it, you create grounds for demands and rights, you are obligated, she says, since I have helped you, you have to be on standby for whatever I need. It's an unwritten law.
- I was still lucky, I [started work] without much drama because people had my back.

⁴¹ *Ibid.*; see also, among others, O'Connell Davidson; Testaí.

⁴² See, for example: R Andrijasevic, 'Forced Labour in Supply Chains: Rolling Back the Debate on Gender, Migration, and Sexual Commerce', *European Journal of Women's Studies*, vol. 28, issue 4, 2021, pp. 410–424, <https://doi.org/10.1177/13505068211020791>.

- Siblings, mothers, aunts...it's a reality.
- It's like the story of geishas, fictive families, it's an international thing. When I saw the movie [referring to *Memoirs of a Geisha*], I said this is like us, and then I heard from trans friends abroad it's the same. It's probably a matter of need since many of us don't have families.

This mix of materiality and affinity, mutuality and economics, is not unique to the sex industry either. For one, many interlocutors found themselves involved in such relationships of support and exploitation within their biological families. Often being the most cash-ready among their relatives, they economically supported or gave loans to them, which they did not always get back. For some trans women, not having a nuclear family of their own meant that they disproportionately took on the gendered work of caring for elderly relatives, babysitting siblings' children, etc. Such examples evoke the classic feminist caution against regarding the family as a black box of mutuality, and its emphasis on how familial relationships are stratified according to gender and age. Indeed, since the 1970s, Marxist feminists have approached the entanglement of the economic and the intimate, support and exploitation, as key features of the institution of the family, showing that care is value-producing labour that is overwhelmingly carried out by women.⁴³ At the same time, researchers have shown how obligations based on expanded idioms of kinship form a crucial survival strategy in contexts of state-organised devaluation, racism, and impoverishment. Stack's study of working-class Black communities and her examination of the way kinship is acquired as friends, relatives, and partners come to share reciprocal obligations⁴⁴ movingly illustrates how affinity is a thoroughly material matter. This perspective links back to queer families as theorised by Allen and Weston: relationships built through everyday work, presence, eroticism, and reciprocity, throughout one's life, amidst multiple forms of state violence.

Finally, the way relations based on care work and obligation exist alongside relations of brokerage in my field, connects the discussions on debt, precarity, and productive and reproductive labour. If we examine communal obligations and debt relations together, issues raised by Graeber and Butler in very different theoretical works begin to resonate. Where the former uses the history of debt to ask 'fundamental questions about what human beings and human society are or could be like—what we actually do owe to each other',⁴⁵ the latter's early work

⁴³ V A Goddard, *Gender, Family, and Work in Naples*, Berg, Oxford, 1996; M Dalla Costa and S James, *The Power of Women and the Subversion of the Community*, Petroleuse Press, New York, 1976.

⁴⁴ C B Stack, *All Our Kin: Strategies for Survival in a Black Community*, Basic Books, New York, 1983.

⁴⁵ D Graeber, *Debt: The First 5000 Years*, Melville House, New York, 2011, p. 18.

looks at community as pervaded by dependency and vulnerability, ‘our collective responsibility for the physical lives of one another’.⁴⁶ The value in exposing debt as a social relation that is contestable and dynamic, rather than a neutral, technocratic, yet thoroughly moralised fact, is undeniable. Indeed, we saw that the disciplinary force of debt is not always all-encompassing and, depending on what other options they have, sex workers may leave working arrangements that they find too coercive. When it comes down to it, the ability to leave one’s debt unpaid is more a material than a moral issue. At the same time, this core dependency Graeber and Butler speak about is not abstract either. As with ‘community’, generic notions of collective mutual responsibility risk glossing over wildly stratified material realities and labour divisions. Whether we look at debt as the basis of human sociality, or as a relation that can quantify obligation in ways so impersonal they become dehumanising, what is less explicit in these analyses but ubiquitous in my field, is labour as a life-sustaining but exploited and differentiated capacity, within families, strolls, and workplaces. The connection between debt and labour exploitation is by now obvious, yet Butler’s vision of mutual obligation and care also belies a world of work, that is, the work of social reproduction.

Devaluation and Intersectional Solidarities

So far, I have shown how friendship, kinship, and sexuality are crucial for collective survival amidst state violence. I finish by considering how sex work itself offers a material basis for community that traverses the boundaries of queerness, migration status, or ethnicity. As interlocutors encountered one another in the spaces where they hustled, and simultaneously faced overlapping processes of illegalisation and devaluation, shared tactics and agendas emerged. These testify to the potential connections wrought from what Mezzadra and Neilson call ‘the multiplication of labour’,⁴⁷ whereby groups of workers may fragment or find unexpected common ground.

As I have already discussed, interlocutors experienced progressive devaluation, even exclusion from the sex market as they grew older and their faces more familiar in the spaces where they worked. Growing old on the job often meant having to live with less: decreased demand, lower prices, accepting things one normally avoided. Some women shifted towards low-level brokerage, scraped by on state benefits or help from their ‘daughters’, or diversified their services. One strategy was to collaborate with newer sex workers, who benefited from their know-how while offering older workers a fresh way to market their services. Newcomers were often more sought-after but less experienced: by working together, they could learn more safely, while mature workers did not lose clients as much and did not

⁴⁶ J Butler, ‘Violence, Mourning, Politics’, *CUNY Academic Works*, 2002, p. 5.

⁴⁷ Mezzadra and Neilson, p. 7.

have to position themselves so competitively towards newcomers.

Mary switched to this mode of collaboration as her main way of working, when she saw that her ad was getting less and less attention. She was active in various dating apps and talked with queer men through her blog about sex and sexuality. Many of these men were younger migrants struggling to find decent work in Athens but hesitating to sell sex on their own. In the collaborations that ensued, Mary taught them how to work, handled their common ads, and enriched what she herself had to offer with services they could sell as a team. They shared the money equally, and this became a regular way of escorting for them. As she said:

It's about staying afloat and being able to book appointments. Alone, my presence in the ads is dead and buried. For my partners, it is the only way they accept to work. They feel scared or insecure to sell sex on their own, sometimes religion also plays a role... They try to find other jobs, too, but things are hard.

Linking back to Teresa's story of sisterhood, sharing dates for group sex emerges as a common strategy that includes various combinations of cis and trans, migrant and local, experienced and inexperienced men and women. Such collaborations can be understood as a way of working more safely, a response to clients' fantasies, and a pragmatic way of upgrading one's profile in an ageist market that constantly requires fresh faces and services. Mary's comment further suggests that people team up to escape the devaluation and exploitation they experience along their trajectories in the labour market at large. This issue of working conditions in other sectors resonates with Mai's point that 'most migrant sex workers decide to work in the sex industry to escape the exploitation they face in the "straight jobs" available to them'.⁴⁸ It also complicates 'the current discursive matrix of prostitution, which...turns on the notion that [those] who sell sexual services [are cisgender, heterosexual women that] have never engaged in any other livelihood strategy'.⁴⁹

Still, people's ways of dealing with devaluation varied. Solidarities were forged and ruptured, as the intensification of labour and devaluation unfolding in Greece in the last decade materialised in each working space. After fifteen years of working in Omonoia, and having reached her sixties, Eleni posited that the advent of the debt crisis and the saturation of the industry with workers facing rising economic pressures have had an impact. 'Nowadays, if a new girl arrives, everyone looks for ways to get rid of her—unless they realise she has a pimp who will beat them up, so they leave her alone'.

⁴⁸ Mai, pp. 3–4.

⁴⁹ Shah, 2014, p. 153.

The more recent trajectory of Beatriz, a trans Latina, testifies to that. Upon her arrival in Greece, Beatriz started working in Omonoia, and was violently chased out by another trans sex worker. Nevertheless, while strategically getting a boyfriend/pimp in order to stand on a street corner, Beatriz started building relationships with other workers and allies. In an LGBTQ event for refugees, she became friends with a local trans activist, who ended up hosting her until she found her footing. Not having to pay for a hotel anymore, she saved up money, dumped the boyfriend, found a job in a brothel, and started organising her life on her terms.

Overall, interlocutors agreed that solitary newcomers often had to rely on brokers to work without harassment. Although current conditions have clearly had an effect, Eleni's depiction of a communal past of better relations, fewer workers, and more work, may exhibit some idealised nostalgia, and my material across groups and workplaces suggests that solidarity, competition, exploitation, and community coexisted in some mix before, as they do now. Eleni herself, despite her pessimism, continued to exchange clients and advice with colleagues during the time she participated in my research. Her closest work friend was Lilyana, a sixty-nine-year-old cis Bulgarian migrant who was encountering the harsh reality of aging in sex work. She was trying to find a stable job as a brothel cleaner, but consecutive lockdowns made that impossible. On occasion, she took over Eleni's regulars when Eleni could not meet with them, and the two women supported each other daily. Knowing her friend charged lower prices due to her age and economic difficulties, Eleni advised her to ask her own regulars for Eleni's higher tariff. Extending beyond collaboration, the quality of their friendship became clearer over the years, especially after Eleni talked about struggling with whore stigma and only being out to her estranged husband (an old client) and her colleagues. Despite the violence, competition, and perennial fatigue of places like Omonoia, it seems the stroll is also a space where people can find companionship and communicate in a shared language.

Conclusion

When asked about how she understands violence in her work, Lilyana said: 'As you grow older, it's torture. You don't have work anymore. Clients want younger women, unless they are your regulars. This job has an expiration date, and we don't get pensions.' Her response constitutes a brilliant and pragmatic twist on the debate about violence in the sex industry, shifting the focus onto the deeply structural violence of being part of an illegalised workforce, and growing old without any semblance of economic security. Like with Teresa after her attack, or my interlocutors during the lockdowns, what sex-working women are up against is not only the rapes, exploitation, or police abuse: it is also the need to keep going in the face of all that, to survive, build connections, and create something where nobody—and certainly not the state—will guarantee their future.

In none of the accounts presented is community simple or straightforward. Instead, notions of affinity are dynamic and heterogeneous, and rest on ongoing relationships of mutual obligation and support that take work. People do not just participate in bounded and singular ‘communities’ based on being a woman, a sex worker, trans, gay, working-class, or of a particular race or ethnicity. Rather, solidarities are formed across these positions as people inhabit the same spaces, encounter common problems, exchange information, and defend and depend on one another. This illuminates the connections that emerge among queer, migrant, and local informal labourers as they face overlapping forms of illegalisation in the sex industry and beyond.

In this article, I have tried to expose the violence, hurt, and exploitation that come with ‘community’, but also its life-or-death importance in people’s lives. Grassroots forms of support hold the promise of becoming legible to one another, finding a common language to speak about violence and harm, and perhaps even ways to survive them together. In doing so, they pose a stark contrast to perspectives that collapse all violence and exploitation into a discourse about human trafficking and portray sex workers as abject victims waiting to be rescued. Not only do such narratives align ominously with the state projects that produce these very conditions, but, most importantly, they conveniently neglect to consider what people are rescued into, and how they are expected to survive in contexts of continuing devaluation and dispossession.

This research was made possible by a Dissertation Fieldwork Grant by the Wenner-Gren Foundation.

Valentini Sampethai is a PhD candidate in Social Anthropology at Panteion University in Athens. She conducted her studies in Anthropology, receiving a BA from Goldsmiths College and an MSc from the University of Copenhagen. Her research revolves around labour, statecraft, gender, and feminist critique. Her PhD dissertation examines sex workers’ labour processes in Athens and their articulation to different forms of illegalisation by the Greek state. Email: valentinisampethai@gmail.com

The *Thirunangai* Promise: Gender as a contingent outcome of migration and economic exchange

Shakthi Nataraj

Abstract

In this paper, I track how social actors in the city of Chennai in the Indian state of Tamil Nadu contested the boundaries of *thirunangai* identity, the preferred Tamil term for transgender women. Using a framework derived from linguistic and economic anthropology, I show how gendered personhood is a contingent outcome of the value and meaning given to migrations and economic exchanges, where migration makes new gendered subjectivities possible while curtailing others. I offer a queer analysis of migration, highlighting how social womanhood is a contingent achievement and a contested status, split along axes of class, caste, religion, language, cis- or transgenderhood, and so forth. Not all persons socially categorised as women marry, migrate or labour in the same way, and gender is never a singular or isolated axis of differentiation.

Keywords: transgender, migration, linguistic anthropology, kinship, South Asia

Suggested citation: S Nataraj, 'The *Thirunangai* Promise: Gender as a contingent outcome of migration and economic exchange', *Anti-Trafficking Review*, issue 19, 2022, pp. 47-65, <https://doi.org/10.14197/atr.201222194>

'Look at me,' [said my friend, Sri]. 'Am I not a kothi? I am educated too. I have a steady job. Don't I take time out every now and then to lead a woman's life? ...With all your qualifications...do you want to end up as a beggar? I want to be a woman, even if it means begging on the streets, [I said]. The only way I could live the life of a woman was to beg or be a sex worker. My linguistics or theater experience would not help me here. I could never be a sex worker, so begging was my only option.'¹

¹ L S Vidya, *I am Vidya: A Transgender's Journey* (translated by V Ramnarayan), Oxygen Books, Chennai, 2007, p. 6.

The above excerpt is from the autobiography of Living Smile Vidya, one of the most influential *thirunangai* activists in the state of Tamil Nadu in southern India. *Thirunangai* means ‘respectable woman’ in Tamil and is the preferred term for transgender women. *Kothi*, as used by her friend, refers to a person who is assigned male at birth but identifies as feminine while retaining male presentation. During the conversation cited above, Vidya is still a *kothi*, but considering undergoing surgical transition to affirm her identity as a woman. It is striking that her *kothi* friends attempt to dissuade her not because they doubt her gendered experience, but because they worry about the impact on her livelihood. Gender is not only a psychological essence to be expressed sartorially and addressed medically, but a socio-economic matter. Transitioning from a male-passing *kothi* to a female-presenting *thirunangai* implies the radical loss of job opportunities, state recognition, social mobility, and educational capital promised to cisgender men. When Vidya does eventually transition gender, and joins a *jamath*,² her *guru* once again reminds her that her education does not give her higher status: ‘Whether educated or illiterate, a *kothi* is a *kothi*, do you understand?’³ ‘Living like a woman’, for Vidya at the time of writing, is synonymous with the stigmatised labour of sex work or begging.

Vidya’s transition is economic in a second sense, in that it has consequences for the economy of gifts and obligations within her family. Her father, a municipal sweeper from a *Dalit* community, took loans to pay for her Master’s degree, hoping his ‘son’ would end the caste-based oppression and humiliating work that had characterised his own life. When Vidya joins a *jamath* in Pune, withdrawing from the sexual economy reserved for those who occupy the social role of sons and daughters, her father’s sacrifice becomes a gift she cannot reciprocate.⁴ Charting the gains and wrenching losses of gender transition within her family’s history, Vidya demonstrates the intergenerational stakes of claiming one gendered identity over another.

² A kinship system built on patronage-based ties and adoption, where a *guru* generally mentors or adopts *chelas*, or daughters.

³ Vidya, p. 78.

⁴ I use the term sexual economy in Gayle Rubin’s sense to describe a system that regulates and produces sex and gender through a web of prescribed material and symbolic transactions. Sexual economies are operationalised through norms governing marriage and kinship which reinforce gendered subjectivities and economic relations. Unlike the Marxist feminists who were her contemporaries, Rubin drew on theories of kinship and gift exchange to highlight the symbolic dimensions of material transactions and how they actively produced gender as a meaningful category. For more on this aspect of her argument see G Rubin, ‘The Traffic in Women: Notes on the “political economy” of sex’, in R R Reiter (ed.), *Toward an Anthropology of Women*, Monthly Review Press, New York and London, 1975, pp. 160–183.

Vidya's account affords a glimpse of the complex relationship between gender and migration. It is not just that gendered persons migrate; it is equally that migration makes new gendered subjectivities possible while curtailing others. Gender transition implies a simultaneous migration across labour markets, time, and space: as Vidya says later in her book, to be a dignified *thirunangai*, she could no longer live in an 'overgrown village' like Madurai.⁵ Gendered identities are continually made and unmade through migrations that are simultaneously economic, linguistic, medical, and kinship-based.

Scholars of migration have proposed expansive definitions to accommodate this complexity. In her ethnography of how women move between construction work and sex work markets in Mumbai, Svati Shah defines migration as 'a spatiotemporal process, where space accrues meaning through migrant workers' conditional [access] ... to the specific temporalities governing these spaces'.⁶ Writing on marriage migration within India, Ravinder Kaur suggests, following Farhana Ibrahim, that regions and borders are 'subjectively experienced rather than objectively given'.⁷ In this paper, I track how social actors in Chennai contested the boundaries of *thirunangai* identity by treating gender as a contingent product of the value and meaning given to one another's migrations and economic exchanges.

Theoretical Frameworks and Method

My fieldwork unfolded over a period of about 20 months between 2009 and 2016 where I conducted participant observation with LGBT activists in Chennai. I was associated closely with four community-based organisations. The first was Sahodaran, founded in the late 1990s by and for 'Men who have Sex with Men', a term that had been used in HIV/AIDS-related public health discourse since the early 1990s.⁸ Sahodaran had 20 full-time and 46 part-time staff, and ran a targeted intervention for HIV prevention, a drop-in centre, and events promoting LGBT rights and public health. As *thirunangai* identity and the term transgender became more established in activist and government vocabulary, Sahodaran opened

⁵ Vidya, p. 141.

⁶ S P Shah, *Street Corner Secrets: Sex, Work, and Migration in the City of Mumbai*, Duke University Press, Durham, 2014, p. 32.

⁷ R Kaur, 'Marriage and Migration: Citizenship and marital experience in cross-border marriages between Uttar Pradesh, West Bengal and Bangladesh', *Economic and Political Weekly*, vol. 47, issue 43, 2012, pp. 78–89, p. 86.

⁸ For more about the history of the term 'Men who have Sex with Men', see R M Young and I H Meyer, 'The trouble with "MSM" and "WSW": Erasure of the sexual-minority person in public health discourse', *American Journal of Public Health*, vol. 95, no. 7, 2005, pp. 1144–1149, <https://doi.org/10.2105/AJPH.2004.046714>. For more about Sahodaran, see their website: <https://www.sahodaran.org>.

a second unit in North Chennai and created two sister organisations, Thozhi and Snegidhi, which represented exclusively *thirunangais*. I also worked with a sexual rights organisation called Nirangal⁹ and a volunteer-run LGBT support network called Orinam.¹⁰

I spent much of my time at the Sahodaran office, helping to write grant applications, create publicity materials, and occasionally mentoring interns. Every day, about 30 *kothis* and *thirunangais* would drop by the office to socialise, eat, or play a game of dice. It was also a hub for activists across the city to hold planning meetings. While I was there, about 10-15 *kothis* I knew transitioned to *thirunangais* and about 5-10 *kothis* left the community to marry cisgender women due to family pressure.

In addition to participant observation, I conducted about 25 formal one-on-one interviews with *kothis* and *thirunangais*, including authors, activists and elder *jamath* leaders; two seminar-style reading group sessions with Sahodaran staff, 10 journalists, and 2 staff members at government public health agencies; and regularly attended events conducted by the Tamil Nadu Progressive Writers and Artists Association, a left-leaning organisation of intellectuals allied with the *thirunangai* cause.¹¹ I collected texts and networked with writers through these forums.

The seven years over which I conducted my research were a turbulent and crucial period for queer and sex worker rights movements in India. The HIV/AIDS funding apparatus that had supported these movements for over two decades was being supplemented by human rights frameworks with new activist vocabularies. Between 2013 and 2014, India's anti-sodomy law was re-introduced by the Supreme Court, yet the very same court passed a progressive order affirming transgender identity and social protections.¹² The stakes of claiming a specific gender identity were high and fraught with contradictions (for example, as a *thirunangai*, one's gender was legal but sexual practice was not), even as daily life was negotiated by sliding between these identities.

⁹ More about Nirangal here: <https://nirangal.ngo>.

¹⁰ More about Orinam here: <http://orinam.net>.

¹¹ For more about the history of this intellectual movement and organisation, see F Cody, *The Light of Knowledge: Literacy activism and the politics of writing in South India*, Cornell University Press, Ithaca, 2013, pp. 140–141.

¹² For an account of the *thirunangai* movement in Tamil Nadu see S F Saveri, *History Identity and Politics: Aravani movement in the state of Tamilnadu, India*, Doctoral dissertation, INFLIBNET, 2013; for an account of the national movement see C Lakkimsetti, *Legalizing Sex: Sexual Minorities, AIDS, and Citizenship in India*, NYU Press, New York, 2020.

Language Produces Gender

When I began my fieldwork, I wanted to highlight the instability of gender identity categories by paying ethnographic attention to how linguistic practices produced gender in real time. I drew on a tradition within queer linguistics that combines Michael Silverstein's theorisation of indexicality¹³ with Butler's invocation of performativity¹⁴ to examine how sex, gender, class, race, and other social attributes are produced through linguistic forms that are continually contested by different participants in a communicative event.¹⁵ At Sahodaran, I attended to how community members switched rapidly between linguistic forms in Tamil and English to index one another's gender.

Methodologically, I was keen to avoid eliciting first-person life stories shared in one-on-one interviews. Linguistic anthropologists have pointed out that interviews are themselves highly particular communicative events whose social history must be part of the analysis.¹⁶ In the Indian subcontinent, interviews and life stories of sexual minorities have a chequered past, linked to colonial anthropology and its fetishisation of otherness.¹⁷ Since the 1990s, public health and research projects targeting sex workers and sexual minorities have relied heavily on life stories to typologise subjects, often reifying the narrator's identity. When I conducted my fieldwork, activists were cynical about the canned life stories sought by researchers. *Thirunangai* activists and their allies were reclaiming life stories by working them into new genres such as autobiographies, autoethnographies, and poetry, and conducting writing and theatre workshops. I tracked the social lives of life stories by interviewing authors, translating texts, and holding reading circles at Sahodaran to examine how participants made assessments that were simultaneously about aesthetics and gendered authenticity. I was applying Bakhtin and Medvedev's insight that texts are neither purely formal constructs nor are they straightforward 'windows into reality'. Their meaning is underdetermined and volatile, emerging in their production, reception, citation, and circulation over time.¹⁸

¹³ M Silverstein, 'Indexical Order and the Dialectics of Sociolinguistic Life', *Language & Communication*, vol. 23, issues 3-4, 2003, pp. 193-229, [https://doi.org/10.1016/S0271-5309\(03\)00013-2](https://doi.org/10.1016/S0271-5309(03)00013-2).

¹⁴ J Butler, *Bodies that Matter: On the discursive limits of sex*, Routledge, New York, 2011.

¹⁵ K Hall, 'Commentary I: "It's a hijra!" Queer linguistics revisited', *Discourse & Society*, vol. 24, issue 5, 2013, pp. 634-642, <https://doi.org/10.1177/0957926513490321>.

¹⁶ C L Briggs, *Learning How to Ask: A sociolinguistic appraisal of the role of the interview in social science research*, Cambridge University Press, Cambridge, 1986.

¹⁷ For a discussion, see S Nataraj, 'Trans-formations: Projects of Resignification in Tamil Nadu's Transgender Rights Movement', Doctoral dissertation, UC Berkeley, 2019.

¹⁸ P N Medvedev, M M Bakhtin, and A J Wehrle, *The Formal Method in Literary Scholarship: A Critical Introduction to Sociological Poetics* (translated by Albert J Wehrle), Johns Hopkins University Press, Baltimore, 1978.

Gift Exchange Produces Gender

It quickly became clear to me in my fieldwork that distinguishing one's gender was not an end in itself; it gave economic and moral value to one's social relations, migrations, and actions and history. Terms like *kothi*, *thirunangai*, and *naaran* (cisgender woman) situated a person in many economic circuits at once: the benefits circulated by government and funding agencies; the cycles of patronage, gifts, and obligations of biological and *jamath* families; and the cycles of merit, honour, and ethical action that made life count. Vidya's account shows how these axes come together seamlessly: without her 'male' body as guarantor, her MA linguistics loses much of its exchange value, and even her father sees his gifts to her as a 'waste'. The government exacts its own cost by refusing to recognise the degree she earned. Unmoored from the gendered relations that give it value, her degree is 'put into cold storage' and her labour no longer counts as 'dignified'.

I use the term gift in Marcel Mauss's sense, to expand economic exchange beyond material transactions. Gifts produce ongoing debts, both economic and symbolic, that underpin relationships and produce social personhood.¹⁹ Gayle Rubin argued that the gift exchanges engendered by heterosexual marriage produced binary gendered personhood as a systematic outcome, socialising children to become future wives and husbands to sustain sexual economies.²⁰ In a different theoretical tradition, BR Ambedkar pointed out in the case of India, how endogamous marriage reproduces gender and caste hierarchies, through systematic patterns of hypergamy and hypogamy,²¹ producing a web of economies that Uma Chakravarti calls Brahmanical patriarchy.²² Gift theory captures the complexity of how migration, gender, honour, occupation, and recognition are implicated by material transactions. For example, Vidya has elsewhere argued that transphobia is a form of Brahminism, reproducing 'occupational fixity' in both *Dalit* and transgender communities, confining them to occupations such as manual scavenging, begging, and sex work.²³

I bring these linguistic and economic frameworks together to examine the circulation and interpretation of a story authored by Paul Suyambu in his

¹⁹ M Mauss, *The Gift: The form and reason for exchange in archaic societies*, Routledge, Abingdon, 2002.

²⁰ Rubin, pp. 157–210.

²¹ B R Ambedkar, 'Castes in India: Their mechanism, genesis and development', *Readings in Indian Government and Politics Class, Caste, Gender*, 2004, pp. 131–153.

²² U Chakravarti, 'Conceptualising Brahmanical Patriarchy in Early India: Gender, caste, class and state', *Economic and Political Weekly*, vol. 28, issue 14, 1993, pp. 579–585.

²³ G Semmalar, 'Transphobia as a form of Brahmanism: A Conversation Between Gee Imaan Semmalar and Living Smile Vidya in Gender, Caste, and the Imagination of Equality', *Women Unlimited*, 2018.

anthology *Thirunangaigalin Ulagam* (The World of *Thirunangais*), about an idealised trajectory of *thirunangai* life.²⁴ Suyambu, a journalist at the Tamil daily *Dinathanthi* introduced a weekly column in 2008 featuring interviews with prominent *thirunangais* in Chennai. His work is an instructive contrast to that of Vidya and shows the highly varied cultural work that the term *thirunangai* was doing at that moment.

In the following section, I give a brief account of the activist movement in Tamil Nadu, analysing what the terms *kothi*, *aravani*,²⁵ *thirunangai* and *naaran* meant for my interlocutors in terms of legal personhood and socio-economic relations. I then give a short analysis of Suyambu's story; an analysis of my conversation with the author about his text; an account of our reading group's discussion; and some concluding thoughts.

A Brief History

Kothi

Tamil Nadu was the first state where HIV was detected in the late 1980s, and from 1992, the National AIDS Control Organisation introduced targeted interventions for 'high risk groups' defined by public health discourse as Female Sex Workers (FSW) and Men who have Sex with Men (MSM). Charged with mapping the epidemiological term MSM onto local idioms of identity, many community-based organisations increasingly used the term *kothi* as a stand-in for MSM, vying for HIV/AIDS related funding as they did so.²⁶ In the early 2000s, *kothi* also connoted a working-class vernacular identity in contrast to *gay*, which was associated with aspirational, urban English-speakers.²⁷ *Kothi* also indexed sexual behaviour, and Sahodaran staff often defined *kothis* as 'receivers', contrasting them with 'double-deckers' and gays who switched between sexual roles; and *panthis*, who assumed the penetrative role.

²⁴ P Suyambu, *Thirunangaigalin Ulagam: Athisayangal, Athircchigale* [The World of Thirunangais: Wonders, Marvels], Kizhakku Pathippagam, New Horizon Media Ltd., Chennai, 2009.

²⁵ *Aravani* was a term used for transgender women in the early 2000s, which has since fallen out of use, replaced by *thirunangai*.

²⁶ L Cohen, 'The Kothi Wars: AIDS Cosmopolitanism and the Morality of Classification', in S L Pigg and V Adams (eds.), *Sex in Development: Science, Sexuality, and Morality in Global Perspective*, Duke University Press, Durham, 2005, <https://doi.org/10.1515/9780822386414-011>.

²⁷ A Gupta, 'Englishpur ki Kothi: Class dynamics in the queer movement in India', in A Narrain and G Bhan (eds.), *Because I Have a Voice: Queer Politics in India*, Yoda Press, New Delhi, 2005, pp. 123–142.

In 2015, *kothi* also connoted a certain liminality, positioned between the supposedly ‘fixed’ identities of *hijra*, cisgender woman, and cisgender man.²⁸ As Sri tells Vidya: a *kothi* can stay flexible, occasionally leading a woman’s life without making the commitment of a *thirunangai*. As transgender identity and surgery became more institutionalised, *kothi* came to connote a new kind of in-betweenness marked by the refusal to undergo surgical transition.

While *kothi* possessed these connotations, in everyday banter it could be used to address people regardless of surgical status, indexing endearment and familiarity. Vijaya, the vivacious office manager at Sahodaran, was one of the few senior activists who chose not to become a *thirunangai*, proudly declaring herself a *kothi*. She would address even senior *thirunangais* as *kothi*, referring cheekily to their *kunju* (a slang word for penis) and playfully switching between male, female, and inanimate pronouns instead of consistently gendering them female. *Kothi* had the effect of piercing the decorous femininity they displayed outside the office and reminding them poignantly of their shared experience of once having a ‘male’ body; an experience that *naarans* would never understand. This switch also reminded *thirunangais* that while their gender identity was legally recognised, their sexual practices were still criminalised in 2015. At Sahodaran, the term *kothi* expanded or contracted the boundaries of belonging.

Aravani, Thirunangai, and Transgender

Unlike *kothi*, a term that remains relatively unknown outside the LGBT activist community, the terms *aravani* and *thirunangai* were publicly visible, widely documented and debated by policymakers and government institutions at the time. Indeed, *aravani* was coined by an officer of the Indian Police Service, Mr Ravi, when he presided over the annual beauty contest held at the Aravan temple at Koovagam in 1998.²⁹ In his address as chief guest, Mr Ravi criticised the derogatory term *ali* that was then in use, proposing the word *aravani* instead, meaning a devotee of Aravan. The term is both a religious and government-recognised identity.

²⁸ K Hall, ‘Intertextual Sexuality’, *Journal of Linguistic Anthropology*, vol. 15, issue 1, 2005, pp. 125–144, <https://doi.org/10.1525/jlin.2005.15.1.125>.

²⁹ The Koovagam festival dramatises a myth from the Mahabharata, where Lord Aravan, Arjuna’s son, was sacrificed for the Pandavas to win the war. Aravan pleaded to be married and have sex before he died, and Lord Krishna in his avatar as Mohini, married and duly mourned him the next day. Each year, thousands of *aravanis* throng to the Aravan temple in Koovagam to marry the deity and ritually mourn him the next morning. The festival is a site for celebration, sex, and activism.

As sociologist Shabeena Saveri has documented, *aravani* activists began petitioning the state government in 2002 to issue them ration cards based on a ‘third gender’ identity, forging alliances with *Dalit* groups and other leftist organisations. In the 2000s, there were increasing references to the term ‘transgender’ in government documents, and public health reports.³⁰ By 2008, the government had established an Aravani Welfare Board under the aegis of the Social Welfare Department, and in 2011, the United Nations Development Programme (UNDP) introduced distinct projects for transgender persons and MSM. With strong political will on the part of the ruling Dravidian party, by 2012, schemes were implemented to provide *aravanis* with free sex reassignment surgery, university admission, subsidised housing, and support with organising self-help groups and acquiring identity documents.³¹

In the same decade, the term *aravani* gradually became unpopular, acquiring new meanings as it resurfaced in government policy. Writing in 2011, activists Aniruddhan Vasudevan and Padma Govindan raised concerns about the way—in government orders—*aravani* was used interchangeably with the pathologising colonial-era term ‘eunuch’, and official forms confusingly offered applicants the option to identify as *aravani*, transgender, eunuch, or woman, leaving trans men out altogether.³² With the rise of anti-trafficking movements, there was a spate of police cases and medical journal articles accusing *aravanis* of ‘kidnapping and converting’ boys, replicating a centuries-old colonial narrative that *hijras*, India’s iconic transgendered ritual specialists, kidnap and castrate children.³³ By 2012, *aravani* came to connote a folksy, vernacular, religious identity, and *thirunangai* had become the preferred Tamil term for transgender woman, with *thirunambi* the concomitant word for transgender man. *Thirunangai* promised an aspirational modern identity compatible with both progressive Tamil politics and international transgender rights activism. It combined the Tamil word *nangai* [young woman] with the deferential prefix *thiru* [respected], marking its distance from the traditional connotations of *aravani* and the westernised English transgender. Activists emphasised its pure Tamil roots, marking their difference from the *hijras* of the Hindi-speaking North, and foregrounding a connection to the progressive anti-caste, secular ideologies of the Dravidian movement.

³⁰ Saveri, p. 3.

³¹ *Ibid.*, p. 57.

³² P Govindan and A Vasudevan, ‘The Razor’s Edge of Oppositionality: Exploring the politics of rights-based activism by transgender women in Tamil Nadu’, in A Narrain and A Gupta, *Law Like Love: Queer Perspectives on Law*, Yoda Press, New Delhi, 2011, pp. 84–112.

³³ For a discussion see Nataraj, pp. 13–55.

Naaran (Cisgender Woman)

The third identity that serves as a point of reference for *thirunangai* activism is the cisgender woman, colloquially referred to within the *kothi* community as *naaran*. Saveri describes how in their early petitions in 2003, *aravani* activists demanded third-gender status but were asked to apply under the ‘woman’ category, until *aravani* and transgender became institutionalised. In 2002, Kamla Jaan, a *hijra* mayor in Madhya Pradesh, had been removed from her post on the grounds that she was not a woman.³⁴ The question of whether *aravanis* could be ‘women’ was a point of contention at the Seventh National Conference of Women’s Movements in Kolkata in 2006.³⁵

The debate was ongoing when I conducted my fieldwork. While some activists took issue with the ‘third gender’ stereotype, others opined that ‘woman’ came with pitfalls of its own. Saveri, herself a *thirunangai* activist, criticised the government’s double standards in accepting *thirunangai* identity while simultaneously policing Tamil women’s chastity, referring to the defamation suits filed in 2005 against the Tamil actor Khushboo because she spoke positively about premarital sex. Saveri also lamented the continued emphasis placed on procreation and chastity as the ‘clincher’ defining female gender, arguing that the state was unable to conceive of a consensual, harmonious, and egalitarian relationship between a transgender woman and cisgender man.³⁶ *Thirunangai* activist Kalki Subramaniam, in her poetry written at the time, argued that *thirunangais* promised a form of birth and community that was more progressive than that of conventional caste-bound heterosexual families. She described *thirunangai* to me not as a third gender but a respectable, self-made, progressive *woman*, unencumbered by old-fashioned Tamil ideals of chastity.³⁷

The term *thirunangai* was distanced not only from old-fashioned Tamil womanhood but also from the stigma of sex work, which in the public discourse was associated with the terms *aravani* and *hijra*. By 2015, the HIV/AIDS social movements of the 1990s, which had once united MSM and cisgender female sex workers, had splintered. Transgender identity was gaining government recognition and homosexual intercourse well on the way to being decriminalised, but things had gotten worse for sex workers. Sex worker unions had long fought to repeal the *Immoral Traffic Prevention Act*, which is widely used to harass voluntary sex workers. Despite their efforts, the state adopted ever-more punitive and carceral approaches towards sex work, conflating voluntary sex work with trafficking and

³⁴ *Ibid.*, p. 205.

³⁵ Saveri, p. 20.

³⁶ *Ibid.*, p. 186.

³⁷ Nataraj, p. 57.

performing ‘rescue raids’ that restricted cisgender women’s economic migration by placing them in ‘rehabilitation homes’ or sending them back to their families.³⁸ While many transgender women engage in sex work, it is no surprise that they have had more success pursuing entitlements based on their gender rather than their sex worker identity. These were some material issues at stake for my interlocutors, as they drew distinctions or continuities between gendered terms, giving meaning to the migrations and economic exchanges in Suyambu’s story.

The Story

I met Mr Suyambu in 2010, when he was honoured at the Pride celebrations for his weekly column entitled ‘The World of *Aravanis*’ in the Tamil daily *Dinathanthi*. His interviewees were cosmopolitan, articulate *aravani* women who worked in a range of professions from modelling to psychology. Written in a chatty, intimate style, peppered with English words, Suyambu described their rocky road to success alongside teasing references to their love life and beauty routines. By the time I conducted my fieldwork in 2015, Mr Suyambu’s columns had been collected into an anthology titled *The World of Thirunangais*.³⁹

His book opens with a story centred on a protagonist, Alagappan, who eventually becomes a *thirunangai* Alagammai. Alagappan is born as the third child of a family in rural Tamil Nadu. At puberty, it becomes clear that he is not a regular teenage boy: he does not develop facial hair, he remains shy in disposition, and he desires men. In Suyambu’s words, he is ‘a female trapped in a male body’.

Alagappan’s gender transformation involves numerous migrations from rural to urban Tamil Nadu, and then to Mumbai and Bangalore. Ostracised by his family, he meets a compassionate friend who takes him to Chennai, where he meets a group of aged *aravanis* who work as cooks and live in a wretched hovel. They warn Alagappan not to leave his bourgeois comforts for a life of poverty and hard labour: ‘You are a boy from a well-off family. If you become like us, you’ll have to come for cooking jobs. You’ll struggle for food and wilt in the heat. Just go back to your *amma*’.⁴⁰ Their faces are visibly aged, their voices are coarse, and they sleep with their legs splayed in a decidedly unladylike fashion. Their engagement in ‘women’s work’ has made them less feminine than ever. By contrast, Alagappan is so feminine that he sleeps on his side like a woman and instinctively covers his

³⁸ For a comprehensive review, see P Kotiswaran, ‘Trafficking: A Development Approach’, *Current Legal Problems*, vol. 72, issue 1, 2019, pp. 375–416, <https://doi.org/10.1093/clp/cuz012>.

³⁹ When citing the story, I use the term *aravani*, but when writing in my own voice, I use the term *thirunangai*. The translations are mine.

⁴⁰ Suyambu, pp. 11–12.

chest. Impressed by his chastity and femininity, the *aravanis* send him to Mumbai at their own cost.

In contrast to most *thirunangai* autobiographical narratives, where these migrations are mediated by obligatory gifts to parents and *gurus*, Suyambu portrays the cost of migration as an altruistic gift from well-meaning strangers. Reframing this payment as altruistic rather than obligatory or transactional allows Suyambu to distinguish it from trafficking relationships or labour migration. In his story, Alagammai is migrating not for work but in preparation for a respectable marriage as a woman, after which her obligations to her *aravani* family will eventually cease.

In Mumbai, Alagappan is adopted ceremonially by a *guru* and renamed Alagammai. When she goes to beg at the shops with her *aravani* sisters, the shopkeepers freely give fruit and goods (rather than money) to the *aravanis* in exchange for their blessings, and money is conspicuously absent.⁴¹ This scenario contrasts starkly with Vidya's recollection of her first begging experience. Vidya is humiliated, overcome with memories of her education, until her sister snaps her out of it: 'Your MA means nothing here'. By contrast, Suyambu portrays the exchanges that take place while begging as altruistic rather than antagonistic, confrontational, or transactional. In doing so, he portrays Alagammai as a person harmoniously integrated into society unlike the aged *aravanis* in Chennai. Vidya writes of how she had to pay her *guru* INR 300 a day until she had earned enough for her operation.⁴² By contrast, in his story, Suyambu replaces money with fruits and goods, obscuring the economic arrangements of the *jamath* family and portraying them as spontaneous love and care.

The third migration in the story is for surgical transition. On her way home from the shops, Alagammai spots a beautiful woman on a train:

The woman self-consciously adjusted her sari and frowned at Alagammai.

Alagammai: Please don't misunderstand me. I am an *aravani*. God has given you all the beauty that is due to a woman. That's why I looked at you.

Woman: Shall I tell you the truth? I am also an *aravani*. But I keep it a secret. I am a famous official in this town.

Alagammai: How did you become even more beautiful than a woman?

Woman: Very simple. I, who was born a man, had an operation to rid myself of the organ that I so despised. I took hormone injections. Now everyone sees me as a woman. I have even gotten

⁴¹ *Ibid.*, pp. 20–21.

⁴² Approximately USD 7 at the time.

married. My husband looks like a film actor. You should also do the operation! Become a woman like me.⁴³

The posh *aravani* on the train contrasts strikingly with the poverty of the Chennai *aravanis* Alagammai first met. Chaste but also worldly, the posh *aravani* speaks English ('very simple!'), has a husband that looks like a film actor, takes hormone injections rather than have a 'traditional' operation, and is 'more beautiful than a woman herself!' Suyambu's story envisions a world where *aravanis* do not beg on trains but are regular passengers, landing bureaucratic jobs and handsome husbands.

In the final section, Alagammai has the operation with her *guru*'s blessings and is then secluded for 40 days, not allowed to look at men. At the end of the period, she emerges veiled from her room. Lifting her veil, she is amazed to see her mother, father, and cousin before her:

'Your daughter came to me as a man. I have made her a woman and I return her to you,' [said her *guru*], and Alagammai fell at her feet.

Alagammai's parents took the money that they had brought and gave it to the *guru*. She refused to accept it.

Tears running down their cheeks, her parents expressed their thanks. They said, 'From today, we will accept you as a woman' and took her home.

Now Alagammai has married her father's sister's son and lives in Bangalore. They have adopted a female child. Alagammai has no urge to seek publicity or to parade her identity about, she lives quietly enjoying the pleasures of domestic life.⁴⁴

Suyambu's vision for *thirunangai* acceptance is to be enfolded into the sexual economies reserved for cisgender women, namely heterosexual caste-bound marriage and child-rearing. Emphasising how Alagammai did not look at other men and adopted a child, he restores her chastity and procreative ability, the importance of which was being actively debated by activists in 2010. The gift to the *guru*, and her refusal, remain ambiguous. As my discussions with Suyambu and the Sahodaran staff will show, this gift was interpreted in extremely different ways by different readers, gendering the protagonist differently as a result.

In 2015, I interviewed Mr Suyambu and asked him about the parents' gift. Why did the *guru* refuse it? Suyambu's reading was that the *guru* was relinquishing her hold on Alagammai and returning her home without encumbrances, ultimately

⁴³ Suyambu, pp. 24–25.

⁴⁴ *Ibid.*, p. 45.

conceding the ascendancy of the birth family. 'It isn't realistic maybe [for all *thirunangais* to return home]', Mr Suyambu acknowledged, 'but it is my dream for the community.' He continued:

It is already happening. Nowadays [many *thirunangais*] are returning to their families and the inability to bear a child is not really such an issue. [In the mainstream population], there are 10% couples that cannot bear children, and at this rate, we are going to have something like 20-30% couples like this. Once people get used to [*thirunangais*], they will adopt children and get married, and slowly those 'kidnapping' type of stories will reduce, and people will be able to just raise children in peace.

Refuting the sordid stories of 'kidnapping' that were prominent in the press at the time, Mr Suyambu transformed the meaning of Alagammai's migration to Mumbai: she was migrating not as a worker or *jamath* member but as a future wife. In his perception, *thirunangais* are freed of the imperative to reproduce biologically, open-minded enough to adopt, and well-travelled across rural Tamil Nadu and Mumbai, offering an aspirational womanhood superior to the increasingly infertile Tamil cisgender wives. Eschewing any reference to monetary payments for migration, surgery, and marriage, he lifts Alagammai out of narratives of trafficking and sex work and portrays her as a chaste woman generating prosperity for her heterosexual family.

The worldly elegance of the posh *aravani* on the train for Suyambu similarly represented an aspirational hyperfemininity that cisgender women lacked. He said in hushed tones:

[*Thirunangais*] have a certain daring to talk about all the things that are uncomfortable... they still do *that* [sex work] but you can't write that in the newspaper... they let themselves be taken at a young age... Like this *thirunangai* I know, she enjoys it openly. She looks even more beautiful than a real woman. When she came into the office, it caused quite a splash...

In his perception, *thirunangais*' sexual liberation placed a demand on Tamil men, too, to be more masculine than they were.

Another *thirunangai* I know is from a good family, grew up with her parents. Her husband is a model...but the marriage only lasted 6 months. That's why they offer different sexual practices [from the norm], to keep their husbands interested.

His comment suggests that Alagammai and her hypermasculine cross-cousin husband enjoy not only the respectability of a conventional caste-bound marriage,

but also the pleasures of ‘different sexual practices’ from a regular wife. For Suyambu, *thirunangai* integration promises an aspirational kind of womanhood, capable of remaking Tamil families and society.

Alagammai as *Kothi*

The participants in the reading circle I held at Sahodaran read the story in a significantly different way from Mr Suyambu, reinterpreting Alagammai’s migrations, gifts, and kin relations in a way that gendered her not as a *thirunangai* but a *kothi*. By gendering Alagammai as a *kothi*, the participants indexed a cheeky, irreverent relationship to the institutionalised seniority and overt femininity of *thirunangai*.

In Mr Suyambu’s story, we never get a sense of Alagammai’s life outside of her femaleness; her experience with a male body hardly comes into sight. Indeed, her *guru* goes so far as to tell her she must never remember her life as a man. Gendering her as a *kothi*, however, the group participants highlighted the fluidity of her identity, so her male past was never fully erased.

Bhairavi: I know one *kothi* that is similar to this... She went [to Mumbai] to work in an office as an MSM, then she did the operation and wanted to live like a *naaran*, so she got married to her *mama*’s [maternal uncle’s] son and is settled in Bangalore. Karuna: They got divorced. The *kothi* you’re talking about is Vimala from [the town] Nagercoil... that *kothi* Senthil’s older brother...

Saya: They are not together anymore. Just last week I met that *kothi* at [an HIV/AIDS] training workshop and she was moaning to me about it.

Jessie: That’s not all... I know another *kothi* who now calls himself an MSM and has married a [cis]woman!

The word *kothi* foregrounds intimate relationships: Vimala and Senthil’s *kothi*-ness binds them to the group participants, foregrounding the migrations, contingency, and life history that they all share, while ‘MSM’, ‘woman’, and ‘husband’ are presented as contextual, shifting identities. The posh femininity of the *aravani* on the train was likewise denaturalised in Bhairavi’s reading:

Bhairavi, giggling: So on the train, she sees this *naaran* [cisgender woman]-bodied *kothi* that looks like [the actress] Shalini, and [the *kothi* on the train] says why are you staring at my *daaman* [breasts] and that *pinju kothi* [young *kothi*] tells her ‘Oh you have been granted all the beauty of a real woman’ and [the *kothi* on the train] says, ‘Oh no, I am also a *kothi* just like you, I am just living like a *naaran*.’

By casting both Alagammai and the posh *aravani* as *kothis* and peppering the interaction with irreverent *kothi* slang (*naaran*, *daaman*, *pinju*), the encounter on the train became a moment of comical misrecognition rather than a long-awaited recognition. In Bhairavi's telling, the woman on the train is just a trussed-up *kothi* trying to look like a film actor, and Alagammai is a naïve young *kothi* for actually believing that she is a cisgender woman. This has the effect of mocking cisgender femininity as well, pointing out the artifice that lies behind apparent chaste femininity.

The participants considered the last scene especially unrealistic:

Karuna: It was like a cinema story... I can't believe that any *guru* would do that, especially in Mumbai. Chennai *kothis* tell me how they were treated so poorly [by *gurus*] in Mumbai... Maybe in Chennai, a *thirunangai* might introduce their parents, but not there.

Saya: In my opinion, the depiction of *thirunangai* and *aravanis*...

Me: Oooh, look at us being researchers! [Affecting highly formal Tamil] 'In my humble opinion, the mode of depiction of *aravanis* and *thirunangais*...'

Saya: Di idiot, I'm saying this for real. I think that to improve the public image of *aravanis* and *thirunangais*, he has painted everything in this positive light.

The term *thirunangai*, as Karuna uses it, has the effect of making Tamil Nadu seem more progressive than the Hindi-speaking Mumbai. The words *thirunangai* and *aravani* also evoke public images, indexed by my own joking affectation of formal Tamil, and how Saya switches to those terms when stating that Suyambu was addressing the general public. By contrast, *kothi* indexed a more intimate, secret recognition that they felt Suyambu would not have put in the text.

By recasting Alagammai as the *kothi*, the family reunion became silly and even pretentious. Bhairavi performed a comedic reading of this scene, mocking its sentimentality:

Bhairavi: So this *kothi* starts crying, she cries, cries, cries, [laughter] ...and says [whining] I want to see my *amma*, my *appa*, my *athai payyan* [paternal aunt's son] and wow! There they are!

Me: Then the parents also offer the *guru* money, no? What is that for?

Bhairavi: [sarcastic] Oh, maybe this guru was so affected by love for this *kothi* that she refuses the money... like in the film *Mahanadi* where the father comes to rescue her from the prostitutes and the [brothel owner] throws all that money at her [chuckles].

Bhairavi is sceptical of Suyambu's portrayal of the *guru*'s altruism, comparing it to a scene from the iconic 1993 Tamil film *Mahanadi*. In *Mahanadi*, a poor but honest single father becomes caught in a nexus of corrupt child traffickers and frauds, which ultimately send him to prison. When released, he finds his daughter in a brothel in Kolkata, wearing skimpy clothes and reading a fashion magazine. Devastated, he begs the owners to let her go. The male owners demand INR 5,000 for the girl but the female brothel-owner is moved by the father's plight. She appeals to the other women: 'Look, we were all sold here by our families, but Kaveri's father has come to rescue her. She is blessed, let us be happy for her.' The women in the brothel shower the girl with rupee-notes, paying for her to return to the chastity of her biological family. Her father is saved from the disgrace of paying for Kaveri's lost chastity, and the women, in turn, redeem themselves: their selfless gift restores her chastity though theirs is lost.

Bhairavi and Saya expressed scepticism and humour at the earnest piety of the scenes in *Mahanadi* and in Suyambu's story.

Saya: The *guru* will never take such good care of her... unless there are some benefits. She won't even consent to the operation... And [for her] to say, 'Fly away with your family, there is no longer any relationship between us, go and live a happy life as a woman' ... it will never happen.
[She shrieks in mock-Bengali imitating the brothel owner in *Mahanadi*, pretending to throw money on the ground. Everyone laughs.]

Through their satirical retelling, Saya and Bhairavi argue that the *guru* will likely expect reciprocation for the care given to Alagammai and this claim is natural and justified. Having paid for her operation, the *guru* has invested in making Alagammai an economic actor in the *jamath* and would be understandably unwilling to relinquish all ties. The biological parents likely have economic interests in Alagammai as well, whether in terms of the gifts and labour expended on raising her, or the prospect of her marrying, reproducing, and earning. The hypocrisy of the scene in *Mahanadi* comes from its sentimentality, pretending that heterosexual biological families guarantee entry into a chaste female life, or that such femaleness is untainted by the parents' economic interests.

Conclusion

I have argued that *thirunangai* is not merely a neologism but a social and economic trajectory, promising upward mobility and integration. The term *thirunangai* suggests a person that can become a progressive respectable woman who chooses from a range of occupations. The term is free from the religious trappings of *aravani* and its association with begging, the double life associated with a *kothi* passing as a man, or the cisgender woman cast in public discourse either as a conventional wife or an impoverished sex worker. Yet, as the difference between Vidyā's, Suyambu's, and my reading circle's interpretations suggest, what exactly integration looks like is a matter of debate. This discussion offers a small glimpse into a vibrant conversation within the *thirunangai* movement in Tamil Nadu, where I argue that gender is being rethought in relation to language, economics, and social relations to envision utopian futures.⁴⁵

The stakes are high, because, as Lakkimsetti has argued, state recognition of gender works in tandem with recriminalisation.⁴⁶ For example, the recently passed *Transgender Persons Protection Bill* (2018) reverses many of the gains of the progressive 2014 judgment because it does not recognise self-identification, does not mention affirmative action, and introduces clauses that criminalise *jamath* structures and practices such as begging, which are key forms of livelihood. These paradoxes increase the stakes of switching between gender identities and give new economic meanings to transition.

The competing claims to *thirunangai* identity are also a powerful reminder that social womanhood is not the monopoly of cisgender women, and I echo other scholars in saying that we need more queer analyses of gender, migration, and labour.⁴⁷ According to the 2011 census data, 68% of India's 455 million internal migrants are cisgender women, most of whom have migrated for marriage. Since the census treats marriage and economic migration as mutually exclusive, the category of 'economic migrant' tends to be gendered male. Cisfemale economic migrants are imagined narrowly in terms of professions such as nursing and domestic work;⁴⁸ those migrating for sex work or marriage are not considered workers at all. Feminists have powerfully critiqued this divide by pointing out that marriage is a site of socially reproductive labour and not just sentimental

⁴⁵ This argument is further developed in Nataraj.

⁴⁶ Lakkimsetti, p. 135.

⁴⁷ S P Shah, 'Impossible Migrants: Debating sex work and gender identity amid the crisis of migrant labor', *South Atlantic Quarterly*, vol. 120, issue 3, 2021, pp. 515–532, <https://doi.org/10.1215/00382876-9154884>.

⁴⁸ *Ibid.*

love,⁴⁹ so marriage migration *is* economic migration.

This critique must be pushed much further, since it is not only cisgender women's labour that is implicated by marriage economies. As Vidya's life and Suyambu's story both make clear, heterosexual marriage is only one element of a larger intergenerational kinship economy that systematically creates gendered divisions of labour for *all* parties. In migrating, people fall in and out of sexual economies, with implications for their assigned gender, honour, caste, class, kinship role, livelihood, and legal status. The point is not to say that *thirunangais* should be 'included' in the woman category, but to show that social womanhood itself is a contingent achievement, split along axes of class, caste, religion, cis- or transgenderhood, queerness, and so forth. A queer analysis of migration can powerfully demonstrate that not all socially assigned women marry or labour in the same way, and that gender is never a singular or isolated axis of differentiation.

Shakthi Nataraj is a Lecturer of Sociology at Lancaster University, an anthropologist, creative writer, and illustrator. She completed her Ph.D. at the University of California, Berkeley. She illustrates under the name The Artful Anthropologist. Email: s.nataraj@lancaster.ac.uk

⁴⁹ P Kotiswaran, 'The Laws of Social Reproduction: A Lesson in Appropriation', *Northern Ireland Legal Quarterly*, vol. 64, no. 3, 2013, pp. 317–333, <https://doi.org/10.53386/nilq.v64i3.353>.

Queering Sex Work and Mobility

Ntokozo Yingwana

Abstract

This paper explores the intersections of sex work, mobility, and gendered sexualities through a queer lens. It is based on a study that made use of digital storytelling and WhatsApp to engage 17 migrant and mobile sex workers in South Africa. Through a queering of sex work and migration/mobility analysis, it demonstrates that because sex work is essentially about using one's body to perform varying sexual acts with different types of people for financial gain, migrant and mobile sex workers are exposed to different ways of experiencing sexual (dis)pleasure. According to the research participants, this can then broaden the body's erotic vocabulary and expand one's range of sexual desires, along with their expressions, to the point where it can also have an influence on one's gendered sexuality and choice of intimate partner. However, the respondents also stressed the integral role movement plays in this evolution of one's gendered sexuality. Hence, this paper argues for the recognition of migrant and mobile sex work as intrinsically queer and concludes by unpacking the socio-political implications of this in relation to (sexual) citizenship.

Keywords: sex work, migration, mobility, queer, sexuality, gender

Suggested citation: N Yingwana, 'Queering Sex Work and Mobility', *Anti-Trafficking Review*, issue 19, 2022, pp. 66-86, <https://doi.org/10.14197/atr.201222195>

Introduction

This paper is based on a PhD thesis titled *Queering Sex Work and Mobility in South Africa*.¹ The research project sought to investigate whether mobility can influence gendered sexualities in sex work, and if so, in what ways and with what socio-political implications. Based on an engagement with 17 migrant and mobile/

¹ Upon writing this paper, the doctoral thesis was being finalised. The study is based at the African Centre for Migration and Society (ACMS) at the University of the Witwatersrand.

transient sex workers in South Africa, the study explored the extent to which this nexus might inform the (sexual) citizenship of people who move to sell sex (migrant sex workers) or sell sex on the move (mobile/transient sex workers) in South Africa. The objective was to find out what this might mean for those whose gendered sexualities are performed fluidly across the spectrum—those who tend to be unrecognisable to the nation-state, but in cases where they are ‘seen’, are often (mis)identified as ‘sexual deviants’ or (at best) ‘victims’. Queering sex work and mobility and broadening the concept of sexual citizenship in this way enables us to unpack how particular embodiments, expressions, and practices of gendered sexualities influence national politics of belonging, recognition/denial of certain human rights, and allocation of developmental resources. In addition, this paper demonstrates how sex workers’ alternative discourses about their experiences of sexual citizenship(s) can help liberate queer theory from heteronormativity, as their narratives challenge its pervasive binary power.

In his early contributions to queer theory, Michael Warner posited that ‘[f]or both academics and activists, “queer” gets a critical edge by defining itself against the normal rather than the heterosexual’.² Building on this thinking, Corina McKay argues that ‘sex work should also be seen as “queer” because it engages in a direct challenge to the power of heteronormativity’.³ It is important to note that while heteronormativity tends to be understood in relation to heterosexuality, the two are not inextricably bound.⁴ Indeed, Lauren Berlant and Michael Warner assert that some forms of sex between cisgender men and women might not be heteronormative.⁵ This would mean that there are certain forms of sex (or sexual acts), which, while popularly practised by some cisgender heterosexual persons, might otherwise be socio-politically considered as outside of the so-called ‘norm’; that is ‘non-normative’ forms of sex.⁶

Sex work is a quintessential example of this type of non-normative sex. The selling and/or buying of sex is criminalised in most countries, because it is considered a form of deviant (or immoral) sex, on the basis that it is not only sex outside of love or marriage, but also sex in exchange for money. According to Charlotte Valadier:

² M Warner and Social Text Collective (eds.), *Fear of a Queer Planet: Queer Politics and Social Theory*, University of Minnesota Press, Minneapolis, 1993, p. xxvi.

³ C McKay, ‘Is Sex Work Queer?’, *Social Alternatives*, vol. 18, issue 3, 1999, pp. 48–53, p. 48.

⁴ N Rumens, E M de Souza, and J Brewis, ‘Queering Queer Theory in Management and Organization Studies: Notes toward Queering Heterosexuality’, *Organization Studies*, vol. 40, issue 4, 2019, pp. 593–612, <https://doi.org/10.1177/0170840617748904>.

⁵ L Berlant and M Warner, ‘Sex in Public’, *Critical Inquiry*, vol. 24, issue 2, 1998, pp. 547–566, <https://doi.org/10.1086/448884>.

⁶ Rumens *et al.*, p. 594.

From this perspective, one can say that the sexual practices of sex workers are ‘queer’ insofar as they manifest a non-conformist form of freedom or a disruptive position against the socio-political order of a heteronormative patriarchy.⁷

Hence, I argue in this paper that it is actually the type of sex a person engages in (or is even perceived to be engaging in, or associated with in the case of third parties in the sex work industry)⁸ that informs one’s sexual citizenship, and not so much their gender identity or sexual orientation (i.e., gendered sexuality) per se. Sex work is, therefore, a conceptually useful site to study as it allows us to explore sexual citizenship from the actual doing of sex, and not just from the identity politics perspective. For while identity politics are important and relevant in this analysis, a sole focus on them could detract attention from non-identity-based structures of oppression (and privilege).⁹ Such an approach challenges us to go beyond the heterosexual versus LGBTQI+ binary and allows for queering to take place.

Background and Context

In the past, research on sex work has tended to focus on either violence in the industry, debates around the moral merits of its legality, human trafficking, or the health consequences of selling sex (commonly in relation to HIV/AIDS).¹⁰ This has resulted in an oversaturation of reductive scholarship, which sees sex workers as either criminals, victims, commodities, or vectors of sexual diseases. While recent years have seen a substantial shift in this paradigm—with sex work research

⁷ C Valadier, ‘Migração e Trabalho Sexual por uma Perspectiva de Gênero’ [Migration and Sex Work through a Gender Perspective], *Contexto Internacional*, vol. 40, issue 3, 2018, pp. 501–524, p. 514, <https://doi.org/10.1590/s0102-8529.2018400300005>.

⁸ Examples of third parties in sex work would be pimps, the so-called ‘madams’, drivers, bouncers, bartenders, and anyone else working within the industry, but who does not engage in the actual exchange of sex for money, which the sex worker and the client do.

⁹ A Gutmann, ‘Introduction. The Good, the Bad, and the Ugly of Identity Politics’, in *Identity in Democracy*, Princeton University Press, Princeton, 2009, pp. 1–37, <https://doi.org/10.1515/9781400825523.1>.

¹⁰ A George, U Vindhya, and S Rays, ‘Sex Trafficking and Sex Work: Definitions, Debates and Dynamics—A Review of Literature’, *Economic and Political Weekly*, vol. 45, no. 17, 2010, pp. 64–73; C Howlett, *Against Sex Education: Pedagogy, Sex Work, and State Violence*, Bloomsbury Academic, London, 2021; D Operario, T Soma, and K Underhill, ‘Sex Work and HIV Status Among Transgender Women: Systematic Review and Meta-Analysis’, *JAIDS Journal of Acquired Immune Deficiency Syndromes*, vol. 48, issue 1, 2008, pp. 97–103, <https://doi.org/10.1097/QAI.0b013e31816e3971>.

now also including issues around migration, gender, and sexuality—much of this scholarship is still predominately from the West/Global North perspective, with some literature coming out of the Asia-Pacific, but even less from the African continent.¹¹ Notable exceptions include research produced by African feminist scholars such as Chi Mgbako and Sylvia Tamale.¹² In her 2011 study into sex work and sexuality in Uganda, Tamale argues that the very nature of sex work flouts hegemonic notions of women's sexual pleasure and penetrative sex.¹³

Like in most African countries, sex work is fully criminalised in South Africa, meaning that buyers, sellers, and anyone living off sex workers' earnings are made criminals. However, the country's Constitution is still considered to be one of the most progressive in the world, as it is the first to explicitly prohibit unfair discrimination on the grounds of sexual orientation. In 1998, South Africa passed the *Refugees Act 130*, which also included gender and sexual orientation as grounds for seeking asylum.¹⁴ This has left many LGBTQI+ migrants from various parts of the continent with the impression that South Africa is a safe haven. Even so, 'gender refugees' (i.e., transgender-identified refugees) from the continent residing in South Africa still experience significant challenges to their survival, comparable with the persecution experienced in their countries of origin.¹⁵

Jonathan Klaaren notes that while South Africa's Constitution portrays a vision of sexual citizenship that 'recognises significant diversity of sexual practice ... [and] does at least discuss the role of sexual desire and transient relationships,

¹¹ E Oliveira, 'Volume 44: Research with Sex Workers in South Africa', *Agenda*, vol. 32, issue 2, 2018, pp. 3–16, <https://doi.org/10.1080/10130950.2018.1438974>; E Česnulytė, *Selling Sex in Kenya: Gendered Agency under Neoliberalism*, Cambridge University Press, Cambridge, 2020; N Mai *et al.*, 'Migration, Sex Work and Trafficking: The Racialized Bordering Politics of Sexual Humanitarianism', *Ethnic and Racial Studies*, vol. 44, issue 9, 2021, pp. 1607–1628, <https://doi.org/10.1080/01419870.2021.1892790>; S Parmanand, 'Saving Our Sisters: Critical Inquiry into Sex Trafficking Discourses and Interventions in the Philippines' (doctoral thesis), 2020, <https://doi.org/10.17863/CAM.63241>; S P Shah, *Street Corner Secrets: Sex, Work, and Migration in the City of Mumbai*, Duke University Press, Durham, 2014.

¹² C A Mgbako, *To Live Freely in This World: Sex Worker Activism in Africa*, NYU Press, New York, 2016; S Tamale (ed.), *African Sexualities: A Reader*, Pambazuka Press, Oxford, 2011.

¹³ Tamale, p. 164.

¹⁴ V Kleinsmidt and D Manicom, 'A Policy Analysis of the Refugee Act 130 of 1998', *Africa Insight*, vol. 39, issue 4, 2010, <https://doi.org/10.4314/ai.v39i4.54671>.

¹⁵ B Camminga, "'Gender Refugees" in South Africa: The "Common-Sense" Paradox', *Africa Spectrum*, vol. 53, no. 1, 2018, pp. 89–112, <https://doi.org/10.1177/000203971805300105>.

this constitutional vision is limited and does not embrace a transient or pleasure-seeking version of sexual citizenship.¹⁶

Klaaren goes on to argue for the development of a framework for identifying and understanding sexual citizenship in the Southern African region that pays particular attention to mobility, and also considers the ‘cultural dimension of citizenship that consists of sexual practices’.¹⁷ Hence, this paper is inscribed in and contributes towards this type of scholarship by concerning itself with the journeys and daily experiences of migrant and mobile/transient sex workers in South Africa, and the implications of this movement on sex workers’ gendered sexualities and sexual citizenship.

Literature

Due to criminalisation and stigma, many sex workers may prefer to work away from their families and immediate communities.¹⁸ This movement can simply be in the form of everyday commuting from one’s home to their area of work, be it a brothel, bar, street-corner, or a bedroom in the house next door. There are also sex workers who prefer to migrate to other provinces or countries to sell sex, and others who ply their trade on long-distance truck routes. Indeed, for those in contexts with limited socio-economic options (e.g., rural areas or underdeveloped countries), engaging in migrant or mobile sex work can serve as a strategic means of survival.

However, migrant and mobile sex work can also be means to explore and express one’s non-(hetero)normative gendered sexuality more safely in an anonymous

¹⁶ J Klaaren, ‘Southern Africa: As Seen Through Sexuality, Mobility and Citizenship’, *African Sociological Review / Revue Africaine de Sociologie*, vol. 9, no. 2, 2005, pp. 168–183, p. 171, <https://doi.org/10.4314/asr.v9i2.23266>.

¹⁷ *Ibid.*, p. 168.

¹⁸ S Thorbek and B Pattanaik (eds.), *Transnational Prostitution: Changing Patterns in a Global Context*, Zed Books, London, 2002; L M Agustín, *Sex at the Margins: Migration, Labour Markets and the Rescue Industry*, Zed Books, London, 2008; B Nyangairi, ‘Migrant Women in Sex Work: Trajectories and perceptions of Zimbabwean sex workers in Hillbrow, South Africa’, MA thesis, University of the Witwatersrand, 2010; M Richter and W Delva, ‘*Maybe it will be better once this World Cup has passed*’: Research findings regarding the impact of the 2010 Soccer World Cup on Sex Work in South Africa, UNFPA, Pretoria, 2011; M Lowthers, ‘Sexual-Economic Entanglement: A Feminist Ethnography of Migrant Sex Work Spaces in Kenya’, PhD dissertation, University of Western Ontario, 2015; R Walker, J Vearey, and L Nencel, ‘Negotiating the City: Exploring the Intersecting Vulnerabilities of Non-National Migrant Mothers Who Sell Sex in Johannesburg, South Africa’, *Agenda*, vol. 31, issue 1, 2017, pp. 91–103, <https://doi.org/10.1080/10130950.2017.1338858>.

context.¹⁹ This is largely because migration enables one to set aside social expectations, and the ‘surveillance’²⁰ that maintains them. Gurvinder Kalra and Dinesh Bhugra observe that various factors facilitate

migrants’ sexual experiences, the most important of which is anonymity in the new place. There is a possibility of the migrant person trying out his/her sexual fantasies of possible variations in the new place, anonymously [...] Migration may thus produce a fertile soil for an individual to develop a culture of anonymity and later go on to explore issues of identity and sexuality, which would otherwise not be available to them in case their identity is revealed.²¹

Mobility refers to constant movement from one place to another, while migration suggests a prolonged stay upon arrival.²² Migration and mobility are often discussed in relation to citizenship—including but not limited to refugee aid, national safety, securing borders, and ‘belonging’.²³ Citizenship can simply be understood as the legal membership to a nation-state granted to a person by a government, and the rights and responsibilities that come with this form of belonging. The sexual citizenship discourse emerged out of the critique that ‘dominant citizenship theories failed to recognize citizenship as gendered, racialized and sexualized’.²⁴ Therefore, building on the concept of citizenship, David Evans formulated the term ‘sexual citizenship’.²⁵ Evans argues that all forms of sexualities under capitalism are materially constructed by the complex interrelationship between the state and the market. However, contemporary uses of the term tend to explicitly ‘draw

¹⁹ S Wood, ‘Migration, Mobility and Marginalisation: Consequences for Sexual and Gender Minorities’, *IDS Policy Briefing*, 118, IDS, Brighton, 2016.

²⁰ M Foucault, *Discipline and Punish: The Birth of the Prison*, Vintage Books, 1977.

²¹ G Kalra and D Bhugra, ‘Migration and Sexuality’, *International Journal of Culture and Mental Health*, vol. 3, no. 2, 2010, pp. 117–125, pp. 119–120, <https://doi.org/10.1080/17542863.2010.498573>.

²² C Overs, *Sex Workers: Part of the Solution. An analysis of HIV prevention programming to prevent HIV transmission during commercial sex in developing countries*, 2002, retrieved 7 June 2022, <https://www.nswp.org/resource/international-guidelines/sex-workers-part-the-solution>.

²³ N Yuval-Davis, ‘Intersectionality, Citizenship and Contemporary Politics of Belonging’, *Critical Review of International Social and Political Philosophy*, vol. 10, issue 4, 2007, pp. 561–574, <https://doi.org/10.1080/13698230701660220>.

²⁴ R Robson, and T Kessler, ‘Unsettling Sexual Citizenship’, *McGill Law Journal*, vol. 53, 2008, pp. 535–571, p. 535.

²⁵ D Evans, *Sexual Citizenship: The Material Construction of Sexualities*, Routledge, London, 1993.

attention to the political aspects of erotics and the sexual component of politics'.²⁶ Broadening the concept of sexual citizenship in this way allows us to understand how citizens' embodiments of gendered sexualities and their sexual practices influence national politics and the recognition (or denial) of rights.²⁷

Like Brenda Cossman, I too use the term 'sexual citizenship' to denote those forms of belonging, recognition, and participation that are linked to the nation-state.²⁸ Indeed, African queer scholars and activists have long been advocating for sexual citizenship rights through rather strategic uses of the term 'queer'.²⁹ However, 'demands for democratic inclusions in the state often produce a limit to our reading of "queer" as it is neatly meted out to an identity politics'.³⁰ Hence, I explore sexual citizenship from the actual doing of sex, and not just from the identity politics perspective, in order to avoid falling into the heteronormative/heterosexual versus non-normative binary. As Svati Shah asserts, a 'theoretical matrix that accounts for migration, space, and time allows for a critique of sexual commerce that is otherwise foreclosed'.³¹ For the research project informing this article, this meant going beyond physical movement by also navigating the intrapsychic and emotional sexual journeys within and across the varied fluid performances and embodiments of gendered sexualities.

Queering Sex Work

I deploy the term 'queer' not as a specific sexual identity marker, but instead as a verb—*queering*—in order to evoke a way of thinking that exposes, interrogates, and disrupts (hetero)normative gender and sexual logics that tend to script policy and academic debates about commercial sex.³² As part of this queering, the study also adopts the term 'gendered sexualities'.³³ 'Gendered sexualities' refers to how

²⁶ G Hekma, 'Sexual Citizenship', *GLBTQ Archives*, 2004, p. 1.

²⁷ *Ibid.*

²⁸ B Cossman, *Sexual Citizens: The Legal and Cultural Regulation of Sex and Belonging*, Stanford University Press, Stanford, 2007.

²⁹ H Abbas and S Ekine, *Queer African Reader*, Pambazuka Press, 2013; K Martin and M Xaba, *Queer Africa: New and Collected Fiction*, MaThoko's Books, Johannesburg, 2014; Z Matebeni (ed.), *Reclaiming Afrikan: Queer Perspectives on Sexual and Gender Identities*, Modjaj Books, Athlone, 2014.

³⁰ D S Mupotsa, 'Queer African Reader. Edited by Sokari Ekine and Hakima Abbas. Dakar, Nairobi & Oxford: Pambazuka Press, 2013', *Feminist Africa*, issue 19, 2014, pp. 113–120, p. 114.

³¹ Shah, p. 32.

³² M Laing, K Pilcher, and N Smith (eds.), *Queer Sex Work*, Routledge, New York, 2015.

³³ P Gagné and R A Tewksbury (eds.), *Gendered Sexualities*, JAL, New York, 2002; Tamale.

gender (to a large extent) informs our understandings of sex and sexuality.³⁴ This is done not to collapse decades of important feminist and queer theorising that has eloquently demonstrated that there is no natural link between (biological) sex and the manifestation of one's gender or sexuality.³⁵ Rather I employ the term to point towards a gendered analysis of sexuality. According to Tamale, any enquiry into human sexuality that fails to take on a gendered analysis is a futile exercise, because 'gender provides the critical analytical lens through which data on sexuality must logically be interpreted'.³⁶ Tamale notes that it is therefore more useful to speak of sexualised genders or gendered sexualities, as '[s]uch an approach allows for in-depth analyses of the intersections of the ideological and historical systems that underpin each concept, which is an important factor in knowledge production'.³⁷

Queering sex work and mobility essentially entails disrupting heteronormativity. Heteronormativity is the belief that heterosexuality is the only (biologically) natural expression of sexuality in society.³⁸ It assumes that sexual and romantic relationships should only be between people of the opposite sex and gender (i.e., conforming to the gender binary). Corina McKay proposes that 'Queer Theory can liberate sex workers from such dominant social/sexual ideologies, helping them to create alternative discourses which challenge the power of heteronormativity allowing them to enjoy sexual and social citizenship on their own terms'.³⁹ While this may be so, this research illustrates through the participants' responses that the inverse is also true: that sex workers' alternative discourses about their enjoyment (or denial) of sexual and social citizenship based on their own terms can help liberate queer theory from heteronormative social/sexual ideologies.

Brooke Beloso notes that '[d]uring the late nineties, leading voices of the sex worker rights movement began to publicly question queer theory's virtual silence on the subject of prostitution and sex work. However, this attempt by sex workers to "come out of the closet" into the larger queer theoretical community has thus far

³⁴ J McCabe, A E Tanner, and J R Heiman, 'The Impact of Gender Expectations on Meanings of Sex and Sexuality: Results from a Cognitive Interview Study', *Sex Roles*, vol. 62, issue 3–4, 2010, pp. 252–263, <https://doi.org/10.1007/s11199-009-9723-4>.

³⁵ J Butler, *Gender Trouble: Feminism and the Subversion of Identity*, Routledge, New York, 2011; S N Nyeck (ed.), *Routledge Handbook of Queer African Studies*, Routledge, New York, 2020.

³⁶ Tamale, p. 11.

³⁷ *Ibid.*, p. 29.

³⁸ Warner.

³⁹ McKay, p. 48.

failed to bring much attention to sex work as an explicitly queer issue.⁴⁰ Drawing on Foucault's work, Beloso stakes a case for an alternative 'queer genealogy of sex work'.⁴¹ By both responding to and challenging feminist scholarly debates on sex work, she takes the discourse beyond the rigid binaries that divide gender and sexuality theorists and goes on to disrupt the assumption that sex work is in any way distinct from queerness itself.

Queering Migration/Mobility/Movement

Jeffrey Weeks observes that globalisation continues to result in the mass movements of people, within and across countries, disrupting and (re)settling traditional sexual values and practices.⁴² He argues that globalisation—specifically through migration—creates new patterns of 'global sex' that inform the "political economy" of sexual life.⁴³ However, Kira Kosnick laments that scholarly work on gender and migration often 'ignores the relevance of sexuality to its own concerns, while implicitly retaining a heteronormative focus'.⁴⁴ A clear illustration of this is found in migration literature that, while purporting to be theorising holistically on gender or sexuality, actually refers to tokenistic mentions of women's migratory experiences. Fortunately, some gender and migration scholars have made concerted efforts in taking this scholarship beyond the simple 'add women and stir' approach, by asserting that, 'whilst the current focus in existing literature on women is not necessarily inappropriate, a further analytic shift is needed to interrogate the concept of gender at play ... [So] rather than understanding gender as a synonym of "women" we seek to analyse gendered positionings within normative discourses (of state policies and practices)'.⁴⁵

And where migration literature does reference LGBTQI+, it tends to be from an identity-politics framing, rather than actually queering migration. Eithne Luibhéid cautions against merely including queer bodies into sexuality or migration studies, and notes that the valorisation of the norm is intimately entwined with the abjection of queerness. She argues that 'sexuality scholarship must rethink the role of migration', and '[e]qually, migration scholarship must analyze how

⁴⁰ B M Beloso, 'Queer Theory, Sex Work, and Foucault's Unreason', *Foucault Studies*, no. 23, 2017, pp. 141–166, pp. 141–142, <https://doi.org/10.22439/fs.v0i0.5345>.

⁴¹ *Ibid.*

⁴² J Weeks, *Sexuality*, 2nd Edition, Routledge, London, 2003, <https://doi.org/10.4324/9780203425879>.

⁴³ *Ibid.*, p. 24.

⁴⁴ K Kosnick, 'Sexual Citizenship and Migration in a Transnational Perspective. Working Paper Series', *Gender, Diversity and Migration*, no. 9, 2016, p. 4.

⁴⁵ I Palmary *et al.* (eds.), *Gender and Migration: Feminist Interventions*, Zed Books, London, 2010, p. 2.

sexuality structures all migration processes and experiences'.⁴⁶

This is why my research explored sexuality as more than just a specialised subfield of migration studies, but rather considered how gender and sexuality influence our thinking on migration/mobility/movement more broadly.⁴⁷ In doing so, I hope to build upon existing feminist, queer, and migration scholarship that points to a need for a far more nuanced understanding of (sexual) citizenship in the global sexualities discourse.⁴⁸ Indeed, queer sex work scholars Mary Laing *et al.* argue that a 'queer agenda is important in order to challenge hetero-centric gender norms and to develop new insights into how gender, sex, power, crime, work, *migration*, space/place, health and intimacy are understood in the context of commercial sexual encounters'.⁴⁹

Methodology and Data Collection

For my doctoral study, I employed the Feminist Participatory Action Research (FPAR) methodology. FPAR involves deploying participatory research methods, which enable participants to creatively engage in the data collection process. This is why the study used digital storytelling and WhatsApp as research tools. Digital storytelling is the process of producing an audio and visual (multimedia) package that is narrated by the storyteller and depicted through personal photographs or sourced images.⁵⁰ WhatsApp is a mobile application that supports sending and receiving a variety of media such as text messages, photographs, graphics (e.g., emoticons), voice notes, videos, documents, and geographical locations. Drawing from insights gained from a digital ethnographic study with young activists in Western Kenya, Anna Colom deduces that 'WhatsApp can enable deliberative discussions, which can be particularly valuable in participatory action research'.⁵¹

⁴⁶ E Luibhéid, 'QUEER/MIGRATION: An Unruly Body of Scholarship', *GLQ: A Journal of Lesbian and Gay Studies*, vol. 14, issue 2–3, 2008, pp. 169–190, p. 171, <https://doi.org/10.1215/10642684-2007-029>.

⁴⁷ *Ibid.*

⁴⁸ Kosnick.

⁴⁹ Laing *et al.*, np., emphasis added.

⁵⁰ L Worcester, 'Reframing Digital Storytelling as Co-Creative', *IDS Bulletin*, vol. 43, issue 5, 2012, pp. 91–97, <https://doi.org/10.1111/j.1759-5436.2012.00368.x>; S Rahim, 'Digital Storytelling in Bangladesh: Experiences, Challenges and Possibilities', *IDS Bulletin*, vol. 43, issue 5, 2012, pp. 98–103, <https://doi.org/10.1111/j.1759-5436.2012.00369.x>.

⁵¹ A Colom, 'Using WhatsApp for Focus Group Discussions: Ecological Validity, Inclusion and Deliberation', *Qualitative Research*, vol. 22, issue 3, 2021, pp. 452–467, p. 465, <https://doi.org/10.1177/1468794120986074>.

Fieldwork was conducted in two phases. The first was a week-long (1–7 December 2019) digital storytelling workshop with eight participants in Cape Town. The second was meant to entail conducting a similar digital storytelling workshop in Johannesburg, but because of the COVID-19 restrictions on movement, this initial plan could not be executed. Therefore, the study was moved to WhatsApp, and a seven-week-long (17 August – 2 October 2020) research focus group with 12 participants (including two research assistants) was facilitated. Two participants and one of the research assistants had also been part of the digital storytelling workshop. Therefore, the study is informed by a total of 17 participants.

Most of the participants were South Africans (12), with four Zimbabweans, and one Burundian. Their ages ranged from 19 to 42 years; their gendered sexualities ranged from gay men (five) to cis-hetero women (four), lesbians (three), transgender women (two), pansexuals (two), and bisexual (one). None of the participants self-identified as cisgender men. Three presented as Coloured, while the rest are Black. Most are street-based sex workers, as they generally solicit their clients on roadsides. Two lived on the streets at the time of the study. The participants were recruited with the help of the Sex Workers Education and Advocacy Taskforce (SWEAT) and the South African national sex worker movement Sisonke. SWEAT is a non-profit that advocates for the rights of adult consenting sex workers and the decriminalisation of sex work in South Africa, and the Sisonke movement is its birth child. The selection criteria were that the participants had to be adults and either migrant or transient/mobile sex workers.

The two research assistants (RAs) were a Zimbabwean migrant sex worker who describes herself as ‘a woman who loves women’ (Zoe), and a pansexual South African former internal mobile/transient sex worker (Nos). Both also strongly self-identify as queer sex worker rights activists. They not only formed part of the WhatsApp research group (engaging in the exercises and discussions) and helped significantly with participant recruitment, but also formed part of the research team by assisting me in co-managing/facilitating the (online) space. They also helped with transcribing and/or translating some of the interviews and WhatsApp messages.⁵² In addition to offering technical support, the RAs also read literature relating to the research project, which we discussed during the weekly progress meetings. It was at these meetings that we also crafted the following week’s WhatsApp research group exercise together. An online survey was administered as part of the WhatsApp group recruitment process (16 responses). I also held 20 interviews and four focus-group discussions. Self-chosen pseudonyms have been used for all participants.

⁵² Zoe helped with the *chiShona* translations, and Nos with *isiZulu*.

Findings and Discussion

The following analysis is based on data collected from the digital storytelling workshop, the WhatsApp research group, interviews, and the focus-group discussions. I begin by unpacking some of the participants' reasons for leaving their families and countries to go engage in migrant/mobile sex work, and then look at their journeys of selling sex on the move. I then go on to discuss some of the socio-political implications of moving to sell sex, such as homelessness, belonging, and sexual citizenship. The analysis concludes by reiterating the paper's argument that migrant/mobile sex work can have an influence on gendered sexualities.

Leaving Home and Escaping State Persecution

The participants tended to stress the critical role that migration/mobility/movement plays in their sexual exploration and experimentation in sex work. Their experiences confirm what literature argues—that leaving home is a common survival strategy for gender non-conforming persons who are not accepted by their families, or face persecution in their home countries.⁵³ As mentioned earlier by Kalra and Bhugra, while various factors facilitate migrants' sexual experiences in the new place, the most influential of these is anonymity.⁵⁴ Indeed, many of the participants proclaimed that if they had not left their homes and moved to another place where they are not known, they would never have been able to evade their families' and friends' unwanted attention on their sexual lives, and that moving also enabled them to escape the 'small town' mentality (Mickey), which forced them to either live up to heteronormativity or face dire consequences. Zozo, a 34-year-old former mobile sex worker currently based in Johannesburg, recounted the following:

I once talked to a lesbian of how her mother can't accept her sexuality, she even created an imaginary boyfriend. If your own family can't accept you, how will the community accept you? Lesbians and gays live in a society where there is too much 'what will people say' syndrome. Our fellow sisters and brothers and parents need to be educated on gays, lesbians, bisexual, and the gender non-conforming.

Across all cultures, family plays a significant role in enforcing gender and sexual norms. Since heteronormativity dictates that families should not produce 'erotic dissidents', many respond by trying to either reform, punish, or exile their sexually

⁵³ Martin and Xaba; Wood; B Camminga, *Transgender Refugees and the Imagined South Africa: Bodies Over Borders and Borders Over Bodies*, Springer, Cham, 2019.

⁵⁴ Kalra and Bhugra.

offending members.⁵⁵ This can result in the non-conformer leaving their home, and thus being denied the sense of belonging, protection, support, and resources that families would be expected to provide.

Many of the cross-border migrant participants explained that the reason why they had left their homes was not only to evade family disapproval, but also to escape their home countries' persecution of non-conforming gendered sexualities:

[In] 2017 I ran away from my country because they wanted to burn me because of how I am. One, I am a transgender. I do sex [work]. So in Zimbabwe, they don't allow. That is why I decided to run away from my country to come here to Cape Town.

Vanilla is a 25-year-old migrant sex worker. She went on to explain how she had spent three months at Mokopane in Limpopo to raise funds doing sex work to complete the rest of her journey to Cape Town. Similarly, Sheila, a 40-year-old Burundian gay migrant, made the decision to migrate to Cape Town in 2007, because same-sex relations in her country are criminalised.⁵⁶ In Burundi, LGBTQ+ persons are regularly prosecuted and face penalties ranging from fines to imprisonment for periods between three months and two years.⁵⁷ So for Vanilla and Sheila, moving to Cape Town was for both socio-economic and political reasons: to come make a living selling sex and to escape persecution in their respective home countries for engaging in same-sex relations.

Selling Sex on the Move

On the sixth week, the WhatsApp research group participants were asked to document their journeys to and from their places of work using either voice notes, photographs, or videos to capture their travels. Zaza, a 30-year-old lesbian that services a male clientele, shared four photographs of the hotspot where she solicits, along with a 26-second video taken from the passenger seat of a moving truck. We learn from her captions that Zaza started her journey on the roadside of Baden Powell Drive, before making her way to Grabouw, which is about 65 kms outside of Cape Town.

The photographs show a green open field speckled with dry trees, patches of grass, shrubs with tiny yellow flowers, and bits of litter scattered in the foreground. Far in the background, there is a thin tarred road with a drainage underbridge barely

⁵⁵ G S Rubin, 'Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality', in RG Parker and P Aggleton (eds.), *Culture, Society and Sexuality: A Reader*, Second Edition, Routledge, London and New York, 2007, pp. 150–187, p. 168.

⁵⁶ Sheila uses the pronouns she/her, while self-identifying as gay.

⁵⁷ A Carroll, *State-Sponsored Homophobia 2016—A World Survey of Sexual Orientation Laws: Criminalisation, Protection and Recognition*, ILGA, Geneva, 2016.

peering from beneath it. From the images we understand that this is where sex workers also work. On Zaza's video clip, we see lush hilly scenery and cars whizzing past her front passenger sideview window and front windscreen. The small farming town of Grabouw is the commercial centre for the vast Elgin Valley, which is the largest fruit producing and exporting area in Southern Africa.⁵⁸ Therefore, it was not surprising for Zaza's truck-driving client to ask her to accompany him there.

According to one study, the sex trades along the county's highways are extremely territorial, competitive, and at times violent.⁵⁹ However, for Zaza, even though language differences in a new place can make it difficult for one to negotiate properly with clients and other sex workers in the area see you as competition, it is still worth making the truck route journeys as a mobile/transient sex worker. She relayed in mixed English and *isiXhosa*⁶⁰ that she is originally from King Williams Town, but since 2013 she has been travelling and sex working up and down the Eastern Cape truck routes, until she eventually made her way to Khayelitsha in the Western Cape in 2016, where she currently resides:

I would change; like sometimes I would work eziklabhini [*at the clubs*]. Sometimes ndisebenze kwi [*I would work at*]... I would hike itraka [*a truck*] from King Williams Town to eMthatha [*Mthatha*]. Maybe indidrophe eEast London [*it drops me at East London*]. Then I would stop etrak-stop [*at the truck station*], ndisebenze eEast London [*work at East London*], and continue with indlela yami [*my journey*] to Mthatha, and then go back home ndisenza [*doing*] the same thing.

When asked why she preferred to sell sex on the move, Zaza explained that clients can get bored with one face, so you have to change your hotspots in order for them to continue finding you new and exotic. Therefore, migrant/mobile sex work enables you to remain sexually attractive to the market, thus allowing you to earn more than local sex workers.

Homelessness, Shelters, and Hotspots

The task for the fourth week of the WhatsApp research group was for the participants to watch and reflect on a documentary that had been released by

⁵⁸ 'Grabouw Industrial Park', no date, retrieved 5 August 2022, <http://www.grabouwindustrialpark.com>.

⁵⁹ N F Makhakhe *et al.*, 'Sexual Transactions Between Long Distance Truck Drivers and Female Sex Workers in South Africa', *Global Health Action*, vol. 10, no. 1, 1346164, 2017, pp. 1–9, <https://doi.org/10.1080/16549716.2017.1346164>.

⁶⁰ One of the official Nguni languages in South Africa, predominantly spoken by the Xhosa ethnic group.

the Gay and Lesbian Memory in Action (GALA) organisation.⁶¹ GALA is ‘a catalyst for the production, preservation and dissemination of information about the history, culture and contemporary experiences of LGBTIQ (Lesbian, Gay, Bisexual, Transgender, Intersex, Queer) people in South Africa’.⁶² As per the previous weeks’ exercises, the participants were asked to specifically comment on parts of the film that speak to issues relating to sex work, migration/mobility/movement, gender, or sexuality. One of the protagonists in the film, a transgender woman sex worker from the Eastern Cape, relayed the physical abuse she had experienced at a Strandfontein sports facility, which the government had turned into a homeless shelter during the country’s level 5 COVID-19 lockdown period.

In their responses to that week’s exercise, the WhatsApp group participants generally expressed empathy for homeless transgender sex workers, noting that the challenges they face are far more compounded, because of their non-conforming gendered sexuality. Almost all chastised the government for sheltering homeless transgender people at the Strandfontein sports facility, as it had exposed them to transphobic violence. The participants also noted the government’s failure to protect and uphold the human rights of LGBTQI+ people and sex workers. According to a Human Rights Watch (HRW) report, although the government had taken important steps to provide funding for shelters and other services for gender-based violence survivors during the pandemic, many had been made more vulnerable. So HRW called on the state to improve access and safety for marginalised people, including LGBT people, sex workers, and undocumented survivors.⁶³

Loss of jobs during the COVID-19 lockdowns meant that many people were unable to pay their rents. This led to backhouse dwellers being evicted by their landlords, resulting in an increase in homelessness and illegal occupation of public spaces. Pukkie, a 32-year-old gay man from Zimbabwe, reported in his citizen-journalism voice note for week five’s WhatsApp exercise that informal homes were being built where he used to work (his ‘hotspot’). This was later affirmed by two other participants who also live at Mfuleni (a township in Cape Town). However, while Zoe and Zee sympathised with their colleague for losing his hotspot, they felt that the land occupation could somehow be beneficial to sex workers, as anyone who did not have a home could set up their shack there

⁶¹ GALA Archives, ‘COVID-19 and Cape Town’s Homeless Transgender Sex Workers’, *You Tube*, 1 September 2020, retrieved 15 June 2022, <https://youtu.be/MPFlfaQJodA>.

⁶² ‘About the GALA Queer Archive’, no date, retrieved 15 June 2022, <https://gala.co.za/about/history>.

⁶³ Human Rights Watch, ‘South Africa: Broken Promises to Aid Gender-Based Violence Survivors Improve Shelter Funding; Increase Access for Sex Workers, LGBT, Undocumented Survivors’, HRW, 24 November 2021, <https://www.hrw.org/news/2021/11/24/south-africa-broken-promises-aid-gender-based-violence-survivors>.

at the so-called COVID-19 Village. According to Zoe:

So it's been one of those things that the community just takes everyone. They're not judging anyone and they just saying 'come and stay if you need a place', and that hotspot unfortunately has been occupied. So [...] it's a blessing and a curse at the same time in that it's been taken over [...] that means people can still work from there, and still be able to work indoors now in those spaces.

At first it would appear that when a community faces a broader societal problem that affects most of its members it does not matter whether you are a sex worker or not, you are considered part of the community. However, when I asked Zaza, who lives not too far from Mfuleni, she explained that even though the community meetings about building informal homes in the area were (supposedly) open for all to attend, she never felt welcome, because some people know she is a sex worker and tend to use that against her. Therefore, even when communal-democratic development interventions are being embarked upon, past stigma and discrimination make it difficult for sex workers to participate in those 'acts of citizenship'.⁶⁴ According to Andrijasevic:

The shift to the question of what makes the citizen means that 'acts of citizenship' places emphasis on what people *do*, namely on those claims and actions through which citizenship is enacted... It also allows us to conceive of [...] citizenship outside its legalistic and institutional format...⁶⁵

However, Zaza's self-censorship as a consequence of her community knowing that she is a sex worker illustrates the degree to which sex workers are unable to fully exercise their citizenship rights. Andrijasevic's understanding of citizenship as acts is useful when we consider migrant/mobile sex workers' existence. So even though one might be able to claim citizenship rights in one way (i.e., Zaza is South African), one might fall short in terms of their citizenship in other respects (i.e., the low sense of sexual citizenship in her community), and consequently be denied (or lose out on) resources for legally recognised citizens. Thus migrant/mobile sex work not only helps us to queer heteronormativity, but also our understanding of (sexual) citizenship.

⁶⁴ R Andrijasevic, 'Acts of Citizenship as Methodology', in E F Isin and M Saward (eds.), *Enacting European Citizenship*, Cambridge University Press, Cambridge, 2013, pp. 47–65.

⁶⁵ *Ibid.*, p. 50.

Migrant/Mobile Sex Work Influence on Gendered Sexualities

When asked whether they thought that migrant/mobile sex work could have any influence on one's gender or sexuality, the participants appeared divided. Some felt that one is born either 'gay' or 'straight' and that is it; regardless of whether you are in a sexual relationship with someone or not, you would remain as such even upon entering the sex industry. Sussie, a 35-year-old transient sex worker in Paarl (Western Cape province) expressed that for her, sex work does

... not really [have] an influence because sexuality [is] a thing that comes from childhood.

On the other hand, some also noted how the type of sex a person has while in sex work can influence their gendered sexuality. According to Zozo, this is how it all begins:

Okay—iqalakanjena, ne [*this is how it starts, right*]? Isichueshini [*The situation*] its whereby, umangila ngikhona nginguZozo, ne [*when I'm where I am being Zozo, right*]? And then ngithole enye iklaenti ithi ifuna ithreesome [*I get another client that says they want a threesome*]. Kuleyo threesome leyo uzothola ukuthi mina [*in that threesome you will find that with me*] maybe he is gonna do an anal sex. Then its whereby mina umasengilala angisa [*when I have sex I don't*] feel active. Like—umangabe sengithole omunye umuntu sengienjoya ienal than iman-on-top [*when I have found someone else I now enjoy anal than man-on-top*]. [...] Hmm, so that's why ngisisho ukuthi iya ngesichueshini and neadapthing [*I'm saying it depends on the situation and adapting*]. Siya adaptha; uma ungumuntu nje uyaadaptha anything nje [*We adapt; if you are a person generally you adapt to anything*].

Here, Zozo tells us in *isiZulu*⁶⁶ that it would start with a client asking her for a threesome and wanting to have anal sex with her. Later, when she has found someone else and is having sex with that person, she then finds that she no longer feels as active as she used to be with a man-on-top (i.e., having vaginal sex), because now she enjoys anal sex more. Which is why she says that it depends on the situation, because as a person you can adapt. I read the adaptation that Zozo is referring to as the direct result of sexual exposure in sex work, which then contributes to the expansion of the body's sexual vocabulary and desires. In addition, I understand Zozo's reference to 'man-on-top' (also known as the 'missionary position') as denoting heterosexuality, and 'anal sex' as an indication

⁶⁶ *IsiZulu* is one of the 11 official languages in South Africa. It is one of the Bantu languages and is predominately spoken by Zulus in KwaZulu-Natal.

of non-(hetero)normativity. What is curious is that, while anal sex tends to be associated with men who have sex with men, for Zozo, if a cisgender woman sex worker derives sexual pleasure from a client penetrating her anus, then she is also considered non-(hetero)normative. Therefore, regardless of your gender, if you are having sex that involves anything other than a ‘man-on-top’, according to Zozo, you are non-(hetero)normative (i.e., queer).

As earlier stated, ‘heteronormativity and heterosexuality are analytically distinct, albeit interdependent’.⁶⁷ Zozo’s understanding of anal sex as signifying non-(hetero)normativity even when practised between a cisgender man and woman illustrates this. Her understanding of anal sex resonates with other participants’ responses on the subject (e.g., Lindy, Zee, etc.). It also echoes studies conducted with cisgender heterosexual persons, which have noted men reporting their refusal to engage in anal sex with their women intimate partners, out of the fear/anxiety that they might be read as non-(hetero)normative (i.e., gay), thus affecting their social standing.⁶⁸ This speaks to how a sexual act—or society’s perception of one’s engagement in a particular sexual act—can influence how your gendered sexuality and sexual citizenship are read. Hence, viewing sexual citizenship from the actual doing of sex, and not only through the identity politics lens, helps to better illuminate those gendered sexualities that fall outside of the heteronormative/heterosexual versus non-normative binary.

Evolved Desires and Intimacy

Other participants expressed how migrant/mobile sex work can also end up influencing who you find desirable in your intimate life. For Mickey:

...it depends, ne [*right*]? I’ll speak about my own experience; ‘cause mina [*I*] I grew up thinking ukuthi [*that*] I am straight, ne [*right*]? Knowing actually, not thinking, ukuthi [*that*] I am straight, because I’ve been only told ukuthi if ungumuntu wesifazane [*that if you are a woman*] you only have to have a relationship with a man. I never knew about amalesbians [*lesbians*], gays, and what-what and what-what, ne [*right*]? Up until I started isex work, and then from isex work I had this client who requested a lesbian show; that’s when I was intimate

⁶⁷ Rumens *et al.*, p. 601.

⁶⁸ C Ndinda *et al.*, ‘Perceptions of Anal Sex in Rural South Africa’, *Culture, Health & Sexuality*, vol. 10, issue 2, 2008, pp. 205–212, <https://doi.org/10.1080/13691050600988416>; B Fahs, E Swank, and L Clevenger, ‘Troubling Anal Sex: Gender, Power, and Sexual Compliance in Heterosexual Experiences of Anal Intercourse’, *Gender Issues*, vol. 32, issue 1, 2015, pp. 19–38, <https://doi.org/10.1007/s12147-014-9129-7>.

with a woman, and then I was like: ‘okayyyyy, okay ziyawa ngala; ziyabuya [*it’s going down here; it’s happening*]’. And then ngabona kodwa futhi ukuthi [*but I also saw that*] I am not restricted to only having amafeelings [*feelings*] for another woman or man. So ngithandana nawunowubani [*I date/love anyone*]. It depends wethu [*our*].⁶⁹ That’s how mina [*I*] I feel ngakhona [*like*]. Ja.

Mickey is a 27-year-old internal migrant sex worker from Port Shepstone (KwaZulu-Natal province) who self-identifies as a ‘pansexual’, which she explained as someone who is attracted to the person inside regardless of their sexuality or gender identity. In the above quote we learn that had it not been for her exposure to lesbian sex through sex work, she might never have come to the self-awareness that she enjoys sex with women. This later led Mickey to the realisation that she is not limited to only being with women or men in her intimate relationships. So now she dates anyone she loves.

During one of our interviews, Mickey revealed that she is in a ‘situationship’⁷⁰ with a transgender man. They had met while she was living in Cape Town and had been dating for just over a year when we spoke. However, since she had to move to Queenstown (in the Eastern Cape province) in February 2020, it had turned into a long-distance relationship. Here, we can deduce that Mickey’s initial exposure to non-(hetero)normative sex, through a ‘lesbian show’ requested by a client in sex work, not only opened her to discovering her pleasure in having sex with women, but also to being in an intimate romantic relationship with anybody she finds attractive across the gendered sexualities’ spectrum.

Exposure, Exploration, and Self-realisation

Mawande, a 27-year-old gay man from Zimbabwe, is one of the participants who also believes that selling sex can influence one’s gendered sexuality. In sex work, Mawande cross-dresses into ‘Sera’ (she), but everywhere else they self-identify as a ‘gay man’ (he). Mawande’s clients want her ‘as a full-on lady’. Even though growing up, Mawande had felt like a girl and enjoyed playing with girls, they admitted to not always having been open to wearing dresses and acting like a woman—actually the idea used to appal them—until they entered sex work:

⁶⁹ The direct translation of ‘wethu’ is ‘ours’, (e.g., ‘dadewethu’ means ‘our sister’), but Xhosa people tend to use it as a term of endearment to refer to whoever they are speaking to as theirs.

⁷⁰ A colloquial term for a sexual or romantic relationship that is not considered to be established or formal.

We call them cross-dresser or drag queen—right? I told myself that I would never associate with a person who dress like a lady. I was even myself being judgmental. I get to laugh at myself now. It was a thing of being out of curiosity, and because as well my clients wanted me that way. [...] And from there, I think I become to like it. And so as well here, where I am staying, everyone knows me I'm gay. And uhm, during the week when I'm going to [NGO] work, I would be dressing like a guy. Mostly on weekends when I'm going out, I'll be a lady.

Mawande's sex work clients' requests for them to dress-up as 'a lady' created a conducive environment for the self-realisation and the actualisation of their femininity. This enabled them to work through their own prejudices against cross-dressers and embrace the 'Sera' within. When he goes to work at a local NGO, he dresses like 'a guy', but on weekends she does sex work as 'Sera' and dresses as 'a lady'. So Mawande can be either *he* or *she*, depending on the situation. Therefore, it appears that migrant/mobile selling sex allows for at least the temporal queering of heteronormative (and even homonormative) gender and sexual roles.

Conclusion

Based on this analysis, sex work appears to allow for the exploration and queering of gendered sexualities. According to the participants, because sex work is essentially about using one's body to perform various sexual acts with different types of people for financial gain, a person becomes exposed to varying ways of experiencing sexual (dis)pleasure. This seems to broaden the body's erotic vocabulary and expand one's range of gender and sexual expression. Some asserted that this can further inform who a person finds romantically attractive and becomes intimately involved with. However, the participants stressed the integral role that migration plays in providing the anonymity needed to create an enabling environment for this experimentation and evolution to take place. In other words, when sex work intersects with mobility, a conducive space for gender and sexual exploration manifests, which results in queering.

Through the queering of sex work and mobility, we learn that it is not just who you have sex with, but how you have sex (or the type of sex you are perceived to engage in) that also informs your sexual citizenship (be it with your immediate community or the nation state). Consequently, this can impact one's sense of belonging, and access to particular rights and resources, such as the right to safety, shelter, land, a means to make a living, and even the right to life itself. This paper has therefore demonstrated how migration and mobility can influence gendered sexualities in sex work, and with significant socio-political implications.

Ntokozo Yingwana is a researcher and PhD candidate with the African Centre for Migration & Society (ACMS) at the University of the Witwatersrand. Her main passion lies in gender, sexuality, and sex worker rights' activism in Africa. She has worked for the Sex Workers Education and Advocacy Taskforce (SWEAT), and occasionally consults for Sisonke, the South African movement of sex workers, the African Sex Worker Alliance, and the Global Network of Sex Work Projects. Email: ntokozo@migration.org.za

Why the ‘Ideal Victim’ Persists: Queering representations of victimhood in human trafficking discourse

Anna Forringer-Beal

Abstract

The image of a young, victimised woman bound and gagged for implied sexual exploitation persists in the imagination, promotional material, and reports of the anti-trafficking sector. She is presented as the ‘ideal’ victim, and while people who have experienced this undoubtedly exist, many victim accounts deviate from this prescriptive path. Why then does the image of a universal, ideal victim endure? This paper argues that the idealised subject of contemporary trafficking law is not merely a symptom of uncritical representation, but intrinsic to the formation of anti-trafficking law. Often feminised, she becomes a tool for maintaining heteronormative and white nationalism, but one which never existed beyond her confines of anti-trafficking law. To unearth her production, I present a queer genealogy of the human trafficking subject from British campaigns against white slavery in the late nineteenth century to contemporary law. A queer reading of this history demonstrates that rather than preceding laws, the ideal victim serves to personify cultural anxiety over race and gender housed in anti-trafficking policy. This is essential because without contending with this history and restrictive definition of victimhood, it would be impossible for current trafficking law in developed countries to adequately protect LGBTQ+ and irregular migrants who often do not conform to idealised forms of victimhood. Furthermore, a critical analysis of the ideal victim is essential to moving away from a hierarchical evaluation of victimhood altogether.

Keywords: victim, white slavery, genealogy, queer, human trafficking, subjecthood

Suggested citation: A Forringer-Beal, ‘Why the “Ideal Victim” Persists: Queering representations of victimhood in human trafficking discourse’, *Anti-Trafficking Review*, issue 19, 2022, pp. 87-102, <https://doi.org/10.14197/atr.201222196>

Introduction

Bound white hands, women's bodies partially obscured, an ominous dark figure in the background, are all images that appear repeatedly in anti-trafficking awareness campaigns. Despite evidence that such images can be harmful to identifying and supporting survivors¹ of severe exploitation,² they stream into political, academic, and public discourses. Their hold partially derives from their emotive potential. Seeing images of people under the implied threat of sexual exploitation is emotionally jarring. It plays on a genuine human impulse to help those who are suffering. However, the particular construction of a young woman who has come to be a stand-in for an 'ideal victim' of trafficking serves a purpose that goes beyond assisting others.

I argue that the persistence of such imagery is not for lack of evidenced critique,³ but rather because the ideal victim is a subject both created by and constrained within discourse on human trafficking as a tool to maintain heteronormative and racial hierarchies couched within national borders. A queer genealogy of the ideal victim reveals how British anti-white slavery campaigns, a social reform movement against trafficking for the sexual exploitation of women at the turn of the nineteenth century that employed racialised and gendered narratives,⁴ continue to shape anti-trafficking discourse today. Since then, depictions of the ideal victim have been used as signifiers of racial and national borders wherein

¹ The terms 'victim' and 'survivor' can both refer to people who are currently in or have exited situations of abuse and exploitation. I will use 'survivor' instead of or in addition to 'victim' where possible as the term 'survivor' denotes a recuperation of agency for people leaving controlling situations. The exception here being the concept of the 'ideal victim' wherein passivity is an inherent trait.

² C Hoyle, M Bosworth, and M Dempsey, 'Labelling the Victims of Sex Trafficking: Exploring the Borderland between Rhetoric and Reality', *Social & Legal Studies*, vol. 20, issue 3, 2011, pp. 313–329, <https://doi.org/10.1177/0964663911405394>; E O'Brien, 'Ideal Victims in Trafficking Awareness Campaigns', in K Carrington *et al.* (eds.), *Crime, Justice and Social Democracy*, Palgrave Macmillan, London, 2013, pp. 315–326; J L Small, 'Trafficking in Truth: Media, Sexuality, and Human Rights Evidence', *Feminist Studies*, vol. 38, issue 2, 2012, pp. 415–443, <http://doi.org/10.1353/fem.2012.0025>.

³ *Ibid.* See also R Andrijasevic and N Mai, 'Trafficking (in) Representations: Understanding the Recurring Appeal of Victimhood and Slavery in Neoliberal Times', *Anti-Trafficking Review*, issue 7, 2016, pp. 1–10, <https://doi.org/10.14197/atr.20121771> and C Gregoriou and I A Ras, 'Representations of Transnational Human Trafficking: A Critical Review', in C Gregoriou (ed.), *Representations of Transnational Human Trafficking*, Springer International, Cham, 2018, pp. 1–24, https://doi.org/10.1007/978-3-319-78214-0_1.

⁴ L Lammasniemi, 'Anti-White Slavery Legislation and Its Legacies in England', *Anti-Trafficking Review*, issue 9, 2017, pp. 64–76, <https://doi.org/10.14197/atr.20121795>.

the threat of sexual exploitation to the female body represents a threat to the national body itself.⁵

This paper binds together two existing areas of research, one pertaining to the idealised victim in human trafficking discourse and the second a historical production of anti-trafficking law and border enforcement, to present a queer genealogical analysis of the ideal victim. Queer studies is the methodological backdrop necessary to demonstrate how these fields inform each other. Their shared history has been smoothed over, as dominant discourse on victimhood is repeated over time. Because queer studies is attuned to ruptures and deviations, it is uniquely situated to identify sites of discord between idealised victimhood, lived experience, and the production of anti-trafficking law.

There is a push in critical migration and trafficking studies to move away from binary, prescriptive modes of analysis because of their inability to contend with the complexities of such processes. For example, Eithne Luibhéid calls for queer migration studies to integrate with critical trafficking studies using heteronormativity as a joining theoretical framework when studying the separation and reunification of migrant families in the US. She demonstrates how immigration and anti-trafficking law are levied to maintain heteronormative family structures, which in turn reinforce racial and geopolitical hierarchies.⁶ In prefacing her analysis of global migration law, Anne Gallagher offers a comprehensive list of ‘some of the more traditional and either/or modes of analysis and description (e.g., forced/voluntary, skilled/unskilled, regular (documented)/irregular (undocumented), origin/transit/destination, internal/cross-border, North/South)’ that are being upended.⁷ This push to move away from binary logic is distinctly queer in its approach, yet current law requires these divisions to make sense of criminality, exploitation, victimhood, and human movement. A queer historical analysis of the anti-trafficking subject questions its existence as an isolated figure,

⁵ E A Faulkner, ‘The Victim, the Villain and the Rescuer: The Trafficking of Women and Contemporary Abolition’, *Journal of Law, Social Justice and Global Development*, issue 21, 2018, pp. 1–14, <https://doi.org/10.31273/LGD.2018.2101>; K Kempadoo, ‘The Modern-Day White (Wo)Man’s Burden: Trends in Anti-Trafficking and Anti-Slavery Campaigns’, *Journal of Human Trafficking*, vol. 1, issue 1, 2015, pp. 8–20, <https://doi.org/10.1080/23322705.2015.1006120>.

⁶ E Luibhéid, ‘Heteronormativity: A Bridge Between Queer Migration and Critical Trafficking Studies’, *Women’s Studies in Communication*, vol. 41, issue 4, 2018, pp. 305–309, <https://doi.org/10.1080/07491409.2018.1544001>.

⁷ A T Gallagher, *Migration, Human Rights, and Development: A global anthology*, International Debate Education Association, New York, 2013, p. 8. For more studies on moving beyond binaries in law, see J Musto, ‘Transing Critical Criminology: A Critical Unsettling and Transformative Anti-Carceral Feminist Reframing’, *Critical Criminology*, vol. 27, issue 1, 2019, pp. 37–54, <https://doi.org/10.1007/s10612-019-09434-y>.

one detached from larger systems of power and the binaries listed. Instead, queer analysis of the ideal victim within human trafficking law presents an opportunity to contextualise its current use and its origins within broader discourse on race and identity. Drawing from a queer of colour critique, it is impossible to separate the construction of gender and sexuality from the creation of race and national borders because these categories are co-constructive tools of white patriarchal supremacy.⁸ The binary distinctions that Gallagher identifies fall away, as it is revealed that they are not 'either/or' categories, but rather ones which reproduce each other.

Queer analysis, with its ability to suspend multiple temporalities, histories, and flowlines of power, which assemble into the immediately foregrounded subject,⁹ is an opportunity to deepen ongoing projects attempting to construct a genealogy of human trafficking law across geographic and temporal boundaries. To pursue this, I begin by identifying who the 'ideal victim' in anti-trafficking law is commonly understood to be, paying particular attention to how race and gender converge in her¹⁰ embodiment. Often represented as a young woman, the ideal victim is part of a longer history of anti-trafficking campaigns. While she has been examined extensively from a feminist and gendered perspective, I turn towards queer genealogy. Queer studies reveals that power does not merely exist, but rather must continually reproduce itself through repetition, which can culminate in systems of power like the state, or figures of enforcement, like the ideal victim. As such, a queer genealogy demonstrates how this history is not necessarily a linear progression,¹¹ but one where the ideal victim is continually being reproduced to serve changing political agendas. I then argue that because anti-trafficking legal frameworks rest on the need to maintain national borders, the ideal victim was created to support these narratives and cannot exist beyond

⁸ *Ibid.* See also: G Anzaldúa, *Borderlands/La Frontera: The New Mestiza*, 4th edition, Aunt Lute Books, San Francisco, 2012.

⁹ E Luibhéid, 'Queer/Migration: An Unruly Body of Scholarship', *GLQ: A Journal of Lesbian and Gay Studies*, vol. 14, issue 2–3, 2008, pp. 169–190, <https://doi.org/10.1215/10642684-2007-029>; J K Puar, 'Queer Times, Queer Assemblages', *Social Text*, vol. 23, issue 3–4, 2005, pp. 121–139, https://doi.org/10.1215/01642472-23-3-4_84-85-121.

¹⁰ I use the gender pronoun 'she' here because the ideal subject of trafficking policy is often represented as a cisgender woman, in alignment with the heteronormative association between victimhood and femininity. Additionally, as it was first conceptualised, anti-trafficking legislation only applied to women as victims. Take, for example, the 1921 League of Nations *International Convention for the Suppression of the Traffic in Women and Children*, which was applicable specifically to women and children. Still today, the UN *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* adopted in 2000 draws special attention to women by setting them apart in its title.

¹¹ For a discussion of queer temporalities see E Freeman, *Time Binds: Queer Temporalities, Queer Histories*, Duke University Press, Durham, 2010.

them. Without her, anti-trafficking law loses its focus and she is unmade when removed from conventional, idealised anti-trafficking narratives. What is necessary, then, is a reimagining of how victimhood is understood within anti-trafficking law. I conclude by suggesting that this reconfiguration must resist hierarchies of victimhood and centre itself around the agency of survivors.

Who Is the ‘Ideal Victim’?

The ideal victim in anti-trafficking law is a constraining representation of victimhood. Her presence reduces varying experiences of exploitation into a singular narrative and yet endures. Erin O’Brien, in her deft analysis of ten anti-trafficking campaigns in Europe and the United States, posits that there is a concrete focus on youth, femininity, innocence, and sexual exploitation in the images chosen to represent human trafficking.¹² These findings are echoed in Carolyn Hoyle’s scoping study of interviews with human trafficking survivors who challenge these constructs by widening the reasons for a person’s involvement with trafficking such as economic need, labour shortages, or unrecognised migration status.¹³ Both of these works draw on the criminological conception of the ‘ideal victim’ proposed by Nils Christie, which argues that the image of the victim is socially constructed as weak, innocent, and respectable.¹⁴ In the context of anti-trafficking discourse, this construction has coalesced around a singular narrative.¹⁵ Legal anthropologists Sally Engel Merry and Vibhuti Ramachandran succinctly summarise this singular narrative as ‘represented by the image of a young girl, kidnapped and sold from hand to hand until she ends up in a brothel in a large city, or sold by impoverished parents to a criminal network. She disappears into a world of sex work where she services thirty men a night’.¹⁶ Although this offers a neat, easily digestible narrative, the lives of trafficking survivors are generally messier and more complex than this idealised archetype gives space for.¹⁷ Notably, this narrative smooths over complexities in a victimised person’s life by focusing

¹² O’Brien, p. 317.

¹³ Hoyle *et al.*, pp. 318–321.

¹⁴ N Christie, ‘The Ideal Victim’, in EA Fattah (ed.), *From Crime Policy to Victim Policy: Reorienting the justice system*, Macmillan, Houndmills, Basingstoke, 1986, pp. 17–30.

¹⁵ Andrijasevic and Mai, pp. 2–3.

¹⁶ S E Merry and V Ramachandran, ‘The Limits of Consent: Sex trafficking and the problem of international paternalism’, in MN Barnett (ed.), *Paternalism Beyond Borders*, Cambridge University Press, Cambridge, 2017, pp. 224–255, <https://doi.org/10.1017/9781316799956.008>.

¹⁷ C Cojocar, ‘My Experience Is Mine to Tell: Challenging the abolitionist victimhood framework’, *Anti-Trafficking Review*, issue 7, 2016, pp. 12–38, <https://doi.org/10.14197/atr.20121772>.

the single narrative on the transient, almost commodity-like quality of the victim as she is passed from one hand to another. Her agency is removed and her passivity highlighted.

The task of anti-trafficking campaigns then is to represent innocence and amenability through imagery. Overlap between the physical representations identified by O'Brien and the larger narrative Merry and Ramachandran describe are not accidental. Rather, youth and femininity are culturally important signifiers for innocence and victimhood, attributes necessary for formulating the ideal victim at a moment's glance. Essential to this formulation is the question of race. Hoyal and O'Brien open space for a discussion of how the ideal victim also invokes a history where whiteness, femininity, and innocence were co-constructed. The anti-trafficking sector in industrialised countries is a predominantly white space¹⁸ wherein carceral feminist impulses¹⁹ can clothe anti-trafficking initiatives in ostensibly progressive motivations, but ultimately leave in place power structures that make people vulnerable to exploitation.²⁰ In her critique of abolitionist feminism²¹ in anti-modern slavery campaigns, Kamala Kempadoo observes that situating people of colour and people from developing countries in the victim position of the trafficking narrative only serves to reify a white identity as a rescuer. As she explains, the anti-trafficking project is not merely about ending exploitation, but merely 'a vehicle of transformation of the [white] self—through contact with the Other—providing the "rescuer" with a sense of satisfaction and a form of pleasure'.²² The ideal victim, then, is one who reaffirms whiteness.

The actual image of the 'ideal victim' need not be of a white person in order to reinforce the connection between benevolence, innocence, and whiteness. Rather, the focus becomes whether the victim is able to uphold systems of state power, such as law enforcement and border patrol, used to propel white hegemony. In practice, some states have tied cooperation with law enforcement to their provision

¹⁸ This paper relies on Sara Ahmed's definition of whiteness not only as a socially constructed race, but as an institutional habit that must be continually reproduced in order to uphold systems of white supremacy. See S Ahmed, 'A Phenomenology of Whiteness', *Feminist Theory*, vol. 8, issue 2, 2007, pp. 149–168, <https://doi.org/10.1177/1464700107078139>.

¹⁹ These are avowedly feminist projects aligned with the state, which seek punitive measures to prevent gender-based violence and can only serve to reinforce racial and gendered hierarchies.

²⁰ E Bernstein, 'The Sexual Politics of the "New Abolitionism"', *Differences*, vol. 18, issue 3, 2007, pp. 128–151, <https://doi.org/10.1215/10407391-2007-013>.

²¹ This specifically refers to the self-styled abolitionists in the anti-trafficking field who harken back to the abolition of the trans-Atlantic slave trade and is not to be confused with abolitionist feminisms that aim to dismantle the prison industrial complex.

²² Kempadoo, p. 14.

of support or temporary visas, making it an enforceable quality of ideal victimhood. For instance, potential victims of trafficking in England and Wales must be referred to the National Referral Mechanism, which is housed in the Home Office, before being granted access to social care services.²³ Formulated within law and cultural narratives surrounding trafficking, the ‘ideal victim’ becomes represented by her cooperation with state powers alongside youth, innocence, and passivity.²⁴

Conceptions of ‘good’ trafficking victims have perforated discussions in the anti-trafficking sector for some time. At times, the description is tied to moral standing with terms like ‘worthy’²⁵ or ‘deserving’²⁶ victim. The ideal victim is a construct which serves to reify these categories in anti-trafficking discourse. In her legal analysis of US domestic trafficking law, Jayashri Srikantiah compares the ideal victim to that of the undocumented migrant. She notes how the two are co-constructive where the figure of the undocumented migrant can be representative of criminality, making them ‘unworthy’ of state support and a drain on resources.²⁷ Here, the figure of an ideal victim serves state interests by creating a hierarchy of victimhood that can be used to discredit people who do not adhere to the innocent, passive, and cooperative narrative. Presenting the trafficking victim as oppositional to ‘criminal’ migrants or traffickers also serves to obfuscate state responsibility in constructing the systems of power which generate vulnerabilities.²⁸

The ideal victim trope is harmful for those who do not fit it and damages the women who do. Works like that of Molly Smith and Juno Mac challenge the parameters afforded to an ideal trafficking victim.²⁹ By chronicling the real, messy intersections of migration, sex work, and trafficking, they offer critical analyses of how the good victim trope hinders assistance to survivors of exploitation who do not fit the prescriptive mould of an innocent victim. This particularly impacts

²³ Kalayaan, *Access to Work for Survivors of Slavery to Enable Independence and Sustainable Freedom*, 2021, p. 3.

²⁴ J Srikantiah, ‘Perfect Victims and Real Survivors: The Iconic Victim in Domestic Human Trafficking Law’, *Boston University Law Review*, vol. 87, 2007, pp. 157–212.

²⁵ M Nayak, ‘The Innocent Worthy Victim Frame: Comparing Trafficking and Coercive Sterilization/Abortion’, in *Who Is Worthy of Protection? Gender-Based Asylum and U.S. Immigration Politics*, Oxford University Press, New York, 2015, pp. 102–136, <https://doi.org/10.1093/acprof:oso/9780199397624.003.0004>.

²⁶ V Digidiki and A Baka, ‘Who’s to Blame in the Sex Trafficking of Women: Situational and Individual Factors That Define a “Deserving Victim”’, *Journal of Human Trafficking*, 2020, pp. 1–14, <https://doi.org/10.1080/23322705.2020.1827861>.

²⁷ Srikantiah, pp. 181–192.

²⁸ N Sharma, ‘Anti-Trafficking Rhetoric and the Making of a Global Apartheid’, *NWSA Journal*, vol. 17, issue 3, 2005, pp. 88–111.

²⁹ M Smith and J Mac, *Revolted Prostitutes: The Fight for Sex Workers’ Rights*, Verso, London and New York, 2018.

sex workers and migrant women who may not only be denied access to services, but also have their agency dismissed through portrayals of trafficking victims as helpless.

This is not to suggest that women who fit idealised descriptions *cannot* be victims of trafficking. My argument is invested in unpacking the idea of the ideal victim and how this socially constructed image of a trafficking victim can constrain who is recognised as such. Having this proto-victim centred within policy harms those who cannot live up to the standard it sets and decimates the personhood of even those who can.³⁰

At first glance, it might appear as though this image of a trafficking victim preceded the creation of anti-trafficking law and that the legal apparatus appeared around her. Yet, as further analysis will demonstrate, the ideal victim and anti-trafficking policy are in fact co-constructive projects, as the ideal victim was built as the subject of trafficking law. A queer reading demonstrates that discourse and the subject shape each other.

Queer Genealogy in Anti-Trafficking

A queer analysis of the production of the ideal victim attunes this research to the co-constructive nature of race, sexuality, gender, and nationality, which are entwined in the victim of trafficking. It also affords space to question a linear progression away from ‘white slavery’ and how the narrative could be invoked today using queer genealogy. As Kathy Ferguson notes, the feminist genealogical project is constantly returning to the beginnings of structures, social paradigms, and concepts that are taken as established fact within mainstream society.³¹ This is in contrast to an interpretation of history that might focus on the origin of an idea as a set moment in time. Genealogy instead conceives of beginnings that are multifaceted, unstated, and repeated as whispers attached to various strands of previous discourse. At any time, there are many different beginnings floating in dominant discourse, but it is only through the political or social window available to these ideas that a particular collection of beginnings might grow into accepted discourse.³²

³⁰ For further discussion on how survivors themselves are impacted by uncritical images of victims, and ‘secondary exploitation’, see Cojocar.

³¹ K E Ferguson, ‘Interpretation and Genealogy in Feminism’, *Signs*, vol. 16, issue 2, 1991, pp. 322–339, <https://doi.org/10.1086/494662>.

³² M Foucault, *Archaeology of Knowledge*, Routledge, London and New York, 2002.

Yet, Judith Butler troubles genealogies based on ‘beginnings’; she suggests that, in fact, the very idea of a ‘before’ period was constructed by law, which necessitates a before and after for subjects to exist. She contends that the feminist subject cannot exist beyond the heteronormative legal structures that render her visible because, ‘[p]erhaps the subject, as well as the invocation of a temporal “before”, is constituted by the law as the fictive foundation of its own claim to legitimacy.’³³ The subject and the law support each other into existence. A queer analysis of the subject would then be tasked with creating a genealogy that excavates *how* the subject is legitimised. The purpose of such a genealogy being to understand the limitations of representation and for what reasons the subject was fashioned with its particular attributes.³⁴ In the case of human trafficking, this means questioning the central figure of the ideal victim to ask if she could exist beyond the bounds of anti-trafficking law and what ruptures and displacements are smoothed over by her creation.

An example of genealogy used to disrupt present legal constructs might be useful to demonstrate this kind of analysis. Historian Adam McKeown’s genealogical analysis of the creation of the ‘free migrant’ deftly demonstrates how a modern binary taken largely for granted between a ‘free’ and ‘forced’ migrant was rooted in European states maintaining an identity as free states. McKeown argues that with the end of the European slave trade in Africa in the early nineteenth century, Western powers began defining themselves as upholders of freedom and emancipation. Slavery became antithetical to new ideals, but cheap labour was still needed. European businesses began extracting labour from South Asia, but to insulate themselves against accusations of exploitation, they shifted the responsibility for obtaining labour onto brokers. Migrants themselves were asked to consent to harsh working conditions by signing work papers. Although most papers were written in unfamiliar languages to the workers, the documents served to differentiate ‘free’ from ‘forced’ migration. In this reading, the very ‘beginning’ of free or forced migration was a category created to uphold Western supremacy as emancipators more so than to prevent exploitation.³⁵ Although not avowedly queer in his approach, McKeown’s genealogy blurs the temporal and geographic boundaries in a queer way. He denies contemporary political actors their distinction between free and forced migrants in immigration law by ruthlessly historicising the concept, thus preventing linear developmental narratives.

³³ J Butler, ‘Subjects of Sex/Gender/Desire’, in A Phillips (ed.), *Feminism and Politics*, Oxford University Press, Oxford, 1998, pp. 273–294, p. 275.

³⁴ J Butler, *Gender Trouble: Feminism and the subversion of identity*, Routledge, New York, 2006, pp. xxxi.

³⁵ A McKeown, ‘How the Box Became Black: Brokers and the Creation of the Free Migrant’, *Pacific Affairs*, vol. 85, issue 1, 2012, pp. 7–19, <https://doi.org/10.5509/20128517>.

Similarly, a singular beginning of the ideal victim in human trafficking discourse proves historically difficult to identify. Many scholars have demonstrated the historical link between contemporary anti-trafficking law and campaigns against ‘white slavery’, a primarily British and American social reform movement at the end of the nineteenth century that sought to end the crime of forced sex for commercial gain but often targeted all forms of sex work.³⁶ What this paper is concerned with is how the qualities of today’s ideal victim were established during the white slavery campaigns and how these logics continue to operate today. Using a queer genealogy, I demonstrate that the ideal never existed outside the law itself.

Making the Ideal Victim

In the late nineteenth century, English social reformers were gripped by the fear that women were being trapped and transported for sexual servitude around the world by ‘white slave traders’ and tried to tackle it. The National Vigilance Association (NVA) was one such group founded in 1885 after a groundswell of support for William T. Stead’s report on white slavery in London titled *The Maiden Tribute of Modern Babylon*.³⁷ The NVA conceived of itself as an arm of the state whereby they were charged ‘to enforce and improve the laws for the repression of criminal vice and public immorality, to check the causes of vice and protect minors’³⁸ in their constitution. In their annual reports that were circulated to members and the general public, the NVA publicised stories of rescues and

³⁶ J Allain, ‘Genealogies of Human Trafficking and Slavery’, in R W Piotrowicz, C Rijken, and B H Uhl (eds.), *Routledge Handbook of Human Trafficking*, Routledge, New York, 2017, pp. 3–12; J Doezenia, *Sex Slaves and Discourse Masters: The Construction of Trafficking*, Zed Books, London, 2010, pp. 4–5; B Donovan, *White Slave Crusades: Race, Gender, and Anti-Vice Activism, 1887–1917*, University of Illinois Press, Urbana, 2006, pp. 1–4; E Gallagher-Cohon, ‘The Dirt on “White Slavery”: The Construction of Prostitution Narratives in Early Twentieth-Century American Newspapers’, *Constellations*, vol. 5, issue 1, 2014, pp. 36–49, <https://doi.org/10.29173/cons21380>; P Knepper, *The Invention of International Crime: A Global Issue in the Making, 1881–1914*, Palgrave Macmillan, Basingstoke, 2010, pp. 101–110; M T Y Lui, ‘Saving Young Girls from Chinatown: White Slavery and Woman Suffrage, 1910–1920’, *Journal of the History of Sexuality*, vol. 18, issue 3, 2009, pp. 393–417, <https://doi.org/10.1353/sex.0.0069>.

³⁷ R Attwood, ‘Stopping the Traffic: The National Vigilance Association and the International Fight against the “White Slave” Trade (1899–c. 1909)’, *Women’s History Review*, vol. 24, issue 3, 2015, pp. 325–350, p. 326, <https://doi.org/10.1080/09612025.2014.964064>; J R Walkowitz, *Prostitution and Victorian Society: Women, Class, and the State*, Cambridge University Press, Cambridge and New York, 1980.

³⁸ National Vigilance Association (NVA), *Fifth Annual Report of the Executive Committee*, NVA, London, 1890, p. 45.

raids wherein women were placed into homes operated by the NVA and other charitable groups.³⁹

Yet not everyone who encountered the NVA was given assistance. In one case, the NVA tracked a missing servant, identified as S.H., from England to Ireland and eventually caught up with her in La Havre, France. Although the NVA expressed concern that Le Havre was a stepping stone used in the white slave trade to transport women to other parts of the world, they did not appear to offer S.H. support beyond returning her to England. She declined repatriation because she stole from her mistress and feared potential consequences. Rather than offering alternative forms of protection from what the NVA perceived as an imminent threat of 'white slavery', the NVA appeared to leave S.H. to her own devices concluding that, 'she knew the course to which she was committing herself, and took it with her eyes open.'⁴⁰

Although the NVA does not provide further details about the case, it is possible that S.H.'s criminal actions and disinterest in repatriation disqualified her as the ideal kind of victim in the eyes of the NVA. This is because the NVA's work primarily revolved around protecting particular kinds of white, middle-class British femininity that rested on idealised understandings of victimhood.⁴¹ Those who fell outside of these confines were not necessarily eligible for support or risked having their stories re-narrativised to fit within the ideal mould. A critical reading of the victim as produced within white slavery rhetoric then calls into question what purpose such a narrow definition of victimhood might serve for the NVA. This line of inquiry reveals another, although much less publicised, aim of the NVA: to restrict and monitor migration of women in and out of England.

The NVA describe how they found that the 'cheapening of white womanhood is one of the worst features of White Slave Traffic' that must result in 'some cheapening of prestige of the British Empire'.⁴² Because white women's bodies were already used in colonial systems as stand-ins for the English motherland,⁴³ the threat of sexual exposure to the foreign other by way of trafficking either in

³⁹ NVA, *Seventh Annual Report of the Executive Committee*, NVA, London, 1892, pp. 1–43.

⁴⁰ NVA, *Fourth Annual Report of the Executive Committee*, NVA, London, 1889, p. 27.

⁴¹ L Delap and M DiCenzo, "'No One Pretends He Was Faultless': W. T. Stead and the women's movement", *19: Interdisciplinary Studies in the Long Nineteenth Century*, issue 16, 2013, pp. 1–18, <https://doi.org/10.16995/ntn.656>.

⁴² Lammasniemi, p. 68; NVA, *In the Grip of the White Slave Trader*, NVA, London, 1911, p. 65.

⁴³ P Levine, 'White Woman's Sexuality in Colonial Settings', in *Prostitution, Race, and Politics: Policing venereal disease in the British Empire*, Routledge, New York, 2003, pp. 231–256.

England or abroad was of paramount importance for maintaining colonial order. Just three years after its foundation, the NVA found that, ‘the chief work of the year has been in getting into touch with foreign authorities and police, with a view to stop the importation of foreign girls into England by procurers, and to prevent English girls from entering employments abroad likely to lead to their ruin.’⁴⁴ Their constitutional mandate to use state laws to protect young people⁴⁵ from vice had manifested primarily through the enforcement of borders and immigration law on women, thus tying together racial, gendered, and moral purity. In this way, the white slavery movement and policy makers looking to further the empire shared a common cause. Nowhere was this clearer than in immigration policy.

A notable example was the *Aliens Act* of 1905, which was pursued as an avenue to limit Jewish immigration into Britain⁴⁶ and would contribute to racialising migration.⁴⁷ It was supported by the NVA as a tool to curb white slavery, because they cited immigrants as a central cause of trafficking for sexual exploitation. Prior to the 1905 Act, the NVA presented to the House of Commons a six-month report on the work they had undertaken to prevent white slavery. In this report, the NVA detailed how representatives from the Association would monitor ports of entry for foreign women travelling alone.⁴⁸ Targeting this group of women specifically demonstrates that the NVA saw them as exceedingly vulnerable to white slavery, and because of that vulnerability—as security risks. If there was any doubt about the conflation between migration and white slavery, the NVA writes in support of the *Aliens Act* after its passage that,

‘In the course of our work we have for a long time been convinced that the foreign criminals, both men and women, are a dangerous menace to our social, moral, and national life. The terrible condition of the streets of London was almost exclusively due to their presence.’⁴⁹

⁴⁴ NVA, *Third Annual Report of the Executive Committee*, NVA, London, 1888, p. 16.

⁴⁵ The NVA’s second constitutional mandate holds ‘that the moral law is the same for all men and all women’, meaning that they held men and women to the same moral standard. However, the NVA constitution only references women as potential victims of vice or subjects enforceable through the law. Controlling men’s morality was done primarily by policing women’s bodies as victims rather than targeting men as perpetrators or victims themselves. See *Fifth Annual Report*, 1890, p. 45.

⁴⁶ Knepper, pp. 98–111.

⁴⁷ N El-Enany, *(B)Ordering Britain*, Manchester University Press, 2020, p. 37.

⁴⁸ NVA, *Six Months Work at the London Continental Railway Stations, the Ports of Dover, Folkestone and Hull, and also Interviewing the Foreign Victims of Criminal Traffic on the Streets of London*, NVA, London, 1904, pp. 4–5.

⁴⁹ NVA, *Work Accomplished*, NVA, London, 1906, p. 6.

Here, the NVA is acting as the ‘moral regulatory arm of White nationalist movements’ that Sharma identifies as operating within today’s anti-trafficking campaigns, which call for strict immigration controls to reduce harm.⁵⁰ Victims of white slavery were not held as exceptions by the NVA. Instead, as historian Rachael Attwood deftly demonstrates, the NVA held Jewish or foreign nationals who were trafficked as culpable in their own victimisation because of an immorality intrinsic to their foreignness.⁵¹ Like Kempadoo’s reading of the racially othered victim who acts as a reinforcement of white benevolence for rescuers, Attwood’s analysis of Jewish⁵² victims of white slavery reaffirms the innocence of British victims. In the framework of white slavery that the NVA constructed, there was a hierarchy of victimisation wherein white British women represented the ideal victim, while non-white and foreign nationals were suspect even in their victimhood. This hierarchy parallels the racial colonial logics that undergirded the immigration laws at the time. The beginnings of the gendered and idealised victim, then, are inextricably genealogically linked to the production of statehood and empire in Britain. This carries implications for today’s approaches to human trafficking that are predicated on the immigration status, nationality, or gender of the survivor.

Unmaking the Ideal Victim

When examining the ideal victim within a queer genealogy, it becomes clear that her conception was not a concrete, inevitable event, but rather a nebulous formation of various heteronormative and nationalistic strains of discourse present at the time. Like the feminine legal subject, the subject of anti-trafficking law has become defined by the political language which encases it in order to support gendered, racial, and geopolitical distinctions that uphold the state. The NVA provides an example of how white slavery discourse fashioned the concept of an ideal trafficking victim through repetition in alignment with immigration policy. The image is an incomplete representation of survivors’ experiences, and cases like those of S.H. evidence ruptures in an otherwise all-encompassing narrative. In this way, the idealised victim conceived during white slavery campaigns, who persists today as an innocent, passive, and cooperative figure, can be read through a queer lens to reveal the multiple functions she serves in upholding hetero-nationalistic

⁵⁰ Sharma.

⁵¹ R Attwood, ‘Looking Beyond “White Slavery”: Trafficking, the Jewish Association, and the dangerous politics of migration control in England, 1890–1910’, *Anti-Trafficking Review*, issue 7, 2016, pp. 115–138, <https://doi.org/10.14197/atr.20121777>.

⁵² At the turn of the twentieth century, Reform Judaism took hold of middle- and upper-class Jewish circles as a way to emphasise the spiritual and cultural elements of Judaism. However, anti-Semitic nationalists in Britain made moving away from the conventional understanding of a separate Jewish race difficult for those who sought assimilation within white British society. *Ibid.*, pp. 123–125.

boundaries around race, gender, and migration. This is useful for understanding not only *what* the ideal victim is, but *why* she continues to be central to producing anti-trafficking imagery.

Although she was first formulated during the white slavery panics, the ideal victim continues to shape and impress upon current laws. There is a rupture in the linear progression to reduce trafficking, which merely has assessors recreating long-existing notions of ideal victimhood. For example, in their study of street-level bureaucrats' decision-making in Belgium and the Netherlands, Loyens and Paraciani presented labour inspectors with fictitious case studies meant to mimic real peoples' experiences of exploitation and asked them to evaluate each for potential severe labour exploitation. For some of the cases, decisions about the 'moral worthiness'⁵³ of the victims and identifiable attributes that aligned with the ideal victim, like vulnerability, were what encouraged inspectors to identify these cases as potential exploitation. People experiencing forms of exploitation and victimisation that fall outside of the proscriptive ideal might be overlooked or dismissed, particularly if they are perceived to be engaging in clandestine activities like working without documentation.⁵⁴ Implicit in this assertion is that just as anti-trafficking policy cannot stretch to accommodate such exploitations, the subject within the law itself cannot be formed around this image. This is hugely problematic for irregular migrants or queer victims of exploitation who by definition always fall outside the bounds of heteronormative legal frameworks. The ideal victim is not merely an aspirational figure for rescue workers, but the measuring stick against which survivors of trafficking are compared.

The more advocates, survivors, and practitioners trouble the idea of the ideal victim, the more obscure the anti-trafficking subject becomes. This troubling is welcomed because it is only by disturbing the bounds placed around the trafficking subject that its limitations become clear. Indeed, outside of the narrative that Merry and Ramachandran lay out for her, the ideal victim all but disappears from the trafficking narrative. As Jo Doezema notes about the idealised white slavery subject, she is 'immediately recognizable in her role as subject of a melodramatic narrative. However, ... she proves more elusive when, wrestled from her narrative context, she becomes the subject of social scientific enquiry'.⁵⁵ The ideal victim then falls apart without her context. Indeed, she would not make sense or be readable without the surrounding narratives of trafficking upheld in law. A queer analysis reveals that the ideal victim does not exist—nor has ever existed—outside of the national-legal framework that surrounds her.

⁵³ K Loyens and R Paraciani, 'Who Is the ("Ideal") Victim of Labor Exploitation? Two Qualitative Vignette Studies on Labor Inspectors' Discretion', *The Sociological Quarterly*, 2021, pp. 1–19, p. 12, <https://doi.org/10.1080/00380253.2021.1974321>.

⁵⁴ *Ibid.*, pp. 10–11.

⁵⁵ Doezema, p. 5.

Conclusion: Remaking the ideal victim

Given this genealogical history of the trafficking victim, it is paramount to revisit the concept of the ideal victim of trafficking and her attributes in a new light. Weaving the history together with the queer understanding of subjectivity, it is clear that the ideal victim in anti-trafficking law continues to be engaged in the production of the nation state. As Laura Agustín reflects in her memoir on the rise of contemporary trafficking politics,

‘Trafficking became a big-time crime issue not because of its truth but because it served governments’ purposes. The interminably warlike USA loved a reason to go after bad men of the world on the excuse of saving innocent women. European states got justification to tighten borders against unwanted migrants. The UK could pretend it was going to be the new leader of anti-slavery campaigning just as their empire comes to an end.’⁵⁶

Each government had its own reasons for pursuing anti-trafficking law motivating the use of an ideal victim as a humanitarian justification. While the current approach to anti-trafficking must be re-examined for its reliance on heteronormative nationalism in the long term, the immediate effect on those trying to negotiate anti-trafficking law is that they find themselves compared to the ideal victim as a barometer of ‘worthiness’. Those who fall outside will invariably be unable to access much needed resources.

This paper has used a queer genealogical analysis to demonstrate how the readily depicted qualities of the ideal victim were developed alongside definitions of white femininity and nationalism which expanded colonial control. Queer studies, with its attention to multiplicities of the subject and inconsistencies in dominant narratives, offers new insight on the heteronormative production of victimhood during anti-white slavery campaigns. The ideal victim erased the complexity of survivors’ experiences and created a hierarchy of victimhood that still persists today. Indeed, without these attributes retained in anti-trafficking law, the ideal victim would lose all shape and without her at its centre, anti-trafficking law would lose its saviour narrative. She exists within a legal matrix that is tied to the reproduction of national borders. A new conception of survivor experience which rejects a hierarchical application of ‘worthy victimhood’ is necessary, then, for the anti-trafficking project. Moving away from victimhood itself as a central principle of anti-trafficking work is essential because it presupposes that survivors remain passive. Instead, to borrow Smith and Mac’s phrasing, it would be better

⁵⁶ L. Agustín, ‘Snake Oil’, *Journal of Human Trafficking*, vol. 6, issue 2, 2020, pp. 221–225, p. 223, <https://doi.org/10.1080/23322705.2020.1691811>.

to involve trafficking survivors, sex workers, and irregular migrants as ‘leaders’ of the anti-trafficking movement rather than merely its ‘focus’.⁵⁷ Re-centring the anti-trafficking project in this way would illuminate new pathways and strategies to ending trafficking. Yet, as this queer genealogical analysis has shown, the ideal victim reinforces the nation-state each time she is invoked. Removing her as a focus could destabilise current immigration and border policy narratives surrounding trafficking—perhaps a welcomed change after over a hundred years of reproducing harmful discourse.

Anna Forringer-Beal is currently a PhD candidate at the University of Cambridge Centre for Gender Studies. Her work focuses on how the UK *Modern Slavery Act* of 2015 came into law and the history of anti-trafficking policy in the UK. Her research has been graciously supported by the Bill and Melinda Gates-Cambridge Scholarship. Email: af605@cam.ac.uk

⁵⁷ Smith and Mac, p. 209.

‘Not A Sufficient Reason’: LGBTQ asylum seekers in the Russian asylum system

Ekaterina Rosolovskaya

Abstract

This article provides an analysis of the Russian asylum system with a specific focus on its treatment of LGBTQ asylum seekers. I analysed existing literature on the Russian asylum system and examined asylum decisions from first-instance and second-instance immigration authorities and appeal decisions issued by the Basmanny district court of Moscow and the Moscow city court. While there seems to be no unified approach as to whether LGBTQ asylum seekers constitute a particular social group in the sense of the UN Refugee Convention, there is a consistent trend of refusing international protection to LGBTQ asylum seekers at all levels. The relevant bodies either ignore the systematic persecution LGBTQ persons face in the countries of origin or simply dismiss the arguments put forward by the applicants and conclude that there is no proof of the existence of personal risks in case of return. Such an approach further pushes the applicants into a semi-underground existence.

Keywords: migration, asylum, LGBTQ asylum seekers, Russian Federation

Suggested citation: E Rosolovskaya, ‘“Not A Sufficient Reason”: LGBTQ asylum seekers in the Russian asylum system’, *Anti-Trafficking Review*, issue 19, 2022, pp. 103-117, <https://doi.org/10.14197/atr.201222197>

Introduction

The experiences of LGBTQ asylum seekers have been documented in different national contexts, both in European host countries and outside of Europe. Findings suggest that LGBTQ asylum seekers arriving in Europe encounter targeted violence throughout and after their journey and are vulnerable to violence from other refugees and immigration officials.¹ Studies focusing on the experiences of asylum

¹ E Alessi *et al.*, ‘Traumatic Stress Among Sexual and Gender Minority Refugees from the Middle East, North Africa, and Asia Who Fled to the European Union’, *Journal of Traumatic Stress*, vol. 31, issue 6, 2018, pp. 805–815, <https://doi.org/10.1002/jts.22346>.

seekers arriving from the Democratic Republic of Congo to Uganda demonstrate how violence based on sexual orientation and gender identity intersects with wider political violence.² As one respondent put it, ‘sexual violence is not only on the body, there is violence within the law, violence within the services, and violence across, in all arenas’. In Lebanon, scholars identify the same issues of physical and emotional trauma as well as violence from security services, other refugees, and host communities, but also a lack of access to services and economic opportunities.³ Inequality of access resulting from discrimination also emerges from the study of Syrian LGBTQ refugees’ experiences in Türkiye, which explains how discrimination hampers not only access to housing, work, health, and social services, but also endangers physical safety.⁴ While the existing research allowed for the formulation of policy responses to the specific risks facing LGBTQ individuals, there are significant gaps in this area of forced migration studies, which calls for further research, especially with a focus on other national contexts.

If one thinks about a possible safe haven for LGBTQ individuals fleeing homophobic violence in their home countries, Russia is not the most likely destination that immediately comes to mind. The country’s recent history has been marked by the adoption of the ‘gay propaganda’ law in 2013, intensification of official homophobic rhetoric, and spiralling violence against the LGBTQ community. The development of hate crime legislation has led to a growing number of violent incidents towards LGBTQ persons being registered,⁵ although accurate statistical data is lacking. Moreover, the law has been widely used by non-state homophobic militant groups to justify violence and harassment against LGBTQ people and activists, while the state failed to provide adequate protection to victims of such crimes.⁶ These trends culminated in a full-scale anti-gay

² K McQuaid, “‘There is violence across, in all arenas’: Listening to Stories of Violence Amongst Sexual Minority Refugees in Uganda”, *The International Journal of Human Rights*, vol. 24, issue 4, 2020, pp. 313–334, <https://doi.org/10.1080/13642987.2017.1347342>.

³ H Myrntinen, L Khattab and C Maydaa, “‘Trust no one, beware of everyone’: Vulnerabilities of LGBTI refugees in Lebanon”, in J Freedman, Z Kivilcim and N Ö Baklacioğlu (eds.), *A Gendered Approach to the Syrian Refugee Crisis*, 1st Edition, Routledge, London, 2017, pp. 61–76.

⁴ Z Kivilcim, ‘Lesbian, Gay, Bisexual and Transsexual (LGBT) Syrian Refugees in Turkey’, in J Freedman *et al.*, pp. 26–41.

⁵ A Kondakov, ‘The Influence of the “Gay-Propaganda” Law on Violence Against LGBTIQ People in Russia: Evidence from Criminal Court Rulings’, *European Journal of Criminology*, vol. 18, issue 6, 2021, pp. 940–959, <https://doi.org/10.1177/1477370819887511>.

⁶ Human Rights Watch, ‘License to Harm: Violence and Harassment Against LGBT People and Activists in Russia’, HRW, 15 December 2014, retrieved 23 April 2021, <https://www.hrw.org/report/2014/12/15/license-harm/violence-and-harassment-against-lgbt-people-and-activists-russia>.

purge launched by law enforcement officials in Chechnya, one of Russia's North Caucasus republics, where dozens, and possibly hundreds, of men were rounded up on suspicion of being gay, held in secret detention centres and tortured by state agents.⁷

Despite the worsening of the situation in terms of rights and freedoms for the LGBTQ community, LGBTQ refugees continue to seek asylum in Russia for reasons that vary for each person. In many cases, Russia is the only country to which they can obtain a visa comparatively easily and without numerous administrative barriers. Many asylum seekers come to Russia on a student visa and subsequently abandon their studies due to the inability to pay student fees. In 2018, thousands of asylum seekers arrived during the FIFA World Cup on a 'Fan ID'; it was a much easier, faster, and safer way to leave their countries than trying to reach Europe.⁸ While some see Russia as a country of transit on their way to Europe, others mistakenly believe Russia to be a European Union country and expect to encounter similar policies toward LGBTQ individuals as in the EU. Still others choose to go to Russia because of pre-existing social ties with other migrants and with family and friends, since such networks tend to facilitate migration.⁹

Methodology

This article is based on an analysis of the Russian legislation governing the legal status of asylum seekers and refugees, asylum decisions issued by immigration officials (first and second instance), and first-instance appeal decisions issued by the Basmanny district court of Moscow and second-instance appeal decisions issued by the Moscow city court. It is important to note that asylum decisions issued by the immigration authorities are not publicly available. Moreover, while the decisions issued by Moscow courts are published on their websites, it is not possible to search for decisions related to LGBTQ asylum claims. Therefore, I draw on the decisions that were available to me during my work at Civic Assistance Committee, a Russian NGO that provides legal and humanitarian assistance to migrants and refugees.

⁷ Human Rights Watch, 'Russia: New Anti-Gay Crackdown in Chechnya', HRW, 8 May 2019, <https://www.hrw.org/news/2019/05/08/russia-new-anti-gay-crackdown-chechnya>.

⁸ P Merzlikin, 'Nowhere to Turn: Thousands of Refugees Came to the 2018 World Cup through FIFA's FAN ID System', *Meduza*, 24 May 2019, <https://meduza.io/en/feature/2019/05/24/nowhere-to-turn>.

⁹ M J Miller and S Castles, *The Age of Migration: International Population Movements in the Modern World*, Palgrave Macmillan, Hampshire, 2019, p. 65.

For this purpose, I use twelve decisions issued by different relevant authorities: one decision issued by the Directorate for Migration Affairs of the Main Directorate of the Ministry of Internal Affairs (UVM GU MVD) in the city of Moscow (first-instance migration authority for Moscow), one decision issued by the UVM GU MVD of the Moscow region (first-instance migration authority for the Moscow region), two decisions issued by the Main Directorate for Migration Affairs of the Ministry of Internal Affairs, or GUVM MVD, of the Russian Federation (second-level migration authorities for appeals), five decisions issued by the Basmanny district court of Moscow (first-instance court), and three decisions issued by the Moscow city court (second-instance appeal court). All decisions were issued in 2019.

For the purpose of this paper, I will use the term ‘asylum-seeker’ rather than ‘refugee’. Although the definition of ‘refugee’ is present in the national legislation governing the granting of asylum, positive decisions are practically non-existent. The term ‘refugee’ is used in relation to a person who has been granted refugee status.

In the remainder of the paper, I first provide an overview of the Russian legal frameworks governing the granting of asylum, setting specific asylum procedures, and defining the rights and duties of refugees and asylum seekers. To do this, I draw on the existing research on the topic and on the materials published by the NGOs working with asylum seekers in Russia. Next, I examine how sexuality-based asylum cases are examined within the national asylum system, followed by a brief conclusion.

Russia as a country of asylum

National Legal Frameworks Governing the Granting of Asylum

Russia acceded to the 1951 *Convention Relating to the Status of Refugees* (also known as Geneva Convention) and the related 1967 *Protocol* in 1993. Under the Russian Constitution, ‘generally recognized principles and norms of international law and international treaties of the Russian Federation are an integral part of its legal system’ (art. 15). In 1993, the provisions of the Geneva Convention were transposed into the Russian *Law on Refugees* (Law No. 4528-I of 19.02.1993). The law has been amended several times since then, most recently in 2020. It governs the main aspects related to the granting of asylum: different types of protection, criteria for the determination of refugee status, relevant asylum procedures, appeal procedures, and the rights of foreign nationals and stateless persons during the status determination procedure and the appeal stages.

While the definition of ‘refugee’ contained in the law is compatible with the 1951 Convention, the Law itself has several provisions that contradict the spirit and aim of the Convention.¹⁰ First, article 2.2, defining the scope of the law, excludes those who have fled their country of origin ‘for economic reasons or due to hunger, epidemic, or natural or man-made emergencies.’ This provision precludes the possibility of protection for, for example, environmental refugees.¹¹ Second, the law denies substantive examination to asylum seekers if they arrive from a country where they could have claimed asylum (art. 5.1(5)), without setting any mechanisms to examine if they had a real possibility to apply for asylum there or whether it is possible for them to re-enter this country. Additionally, grounds for the denial of substantive examination go beyond those enumerated in the Convention and include, for instance, the existence of criminal proceedings against the person seeking asylum for committing *any* crime on the territory of Russia (art. 5.1(1)). Finally, there is no clear provision that explicitly prohibits *refoulement* of refugees, the only possibility to protect an asylum seeker from *refoulement* being, in practice, a request for interim measures per Rule 39 of the Rules of the European Court of Human Rights (ECtHR).

The *Law on Refugees* introduces another form of protection for those who cannot be deported ‘for humanitarian reasons’ (art. 12.2(2)): temporary asylum. A person granted temporary asylum has the same rights as a recognised refugee under the Russian legislation. However, this status is granted for a period of less than a year and has to be regularly renewed. In reality, there is an expectation that a person granted temporary asylum will either apply for other forms of permanent residency during the validity period of a temporary asylum certificate or will return to their country of origin once the situation is stabilised. Moreover, asylum seekers whose applications for temporary asylum are under consideration have no access to social protection benefits.¹² Access to social services is also dependent on the ability of the asylum seeker to obtain a temporary registration certificate (migration registration), which constitutes a major issue for most migrants in

¹⁰ A Afshar, ‘Refugees in Russia: The Law on Refugees and its Implementation’, *Journal of Refugee Studies*, vol. 18, issue 4, 2005, pp. 468–491, <https://doi.org/10.1093/refuge/fei041>.

¹¹ N Myers, ‘Environmental Refugees in a Globally Warmed World’, *BioScience*, vol. 43, issue 11, 1993, pp. 752–761, <https://doi.org/10.2307/1312319>.

¹² E Yu Burtina, E Yu Korosteleva, and V I Simonov, *Russia as a Country of Asylum: Report on the Implementation of the 1951 Convention Relating to the Status of Refugees by the Russian Federation*, Civic Assistance Committee, 2015, retrieved 16 May 2021, p. 95, https://refugee.ru/wp-content/uploads/2016/06/doklad_ENG.pdf.

Russia, including individuals recognised as refugees.¹³ Nevertheless, the limited term and volume of rights of temporary asylum seem to make granting asylum more acceptable for the authorities.

The Evolution of the Asylum System

The national asylum mechanisms were set up by the Russian authorities to address a flow of asylum seekers after the dissolution of the USSR in 1991, which was a new phenomenon for a post-Soviet state. Many residents of former Soviet republics fled their countries for reasons ranging from armed conflicts to persecution or exclusion as members of minority groups.¹⁴ This reality was reflected in the first edition of the *Federal Law on Refugees* that included persecution based on language as grounds for asylum (which clearly implied Russian-speaking minorities, mostly ethnic Russians, living in other former Soviet states). However, the entry into force of the Law of 1997 was followed by a sharp decline in refugee numbers from 237,720 in 1997 to 1,852 in 2004.¹⁵ The latter number radically differs from the number of people considered by the United Nations High Commissioner for Refugees (UNHCR) as people 'of concern', excluding internally displaced persons (118,299 by the end of 2004). Several factors contributed to the fall in the number of refugees: the duration of refugee status and ease with which it can be lost, the introduction of visa requirements for many citizens from the Commonwealth of Independent States (CIS), and the introduction of simplified naturalisation procedures for certain large categories.

In recent years, the situation has been steadily worsening, even according to official statistics. Moreover, it is becoming increasingly difficult to access reliable statistics on the issue due to the 2016 migration services reform, which abolished the Federal Migration Service (FMS) and transferred their responsibilities to the Ministry of Internal Affairs (MVD). However, it is obvious that the total number of people who have succeeded in obtaining refugee status in the Russian Federation is very small compared to the number of people who are in need of international protection. According to official statistics, only 114 people were granted refugee status in 2011; 94 in 2012; 40 in 2013; 254 in 2014 (this increase being due to

¹³ V Agadjanian, E Gorina, and C Menjívar, 'Economic Incorporation, Civil Inclusion, and Social Ties: Plans to Return Home Among Central Asian Migrant Women in Moscow, Russia', *International Migration Review*, vol. 48, issue 3, 2014, pp. 577–603, <https://doi.org/10.1111/imre.12117>.

¹⁴ Afshar, p. 470.

¹⁵ United Nations High Commissioner for Refugees, *2004 Global Refugee Trends: Overview of Refugee Populations, New Arrivals, Durable Solutions, Asylum-Seekers, Stateless and Other Persons of Concern to UNHCR*, UNHCR, 2005, p. 11, <https://www.unhcr.org/statistics/unhcrstats/42b283744/2004-global-refugee-trends-overview-refugee-populations-new-arrivals-durable.html>.

the Russian military intervention in Ukraine); 112 in 2015; 39 in 2016; 33 in 2017; 30 in 2018; 23 in 2019; and 28 in 2020.¹⁶ These statistics demonstrate that the total number of people who are granted refugee status in the Russian Federation is disproportionately low in relation to the number of people who are in need of international protection, and every year, fewer and fewer asylum seekers are granted refugee status.

Obtaining temporary asylum remains an option for those seeking protection, and, according to statistics, it is granted more frequently than refugee status. The temporary status offers the same rights to its holder as the refugee status (right of residence, right to receive medical care, right to work, etc.), but it is granted for a period of maximum of one year and can be revoked at the end of this period, which is a common practice and creates a situation of instability for the refugees. In 2020, 6,014 temporary asylum certificates were issued, of which 5,383 were granted to Ukrainian citizens. The privileging of asylum seekers from Ukraine as compared to individuals from other countries is a result of influence-seeking in the Russian geopolitical neighbourhood.¹⁷ Ukrainian citizens also constitute the majority of newly naturalised Russian citizens in 2020: 409,549 out of 656,347.¹⁸ For other categories of asylum seekers, chances of obtaining even temporary status remain slim.

Finally, despite numerous technical amendments, national frameworks regulating asylum have changed little since their creation and have not kept up with developments in this area, especially in relation to the incorporation of gender-sensitive approaches and recognition of LGBTQ asylum-seekers.

Transformation of the Russian Politics of Sexuality and LGBTQ Rights

The processes and changes happening within the Russian asylum system and their impact on LGBTQ asylum seekers need to be placed within the context of the Russian politics of sexuality. Since 2013, Russian political discourses and policies regarding LGBTQ rights have undergone significant transformations, with scholars describing this period as ‘Russia’s year of political homophobia’.¹⁹ In June 2013, the new legislation adopted by the State Duma (Russian Parliament), which introduced amendments to several federal laws with the purpose of banning

¹⁶ Civic Assistance Committee, *On the Imitation of Asylum System in Russia: Statistics for 2020 and Brief Analysis* (In Russian), 2021, p. 8.

¹⁷ I Kuznetsova, ‘To Help “Brotherly People”? Russian Policy Towards Ukrainian Refugees’, *Europe-Asia Studies*, vol. 72, issue 3, 2020, pp. 505–527, <https://doi.org/10.1080/09668136.2020.1719044>.

¹⁸ *Ibid.*, p. 14.

¹⁹ D Healey, *Russian Homophobia from Stalin to Sochi*, Bloomsbury Publishing, London, 2017.

the so-called ‘propaganda of non-traditional sexual relations’, became a symbolic articulation of the Russian government’s policy of hatred towards the LGBTQ community.²⁰ According to observers, the adoption of the new legislation has contributed to the rise in homophobic violence by far right movements—such as Occupy Pedophilia—as well as harassment and attacks on gay people with almost total impunity, creating an atmosphere of fear for the LGBTQ community.²¹

Importantly, this transformation has been discursively linked to the ‘traditional values’ narratives, promoted by the Russian government both domestically and abroad, and has become one of the most significant manifestations of this discourse domestically.²² While Russia has been attempting to gain international recognition for ‘traditional values’ in order to promote the culturally relativist understanding of human rights, the government’s turn to political homophobia at the domestic level was not only the reflection of this rhetoric, but became central to the nation-building narratives. The LGBTQ rights discourse has been portrayed as inherently non-Russian and contrary to Eastern Orthodox Christianity, a symbol of the perceived Western decline. Given the place that this rhetoric has come to occupy in the Russian political discourse, it comes as no surprise that the Russian migration system and courts generally fail to grant asylum to LGBTQ asylum seekers. Moreover, Russia’s use of the ‘moral sovereignty’ claim, which Wilkinson describes as the idea that ‘human rights are contingent on the observation [...] of local traditional values, which are seen to represent the values of the majority’, suggests that each country has the right to its own interpretation of human rights, including the rights of its minority groups.²³

Sexuality-based Asylum Claims in the Russian Asylum System

Failure to Address Sexuality-based Asylum Claims

In recent decades, changes in attitudes and perceptions towards issues related to sexual orientation and gender identity (SOGI) in host societies have led to the development of case law related to sexuality-based asylum claims in different

²⁰ A Kondakov, ‘The Censorship “Propaganda” Legislation in Russia’, in L R Mendos (ed.), *State-Sponsored Homophobia*, International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), Geneva, 2019, pp. 213–215, p. 214.

²¹ A Luhn, ‘Russian Anti-Gay Law Prompts Rise in Homophobic Violence’, *The Guardian*, 1 September 2013, <http://www.theguardian.com/world/2013/sep/01/russia-rise-homophobic-violence>.

²² C Wilkinson, ‘Putting “Traditional Values” into Practice: The Rise and Contestation of Anti-Homopropaganda Laws in Russia’, *Journal of Human Rights*, vol. 13, issue 3, 2014, pp. 363–379, p. 365, <https://doi.org/10.1080/14754835.2014.919218>.

²³ *Ibid.*

jurisdictions. For example, while in Canada the first claim related to sexual orientation was made in 1991, in 2004 there were 1,351 decisions concerning sexuality-based asylum claims.²⁴ In 1994, the Toboso-Alfonso case marked the beginning of the recognition of sexual orientation as grounds for asylum in the United States.²⁵ In May 1999, France recognised that the notion of a social group in the context of asylum law may encompass LGBTQ people.²⁶ Finally, the changing practice at the European Union level led to the adoption in 2004 of the EU Council Directive on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted, stipulating that ‘depending on the circumstances in the country of origin, a particular social group might include a group based on a common characteristic of sexual orientation’. At the international level, the adoption of the 2002 Guidelines on International Protection against Gender-Related Persecution was the first time the international text made reference to sexual orientation in the context of the right to asylum. However, it was not until 2008 that the UN High Commissioner for Refugees directly addressed the issue by publishing the UNHCR *Guidance Note on Refugee Claims Relating to Sexual Orientation and Gender Identity*. This was followed by the UNHCR *Guidelines on International Protection No. 9* in relation to claims based on SOGI in 2012. These international texts, although non-binding, indicate a change in how SOGI-based asylum claims are processed.

These developments have not been incorporated into the Russian asylum system. First, neither sexual orientation nor gender identity is mentioned in Russian asylum-related regulations or official documents. The existence of LGBTQ asylum seekers and the specific problems they face have not been recognised by state officials, which results in the absence of official data on such claims. The Ministry of Internal Affairs does not collect statistical data on the number of applications filed or on the percentage of positive decisions with regard to asylum applications related to sexual orientation.

It is interesting that the analysis of decisions concerning LGBTQ asylum claims reveals that, while it is clear that there is a unified practice at all levels of authorities charged with making decisions on asylum claims of not granting either refugee status or temporary protection to LGBTQ asylum seekers, certain aspects of such

²⁴ N laViolette, ‘“UNHCR Guidance Note on Refugee Claims Relating to Sexual Orientation and Gender Identity”: A critical commentary’, *International Journal of Refugee Law*, vol. 22, issue 2, 2010, pp. 173–208, p. 175, <https://doi.org/10.1093/ijrl/eeq019>.

²⁵ V Neilson, ‘Homosexual or Female: Applying Gender-Based Asylum Jurisprudence to Lesbian Asylum Claims’, *Stanford Law & Policy Review*, vol. 16, 2005, pp. 417–444.

²⁶ C Kobelinsky, ‘Gay Asylum: Intimacy Case Law in the French Court of Asylum’, *Droit et Société*, vol. 82, issue 3, 2012, pp. 583–601, <https://doi.org/10.3917/drs.082.0583>.

decisions differ. For instance, the text of the decisions of the Basmanny district court shows that there is some confusion as to whether the refusal should be based on the fact that the applicants could not prove that they were personally persecuted due to their sexual orientation (the decisions concerning the cases of A. and M. seem to accept that in general, LGBTQ persons face certain risks in Sudan—see below), or that being part of the LGBTQ community cannot be considered as grounds for asylum at all because the LGBTQ community is not considered a social group in the sense of the Convention. At the same time, the wording of the decision issued by the first-instance immigration authority of Moscow (in the case of B.) seems to imply that the LGBTQ community should be considered a social group in the sense of the Convention.

According to NGO reports, there have been no instances of refugee status or temporary asylum being granted on the territory of the Russian Federation due to persecution based on sexual orientation or gender identity.²⁷ The Russian Federation systematically refuses to grant asylum to this category of asylum seekers, even in situations where a risk of persecution emanates from the state. According to the NGO Stimul, the refusal to grant asylum varied neither depending on the personal circumstances of the applicants nor on the circumstances of the filing of an application (whether the applicants resided in the country legally, and whether they entered recently and applied for asylum within a few days upon their arrival or applied after a few years of living in Russia irregularly). Despite this general trend, there is no unified approach in the reasoning of the different relevant bodies when it comes to LGBTQ asylum claims.

This emerges not only in relation to how these authorities treat the notion of ‘social group’, but in their reasoning concerning the existence of well-founded fear for LGBTQ persons in the countries of origin.

Reasoning Applied by Relevant Authorities Regarding the Existence of ‘Well-founded Fear’

One of the elements that emerge from the analysis of the first-instance decisions issued by the immigration officials relates to the country-of-origin information analysis conducted during the examination of asylum claims. In a first-instance decision issued by the immigration authorities on 16 October 2019, concerning a gay Nigerian man, the analysis based on country-of-origin information does not mention that homosexual activities are illegal under Nigerian legislation and in some states are punishable by death under sharia law. It provides information on the ethno-linguistic composition of Nigeria, enumerates its major cities, and

²⁷ The LGBT-group STIMUL, *LGBT+ Refugees in Russia*, 2020, p. 2, retrieved 16 June 2022, https://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/RUS/INT_CAT_ICS_RUS_44605_E.pdf.

mentions other country characteristics that are not related in any way to the case under examination. Another decision issued on 29 January 2019, concerning a gay asylum seeker from Cameroon, does not contain any country-of-origin information and simply states that membership in a particular social group by itself ‘does not constitute a sufficient reason’ for granting asylum, without even mentioning that Cameroonian laws criminalise homosexuality. In other decisions, with regards to Sudanese nationals, the immigration officials briefly note that the applicant considers it dangerous to return to his home country because of the existence of repressive legislation criminalising same-sex relationships; however, they continue that ‘not only is Sudan a party to many international human rights treaties, it also actively cooperates with the international community in this area’ (in the cases of A. and M.). This demonstrates that Russian migration services systematically fail to adequately examine the risks facing members of the LGBTQ community in the countries of origin.

Table 1: Decisions issued by the first-level migration authorities: The Directorate for Migration Affairs of the Main Directorate of the Ministry of Internal Affairs in the city of Moscow and in the Moscow region

Name	Country of origin	Decision includes relevant country analysis (situation of LGBTQ persons)	Decision directly or indirectly admits the existence of risk for LGBTQ persons in the country of origin	Decisions contains an analysis of the applicant's circumstances in light of the country's LGBTQ rights situation	Sexual orientation as grounds for asylum
B.	Cameroon	No. However, the short summary of the applicant's claim includes some relevant country information; he specifically cited the relevant law during the interview. ‘The applicant based his claim on [...] his membership in the LGBT community, which is criminalised in Cameroon by article 347/1 “criminalization of sexual intercourse”.’	No	No	Yes ‘Membership in a particular social group (non-traditional sexual orientation) does not constitute a sufficient reason for granting asylum on the territory of the Russian Federation.’
C.	Nigeria	No. The country analysis describes the country's geographical position, its ethnic and religious composition, and some provisions from the Family Code.	No	No	Not clear ‘The fact that the applicant fears persecution by the citizens of Nigeria due to his sexual orientation cannot be considered a defining criterion for granting him refugee status in the Russian Federation.’

Table 2: Decisions issued by the second-level (appeal) migration authorities: Main Directorate for Migration Affairs of the Ministry of Internal Affairs (GUVM MVD)

Name	Country of origin	Decision includes relevant country analysis (situation of LGBTQ persons)	Decision directly or indirectly admits the existence of risk for LGBTQ persons in the country of origin	Decisions contains an analysis of the applicant's circumstances in light of the country's LGBTQ rights situation	Sexual orientation as grounds for asylum
A.	Sudan	No. The country analysis describes an overall difficult political situation in Sudan and the government's efforts to overcome political instability.	Yes. 'The circumstances provided by the applicant reveal that the real reason for applying for asylum is his desire to reside in a country where persons of non-traditional sexual orientation are not prosecuted. However, refugee status in the Russian Federation cannot be granted solely on the basis of such circumstances.'	No. It is mentioned that 'despite being a person of non-traditional sexual orientation, the applicant managed to obtain a national ID and leave the country without any obstacle', which seems to imply that he therefore did not face any risks.	Not clear. 'The applicant did not cite convincing facts of persecution in his country based on his race, religion, citizenship, nationality, political beliefs, or membership in a social group.'
M.	Sudan	No. However, the short summary of the applicant's claim includes some relevant country information; he specifically cited the relevant law during the interview. 'According to the applicant, sodomy is a crime in Sudan and is prosecuted in accordance with article 148 of the Penal Code. The punishment ranges from beatings to the death penalty.'	Yes (identical to the above)	No (identical to the above)	Not clear (identical to the above)

The analysis of decisions issued by the Basmanny district court of Moscow (following the appeal of the first-instance decisions issued by the immigration authorities and the brief one-month appeal procedure to the highest body of the Ministry of Internal Affairs that usually results in the rejection of the appeals) demonstrates a different approach. Five court decisions—concerning two asylum-seekers from Cameroon, two from Sudan, and one from Nigeria—provide identical argumentation, with only personal information and specific circumstances of each case being different. While in each of these cases the court recognises the existence of repressive and discriminating legislation against LGBTQ individuals, it argues that 'the existence of a country's consistent pattern of gross, flagrant, or mass human rights violations in itself is not a sufficient reason for concluding that the person concerned would be in danger of being subjected to torture if returned to his or her home country' (for instance, in the case of S.). In all five decisions, the Court cites a judgment by the Committee against Torture issued on 27 November 2014, in the case of *Abed Azizi v. Switzerland*. It concludes by stating that the applicants did not provide sufficient evidence that they personally

‘face a foreseeable and real risk of being subjected to torture and ill-treatment if returned to [their] homeland.’ None of these cases provides a thorough analysis of the applicants’ personal circumstances.

Table 3: Decisions issued by the Basmanny district court of Moscow (first-instance court)

Name	Country of origin	Decision includes relevant country analysis (situation of LGBTQ persons)	Decision directly or indirectly admits the existence of risk for LGBTQ persons in the country of origin	Decisions contains an analysis of the applicant's circumstances in light of the country's LGBTQ rights situation	Sexual orientation as grounds for asylum
A.	Sudan	No. The court cites excerpts from the applicant's interview.	Possibly yes. The court cites the applicant's interview, where he talks about the existence of criminal prosecution of LGBTQ persons in Sudan, and states that, nevertheless, the applicant failed to prove the existence of personal threats, thus possibly admitting the overall situation of LGBTQ persons in Sudan is not safe.	No. It is mentioned that 'despite being a person of non-traditional sexual orientation, the applicant managed to obtain a national ID and leave the country without any obstacle', which seems to imply that he therefore did not face any risks.	Yes. 'Membership in a particular social group (non-traditional sexual orientation) in itself does not constitute a sufficient reason for granting asylum on the territory of the Russian Federation.'
M.	Sudan	No. The court cites excerpts from the applicant's interview.	Possibly yes (identical to the above)	No (identical to the above)	Yes (identical to the above)
Mb.	Cameroon	No. Only based on excerpts from the applicant's interview.	Possibly yes. The court cites the applicant's interview, where he talks about the existence of criminal prosecution of LGBTQ persons in Cameroon, and states that, nevertheless, the applicant failed to prove the existence of personal threats, thus possibly indirectly admitting the overall situation of LGBTQ persons in Cameroon is not safe.	No	Not clear
S.	Nigeria	No. Only based on excerpts from the applicant's interview.	Possibly yes. The court cites the applicant's interview, where he talks about the existence of criminal prosecution of LGBTQ persons in Nigeria, and states that, nevertheless, the applicant failed to prove the existence of personal threats, thus possibly indirectly admitting the overall situation of LGBTQ persons in Nigeria is not safe.	No	Not clear
B.	Cameroon	No. Only based on excerpts from the applicant's interview.	Possibly yes (identical to the above)	No	No (identical to the above)

Table 4: Decisions issued by the Moscow city court (second-instance court)

Name	Country of origin	Decision includes relevant country analysis (situation of LGBTQ persons)	Decision directly or indirectly admits the existence of risk for LGBTQ persons in the country of origin	Decisions contains an analysis of the applicant's circumstances in light of the country's LGBTQ rights situation	Sexual orientation as grounds for asylum
A.	Sudan	No	No	No	Not clear
M.	Sudan	No	No	No	Not clear
Mb.	Cameroon	No	No	No	Not clear

Despite these different approaches, both administrative immigration authorities and courts either ignore the systematic persecution facing LGBTQ persons in their countries or simply dismiss the arguments put forward by applicants and conclude that they cannot prove the existence of personal risks in case they return to their home countries. In both cases, the result is a refusal to grant asylum.

Conclusion

This paper highlighted the structural drawbacks of the Russian asylum system and how they create significant challenges for LGBTQ asylum seekers. First, while Russia acceded to the 1951 Geneva Convention and incorporated its definition of ‘refugee’ into its national legislation, the *Law on Refugees* contains provisions that unnecessarily limit its scope by excluding asylum seekers who are charged with committing any kind of criminal offense in Russia or denying substantive examination to asylum seekers if they arrive from a country where they could have claimed asylum. Moreover, the number of people who obtain asylum or temporary asylum status in Russia is significantly lower than the number of persons of concern. This suggests unwillingness by Russian authorities to grant protection to asylum seekers coming to Russia unless there is a political interest at stake.

LGBTQ asylum seekers face particular challenges in the process of seeking protection in Russia. First, the country’s asylum system has not incorporated recent developments concerning asylum claims related to sexual orientation. This question has been addressed only by courts during the examination of individual cases. The analysis of first-instance decisions issued by immigration officials demonstrates that Russian migration services systematically fail to adequately examine the risks facing members of the LGBTQ community in their countries of origin. As a rule, they do not refer to relevant legislation of the countries of origin that criminalises same-sex relationships. At the same time, the Basmany district court of Moscow, while issuing appeal decisions, indirectly recognises

the criminalisation and discrimination of LGBTQ people in the countries of origin but does not adequately examine the existence of personal risks in each individual case. This reluctance results from the overall weakness of the Russian asylum system and the pervasive state homophobia.

The decisions reviewed in this paper do not provide sufficient material to analyse the application of the concept of ‘membership in a particular social group’, which is one of the necessary elements of asylum grounds. However, the practice of the Russian criminal justice system gives some indications of a possible approach. In Russian courts of different levels, the LGBTQ community is rarely recognised as a social group in the context of criminal prosecution, making it difficult for rights groups to build a hate crime claim.²⁸ Thus, this approach is likely to be employed in examining asylum cases.

The refusals of the migration services to carefully examine the claims of LGBTQ asylum seekers, supported by the Russian courts, result in a situation where LGBTQ applicants are forced to remain in the Russian Federation in a semi-legal state. There has been no instance of a person obtaining refugee status or temporary protection in Russia because of persecution based on sexual orientation or gender identity. Without a refugee or temporary asylum status, asylum seekers do not have the right to work and are forced to work irregularly, which places them at risk of exploitation. Upon the termination of the examination of their asylum claim (which lasts for up to three months), they lose the possibility to obtain a migration registration, which is the prerequisite for obtaining social services, including healthcare. They can be detained, placed in confinement, and finally returned to their countries where they face a real risk of persecution and even death.

Ekaterina (Katya) Rosolovskaya is a Master’s student in Human Rights and Humanitarian Action at the Paris Institute of Political Studies, where she focuses on Migration and Gender Studies. She received her Bachelor’s degree in International Relations from the Higher School of Economics in Moscow. Prior to her Master’s studies, she worked at the Moscow-based NGO Civic Assistance Committee, which provides legal aid and humanitarian assistance to refugees and migrants in the Russian Federation. She currently lives in Paris. Email: ekaterina.rosolovskaya@sciencespo.fr

²⁸ A A Kondakov, ‘Javlajutsja li LGBT social’noj gruppoj?: Sociologicheskie kriterii ponjatija dlja sudebnyh interpretacij’ (‘Is the LGBT Community a “Social Group”? Sociological criteria for understanding court interpretations’), *Sravnitel’noe konstitutsionnoe obozrenie*, vol. 6, issue 121, 2017, pp. 131–144, <http://doi.org/10.21128/1812-7126-2017-6-131-144>.

Short Articles

‘They Kill Us Trans Women’: Migration, informal labour, and sex work among trans Venezuelan asylum seekers and undocumented migrants in Brazil during COVID-19

Yvonne Su and Tyler Valiquette

Suggested citation: Y Su and T Valiquette, “‘They Kill Us Trans Women’: Migration, informal labour, and sex work among trans Venezuelan asylum seekers and undocumented migrants in Brazil during COVID-19”, *Anti-Trafficking Review*, issue 19, 2022, pp. 119-124, <https://doi.org/10.14197/atr.201222198>

Introduction

Since 2015, more than six million Venezuelans, approximately 20 per cent of the population, have fled their country due to violence, persecution, and poverty.¹ Despite these unprecedented numbers, international funding for the crisis is meagre at roughly USD 125 per refugee.² With 8.9 million Venezuelans expected to be displaced globally by 2022³ and COVID-19 dangerously straining national capacities and livelihood opportunities, research on the needs and vulnerabilities of precarious asylum seekers and undocumented migrants is urgently needed.

¹ No author, ‘Venezuelan Refugee and Migrant Crisis’, IOM, retrieved 12 June 2022, <https://www.iom.int/venezuelan-refugee-and-migrant-crisis>.

² D Bahar and M Dooley, ‘Venezuela refugee crisis to become the largest and most underfunded in modern history’, The Brookings Institution, 9 December 2019.

³ T Walsh, ‘\$1.79B Needed for Venezuelan Refugees and Migrants in 2022’, *Devex*, 10 December 2021, <https://www.devex.com/news/1-79b-needed-for-venezuelan-refugees-and-migrants-in-2022-102258>.

Crises and disasters, such as COVID-19, disproportionately affect vulnerable populations in unique ways.⁴ In Brazil, the discrimination, xenophobia, homophobia, and transphobia that LGBTQI+ Venezuelan asylum seekers, refugees, and migrants already faced were exacerbated during the pandemic. More likely to work in people-facing service industry positions, LGBTQI+ people experienced a higher risk of exposure to COVID-19. They are also most impacted financially by the closure of the service industry and informal economy. As such, a pervasive global trend during the pandemic was LGBTQI+ people experiencing food insecurity.⁵

This short article contributes to the growing scholarship on the complex ways sexual orientation and gender identity impact LGBTQI+ people's experiences of migration, informal labour, and sex work. Drawing on surveys and interviews with twelve trans Venezuelan asylum seekers and undocumented migrants in Brazil and six key informant interviews with sex workers, trans activists, and humanitarian and NGO staff, this short article asks: How has COVID-19 affected the livelihoods of trans Venezuelan asylum seekers and undocumented migrants?⁶

Livelihood Security

In 2018, the Brazilian government launched the *Interiorização* (Interiorisation) Strategy to help resettle Venezuelan asylum seekers and refugees from the north to the south, taking pressure off the northern border states of Roraima and Amazonas. Part of the programme involved finding companies or employers to provide job opportunities to asylum seekers and refugees. However, research shows that it is difficult for LGBTQI+ people to participate in the programme, as the LGBTQI+ community, especially trans people, suffers discrimination in the labour market.⁷

⁴ B Wisner *et al.*, *At Risk: Natural Hazards, People's Vulnerability, and Disasters*, 2nd Edition, Routledge, Oxfordshire, 2004; N Curato and J Ong, 'Disasters Can Lift Veils: Five Issues for Sociological Disaster Studies', *Philippine Sociological Review*, vol. 63, no. 1, 2015, pp. 1-25; G Reid and S Ritholtz, 'A Queer Approach to Understanding LGBT Vulnerability during the COVID-19 Pandemic', *Politics & Gender*, vol. 16, issue 4, 2020, pp. 1101-1109, <https://doi.org/10.1017/S1743923X20000707>.

⁵ A Bishop, *Vulnerability Amplified: The Impact of the COVID-19 Pandemic on LGBTQI+ People*, OutRight Action International, New York, 2021, https://outrightinternational.org/sites/default/files/COVIDsReportDesign_FINAL_LR_0.pdf.

⁶ For more detail about our methodology see: Y Cowper-Smith, Y Su, and T Valiquette 'Masks are for sissies: The story of LGBTQI+ asylum seekers in Brazil during Covid-19', *Journal of Gender Studies*, vol. 31, issue 6, 2022, pp. 755-769, <https://doi.org/10.1080/09589236.2021.1949970>.

⁷ A Karolyne, 'Transgênero vê barreira no mercado desde educação formal até soft skills', *Estadão*, 25 October 2021.

The programme persisted during the pandemic; however, none of the trans people we interviewed had participated, or attempted to participate, in it.

All twelve respondents lost their jobs or sources of livelihood at the beginning of the pandemic, and nine indicated that the COVID restrictions eliminated their sources of income. As businesses and stores began to open up, all respondents shared that they faced many challenges in finding employment despite the availability of programmes designed to expand employment opportunities. The five undocumented respondents faced the most significant challenges because lack of documentation meant they could only be hired for informal, cash-based, and odd jobs. Roberta a young undocumented trans woman, said, 'I was out of work for six months because I don't speak the language and I don't have documentation'.⁸ Three respondents said they were discriminated against due to their sexual orientation, gender identity, and/or nationality, and they had not been able to find work before or during the pandemic. Emily, a middle-aged trans woman, cannot remember the last time she was formally employed, noting, 'It's been a long time since I worked. I cannot find work because I am a trans woman. When I apply for jobs, I've always been rejected'.⁹ Similarly, Ben, a young trans man, shared, 'I've been out of a job for two years. I don't know if it's because of my age, or because of my sexual preference, or because of my expired documentation'.¹⁰ Lindsey, a young trans woman, remembers walking into a job interview and being told shortly after that the job had been filled. As she was walking away, she overheard the boss saying to his employee, 'Don't bring me another fucking Venezuelan'. The challenges the respondents faced were echoed by the president of the Association of Transgender of Amazonas (ATA), who reflected that 'It is hard for trans people to get jobs, but it is even harder for trans Venezuelans'.¹¹ The president notes that sex work has become a common source of livelihood for trans Venezuelan migrants. When they arrive in Brazil, often through the northern state of Roraima, many are unable to find formal work. As a result, pimps take advantage of their lack of economic opportunities and direct them towards prostitution.

The respondents who were able to find work during the pandemic when business restrictions were lifted found that wages significantly cut compared to before COVID. For those in sex work, the difference in income was drastic. Sarah, a young trans woman who engages in sex work, shared that her monthly income was BRL 4,000 (USD 730) before the pandemic, and presently it is only BRL 1,200 (USD 220). When asked to compare their monthly income before and

⁸ Interview, 10 September 2021. To protect the identities of respondents, all names used in the paper are pseudonyms.

⁹ Interview, 6 September 2021.

¹⁰ Interview, 28 August 2021.

¹¹ Interview, Association of Transgender Amazonas, 4 November 2021.

during COVID-19, three respondents indicated that they no longer had any income, and three others, who previously had a monthly income of above BRL 600 (100 USD), now earn much less.

Despite the challenges trans asylum seekers and undocumented migrants faced finding employment during the pandemic, some were able to be resourceful to make money. Several hairdressers or beauticians contacted their clients informally to provide services in their homes or found new clients through networking. However, despite their resourcefulness, the risk of contracting COVID-19 made finding clients difficult. Two respondents reported contracting COVID-19, likely from their work. Additionally, this livelihood insecurity impacted their ability to purchase goods, especially food. As Linda explained, ‘The pandemic affected me because the beauty salon where I worked closed, and we practically ran out of jobs, and I had almost no money to buy food, so I would often go hungry’.¹²

Indeed, eleven respondents reported that they did not have enough food to eat every day during the pandemic. As a response, NGOs like Casa Miga, the only LGBTQI+ refugee shelter in Brazil, and ATA give out food as part of their main programming. Similarly, all respondents reported not having enough money to buy essential items during the pandemic. While the seven documented respondents accessed the Brazilian government’s COVID emergency fund, the five undocumented respondents did not.

Sex Work and Trafficking

Cindy is a 20-year-old Venezuelan trans woman who travelled to Brazil during the pandemic with a close friend. A relative in Brazil promised her work, but that opportunity fell through soon after she arrived. Cindy was told that if she wanted to stay in Brazil, she would need to quickly find a job. Her friend recommended she go into sex work. Soon she was introduced to a pimp and she began working on the streets. While Cindy expected to experience a certain level of risk in her job, she never predicted she would be kidnapped by a client. A few months after she started working, a client drove her out to the countryside without her consent. There he held her captive and threatened to kill her if she screamed or tried to escape. He attempted to make Cindy feel powerless by telling her that if he killed her, no one would care or come looking because she was Venezuelan. Cindy managed to escape and had to walk from a remote village in the Amazon back to the city in the little clothes she had left on.

The level of gender-based violence, xenophobia, and transphobia Cindy experienced reflects the dangers that trans Venezuelans experience in Brazil.

¹² Interview, 2 September 2021.

Despite Brazil having some of Latin America's most advanced laws to protect LGBTQI+ people, they are disproportionately harassed and victimised because of the country's deep-rooted social conservatism.¹³ Between 2015 and 2017, 24,600 violent incidents were perpetrated against LGBTQI+ people in Brazil.¹⁴ In addition, Brazil has the highest level of violence against trans people in the world.¹⁵

As a result of their intersecting and multiple social locations, trans undocumented migrants like Cindy are in highly precarious positions. To begin with, they are more exposed to sexually transmitted infections (STI). A doctor who works with the trans community shared that sex workers are at a greater likelihood to contract HIV and other STIs through their work.¹⁶ In addition, the growing xenophobia in border towns such as Boa Vista in Roraima, has pushed trans sex workers to move to other states to look for another job. Dina expressed concerns about being a sex worker because 'they kill us trans women'.¹⁷ Such a hostile environment also makes trans sex workers vulnerable to trafficking. The president of ATA explained that since many of the trans Venezuelan migrants are new to sex work, they are not fully aware of the situations that their pimps place them in. For example, it is common for their pimps to convince them to travel to the southern parts of the country with the promise of greater economic opportunities. But once they arrive, they are just met by another pimp and offered the same pay and work, or sometimes less pay and worse treatment. Thus, faced with significant challenges to find work besides sex work, trans Venezuelan migrants often have little choice but to travel to other parts of the country, willingly or through coercion, to earn a living.

When asked why trans people cannot find jobs in other industries, the president of ATA shared that 'Even though there may be jobs available, trans people often do not fit the criteria. They don't have the level of education required. But there is also a lack of interest in training courses because asylum seekers prefer to make money over studying'.¹⁸ And when trans Venezuelans do have a higher level of education, they often have a hard time proving it. Emily shared that she had brought papers with her to Brazil to prove she had a Bachelor's degree. But those

¹³ Cowper-Smith, Su, and Valiquette.

¹⁴ P Francisco and R Muggah, 'Brazil's LGBT Community Faces Surging Violence, But They Are Fighting Back', *Open Democracy*, 9 December 2020, <https://www.opendemocracy.net/en/democraciaabierta/violencia-anti-lgbtq-brasil-en>.

¹⁵ *Ibid.*

¹⁶ Interview, 3 November 2021.

¹⁷ Interview, 10 September 2021.

¹⁸ Interview, ATA, 4 November 2021.

papers were lost when she was robbed by a group of men on a *trocha* (an informal path to cross the border) she took to get to Brazil. Unable to prove her education, Emily took up informal work selling water on the streets until the pandemic hit and she could no longer be a vendor.¹⁹

Conclusion

The multiple and intersecting social locations of trans asylum seekers place them in a highly precarious position in Brazil. Many barriers persist despite NGOs like ATA and Casa Miga providing training for them. The trans Venezuelan identity is often subjected to a combination of transphobia and xenophobia according to our study. These identities increase the challenges in finding formal work. Many trans Venezuelan migrants rely on the fast money promised from sex work. As a result, many are vulnerable to being trafficked to other states or countries. Government policies that identify the unique needs of trans asylum seekers and provide services to them—mainly focused on livelihoods—could make a difference in opening up more opportunities for this group made vulnerable by xenophobia, transphobia, and poor migration and social protections policies.

Yvonne Su is an Assistant Professor in the Department of Equity Studies at York University. Her research expertise is on forced migration, queer migration and poverty, and inequality. She holds a Ph.D. from the University of Guelph and a Master's from the University of Oxford. Email: yvonnesu@yorku.ca

Tyler Valiquette is a researcher at the University of Brasilia and the York University Global South Migration Lab in Canada. He is an expert on LGBTQI+ rights in Brazil. He has a Master's in Political Science from the University of Guelph. Email: ty.valiquette@gmail.com

¹⁹ Interview, 6 September 2021.

Queering Protracted Displacement: Lessons from Internally Displaced Persons in the Philippines

Romeo Joe Quintero and Amrita Hari

Suggested citation: R J Quintero and A Hari, 'Queering Protracted Displacement: Lessons from Internally Displaced Persons in the Philippines', *Anti-Trafficking Review*, issue 19, 2022, pp. 125-129, <https://doi.org/10.14197/atr.201222199>

Introduction

Internally displaced persons (IDPs) are individuals who are forced to flee their homes due to war-like conditions, but do not cross an international border. Protracted refugee situations (PRS) involve long-term exile exceeding five years, whereby finding durable solutions is unattainable because of continued violations of human rights and economic insecurity. This framework identifies refugees, but we would include IDPs, as 'forgotten groups' and 'objects of policy concern.'¹ To insist on the current definition of PRS denies the non-normative realities of how people move, and the forces of colonialism, capitalism, and the environment that cause people to flee.² It also renders the wide and varied lived conditions of displaced individuals within or outside borders into a singular, temporal, and nation-state directed category of protracted displacement.³

¹ J Hyndman and W Giles, 'Protracted displacement. Living on the edge', in A Bloch and G Dona (eds.), *Forced Migration: Current Issues and Debates*, 1st edition, Routledge, London, 2018, pp. 74–87, p. 74.

² V Nguyen, 'Refugeetude: When Does a Refugee Stop Being a Refugee?', *Social Text*, vol. 37, issue 2, 2019, pp. 109–131, p. 116. <https://doi.org/10.1215/01642472-7371003>.

³ K Long, *Permanent Crises? Unlocking the protracted displacement of refugees and internally displaced persons*, University of Oxford, October 2011, retrieved 3 November 2021, p. 5, <https://www.rsc.ox.ac.uk/files/files-1/pb-unlocking-protracted-displacement-2011.pdf>.

Queer theory is shaped by academic rejections of heterosexuality as the model for sexual formations and political engagement during HIV/AIDS activism in the 1980s and 1990s.⁴ It is a rejection of hierarchical, dichotomous, and categorical knowledge formation,⁵ and instead embraces multiple—and sometimes contradictory—ways in which knowledge, power, and identity are enacted.⁶ Moreover, queer temporality offers alternatives to the conventional linear progression of time.⁷ In this short paper, we employ queer theory to reject the restrictive definition of protracted displacement. Additionally, we seek to destabilise the meanings ascribed by international and national policies on IDPs and their parameters of who is displaced, who deserves protection, and when someone stops being displaced.

Queering Protracted Displacement

We interrogate and challenge the current parameters of PRS on two bases—time from displacement and international human rights legislation's heavy reliance on the nation-state framework and state actors. First, PRS is not a temporal status that forcibly displaced individuals transition in and out of. Displacement is experienced along a continuum; it lingers even well beyond traditional durable solutions of return, local integration, and resettlement. Second, international human rights law necessitates international conventions be negotiated and incorporated into domestic legal systems, affirming 'that all human beings have certain basic human rights, regardless of their legal status',⁸ intended to protect refugees in protracted situations. Despite these international protections, many countries confine refugees in camps, where movements are highly restricted and the provision of necessities such as food, shelter, and clothing are uneven and inadequate.⁹

⁴ A Jagose, 'Queer Theory', in M C Horowitz (ed.), *New Dictionary of the History of Ideas*, vol. 5, Charles Scribner's Sons, New York, 2005, pp. 1980–1985, p. 1980.

⁵ *Ibid.*, p. 1981.

⁶ M F Manalansan IV, 'Queer Intersections: Sexuality and Gender in Migration Studies', *The International Migration Review*, vol. 40, issue 1, 2006, pp. 224–249, p. 224, <https://doi.org/10.1111/j.1747-7379.2006.00009.x>.

⁷ J J Halberstam and J Halberstam, *In a Queer Time and Place: Transgender Bodies, Subcultural Lives*, New York University Press, New York, 2005, p. 2.

⁸ E Ferris, 'Protracted Refugee Situations, Human Rights and Civil Society', in G Loescher, J Milner, E Newman, and G G Troeller (eds.), *Protracted Refugee Situations: Political, Human Rights and Security Implications*, UN University Press, Tokyo, 2008, pp. 85–107, p. 86.

⁹ *Ibid.*, p. 88.

An important distinction between IDPs and refugees is the crossing of an international border.¹⁰ IDPs are therefore rendered under the protection of the very government(s) that may be responsible for their displacement.¹¹ The reliance on nation-states for organising protection therefore presents unique challenges for IDPs who may be disenfranchised by the same government(s) negotiating their rights. International legal instruments, such as those developed by the UN refugee agency, rely on nation-states to formulate domestic directives, which might do more harm than good in the lives of IDPs seeking protection. We draw on the ‘wide-ranging and unmethodical resistance’¹² of queer theory to reimagine PRS by disrupting its temporal parameters and reliance on nation-states. The stories of IDPs in the Philippines show how queering stories of protracted displacement can reveal a fluidity and complexity of experience that should be accounted for in research and policy solutions.

Longing for Home Where the Mangroves Used to Grow

Our project of queering protracted displacement was inspired by the stories of IDPs in the Philippines. Internal displacement in this nation-state is primarily driven by natural disasters, exacerbated by lingering poverty, rapid urbanisation, and armed conflict struggles, contributing to distinct trajectories of (protracted) displacement within the country. The stories emerged from eleven semi-structured interviews, conducted between July and August of 2021, with women and gender diverse individuals who fled from their homes during the Zamboanga City siege that erupted in September 2013. The participants continue to call Zamboanga City home, while also expressing feelings of prolonged displacement, especially the women who were relocated away from their communities, but also the women who could return.

Hyacinth,¹³ who now lives on stilt houses in Masepla where mangroves used to grow, wished for nothing but to return to her first home, even though it has been razed by fire, and could not be reconstructed because it was in an informal settlement. She explained, ‘we were not allowed to go back because we did not

¹⁰ P Orchard, ‘The Contested Origins of Internal Displacement’, *International Journal of Refugee Law*, vol. 28, issue 2, 2016, pp. 210–233, p. 210, <https://doi.org/10.1093/ijrl/cew031>.

¹¹ W Giles, ‘Women Forced to Flee: Refugees and Internally Displaced Persons’, in C Cohn (ed.), *Women and Wars: Toward a conceptual framework*, Polity Press, Cambridge, 2013, pp. 80–101, p. 82.

¹² Jagose, p. 1980.

¹³ All names used in this paper are pseudonyms.

have tagging.¹⁴ We begged for mercy but [they]¹⁵ still did not let us.’ She calls Zamboanga City home because she ‘could not do anything’ and ‘since [we are] here, we will call Zamboanga beautiful.’ Despite being relocated, Hyacinth continues to live a life in prolonged displacement because she yearns for a home in the past, a home she longs to return to.

The imagination of home ‘as being in the present’¹⁶ does not ‘come to an end when people find/build a shelter...it is more related to the extent people regain a sense of home’.¹⁷ Ivy, a former IDP, whose house had been reconstructed, described a lingering feeling of being a *palaboy* (homeless). Returnees such as Camellia also expressed a similar feeling of abandonment: ‘when we returned home, I felt something unexplainable. Some of the members of our family were no longer living here because they transferred to another city, and some of my siblings left. Just like that.’ Camellia, along with others who shared their stories, continue to live in imminent danger following the Zamboanga City siege. Ambrose explained that he is ‘more alert just in case there will be another war,’ and he constantly prays that ‘the tragedy does not happen again in Zamboanga City.’

The Fluidity and Complexity of Displacement

The stories shared by IDPs in the Philippines signal the fluidity and complexity of protracted displacement as a status and identification. Their imagination of home extends beyond its physical and temporal location. They continue to construct an image of themselves in the past, sometimes poignantly when they felt ‘at home’ or in the future in terms of where they see themselves. These narratives are at the heart of our critique of temporally restrictive (exceeding five years) definitions of PRS, which we call to be extended to IDPs. Furthermore, the practice of *tagging* is one example of state mechanisms that exacerbate the vulnerability of IDPs with a tenuous relationship to the nation-state organising their protection. Any consideration of traditional durable solutions of return, local integration, and resettlement, that fails to recognise and account for the fluidity and complexity of displacement does not end forced displacement. Such durable solutions cannot capture the enduring violent and tragic lived realities of displaced persons (within

¹⁴ This refers to IDPs who are eligible for the reconstruction housing project or permanent resettlement project of the City’s Social Welfare and Development (CSWD). IDPs who did not stay in evacuation facilities or were unaware that they had to register with the CSWD were designated as untagged.

¹⁵ Refers to the local government unit in Zamboanga City.

¹⁶ L E Perez Murcia, “‘Physically Sheltered but Existentially Homeless’: Losing Home in the Aftermath of Conflict and Displacement’, *Migration Studies*, vol. 9, issue 3, 2020, pp. 1361–1379, p. 1364, <https://doi.org/10.1093/migration/mnaa020>.

¹⁷ *Ibid.*, p. 1364.

and outside of national borders) and their agency in coping with their experiences and rebuilding their lives.

Queering protracted displacement permits a broader and more complex enactment of identities, behaviours, and practices, including the lived experience and imagination of home. Just as the participants in the study, displaced persons occupy diverse social locations based on gender, sexuality, class, ethnicity, religion, and age. The combination of these markers can inform their experiences and inform possible solutions. By queering displacement, we are encouraging a rethinking of displacement as a continuum, but we are careful not to claim that IDPs are always in exile and/or in need of rescue. Additionally, we call attention to the reliance of international conventions and bodies on a nation-state framework and state mechanisms to categorise and organise protection.

In this brief interjection in an important and timely special issue, we propose a queer imagination of protection that rejects false dichotomies and hierarchies and embraces unruly and unstable identifications. We seek a reimagination of PRS that draws parallels between displaced persons who may or may not have crossed an international border, thus rendering IDPs' conditions of prolonged displacement, and their experiences of harm and violence, legible under the human rights framework. This reimagination would also make room for considerations of agency and resistance of displaced persons and the varied roles, activities, and potential of non-state actors in organising protection. Further research on prolonged displacement and designing of durable solutions should consider the messiness of categories and its material effects on those excluded.

Romeo Joe Quintero is completing his MA in Women's and Gender Studies at Carleton University. His research explores forced migration in urban areas of the southern Philippines. Email: romeojoequintero@cmail.carleton.ca

Amrita Hari is an Associate Professor and Director of the Feminist Institute of Social Transformation at Carleton University. Her research interests lie around questions of global labour migrations, diasporic formations, and citizenship. Email: amritahari@cunet.carleton.ca

CAER: Co-creating a Collaborative Documentary about the Lives and Rights of Trans Latinx People Working in the Sex Industry in Queens, NYC

Nicola Mai and Liaam Winslet

Suggested citation: N Mai and L Winslet, 'CAER: Co-creating a Collaborative Documentary about the Lives and Rights of Trans Latinx People Working in the Sex Industry in Queens, NYC', *Anti-Trafficking Review*, issue 19, 2022, pp. 130-133, <https://doi.org/10.14197/atr.2012221910>

Between October 2016 and December 2020, the SEXHUM (Sexual Humanitarianism: Migration, Sex Work and Trafficking) research project studied the relationship between migration, sex work, and human trafficking in the global sex industry, analysing migrants' own understanding and experiences of agency and exploitation. The project was characterised by collaboration with (migrant) sex workers' rights associations directly affected by the social phenomena studied in order to amplify their understandings and experiences. In this sense, the project challenged outsider views on the complex interplay between migration, sex work, exploitation, agency, and trafficking by focusing on the perspectives of migrant sex workers about how anti-trafficking and other humanitarian policies and interventions impact their lives and rights. SEXHUM builds on the concept of 'sexual humanitarianism',¹ referring to the ways in which humanitarian concerns, policies, and interventions about migrant groups and individuals constructed and targeted as vulnerable in relation to their sexual behaviour often legitimise harmful anti-sex work and immigration initiatives. SEXHUM studied the impact of sexual humanitarianism in eight strategic urban settings in Australia (Melbourne and Sydney), France (Marseille and Paris), Aotearoa New Zealand (Auckland and Wellington), and the United States (New York and Los Angeles) that are characterised by different policies on migration, sex work (criminalisation, regulation, decriminalisation), and human trafficking.

¹ N Mai, *Mobile Orientations: An Intimate Autoethnography of Migration, Sex Work and Humanitarian Borders*, Chicago University Press, Chicago, 2018.

At the core of the project was a qualitative methodology based on long-term ethnographic observation allowing for a meaningful relationship to emerge between researchers and research participants, which formed the ethical precondition for the collection and analysis of emic data through qualitative interviews and collaborative ethnographic filmmaking. The inclusion of collaborative filmmaking as a key method was inspired by Jean Rouch's ethnofictions,² which involved research subjects as active producers and performers of their own interpretations, transcending established distinctions between fiction and non-fiction, participation and observation, as well as knowledge and emotions within conventional documentary filmmaking.

The film component of SEXHUM focused on the production of two collaborative ethnofictions in France and the United States, because these were the two most criminalised national project contexts, and because in both countries an organisation of migrant sex workers decided to become involved in the process of co-creative and collaborative filmmaking in the context of long-term fieldwork. The two SEXHUM films emerged from the collaborative writing of fictional characters and stories as a strategic way of expressing and analysing migrant sex workers' individual and collective understandings and experiences of agency and exploitation. They were devised, produced, and edited in collaboration and co-creation with associations representing immigrant sex worker communities, some of whose members also played the roles and stories they wrote.

In the United States, SEXHUM produced *CAER*,³ a 61-minute ethnofiction resulting from the collaboration between Nicola Mai, the project's lead researcher, and the Colectivo Intercultural TRANSgrediendo (TRANSgrediendo Intercultural Collective), a grassroots association that advocates for the rights of migrant Latinx trans people in Queens, New York. The Colectivo decided to collaborate after the initial presentation of the idea to make the film following several months of fieldwork by the research team in New York, led by local researcher Heidi Hoefinger and supported by project PI and film director Nicola Mai. The reasons for the Colectivo's participation are best expressed in Liaam Winslet's own words: 'at the Colectivo we have always believed that the stories, the struggle, and the resistance need to be narrated by us, with us, and for us. Civil society should see in all its great complexity the reality we face as Latinxs, migrants, and sex workers in a country like the United States, where claiming our rights, our existence puts us at high risk.'

² J Rouch, *Ciné-Ethnography*, University of Minnesota Press, Minneapolis, 2003.

³ For more information, see the film website <https://caer-film.org>. *CAER* is available on demand for general viewing here: <https://vimeo.com/ondemand/caercaughten>. For academic screenings, the film is available on the Kanopy.com platform: <https://www.kanopy.com/en/product/12168699>.

The co-creation process was carried out through the organisation of about ten collective creative writing workshops at the Colectivo's facilities in Queens during the fall of 2018 and spring of 2019, resulting in the writing of the film's script. The foundational questions that guided this phase of the co-creation process were: if we were to make a film about the lives of the trans Latinx community in Queens, who would the protagonists be? What would they do? What would happen? Why?

As a result of this collaborative and co-creative process, the fictional story that forms the core of *CAER* shows the two protagonists, Rosa and Paloma, as they fight transphobic violence and police persecution, and defend their trafficking cases by applying for humanitarian protection (T-visa) in an increasingly anti-immigrant political environment in the United States. But the fictional story of Rosa and Paloma is only part of the film, which shows members of the Colectivo, including some of the actresses, fighting for their rights and lives through public demonstrations, while expressing their identities in a positive way during a drag show that allows them to counter their marginalisation and stigmatisation. The film also includes several documentary scenes during which members of the Colectivo discuss important issues concerning the trans Latinx community in Queens, such as police persecution, the difference between sex work and human trafficking, and the lack of employment alternatives to sex work.

The film was shot in September 2019 and edited in accordance with the collaborative scenario between November 2019 and October 2020, including an intermediate collective feedback session in January 2020, during which we discussed changes and improvements. During the final editing phase, the fictional story and documentary sections were framed within selected excerpts from the

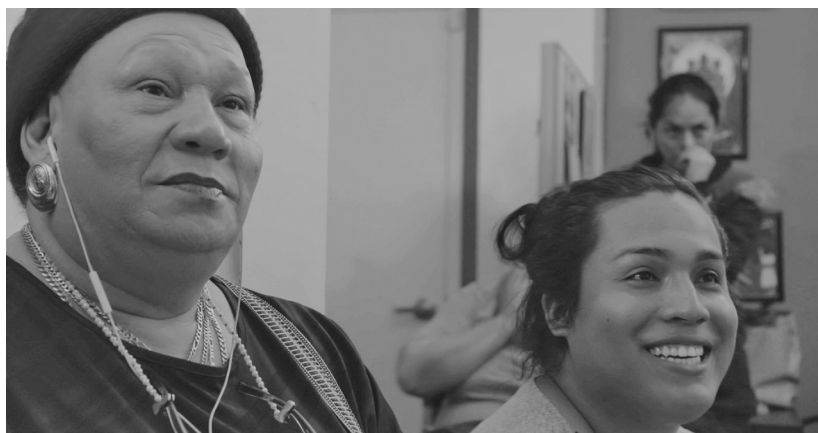


Image 1: Still from *CAER*: Lorena Borjas and Liaam Winslet watching the first version of the film during a co-creative editing feedback session.

filmed editing feedback session in order to include discussion among Colectivo members about their collaboration in the filmmaking process and the story and characters they wrote in relation to their personal and collective experiences.

CAER is first and foremost a tribute to the work and legacy of Lorena Borjas, the mother of Latinx trans women living in Queens and founder of the Colectivo Intercultural TRANSgrediendo. Lorena was one of the first victims of COVID-19 in New York and passed away on 30 March 2020. It is to Lorena and her empowering legacy that the film is dedicated.

Our film was screened at several international film festivals, where it was praised for having presented, amplified, and celebrated the realities and voices of trans Latinx people. It was a key and strategic part of the broader research project framing it because the findings, publications, and films resulting from SEXHUM all aimed to ensure that the communities and individuals directly concerned owned the terms of their representations across the project's outputs and dissemination activities. SEXHUM's overall outputs and findings highlight the strategic role of sex-gendering and racialisation in the sexual humanitarian targeting, control, and bordering of migrant groups, while excluding non-cis migrants from humanitarian and legal protection.⁴ More specifically, *CAER* and the other project publications and findings in the US underline the great complexity in which trans Latinx migrants working in the sex industry find themselves fighting for their lives and rights. They do so by highlighting the danger of extending sexual humanitarian bordering and repression to trans Latinx migrant sex workers, while also emphasising the need for more resources and services tailored to their specific experiences, particularly when they are designed with a health or legal focus and run by trans community members, as is the case with the Colectivo.⁵

Nicola Mai is Professor of Criminology at the School of Criminology, University of Leicester, United Kingdom. Email: nick.mai@leicester.ac.uk

Liaam Winslet is the Executive Director of the Colectivo Intercultural TRANSgrediendo. Email: contact@ourvoicesarefree.org

⁴ N Mai *et al.*, 'Migration, Sex Work and Trafficking: The Racialized Bordering Politics of Sexual Humanitarianism', *Ethnic and Racial Studies*, vol. 44, issue 9, 2021, pp. 1607–1628, <https://doi.org/10.1080/01419870.2021.1892790>.

⁵ A Fehrenbacher *et al.*, 'Transgender People and Human Trafficking: Intersectional Exclusion of Transgender Migrants and People of Color from Anti-trafficking Protection in the United States', *Journal of Human Trafficking*, vol. 6, issue 2, 2020, pp. 82–194, <https://doi.org/10.1080/23322705.2020.1690116>.

Queerness, Sex Work, and Refugee Status in Nairobi: A conversation with Queer Sex Workers Initiative for Refugees

Subha Wijesiriwardena

Suggested citation: S Wijesiriwardena, 'Queerness, Sex Work, and Refugee Status in Nairobi: A conversation with Queer Sex Workers Initiative for Refugees', *Anti-Trafficking Review*, issue 19, 2022, pp. 134-140, <https://doi.org/10.14197/atr.2012221911>

I interviewed Bwaggu Mark from the Queer Sex Workers Initiative for Refugees in June 2022. That month was the deadline by which the Kenyan government was going to close two of the biggest camps for refugees: Dadaab and Kakuma. These declarations, made in 2021, were a follow-up to previous attempts to close refugee camps, including in 2017, which was blocked by a court.¹

At that time, the office of the United Nations High Commissioner for Refugees (UNHCR) was given two weeks by the government to come up with a 'roadmap' for the closure of the camps and the care of refugees. The government noted 'We are serious about completing the repatriation program which we started in 2016, in full view of our international obligations and our domestic responsibility'.²

The term 'repatriation' signals, at least in part, what can be expected of the Kenyan government's approach to the management of refugees and the closure of camps: sending people back to where they came from. While 'voluntary repatriation' can be considered as a more humane solution than most others, this should not be the basis for coercing or forcing people to return to circumstances they decided to flee. Unfortunately, governments continue to interpret 'voluntary repatriation' in overly expansive ways through the introduction of concepts such as 'preventative protection' and 'safe return', which can ultimately result in stricter control of

¹ No author, 'Kenya says Dadaab, Kakuma refugee camps to close next year', *Al Jazeera*, 29 April 2021, retrieved 18 July 2022, <https://www.aljazeera.com/news/2021/4/29/kenya-says-dadaab-kakuma-refugee-camps-to-close-next-year>.

² *Ibid.*

borders and labour policy, with harmful impact on refugees and migrants.³

Human Rights Watch and other organisations have warned that closing camps won't solve Kenya's 'refugee problem', and stated that 'governments should protect refugees, not send them back to dangerous conditions'.⁴

In November 2021, the Kenyan President signed into law *The Refugees Act*, a new set of policies which would allow refugees to work legally, and this came into force in February 2022. This advancement was hard-fought but the Act still contains caveats by which significant structural barriers remain for many refugees seeking labour opportunities. For example, the law requires proof of qualifications and a refugee can seek work only in the area for which they are qualified. However, many refugees may not have such documents, as they often flee conflict and violence, and the processes to acquire them in Kenya may be lengthy.

This brief overview paints a partial picture of the context for refugees and migrants in East Africa, especially those entering Kenya. In addition, one must take into consideration the violence and discrimination against lesbian, gay, bisexual, trans, intersex (LGBTI) and other sexual and gender diverse persons in Kenyan refugee camps, such as Kakuma, which has in the past included physical attacks on LGBTI+ refugees resulting in several being hospitalised with burns.⁵

The interview has been edited for clarity.

Subha Wijesiriwardena: Can you tell me about the history of your group? How did it come to be formed?

Bwaggu Mark: Some of us are asylum-seekers from Uganda. The laws, as an asylum-seeker, mean that you can't work. Work is legally forbidden. So the only option many of us have is to take on sex work. Sex work is a means to secure livelihood and some of us could see that there was no initiative in place for people like us.

³ B S Chimni, 'The Meaning of Words and the Role of UNHCR in Voluntary Repatriation', *International Journal of Refugee Law*, vol. 5, issue 3, 1993, pp. 442-460, <https://doi.org/10.1093/ijrl/5.3.442>.

⁴ B Frelick, 'Closing Camps Won't Solve Kenya's Refugee Problem', Human Rights Watch, 13 April 2021, <https://www.hrw.org/news/2021/04/13/closing-camps-wont-solve-kenyas-refugee-problem>.

⁵ N Bhalla, 'LGBT+ refugees call on U.N. for safe space after Kenya camp attacks', *Reuters*, 5 March 2021, <https://www.reuters.com/article/us-kenya-lgbt-refugees-trfn-idUSKBN2AX1T3>.

SW: Is it mostly people who have migrated from Uganda in your group? Are there folks from other places?

BM: There are people from other places as well. We have Sudanese, Congolese...

SW: Where are you located? Are you in Nairobi? Do you have a physical space?

BM: Yes, we have an office in Nairobi, which we also use as a safe house.

SW: Can you explain about migration and the asylum-seeking process? What are the various stages? I think many people don't fully understand all the stages in the process... it's complicated, no?

BM: First, you have to go to the Refugee Affairs Services (when you reach Kenya), it registers every asylum-seeker coming to the country. There you receive an 'asylum-seeker pass', and this verifies your presence in Kenya. With this, you can go to UNHCR and there's a transit period. After this, you are taken to a camp. In a camp, there is shelter, there is some food. Then you are given refugee status, after some time.

SW: This is the formal process, the typical process. But obviously, there are people who do it in other ways, right? Because people want to be able to have better access to livelihood, etc. There are those who don't want to be at a camp.

BM: Yes, exactly. Some of us came straight to Nairobi.

SW: What is that whole experience like for queer refugees?

BM: There is a lot of discrimination. You know, when you come here, you expect to find some people who are welcoming, that they might understand that we are people who are leaving our own countries for a reason. But unfortunately, the first people who you experience when you enter this country, as a refugee, the government officials, are discriminatory, and they judge us for being queer. They tell us, 'this is not the African way, this is not our culture, why do you have to be like this?'

In this case, many people have the experience that those at UNHCR are not like... we get some acceptance with UNHCR. They work on our issues, so they are not judgmental.

SW: So your first experience upon crossing a border is that of discrimination and stigma.

BM: Yes.

SW: What are some of the reasons why queer people leave, and what are some of their expectations from a new place?

BM: I believe across East Africa, norms and societies are similar. We have had very similar political processes to establish legal norms and systems. They are very anti-LGBT. If you are queer, it's a no, no, no. You are not supposed to be queer. You are an outcast. In many cases, your entire community is going to go after you. So what do you do? You leave.

The only people who may protect you are the ones who are like you. The ones who are 'different'. It is the same in Tanzania, in Rwanda, in South Sudan. This seems to be the basic.

SW: What are some of the hopes you left with, what did you expect?

BM: You know... really, you expect nothing. You just don't know. Some of us, we left with nothing. You leave without knowing where you are going. You just maybe expect a place to sleep, and a place to be recognised as a person.

You know, in Kenya, you think, it can't be that bad. We think there may be some understanding, somewhere. We know it's not that much better here (in Kenya); we know we still have to hide. We know many people are still against it. But maybe, we think it will be better. Someone somewhere will understand, you think.

SW: What is the draw of Kenya? What is in the imagination, for people like you, before you left, about Kenya?

BM: I can only speak for myself, why I came to Nairobi. You hear about Nairobi in Uganda, that's what you hear about—Nairobi, Kenya. Other places—no. They're very hard places. There's some talk about Nairobi. The place I had in mind—it was a place I could try. I thought, let me see. Let me go and try. That's all you have.

SW: So how do you reconcile the actual situation in Kenya? As we know, many LGBTIQ people are still fighting for recognition and advances in rights in Kenya. You're also in a unique position, you're a sex worker, you're not a citizen, the Kenyan state doesn't feel like it owes you anything. You're impacted by several sets of laws, but also all these different norms. How does this impact you, when there's criminalization of migration, sex work, and of same-sex sexual conduct?

BM: It's a lot. Yes, it's certainly a lot and very hard to take sometimes. But you live to fight another day, you know?

You come as a refugee, you don't even know the language, but you come to be queer. And then, you came to be queer, and now you're a sex worker. This is not very sweet to their ears.

We get cases of rape, kidnap, none of which we can report, because how can I go to the police, and say I am queer, or I am trans? They will say, who raped you? Am I to say, a man raped me? They will say, are you even serious, you are what we don't want in our community.

This seems like basic stuff, you need protection, and that is the police. But if you don't have the police, then what do you have? And then if health service providers don't do what they have to do, then what? Where do we get condoms, or PrEP or PEP? If we can't get them from the facilities where we are supposed to get them, then where do we go?

You are living in fear, always worried. You have to be sure never to annoy someone or draw any attention. So this impacts being able to have a life.

SW: And also, as you said right at the start, you are registered on a single system, everyone is in the system. They have the information on you at any time. People would be scared to be caught violating the terms of their asylum...

BM: Yes, you're right. Once you're registered in this system as an asylum-seeker, you need to be very careful. Before you become a refugee, you're an asylum-seeker, and you need to be on good behaviour. Every time you are arrested, you're noted in their books. We are always made aware of this.

SW: Is there a fear of being sent back?

BM: There is always an 'if'... and that's enough to keep us on 'good behaviour'. I have personally never come across a case where someone we know has been sent back. Of course, it helps that UNHCR is there to help these kinds of cases.

SW: There are incredible obstacles to the kind of work you're doing; could you talk a little about the challenges of organising and providing services? How do you operate in this highly restrictive environment?

BM: First, you can't register an organisation like ours. You are not legally allowed to start an initiative like this, because they see this discussion as not being allowed in this country. You know, typically we would need to register to receive grants and funds from outside the country. But we can't do that. So it becomes very complicated. We need to show exactly how we'll be using the funds and so on. We have to work with fiscal sponsors, other organisations.

SW: What other kinds of organisations have you received support from in your work?

BM: It is mostly other organisations here who work for LGBTI rights. Fortunately, some of these organisations include sex workers, so they understand the situation.

SW: Are LGBTI groups mostly supportive of sex work-related issues, in your experience? And what are they like on refugee issues?

BM: You won't be surprised to hear that there is discrimination of sex workers within the LGBTI movement as well. But mostly we've had support. Even if they don't agree, they understand.

SW: And you are bringing a migrant and refugee-rights lens to LGBTI groups too, I assume?

BM: Yes, we are trying to help other organisations understand these issues better. Many local LGBTI groups also give migrants and refugees work in their organisations, and this is a great support for those people, since you are not allowed to work in some cases. So in this way they are helpful and they are learning about the issues.

SW: What about the sex workers movement, do you work with them?

BM: We mostly work with other LGBTI groups. We work with some international sex worker rights groups. But in the national context, it makes the most sense for us to work on LGBTI issues. Sex work is simply our livelihood at this moment. But I admit there is a gap between us and the broader Kenyan sex workers movement. Maybe this is something we need to address.

We know that sex workers movements face huge challenges, often they have no funding. No one wants to fund sex work-related work. Donors need to support sex worker rights groups. So when resources are scarce, it is hard for different groups to work together. Maybe this is a problem as well.

SW: What kind of work do you do, outside of service provision?

BM: We do advocacy, here nationally with the Kenyan government, we do direct action, like protests and other things. We join global advocacy efforts too, sometimes with international sex worker rights groups. We do arts-based programmes and psychosocial programmes, which are very necessary for our community.

SW: Is there anything else you want to say to other movements around the world?

BM: We are the same. We have to work together. We are working against the same enemy. We have to come together under an umbrella. We need more solidarity because we need more visible movements here on the African continent. We need LGBTI movements and sex workers movements here to be supported to become more visible and to be heard.

Subha Wijesiriwardena is a Manager of Programs at CREA, a global feminist human rights organisation led by feminists in the Global South. CREA is dedicated to amplifying and working with movements who have historically been excluded from mainstream feminist organising, namely, movements led by sex workers, LGBTI people, and women and people with disabilities. Subha holds a degree in Communication Studies from the University of Bangalore and has worked as an activist and a researcher on gender, sexuality, and digital rights in Sri Lanka and South Asia. Email: subha@creaworld.org

ANTI-TRAFFICKING REVIEW

Guidelines for Contributors

We welcome submissions from a diverse range of actors, including academics, practitioners, trafficked persons and advocates. The *Anti-Trafficking Review* particularly welcomes contributions from those with direct experiences and insights to share.

The *Anti-Trafficking Review* is aimed at a wide readership. It therefore encourages submissions that are in clear, jargon-free English with appropriate but not excessive citation.

Articles should be previously unpublished and should not be under consideration for publication elsewhere. All articles go through a rigorous double-blind peer review process.

Please refer to the journal's website (www.antitraffickingreview.org) for the journal's full style guide and guidelines for contributors.



GLOBAL ALLIANCE AGAINST TRAFFIC IN WOMEN
P.O. Box 36, Bangkok Noi Post Office
10700 Bangkok, Thailand
Website: www.antitraffickingreview.org

anti trafficking review

The Anti-Trafficking Review promotes a human rights-based approach to anti-trafficking. It explores trafficking in its broader context including gender analyses and intersections with labour and migrant rights. It offers an outlet and space for dialogue between academics, practitioners, trafficked persons and advocates seeking to communicate new ideas and findings to those working for and with trafficked persons.



Global Alliance Against Traffic in Women

www.antitraffickingreview.org