

**WOMEN'S BODY AND SOCIAL MOBILITY: IMPACTS ON MIGRATION
AND WOMEN'S TRAFFICKING**

*O CORPO DA MULHER E A MOBILIDADE SOCIAL: IMPACTOS NAS MIGRAÇÕES E TRÁFICO DE
MULHERES*

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RESUMO

No decorrer da História da humanidade, as sociedades se acostumaram a vigiar, limitar, educar, tutelar e punir o corpo da mulher como se o ser humano feminino fosse incapaz de gerenciar sua individualidade e autonomia. A educação das subjetividades geralmente é conectada com o regime político dos Estados; contudo, em relação ao gênero feminino, além do próprio Estado, a sociedade da qual se é parte personifica o inquisidor do modo de ser e estar da mulher socialmente. Essa dinâmica social acaba perdendo intensidade em países democráticos, pois são territórios que permitem o cunho e debates quanto aos direitos fundamentais, que incluem temas sensíveis ao tecido social. O presente artigo analisou a mobilidade social do gênero feminino a partir da metade do século XX, o fenômeno do tráfico de mulheres e as migrações que podem levar a esse tipo de tráfico. Para tanto, o estudo valeu-se da revisão bibliográfica no campo das ciências humanas, sociais e jurídicas.

Palavras-Chave: Mobilidade Social das Mulheres. Migrações. Tráfico de Mulheres.

ABSTRACT

Throughout the History of humanity, the societies have become accustomed to guarding, limiting, educating, protecting, and punishing the woman's body as if the female human being was incapable of managing her individuality and autonomy. The education of subjectivities is usually connected with the political regime of the States, however, in relation to the feminine gender, besides the State itself, the society of which it is a part personifies the inquisitor of the way of being of the woman socially. This social dynamic ends up losing intensity in democratic countries, because these are territories that allow the construction and debate of fundamental rights, which include sensitive themes of social skin. The present article analyzed the social mobility of women from the middle of the twentieth century, the phenomenon of trafficking in women and the migrations that can lead to this type of trafficking. To do so, the study was based on a bibliographical review in the field of human, social and legal sciences.

KEYWORDS: Social Mobility of Women. Migrations. Traffic of Women.

1 INTRODUCTION

The education of the body and of subjectivities is tied to the political regime adopted by a State and to what is expected by the social imaginary in relation to a person, as if we were fated to a certain destiny. The flexibility in the formal and non-formal body education of a society works as a tension spring shrunk or extended in its values, paradigms, and concepts.

In a democracy, symbolic power gives way to criticism and questioning, enabling its citizens to enjoy civic life and express their desires freely, respecting rules of coexistence and receiving respect for who they are.

The sedimented roots of patriarchy still hinder women's mobility in public life in line with their wishes, because cultural and social customs persist, which inform that the social place of women is determined by nature and not a secular construction of female inferiority in relation to the male, as expressed in Bourdieu's teachings.

In history, which is also a history of the guardianship of bodies, women were and still are associated with domestic chores and, exceptionally, with public spaces, a paradigm that has been deconstructed since the mid-20th century.

The focus of the study is on the social morality about the female body that impacts the mobility of women in society and reflects in female migrations and consequently in the trafficking of women.

2 THE WOMAN AND THE SOCIAL MOBILITY

Rubin (2017) proposes a reflection in his literature about women on the question of the nature and genesis of their oppression and social subordination, considering that the causes of their oppression constitute the basis of what must be changed to make possible a society without gender hierarchy in at least respectful coexistence.

History shows that generally the oppression of women stems from aggression and male domination, innate and intergenerational. Anthropology, starting in the United States, since the 1970s, has questioned the universality of the oppression of women, concluding that inequality is not natural and ends up appearing in close connection with the control of female sexuality and the institution of the heterosexual ideal¹.

This invisible power is the symbolic power and refers to the basis of patriarchy², still strongly rooted or sedimented in contemporary societies. It is an unseen and silent power, which Bourdieu's thought discusses about situations in which this power is ignored, as in the following quote:

[...] o poder simbólico é, com efeito, esse poder invisível o qual só pode ser exercido com a cumplicidade daqueles que não querem saber que lhe estão sujeitos ou mesmo que o exercem (BOURDIEU, 1989, p. 7-8).

Over time, a symbology was inscribed in societies for the unanimous and long-lasting permissiveness of the concept of public space for men and, on the contrary, the belief in female fragility was reinforced. According to the teachings of the authors visited, in any of the historical periods of humanity, under the most varied justifications. Symbolic power is a power to construct reality that

¹ A filósofa política estadunidense Carole Pateman constatou que os homens exercem o direito de acesso regular aos corpos das mulheres historicamente pela instituição familiar (PATEMAN, 1993).

² Segundo Saffioti (2015, p. 57), o Patriarcado é uma forma de expressão do poder político que não se refere ao mundo público, mas suas hierarquias e sua estrutura de poder contaminam toda a sociedade.

tends to establish a gnosiological order in relation to the world (BOURDIEU, 1989, p. 9).

For the same author, male domination is a particular form of symbolic violence, comprising the power that demonstrates meanings, imposing them as legitimate, in order to conceal the power relations that sustain the power itself, the established order, with its relations of domination, its rights and its immunities, its privileges and injustices (Ibidem, p. 2-3).

The Bourdieuan logic explains that the cause of this is that the social world constructs a sexed reality, with sexualizing divisions of public space, making the biological difference between the anatomies of male and female sex organs as naturally explicable justifications of the social difference produced between genders, reaching the relations of female social mobility (BOURDIEU, 2002, p. 3 and passim).

Considerations of the differences between men and women as inherent to nature, according to Bourdieu's teachings, were socially constructed over time and space, and the choices guided by the owners of social power accentuated differences and shaded similarities. According to Beauvoir (2009), the biological differences between genders served as a mistaken foundation for the confinement of women in their homes, preventing them from actively participating in public life.

In this sense, women have been excluded from democratic participation in the construction of Western, modern, and postmodern societies. Today, we are still in a Western society built on gender inequality, where public spaces were built with the cultural predominance of the masculine in the discourse.

Certainly, several social paradigms in relation to the social space that women can occupy have been deconstructed, especially since the middle of the 20th century, with the movement of feminist organizations and the conquests in the matter of human rights in the text of the United Nations Charter of 1945³, which triggered other ruptures that followed in the legal area in the wake of international treaties and in the internal legal systems in relation to fundamental rights.

³ A diplomata brasileira Bertha Lutz esteve entre as poucas mulheres presentes na cerimônia de assinatura do documento fundador das Nações Unidas, em San Francisco, nos Estados Unidos, no ano de 1945. Ela foi uma das responsáveis por constar a palavra “mulher” nesse tratado internacional, texto que menciona a igualdade entre homens e mulheres (OLIVEIRA, 2020).

3 THE MIGRATION AND THE TRAFFICKING IN WOMEN FOR PROSTITUTION AND FORCED LABOR

Trafficking in women has been present on the international scene since the mid-nineteenth century, linked to the idea of trading women for sexual exploitation. These common sense notions of commodifying sex have been formulated over time and persist today, with damaging consequences mainly for poor communities around the globe and implications in terms of race and gender.

According to Kempadoo (2005), international treaties have dealt with this problem since the end of the 19th century and the beginning of the 20th century, when women migrant workers appeared on the international scene. The creation of the League of Nations, in 1919, initially dealt with this reality, and was a precursor to the United Nations Treaty for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, of 1949.

The same author teaches that trafficking was engendered by the migration of single women abroad and their capture and enslavement for prostitution in foreign lands. The paradigm of the existence of a moral society underlying Christianity, along with the politics of the abolitionism of black slavery and the women's suffrage movement in Europe and the United States, helped form the concept of "human trafficking".

Middle-class Euro-American Western feminist pressures combating the prostitution of white women gave rise to a radical current of social relations that prioritizes gender relations. This perspective links trafficking exclusively to prostitution, seen in turn as the worst form of patriarchal oppression and the most intense form of victimization of women (KEMPADOO, 2005, p. 57).

The central premise of this feminist current states that prostitution is "sexual harassment, abuse, and violence," and women collectively are victims of sexist ideas. It further believes that the global sex industry forces women into prostitution by holding them in sexual slavery, violating their rights and bodily integrity. This current assumes that women never freely enter into sexual relations out of a feeling of "love" or autonomous sexual desire, considering that they are trafficked and forced into prostitution through the exercise of power and control that men can exert over their lives and bodies.

From the point of view of this feminist current, the so-called patriarchal institutions (family, marriage, and prostitution) can be defined as violence, rape, and abuse towards women, because those who participate in these institutions

are deceived by male power and social privilege, and universal female liberation can occur through the abolition of these institutions that sustain patriarchy (Ibid., p. 58)⁴.

The same author teaches that the perspective of "female sexual slavery" is historically linked to Western Europe and North America, and to the middle-class women's reform movements that originated in that part of the world. This feminist position against prostitution imposes a particular bourgeois and imperialist logic on early campaigns against trafficking, and can still be found in the contemporary women's movement in the United States, some of which aligns with conservative Christian ideologies and political agendas.

The approach to the theme is critical, and the author has named it the third world feminist perspective, which takes trafficking as a discourse and practice emerging from the intersections of state, capitalist, patriarchal, and racialized power relations. Patriarchy is seen as one of the relations of domination that condition women's lives, and not the only one, nor necessarily the main one (KEMPADOO, 2005, p. 60–61).

It is considered that racism, imperialism, and international inequalities also shape women's lives. Moreover, while patriarchy signifies the degradation of femininities across the globe, where women's work and lives are variously conceived in hegemonic discourses as less valuable than those of men and in the service of male sexual interests, and women are often defined and treated by states as second-class citizens or as property of men.

From another perspective, it is understood that they are conceived as acting, self-determined and differently positioned subjects, capable not only of negotiating and agreeing, but also of consciously opposing and transforming power relations, whether these are rooted in the institutions of slavery, prostitution, marriage; in the home or in the labor market. Women's performance and activity can then present itself in a variety of ways, sometimes reinscribing and sometimes contesting sexualized male domination and control, depending on specific historical conditions and cultural contexts.

It is understood, moreover, that this performance can sometimes be linked to strategies for survival or income generation, strategies that involve sexualized energies and body parts, thus comparable to other types of productive work and,

⁴ A francesa Luce Irigaray (2017, p. 193) vai mais além, ao afirmar que “nessa nova matriz da História [nas sociedades que conhecemos], na qual o homem engendra o homem como seu semelhante, a mulher, a filha, a irmã só têm valor enquanto servem como possibilidade de relações entre homens, em benefício deles.” Afirma ainda que o uso e o comércio de mulheres sustentam o “reino” masculino.

as such, defined as "sex work," while taking care to analyze sexual economic activities, duly contextualized and historicized. In any case, taking into consideration that acting and sex work, involvement in sex industry and sex work abroad appear as possibilities that women voluntarily or consciously engage in, according to specific cultural, national or international parameters. Segundo Lagarde y de los Ríos (2011, p. 565):

la prostituta es la mujer social y culturalmente estructurada em torno a su cuerpo erótico, em torno a la transgresión. Em um nível ideológico-simbólico, em esse cuerpo no existe la maternidade. La prostituta como grupo social disocia em su cuerpo la articulación entre los elementos básicos de la unidad genérica, de la condición femenina. La prostituta concreta la escisión de la sexualidade femenina entre erotismo y procreación, entre erotismo y maternidade, fundamentos sociales y culturales de signo positivo del género femenino.

It is worth noting that the Mexican author considers both prostitution and motherhood to be some of the "bondages of women," holding that the condition of women in general is structured on two axes: their sexuality and their relationship with power (LAGARDE Y DE LOS RÍOS, 2011, p. 64).

Legardinier (2009), in his understanding, notes that "it is common to try to explain prostitution on the basis of prostituted persons, the visible tip of the iceberg," asserting that it "is first and foremost a profitable organization, national and international, of sexual exploitation of the other" (p. 198).

The same author understands that

a análise feminista considera a prostituição a situação mais extrema relação de poder entre as categorias de sexo. Transformadas em objetos e então sujeitas à violência, as mulheres são coisificadas em prol da sexualidade irresponsável dos homens (LEGARDINIER, 2009, p. 198).

Thus, rather than defining prostitution itself as an inherent violence against women, it is the living and working conditions in which women may find themselves in sex work, and the violence and terror that surround this work in an informal or underground sector that is violative of women's rights, therefore, considered trafficking (ibid., p. 63–65).

The massification of the construction that women are placed in the social place of the fragile sex, in the non-equality between men and women in societies, was studied by Castilho (2008), two years after the creation of Law

11340 of 2006 (Lei Maria da Penha), in the discourse of judicial decisions in which women were victims. The author's considerations indicate that the judicial decisions demonstrated the subsistence of the conception of the woman as the fragile sex, of her traditional role in the family context and with regard to prostitution; in this social construction, it is inadmissible for a woman to exercise prostitution of her own free will; however, at the same time, the sentences show that there was not much concern with the "woman" subject, the reasons that led her to prostitute herself.

The way that this woman is, in a certain way, serves to reprove with more rigor the conduct of the accused; And even though sex work is not a crime, it produces the same social stigmatization reserved for criminals, since the judge, when sentencing these cases, ends up confirming the idea of the social imaginary that poor women with little education are the ones who serve the sex market, basing the solution of the problem on the improvement of education, employment, and health conditions, that is, the problem is solved by applying public policies that grant these subjects the fundamental rights listed (CASTILHO, 2008, p. 120–122). 120–122).

In this context, Schettini (2011) discusses the ideas of the American feminist Emma Goldman⁵, who discussed the causes of prostitution, trafficking, the gigoloage system, police corruption, and moralizing laws; however, she did not confuse the knowledge produced about prostitutes at that time, full of prejudice and moralism with the experience of working-class women who practiced prostitution.

In the author's teachings, Goldman reinterprets this reality in the light of her libertarian thought, attributing the trade in women to the economic causes associated with urbanization, immigration, and industrialization, adding the social inferiority of female workers. He exemplifies this with the question of the domestic worker, who never has a right over herself, and with the sexual question, which refers to the state of permanent ignorance in which women were once kept with regard to their nature, their instincts, and their bodies (SCHETTINI, 2011, p. 274).

Schettini (2001) adds that, for Goldman, the issue of prostitution provokes other reflections, such as sexual exploitation compared to the exploitation of the working class, and the "sale of the body" would make it possible to place marriage on the same level as prostitution, since in both cases the treatment

⁵ 5 Emma Goldman (1917)

dispensed to women was that of merchandise. Still, women who engaged in the sex trade were seen as victims and guilty at the same time, and as for the laws in this regard, from the mid-nineteenth century on, there was the regulation of houses of tolerance in several Western countries, criminalizing the figure of the gigolo; however, more victimizing the prostitutes than proposing regulations.

At this point, it is worth raising the question about women's bodies and their social mobility. If a woman's body belongs to herself, and not to the state, nor to her husband and even less to the church, why is it that a woman is not well-liked if she disposes of her own body, working in houses of tolerance?

In this regard, Rubin (2017) raises an interesting point regarding the necessary preconditions for the operation of marriage systems; she reveals the logical structure underlying her analysis of kinship. The social organization of human sexual activity would be doubly anchored in gender and compulsory heterosexuality, since kinship institutes difference, opposition, exacerbating, at the level of culture, the biological differences between the sexes. The protected structure is the family.

The family systems involve the social creation of two dichotomous genders, based on biological sex, causing interdependence between men and women, and the social regulation of sexuality, prescribing or repressing arrangements diverging from heterosexual ones, that is, homosexuality and constructions diverging from that family context, in which the woman is the janitor of the home, of moral and/or religious values, and of the family.

After these considerations, returning to Schettini's (2011) understanding of the trafficking in women, the laws regulating and those that sought the suppression of trafficking were equally harmful, because, put into action, they would go against the victim, leaving her in the hands of the illegal and violent police action, considering that the moral crusades ended up ratifying the actions of the gigolos. Goldman's ideas show disbelief in legal interference in these issues and inform that the solution lies in the humanized treatment of prostitutes and the abolition of industrial slavery (SCHETTINI, 2011, p. 275–277).

Kempadoo (2005), in his understanding of this issue, refers to empirical research on migration, prostitution, and activities in informal sectors, which demonstrates the relevance of the feminist and social justice perspective on trafficking, since it does not occur systematically that women are kidnapped, chained to beds in brothels, and held as sex slaves or slaves to other types of work, considering that what was once defined as a problem of "white slave trade"

is now seen as international labor migration and its exploitation, situations that are beyond the control of states, and that it is a transnationally organized crime, over which there is strong global surveillance and policing.

Globalization, patriarchy, racism, ethnic conflicts, ecological and environmental devastation, and political and religious persecution are phenomena discussed with little emphasis on the hegemonic paradigm of human trafficking. These structural and global problems produce human trafficking and are still analyzed in a disconnected way, which must be deconstructed and fought against (KEMPA- DOO, 2005, p. 68).

Transnational feminists and human rights advocates are concerned about the anti-trafficking framework adopted by the United Nations because it is in line with the economic and neoliberal interests of corporations and national governments, and does not prioritize the interests of the world's working people and poor. These international treaties require states to provide measures to protect and assist trafficked people; however, those involved with trafficked people claim that human rights violations have not diminished with these measures. Trafficked people, even though they are seen as victims by these legislations, have been seen as illegal immigrants or illegal immigrants or criminals, unless they become informants for the police and report the perpetrators.

The growing number of poor immigrants is added to the number of people prosecuted by criminal justice systems, detained or imprisoned for non-violent crimes such as illegal immigration, drug use, and sex work. Victims are liable to deportation back to their home countries and face shame and humiliation, while being exposed to reprisals from traffickers and fear of stigmatization from family and community because they have been involved in sexual activities.

The author reports that her research has indicated that efforts to repress migration bring more negative than positive consequences and are against the interests of migrants, because these people do not want to return to their place of origin, but seek security. Governments' ignorance of the reasons for migration, the needs and desires of people leaving their countries, even if smuggled and/or a vacuum of state power (KEMPADOO, 2005, p. 69-72).

The crime of human trafficking reflects a historically known reality. Going back centuries, one realizes that slavery was a precursor to the crime of human trafficking, as people were displaced into slavery in order to perform functions or activities against their will (GUIA, 2018, p. 17-18).

The same author teaches that trafficking in people does not only affect migrants, since crossing an international border is not a condition for determining the crime; however, it is easy to deceive, trick, and impose force on individuals who are in vulnerable circumstances, as is the case with some voluntary or forced migrants. In the last two decades, the concept of “border” in the European space has suffered transformations to be highlighted at the legal, social, and even the collective imagination level, especially after the implementation of the Schengen⁶ agreement (p. 20).

Beyond these traces, it is important to reflect on images that have been repressed for long years and that permeate most societies, the result of power inequalities. It is not common for an individual coming from the United States of America to be seen as an immigrant, because the image that most of the population sees as a worker with lack of economic resources looking for a better life is of immigrants from underdeveloped or developing countries. Thus, the American will be seen as someone who works in an area of high scientific or economic value, because the collective unconscious more easily conceives that first image of the immigrant in search of better living conditions to an individual coming from a more economically deprived country, and not the other way around.

The exploitation to which victims of human trafficking are forced goes beyond sexual exploitation. According to the author, there are about 21 million victims of human trafficking in the world, and 79% of the known victims are sexually exploited; of this amount, 66% are female, and a high number of these women are black. Thus, this is the most visible form of exploitation; However, it is not the only one (Ibidem, p. 22–23).

For Martínez Quinteiro (2016); the history of the present time marks new frontiers and approaches regarding the trafficking in women that have made it possible for Latin American states, starting with the Convention of Belém do Pará (1994, Brazil) and the Women's Conference in Beijing (1995, China), to begin to implement and expand efforts to eradicate violence against women. Thus, many

⁶ Acordos de Schengen: As fronteiras comuns terrestres com os Estados parte na Convenção de aplicação [do Acordo de Schengen, de 14 de junho de 1985, assinada em Schengen em 19 de junho de 1990, cfr. l. h] artº 3º da mesma lei, os aeroportos, no que diz respeito aos voos exclusiva e diretamente provenientes ou destinados aos territórios dos Estados partes na Convenção de Aplicação, bem como os portos marítimos, no que diz respeito às ligações regulares de navios que efetuam operações de transbordo exclusivamente provenientes ou destinadas a outros portos nos territórios dos Estados partes na Convenção de Aplicação (GUIA, 2018, p. 21).

countries that suffered dictatorships and other traumatic events, such as internal armed conflicts, about 20 years ago, have developed public policies to improve the living conditions of their citizens.

The same author considers that the trafficking of women for the purpose of forced labor and prostitution is considered, along with the trafficking of drugs and weapons, one of the most lucrative illegal businesses in the world, which uses little investment and generates a lot of profit, and by the promise of economic success seduces the people recruited, to whom payment will not necessarily be generated, making the "business" considerably lucrative.

4 THE INTERNATIONAL PALERMO TREATY AND THE REALITIES OF HUMAN TRAFFICKING

The Palermo Protocol refers to the Additional Protocol to the United Nations Convention against Transnational Organized Crime to Prevent, Suppress and Punish Trafficking in People, Especially Women and Children. This international treaty aims to combat the trafficking of individuals between continents to serve as forced laborers, even prostitution, and also to remove organs to be sold on the "black market".

In relation to the American continent, the charms of living abroad attract Latin Americans, even Brazilians, who are deceived into believing in deceitful advertisements of work in economically developed countries. These are veiled and compulsory proposals of sexual exploitation and/or slave labor.

The international treaty in reference was elaborated in 2000 and came into effect in 2003, promulgated in Brazil by Decree No. 5.017, of March 12th, 2004. Article 6 of the Protocol obliges the signatory states to provide measures for the physical, psychological and social recovery of victims of trafficking in people, especially housing, counseling, information, medical and material assistance, as well as employment opportunities, education and training (UN, 2000).

Brazil, in line with the Palermo Protocol, drafted Law No. 13,344 of October 6th, 2016, which provides on prevention and repression of internal and international trafficking in persons and on measures of attention to victims (BRASIL, 2016).

Piscitelli (2016), in her understanding, refers that one issue refers to the forms of governance articulated in the regimes to combat trafficking in people, which affect the forced exchange of people, particularly sex work. The author asks

whether in the course of time since the enactment of the Palermo Protocol (currently about 20 years), what issues are outlined in the analysis of political regimes regarding the interweaving of supranational plans and their effects on sexual and economic exchanges?

Piscitelli (2016) notes that the commodification of people should not be an analytical end, but the starting point for the analysis of social relations marked by gender, by cultural meanings, by social inequalities, and the search for transformations in these aspects. The idea is that globalization, beyond its problematic aspects, offers opportunities to define new modalities of relations, spaces, meanings, and expressions of intimacy that can transform and transgress conventional spaces.

The notion of sexual economies has been formulated and re-elaborated academically in a significant portion of anthropological work. This notion is geared toward the analysis of sexual and economic exchanges involving poor people from the "global South" in general. The limits of this notion can be delineated from studies of various empirical cross-sections that consider sexual and economic exchanges involving members of different social classes and, in particular, white citizens of these classes in the "global North."

At this point, we observe that the countries of the global South, because they are considered developing countries, have the largest number of people who wish to migrate to the countries of the Northern Hemisphere, believing that economically life will be more accessible. This paradigm fosters the imagination of migrants and facilitates the action of recruiters who traffic people for spurious purposes.

In Agustín's (2005) understanding, the forced labor that leads to prostitution can be considered not only "prostitution", but also a diversity of sexual labor, encompassing work performed in brothels, nightclubs, bars, discos, saunas, erotic phone lines, virtual sex over the Internet, massage parlors, escort services, marriage bureaus, hotels, motels, movie theaters, pornographic magazines, pornographic films and videos with scenes of sadomasochistic domination and submission, and commonly prostitution in the streets.

According to the author, the term prostitution, in addition to hiding a diversity of works, also obscures the understanding that a sexual market actually exists, and this diverts attention from what is criminalized, what should be, and what actions States should take in these cases. The crimes are tied to what is offered to fulfill the demand of the various desires of people seeking sexual services. In

the social imaginary, the idea prevails that sex should be exclusively associated with love, and this becomes a hindrance to adequate legal treatment for the vast sex market, as specified.

As to migrant prostitutes, Agustín (2005) understands that, although they may not have originally intended to work in the sex industry, they generally make this conscious option, since many work alternatives abroad are equivalent to not earning enough to support themselves and their families in their country of origin. These people are not the ones who are initially trafficked, but rather those who are in a situation of vulnerability and, therefore, susceptible to being enticed by the gangs that operate in the trafficking in people and, consequently, in the sex market.

Piscitelli (2016), with reference to the spread of regimes to combat human trafficking in various parts of the world, understands that the expansion of these regimes, anchored in a language of protection of human rights, have stimulated actions that contribute to repressing migration and combating prostitution, offering, however, little protection to the people considered victims of this crime. The author considers that many aspects of human trafficking are perceived as collateral damage in terms of individual rights and freedoms, since they do not place the victims at the center of the responses to combat human trafficking.

At this point, it is criticized that the human rights approach alone is ineffective in neutralizing the problematic aspects of trafficking in people that are currently considered collateral damage. These aspects are present in the Palermo Protocol, which, according to the author, demonstrate an apparent tension between fighting crime, irregular migration, and victim protection. Still, she considers that there is a distance between the policy makers who combat this crime and the subjectivities to which they refer.

Piscitelli (2016) believes it is important to consider the generative impact of the Palermo Protocol on the production of regional and local measures to combat human trafficking, since national laws do not have the potential to generate creative or repressive measures against human trafficking, such as broadening the conceptualizations of this trafficking, going beyond the intentions of the drafters of the Palermo Protocol, investigating adoptions outside of ethical parameters, begging, forced involvement of people in criminal activities, use of people in armed conflicts, kidnapping for purposes of extortion or political terrorism, among other actions that could be understood as trafficking in people.

The international treaty, known as the Palermo Protocol, contributed greatly to the visibility of this crime, which begins in one territory and exhausts its results in another, even permanently. The clarification of these criminal actions to societies and the fight against them can occur from the elaboration of national and regional legislations that consider the economic reality of border states to the elaboration of agreements between countries from different continents.

The cultural and economic reality of the States ends up influencing the practice of the crime of human trafficking with the purpose of forcing work and embedding prostitution practices; therefore, the domestic legislation of the States will greatly contribute to the positive actions against this crime, it is important that significant and unique aspects of its population are considered in the legislature against this phenomenon and in the development of public policies.

The aspects to be socially valued by the States involved in the problem of trafficking in people are: the social culture, with its beliefs and values; the human development index; the poverty or wealth index; the annual gross domestic product, among others.

In this way, in addition to the outcry of human rights violations, for example, countries with a patriarchal heritage will be able to count on hardened national legislations regarding violence against women, which will reflect at the other end in the forced and forced migrations, nationally and internationally, of girls and women.

5 FINAL CONSIDERATIONS

The recognition of women's voice in society does not require that men's manifestations be non-existent, but implies sharing the social space, and this requires cession, cooperation, and consequently transformations in the power of patriarchy for the total dissolution of the paradigm of fragility or "natural" inferiority of women before men. The social mobility of women has contributed to the modification of this panorama.

Symbolic violence and male domination still persist in the scenario of societies around the globe, in some more, in others less, despite the tension of each country's social morality. The social mobility of women has broken many paradigms, even in relation to the female body; however, this has not prevented women from being victims of trafficking for forced labor leading to prostitution.

Women have conquered the right to public space; however, not the unanimity of respect for this right.

The crime of human trafficking is considered a human rights violation. This crime of enslaving people and moving them for the purpose of forced labor was once considered a business. Times have passed and cultural changes have taken place. Thus, this dynamic has come to be reviled, just as so many other values have changed. It is certain that this crime does not only affect migrants, but especially individuals in vulnerable situations.

The exploitation to which people are forced goes beyond sexual exploitation, as the victims are exposed to humiliation, prejudice, inadequate and unhealthy places for forced accommodation, precarious health care, and alienation from society, among other effects considered collateral in the legal treatment of human trafficking.

The human rights protection systems, through their international agreements, seek to improve the situation of global vulnerability and to confront the problems that involve violence against women and, consequently, the trafficking of women for the purpose of forced labor and prostitution; however, it is a crime that invades the life of the victim and her family, which raises high capital with little cost to the traffickers, and is hidden from societies by prejudice and illegality.

As it is a complex crime, with direct and indirect victims, committed by gangs of traffickers who work in networks, sometimes depersonified, it is necessary that public policies work hard on prevention, with clarifications about the approach of the recruiters to the victims; that they involve education as training; that they promote the efficiency of the inspection agencies of the companies that transport people; and, on the other end, that they count on public security and justice equipped and prepared both to break the trafficking attempt and to investigate and apply punishments.

For effective policymaking to be possible in this context, there is a need for states to address the discrepancies and subtleties of these crimes in their national legislation, considering the context of their societies, and even adopting measures between land border states that have bridges through ports and airports.

It is important that there is a groundwork based on the subjectivities of these individuals, such as, for example, a historical-social rescue and the meaning of the role of human rights education in this same context, exhausting the fulfillment of the goals set by the Palermo Protocol.

The studies have shown that the social surveillance of women's bodies underwent more effective ruptures from the mid-twentieth century on, and the way of being feminine was relativized, enabling transits of women in social spaces.

The achievement of a range of women's rights and positivization of laws, which is based on the Palermo Protocol, discussed and prepared at the beginning of the XXI century, as a result of actions taken by women's movements throughout the 20th century, has not guaranteed public social respect, which has not yet solidified, and violence against women persists in the symbolic social power explained by the thinker Pierre Bourdieu.

The actions guided internationally and nationally, with a view to confronting trafficking in persons, in this focus, girls and women in a context of vulnerability, may be intensified and materialized from the mere positivization in collective actions by the States, in a preventive and educational manner, before perpetrating punitive forces, engendering efforts in the correctional administrative machine.

Women's gains in rights have been considerable since the mid-twentieth century, making women's social lives possible and accessible, but there is a long way to go from what was started by the predecessors and advocates of women's rights. There are values to be won, such as recognition and respect, without necessarily needing legislative pressure to be granted.

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