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moral entrepreneurs and the invention of
trafficking of persons in Brazil*

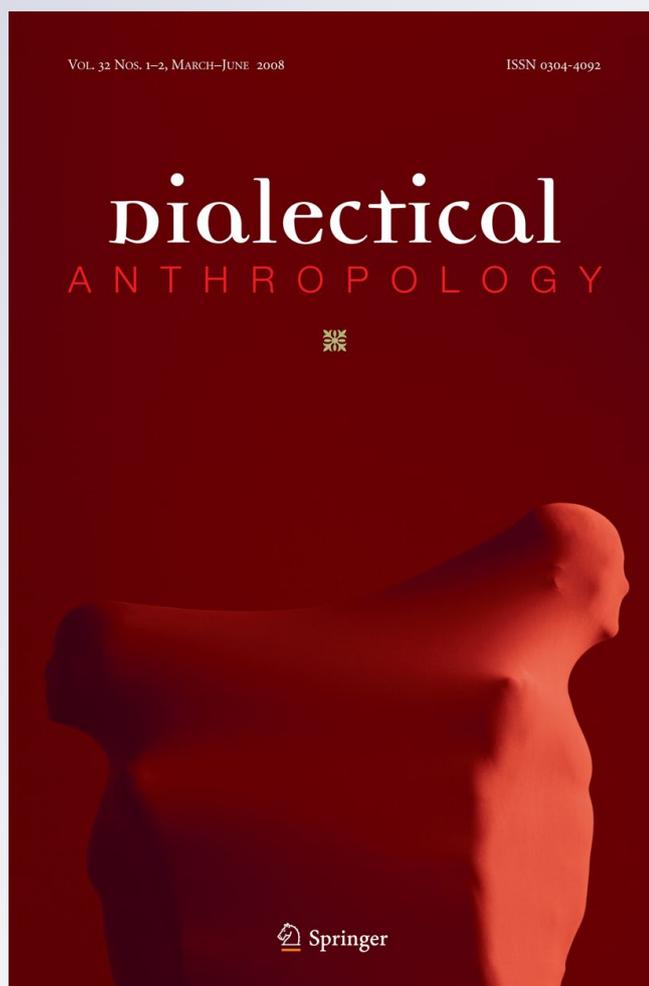
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Dialectical Anthropology

An Independent International Journal in
the Critical Tradition Committed to the
Transformation of our Society and the
Humane Union of Theory and Practice

ISSN 0304-4092
Volume 36
Combined 1-2

Dialect Anthropol (2012) 36:107-125
DOI 10.1007/s10624-012-9268-8



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On bullshit and the trafficking of women: moral entrepreneurs and the invention of trafficking of persons in Brazil

Thaddeus Gregory Blanchette · Ana Paula da Silva

Published online: 22 May 2012
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Jake Blues: You lied to me.
Elwood Blues: Wasn't lies, it was just... bullshit.
The Blues Brothers, 1980.

There it is again, the same old bullshit.

We are reading the United Nations Office on Drugs and Crime's 2010 report on *The Globalization of Crime* and there's Brazil, once again situated as the largest exporter of trafficked persons in all of the Americas. On page after page of the report, we find statements that "Brazilian victims have been increasingly detected in Europe," "trafficking victims traveling from Brazil to Europe may pass through European-administrated territories in the Caribbean," and that the flow of slaves from Brazil, "appears to be in the hands of European and Asian organizations... in which Russian groups are said to play a dominant role." This information is accompanied by a map of the world in which Brazil is marked with a big purple blotch, stigmatizing the country as one of the three largest exporters of slaves to Europe (UNODOC 2010: 45–49).

If one is an anthropologist who studies prostitution and who has an understanding of how "trafficking in persons" has become a moral panic, a smell of something distinctly bovine and overripe comes wafting off the pages of *The Globalization of Crime*. Flipping to the report's endnotes, one's suspicions will be confirmed: all the data regarding Brazil have come from one source only: a study concluded in 2002,

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whose results were repeated across the *mediascape*¹ until they became received knowledge worldwide.

The purpose of the present article is to take a critical look at the affirmations regarding the trafficking of persons made by this study—PESTRAF—and its principle English-language derivatives. As such, it is part of our ongoing research into how the threat of trafficking of persons is being utilized to crack down on sex work in Brazil, in spite of the fact that sex work is a legal activity within that country²

One can be forgiven for questioning the need for a critique of decade-old research, for many authors have already remarked upon how data regarding trafficking of persons have been corrupted by the political concerns involved in repressing “modern day slavery.” Ann Jordan, for instance, has published a critical overview of trafficking data (2011) while Kamala Kempadoo’s edited volume (2005) has provided case studies from various countries. Both Warren (2010) and Feingold (2010) have contributed articles focusing on trafficking to Andreas and Greenhill’s recent volume on the political use of statistics. Finally, Laura Agustín’s *Sex at the Margins* (2007) has provided a view of the philosophies and practices that make up the global “rescue industry.” Given all this, the obvious question is what can an analysis of PESTRAF bring to the debate regarding trafficking of persons?

We feel that there are four answers to this question:

1. While criticism has focused upon trafficking discourse in general, little analysis has been undertaken of how key trafficking studies arrive at their data. Even Warren’s insightful study of the creation of statistics regarding trafficking between Colombia and Japan (Warren 2010) does not peer into the sausage factory. These numbers are not always invented *ex nihilo*, however. By investigating how statistics are made on a case-by-case basis, we can discover which social groups are being transformed into objects of State interest.
2. Although Brazil is recognized as a major exporter of trafficking victims, almost no English-language information regarding this phenomenon has yet been published outside of works based upon PESTRAF itself.
3. PESTRAF has had an inordinate amount of influence in Brazil, being the study that underpins the country’s recently established National Policy for Confronting the Trafficking of People (PNETP). Furthermore, while the study is recognized as seriously flawed, no one has yet published a coherent critique of it.
4. Finally, international focus on Brazil as a source of trafficking victims is increasing due to the fact that the country will be hosting the Football World Cup in 2014 and the Olympic Games in 2016. The association of Brazil in the global mediascape with tropical sexuality and corruption gives added weight to media-based discourses that use PESTRAF as a source.

¹ See Appadurai (1990), for a discussion of the concept of the “mediascape”.

² PESTRAF is the “Study on Trafficking in Women, Children and Adolescents for Commercial Sexual Exploitation in Brazil” (CECRIA 2002). The two main English language products of the study are CECRIA (2003), IHRLI (2003).

Given the above, we believe that it is past due for a critique of PESTRAF to be made available to an English-speaking, global audience. The article below thus analyzes the study, looking at its claims in the light of its organizers' political projects. Our conclusion is that PESTRAF demonstrates serious deficiencies in terms of scientific method and that its data cannot be used to sustain the affirmations that its authors make. We believe PESTRAF's authors were more interested in acting as moral entrepreneurs (Becker 2008) than as scientists and that the study has thus not so much *revealed* human trafficking in Brazil as actively *created* it through a successful implementation of a form of rhetoric labeled "bullshit" by American moral philosopher Harry G. Frankfurt. Finally, we indicate some of the myths that the study has reinforced and which have thus subsidized anti-trafficking policies in Brazil.

PESTRAF: origins and organizers

We became aware of PESTRAF in late 2002 in the context of the growing concern in Brazil regarding sexual tourism, the sexual exploitation of children and the trafficking of persons. In order to understand of how PESTRAF was funded, organized and published, we interviewed participating researchers as our requests to the study's organizers for information have not been met. It should be noted that the analysis presented below is thus necessarily incomplete and we would welcome PESTRAF's organizers—if they feel that we are misstating what occurred—to publish a response that deals openly with the issues raised below.

PESTRAF was proposed in 2000 as a research initiative undertaken by a coalition of Brazilian NGOs and researchers in partnership with the International Institute on Laws and Human Rights of DePaul University and the Brazilian Ministry of Justice, under the coordination of Dr. David E. Guinn (on the American side) and Dr. Maria Lúcia Leal and her sister Fátima (on the Brazilian side). The study received funding from USAID, an agency that was simultaneously cutting funding for sex-work-based anti-AIDS initiatives across the globe. Money was also forthcoming from the International Labor Organization (an association that is resolutely against the legalization of sex work) and Sweden's "Save the Children" foundation (Sweden having led the way in Northwestern Europe in illegalizing prostitution through "demand reduction" laws). It would thus be no exaggeration to say that PESTRAF's international backers were by and large sex-work unfriendly (CECRIA 2002, 2003).

PESTRAF's Brazilian organizers, Maria Lúcia Leal and her sister Fátima, had no prior research experience with the topic of trafficking of persons and little experience with social scientific research of any kind in 2000, when they assumed the roles of General Coordinator and Technical Coordinator of the study. Maria Lúcia had worked as a professor in the Federal University of Brasilia's Social Service Department, teaching undergraduate students from 1993 to 1996. According to her official curriculum, Maria de Fátima Leal had even less experience. Having graduated with a bachelor's degree in biology, Maria de Fátima's work experience up to the point where the study began was apparently limited to educational

administration and teaching at the elementary and high school level.³ David Guinn, the American coordinator, also had no previous experience in the field of human trafficking, his earlier work apparently being associated with moral and legal philosophy in the field of bioethics.⁴

The Leal sisters, however, were co-founders of CECRIA: the Center for Reference, Study and Action Regarding Children and Adolescents. This prior work was apparently the point in their résumés which convinced Save the Children, the ILO, USAID and the Brazilian government that the Leal sisters were competent to organize and conduct a major research initiative of near continental dimensions.

CECRIA is regarded in Brazil as a reasonable source for information regarding child abuse, but nothing in the production of that NGO indicates any experience with trafficking of women prior to the PESTRAF study. It should also be noted, however, that while PESTRAF would investigate trafficking in women and children for sexual exploitation in Brazil from 1996 to 2001, only a minority of the victims it turned up were minors (44 out of 219 in the media study; 9 out of 154 in the legal study) and less than 7 % of these were children.⁵

Study origins and design

It is difficult to track down the exact methodologies used by PESTRAF as—to the best of our knowledge—these have never been published. Apparently, the Leals used the CECRIA network to engage a group of organizations and individuals, which were then organized into regional directorates under the guidance of coordinating teams. Many of the NGOs involved were political or religious organizations, and the research credentials of team members were uneven and demonstrated obvious gaps that could have been easily eradicated. For example, in the Southeast Region of Brazil, the most populous and rich area of the country, which includes the metropolises of Rio de Janeiro and São Paulo, only three NGOs were listed as support organizations:

1. GELEDES (Black Women's Institute—a Black feminist NGO)
2. IBISS (The Brazilian Institute for Social Health Innovation—a Rio-based NGO that works with street populations)

³ Information on the Leals comes from their official curriculum vitae, published on the Brazilian Ministry of Education's Lattes system: <http://lattes.cnpq.br/>.

⁴ Information on David E. Guinn's career comes from his Facebook page. Since PESTRAF, Dr. Quinn has worked as the "Senior Advisor Rule of Law and Human Rights" for DynCorp in Iraq and also directed legal training and technical support program for professional staff in the Afghani Ministry of Justice and Parliament.

⁵ It should also be noted that 30 of the 44 minors revealed by PESTRAF's media survey involve late adolescents, with five 13, three 14 and six 15 year olds registered as trafficked by the study. The study also for some reason considers 18 year olds to be "adolescents". If we take "children" to mean "under 16" (the legal age for voting in Brazil) then around 2 % of the cases revealed by the survey involve children. Only 98 of the 219 victims identified by the media study were identified by age. However, given that the Brazilian media considers the sexual abuse of children to be a grave issue and thus highly newsworthy, it is safe to presume that the remaining 121 non-identified victims were almost all adults.

3) PACTO SÃO PAULO (an NGO focusing on violence toward children).

Academic support in the Southeast Region was provided by two universities, both considered to be second-rate schools within the Brazilian academic system:

1. UNIGRANRIO
2. The São Paulo State Methodist University (UMESP)

The above list is notable for the organizations which one would expect to be included in the study, but which do not appear. The Rio-São Paulo axis concentrates Brazil's premier educational institutions as well as a large percentage of the country's NGOs. Notable by their absence are the southeast's highly active sex workers' associations. More worrisome is the absence of the region's first-rate research and educational institutions such as the University of São Paulo (USP), the Federal University of Rio de Janeiro (UFRJ), or and the Oswaldo Cruz Foundation (FIOCRUZ).⁶

Likewise, the researchers chosen for this region had little in the way of experience with social scientific research. Carlos Nicodemos and Dagmar Silva de Castro, the regional consultants, were a Law professor (no PhD) and a Doctor of Psychology. Silva de Castro's prior research experience had focused on violence against children. Nicodemos apparently had no prior research experience at all. The region's other researchers were, in general, people with little academic maturity and less practical research experience, none of it, as far as we can tell, in trafficking of persons.⁷

Trafficking and rumors of trafficking: the media survey

Although PESTRAF conceived of six research instruments, the study's data apparently come from three main sources: a media survey of trafficking stories published by Brazilian newspapers, a legal survey of federal investigations related to trafficking and interviews of supposed trafficking victims (CECRIA 2003: 41, footnote 3).

Research began in June of 2001 and ended a year later. Interviews with PESTRAF researchers indicate that this process was catch-as-catch-can and varied wildly from region to region. According to one researcher:

The regions didn't use the same methodologies. We were pretty much on our own when it came to collecting data. There was less than six months of training and... less than six months of research time to cover an area bigger than most of Western Europe. This was the situation all over Brazil and many of the groups had no idea how to do research. The data that people turned in ranged from excellent to stuff that looked to be repetition of rumor. Unfortunately, poor material was very much in the majority.

⁶ A FIOCRUZ researcher would later be brought into organize the study's media survey: see footnote 8.

⁷ Our claims are based on the researchers' official CVs, as published on-line via the Lattes System (see footnote 2, above) and accessed on 5.5.2010.

This organization produced little in the way of reliable data as time went on. A decision was then made by the studies' organizers to focus on collecting stories of trafficking which had been published in 40 Brazilian newspapers. The Leals cast this decision as necessary due to...

...the difficulties that the regional teams experienced regarding the media, instrumental forms to perform journalistic research and speech analysis [said difficulties are never explained.]; as well as the time available for this job, [and for this reason] the national coordination decided to hire a team of experts to perform media survey and to organize a journalistic/print media database CECRIA (2003: 42).

Thus, in spite of having a hand-picked crew of researchers who received 6 months of specialized training and had a year in which to conduct research, a survey of major newspapers was beyond the competence of the PESTRAF team. Said survey was farmed out to a third party for pay. The identity this group, their competencies and the methodologies they used to conduct the survey are not clarified by the study.⁸ This is an important point because the media survey provides most of PESTRAF's data. Fully 276 cases out of a total of 450 (close to 61 % of the cases analyzed, totaling 219 victims) would thus come from media sources that were not collected by members of the research team and for which we have no methodological notes whatsoever.

PESTRAF's organizers are very much aware of the fact that the media study is their Achilles Heel. Obviously, newspaper stories are not a reliable source of data for sensationalistic topics like trafficking of people, a fact that David Feingold of the UN's Trafficking Statistics Project has repeatedly pointed out (Feingold 2010; UNESCO 2011). In order to use such problematic data, one must make plain exactly how such material is culled and according to what criteria. PESTRAF does not present this information. In fact, a detailed analysis of the results of the media survey is not available anywhere in final report and interested parties thus have no way of checking the studies' data. The most the Leals are willing to say on this issue is that, "all the information collected corresponds to the content of selected articles and that they were treated with severe scientific rigor" (CECRIA 2003: 42). What this "severe scientific rigor" consists of, who applied it, and how, is left up to the reader's imagination.

The legal survey

The methodological issues raised by the media survey are compounded by the fact that PESTRAF uses different and competing criteria for determining what is to be

⁸ The English version of PESTRAF lists Otávio Cruz Neto (now deceased) and Marcelo Rasga Moreira as the organizers of the media database (CECRIA 2003: 4), whereas the Portuguese version of the study omits this information. Dr. Cruz was a FIOCRUZ researcher and Dr. Moreira a doctoral candidate at the same institution during the period in which they put together PESTRAF's database. Neither had prior experience with trafficking of persons.

counted as trafficking of persons. This issue becomes readily apparent when we turn to the study's legal survey, which provides a further 154 cases.

Although PESTRAF's organizers claim as their guiding light the 2000 UN Convention Against Organized Transnational Crime (otherwise known as the Palermo Protocol), at least a third of their results are based on another, conflicting, definition of "trafficking in persons": Article 231 of the Brazilian Penal Code.

The Palermo Protocol defines trafficking of people as:

...the recruitment, transportation, transfer, harboring or receipt of persons by the threat or use of abduction, by force or other ways of coercion, kidnapping, fraud, deception, or the abuse of power, or the receiving of payments or benefits to achieve the consent of a person having control over another person for the purposes of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs (UNODC 2000).

Note that in spite of the Protocol's use of vague concepts (what is "the abuse of power"? Of what exactly does the "exploitation of the prostitution of others" consist?), it nevertheless defines the crime of trafficking as one which is based upon the violation of basic human rights. The addendum that trafficking minimally take in the exploitation of the prostitution of others must be logically understood in this sense: such situations must involve the violation of basic human rights (and not simply break labor, vice, or immigration laws) in order to be properly classified as "human trafficking."

This means that not all international movements of sex workers should be understood as trafficking: the Protocol is properly concerned with only those assisted migrations that create situations analogous to slavery. This does not include the voluntary migrations of non-exploited sex workers—an extremely important point, given that while there is a general consensus that Brazil exports a large number of migrants for sex work overseas, the majority of these movements do not seem to end up in situations analogous to slavery (Blanchette and Silva 2005; Piscitelli 2001, 2006, 2008, 2009; Teixeira 2008).

PESTRAF's authors state that "in order to conduct this research, our reference was the international rules, especially the Palermo Protocol" (CECRIA 2003: 46). However, this is not true, for at least a third of the 450 cases of supposed "trafficking" revealed by PESTRAF follow a different definition entirely: that proposed by Article 231 of the Brazilian Penal Code, the only Brazilian anti-trafficking law. This defines trafficking as "Promoting, intermediating, or facilitating the entry of women who practice prostitution into national territory [Brazil] or the exit of women who will practice prostitution abroad."⁹ Note that the law makes no mention of human rights violations or exploitation: according to its strictures,

⁹ In 2005, Art. 231 was amended to include both men and women and to also include internal trafficking. In 2009, it was modified yet again to make explicit the equation of "prostitution" with "sexual exploitation".

simply aiding a woman to work as a prostitute in another country is enough to qualify a person as a trafficker.

Self-prostitution by adults is legal in Brazil and is recognized as a profession by the Federal Ministry of Labor (*Classificação Brasileira de Ocupações 2001*). Insofar as it attempts to apply specific sanctions against the movement of prostitutes, Article 231 is thus not in harmony with the rest of Brazilian jurisprudence, nor the federal constitution, which guarantees all citizens the right to come and go as they please. Furthermore, Article 231 contradicts the Palermo Protocol by simply defining trafficking of persons as congruent with aided travel overseas for sex work.

Let us emphasize this point, because it is key to understanding the confusion PESTRAF creates: whereas the Palermo Protocol makes human rights violations a necessary condition of trafficking, Article 231 of the Brazilian Penal Code simply defines aiding the movement of prostitutes as trafficking, even when said movement is voluntary and involves no human rights violations whatsoever.

Marina Pereira Pires de Oliveira, one of the principal coordinators of Brazil's first federal anti-trafficking initiative, has conducted an analysis of Article 231 violations. She concludes that the law is being used as a way to prosecute sex work which gets around the fact that adult self-prostitution is not illegal. According to Pires de Oliveira, the majority of Article 231 prosecutions are directed at people who recruit prostitutes for sex work and aid them in moving about:

In other words, the defining elements of trafficking which are violence, the use of force, or the abuse of vulnerabilities in recruitment, as well as the exploitation to which the victim is submitted, either in the sex industry, in domestic service, on sugarcane plantations, etc., do not even appear in most of the cases [prosecuted under article 231] (Oliveira 2008: 138).

Researcher Isabel Teresa Carone Mayrink Ferreira's findings confirm Oliveria's, showing that in almost all of the cases she analyzed, Art. 231, "victims" were not coerced and were not involved in labor analogous to slavery (Ferreira 2009: 76). Adriana Piscitelli's 2007 study of returning deportees likewise reveals few Brazilian immigrants involved in sex work which would be understood as trafficking according to the strictures of the Palermo Protocol (Piscitelli 2007).

Of the 450 cases of trafficking quantified by PESTRAF, 154 are criminal cases involving alleged violations of Article 231. Eighty-six of these are ongoing police investigations: accusations that may or may not be founded in fact. A further 68 cases had been tried or were in the process of being tried. In 2002, when PESTRAF's results were first published, only 14 of these prosecutions had resulted in convictions while a further 23 had adjudged the defendants innocent. For the purposes of quantifying trafficking in Brazil, PESTRAF gives the same epistemological weight to these 23 cases as the 99 cases where guilt or innocence had yet to be decided and the 14 cases in which the defendants had, in fact, been proven guilty.

The study's use of Article 231 as an adequate definition of trafficking calls into question the "severe scientific rigor" of its media survey. If the assisted movements of women going overseas for sex work are considered by PESTRAF as incidents of trafficking (as Article 231 would have it), then how many of the 276 cases revealed by the media survey actually involve violations of human rights and how many

simply relate the international travels of Brazilian sex workers? As we shall see below, the case studies presented by PESTRAF call into further question the operative definition of “trafficking” that was utilized by the researchers.

Case studies

PESTRAF’s third research component was qualitative in nature and involved the collection of a set of case studies. Supposedly, these are “reconstitutions” based upon “newspapers, reports, police investigations and statements produced by the researchers.” None of the case studies, however, show how these reconstitutions were done. Again, the lack of description of the methodologies used makes these cases opaque to researchers looking to reproduce or confirm the data. Here, a newspaper story of dubious veracity is given the same epistemological weight as an in-depth interview by a trained ethnographer or court testimony by eyewitnesses. PESTRAF claims that these cases are presented so that we may “get to know” the victims but there is no way to know whether said knowledge is first, second or even third hand, although it is all presented as if it were strictly factual. By looking at the cases in depth, however, we can get a feel for what was considered to be adequate evidence of trafficking by PESTRAF’s researchers (CECRIA 2003: 111–112).

Case One involves a woman who died of a drug overdose while doing sex work in Israel. According to the woman’s mother, she had been trafficked. The Israeli police closed the brothel where she worked and “rescued” eight Brazilians working there. Given that police generally claim to be “rescuing” prostitutes when they close down a brothel, whatever the women’s condition (see Agustín for a deeper analysis of this syndrome), it is impossible to say whether the women in question were kidnaped and forced to work as prostitutes as alleged. The same newspaper articles from which this case study is apparently drawn also include an interview with a Brazilian prostitute working in Israel who denied the trafficking accusations.

Case Two involves a sex worker who died of tuberculosis while in Spain. Again, her family alleges that she has been forced to be a prostitute, but this story was not proven, nor is there any proven connection between her sex work and the disease which killed her. Again, the information here seems to come from newspapers.

Cases Three, Four and Five relate the stories of women recruited to work as prostitutes outside of Brazil. The woman of Case Four explicitly states that she does not consider her situation to be trafficking and there are no outstanding indications of human rights violations in her case. It is telling that the PESTRAF team considers these cases to be examples of trafficking for it shows that violations of Article 231 were considered as such by the researchers, even when the incidents did not violate the so-called victims human rights, resulting in a situation analogous to slavery.

Case Six is based on an interview with a woman who claims that her daughter was trafficked. There is no proof of this other than the mother’s interpretation. The daughter is alive and well and currently living in Brazil, but was not contacted for, or did not want to give, her side of the story.

Case Seven involves an adolescent who was recruited into an abusive marriage and prostitution by her aunt in Switzerland. This case appears to be trafficking on

several levels, as it involves sexual exploitation of a minor, as well as the exploitation of a state of vulnerability and violence.

Case Eight is, again, a case of migration for sex work, although according to the woman in question, the owner of the brothel where she worked would occasionally beat women who broke the “house’s rules.” The woman in question reported no violence being directed toward herself, however.

Case Nine also involves trafficking according to the Palermo Protocol, as it deals with a young woman being recruited for work in Spain in the tourism business and being shunted off to a brothel where she was forced to engage in sex work.

Finally, Case Ten once again relates the case of a woman involved in migration for sex work. No human rights violations are reported, although the woman may have been 17 at the time, which would make it “sexual exploitation of minors” under Brazilian law and the Palermo Protocol.

Summing up PESTRAF’s findings

Let us now take a moment to stand back and look at PESTRAF’s results:

1. There is the media survey, conducted by persons unknown according to unexplained methodologies and criteria, which turned up 276 reports of trafficking involving 219 supposed victims.
2. There are 86 ongoing police investigations of violations of Article 231, a law that one of the former coordinators of Brazil’s anti-trafficking policy herself describes as mostly used for anti-vice purposes.
3. There are 68 legal cases regarding Article 231 violations, only 14 of which have resulted in convictions, and 23 of which have resulted in innocence for the defendants.
4. Finally, there are ten case studies, of which at least 50 % seem to relate the stories of women who were recruited to migrate in order to engage in sex work, but who were never subjected to conditions analogous to slavery.

Trafficking routes and mafias: cooking the data

By any standard, the data uncovered by PESTRAF is a very slender reed upon which to hang conclusions regarding the trafficking of persons in Brazil. All we can say is that yes, there is proof that trafficking of persons for the purposes of sexual exploitation is indeed occurring in Brazil, for three of the case studies make that very clear. How many of the 154 Article 231 investigations and the 276 stories revealed by the media survey actually involve trafficking? We have no way of saying, absent a more complete presentation of the data. Considering that PESTRAF accepts Article 231 violations—and even accusations of same, even after the accused have been proven innocent—as indications of trafficking, one cannot reasonably believe that the study’s organizers instructed the anonymous professionals who carried out the media survey to only seek out stories involving

trafficking as defined by the Palermo Protocol. It is significant, however, that only *fourteen* of the 450 cases revealed by PESTRAF actually involve trafficking as proven in a Brazilian court of law. In other words, less than one percent of the supposed trafficking cases revealed by the study have actually been proven to be such within the legal system.

Weak reeds or no, however, PESTRAF's data have been molded into a series of dubious affirmations regarding trafficking in Brazil through the expedient of simply presuming that it's all true. Most notoriously, analysis of the study's data has supposedly resulted in the identification of 241 "trafficking routes," mapping the flow of victims through and out of Brazil. Furthermore, by using criminalizing and stigmatizing language (i.e. "Mafias" and "international criminal networks") to describe the social networks of the women moving along these routes, PESTRAF gives the impression that said "routes" are in the hands of organized crime.

As should be obvious, this "mapping" is based upon tautological legerdemain. Given that trafficking necessarily involves a person moving from point A to point B, any accusation can easily be used to define a "trafficking route" simply by describing the alleged victim's trajectory. Furthermore, recruiting a sex worker for anything that involves migration is by definition "criminal behavior" in Brazil according to Article 231, and—if this movement is international—an "international criminal activity." Finally, as many sociological studies of Brazilian immigrants have pointed out, migration generally takes place within a given social network (Piscitelli 2008; Assis 2008; Margolis 1994). Thus, one needs only to criminalize the acquaintances, friends, lovers and even relatives who recruit, employ or aid migratory sex workers, and one automatically has an "international criminal network," the popular synonym of which is a "mafia." Thus, while the terminology of "routes" and "mafias" may look impressive to the unsophisticated reader, a huge portion of what PESTRAF seems to have uncovered are the migratory routes and the assorted support and employment networks of people engaged in sex work.

More problematically, PESTRAF's organizers do not confine themselves to reporting what their data shows, but also state presumptions as fact. An example of this can be seen in the case study chapter, where the organizers claim that, "The Mafia which controls the trafficking in people [sic] has a very well-articulated plan, which seems to view human beings as any commodity, to be consumed by who can afford the price they charge [sic]" (CECRIA 2003: 111). This assertion is not proven by any evidence contained in the study. A second example can be found in the table on page 57, which reportedly demonstrates "the close relationship between poverty and regional inequalities and the existence of [trafficking] routes." The table does nothing of the sort, given that the number of trafficking routes reported is in no way representative of the routes which may exist in each region and that, furthermore, the region reported to have the largest number of routes also has the smallest number of poor people.

This problem becomes greater when one moves away from PESTRAF and into the publications which use it as a primary source. Thus, UNODC's *Globalization of Crime* cites PESTRAF when it claims that, "The involvement of Asian organized crime groups in Brazil has been documented. About one-third of the recruiters in one research sample (52 of 161) were European or Asian" (UNODC 2010: 49),

when the most that PESTRAF claims is that 52 out of 161 recruiters were foreigners: “from Spain, Netherlands [sic], Venezuela, Paraguay, Germany, France, Italy, Portugal, China, Israel, Belgium, Russia, Poland, United States [sic] and Switzerland” (CECRIA 2003: 64).

The nature and logic of bullshit

Looking critically at PESTRAF, it is hard not to conclude that PESTRAF's goal was to create a sense of moral urgency regarding trafficking in Brazilian civil society. In this sense, Leal and Leal were working as moral entrepreneurs, creating awareness of issues and following them through as rule-makers and campaigners (Becker 2008). From a scientific viewpoint, we thus see PESTRAF as a consciously directed attempt to produce *bullshit*—understood here in a technically specific sense.

According to American moral philosopher Harry G. Frankfurt, *bullshit* is a distinct way of discussing observable phenomena in the world, completely separate from discourse relating perceived truth or lies (Frankfurt 2006). When a person makes a claim to truth (and it will be noted that this is ultimately science's only legitimate vocation), they are attempting to describe what they know to the best of their ability. A lie may be understood to exist in an inverse relationship to the truth: lies, by their nature, consciously misrepresent what their purveyors understand to be the truth.

Bullshit, by contrast, has no necessary connection at all to truth and one's beliefs about it. It is “a statement grounded neither in the belief that it is true nor, as a lie must be, in a belief that it is not true.” According to Frankfurt, it is precisely this lack of a connection to a concern with truth—a base indifference to how things really are—that essentially defines bullshit: a bullshitter may be telling the truth or a lie, but that is of secondary concern to their main purpose, which is to *impress and persuade an audience* (Frankfurt 2006: 13, 33–34. Our emphasis).

It is in the sense sustained by Frankfurt that we understand PESTRAF to be bullshit.

We are not claiming that trafficking of persons in Brazil does not exist. Certainly, there have been instances of trafficking in this country, but we cannot, as of yet, say how extensive a problem this is, in part because studies like PESTRAF have muddied the waters. Our point is that to the degree that PESTRAF can tell us anything at all about trafficking into and out of Brazil, this is almost a by-product of its organizers' intentions, which (as they have since admitted) are to produce a wave of public concern about trafficking in Brazil.¹⁰

It is in this sense, then, that PESTRAF can be understood as bullshit. Within its mass of data, there are certainly examples of trafficking as defined by the Palermo

¹⁰ Maria Lúcia Leal has publically admitted that this was the study's purpose, according to researcher Adriana Piscitelli. Note, however, that this basic goal is also clearly enunciated in PESTRAF's third introductory paragraph: “The object of this study is to increase public awareness of stigmatizing, exclusive [sic], xenophobic and racist values that permeate the relationships of women and children involved in commercial exploitation networks.” (CECRIA 2003).

Protocols. These, however, are promiscuously and intentionally mixed up with descriptions of sex-workers moving from point A to point B. Because the Leal sisters and David Guinn mix qualitative definitions of trafficking in their route count and do not provide us with the raw data regarding their media survey, nor with the methodological constraints under which this functioned, there is no way to separate wheat from the chaff. This bad data is then used to produce bad analyses and worse public policy.

The uses of PESTRAF

Maria Lúcia Leal, PESTRAF's main organizer, seems to be a woman who is unimpressed with a positivist, Cartesian science which attempts to produce hard data regarding observable phenomena. On the occasions in which we have confronted her with PESTRAF's methodological lapses and unsustainable conclusions, Maria Lúcia has dismissed such considerations as essentially conservative in nature. Apparently, she believes that if one is oriented by correct political goals, one does not need to rely upon positivist methodology. One is quite justified to spin data in the name of the greater good because, after all, science is a constructed discourse and, like all constructed discourses, responds to a greater political project.

Perhaps she is right and it is unfair to judge PESTRAF on stodgy, positivistic scientific terms. Let us look at what PESTRAF's uses have been, then, as a political artifact.

First of all, in spite of Maria Lúcia Leal's rejection of positivism, much of PESTRAF's rhetorical weight comes from the fact that it is supposedly a scientific study that maps out some sort of objectively verifiable reality (after all, one cannot get much more Cartesian than the "mapping of routes" for which PESTRAF has become famous). Furthermore, the study's American organizer David E. Guinn has repeatedly presented its data as if it were epistemologically very concrete (IHRLI 2003; Guinn 2006, 2008). Whether or not Maria Lúcia Leal is willing to stand by said data as independently verifiable, it is most certainly still being presented in this fashion throughout the world.

As we have mentioned above, the UN and other international organizations have incorporated PESTRAF's findings in their reports on trafficking (UNODC 2010; ILO Brazil 2005; IOM 2005). In these reports, the study's results are presented as a scientifically impeccable guide for policy. An example of this can be found in the International Organization for Migration's 2005 report, where it describes PESTRAF's results in the following fashion:

Despite the underground nature of the phenomenon, the multitude of factors that encourage silence and impunity, and the lack of trafficking-specific indicators which make the quantification of trafficked persons impossible, the project's research data provides governments and international organizations a factual base to draft and implement adequate policy responses to combat trafficking and protect victims (IOM 2005: 131).

One notices, then, that the farther one moves away from PESTRAF's authors, the more their research is simply qualified as "factual" and an appropriate base for public policy, with no, or qualifying adjectives thrown in.

PESTRAF's production and subsequent consumption as fact by the international community thus follows a dynamic which we have helped outline elsewhere (Groupo Davida 2005). International collaborations of this sort often involve the creation of circular fact chains, which feed upon themselves, ouroboros-like. In these chains, data circulates through different social circles that integrate various hierarchic levels of global–local play. The data gains in reputation and credibility as it is repeated and reworked at each level and transmitted on to the next. Local agents in the "developing world" are thus paid by organizations in the United States and Europe to produce data that are deeply flawed but politically useful. This data is then "polished" and reconstituted in more believable forms by the groups that have contracted it. It is then inserted into international debates via multi-lateral agencies, where it undergoes a further process of translation and abstraction. Finally, the data is spit out at the highest level by the UN as policy recommendations that are then transmitted back down to actors at the local level.

Thus, the IHRLI works with CECRIA to produce a study with funding from several multi-lateral agencies. The resulting mapping of prostitute migrations based on newspaper stories is reconstituted as "mafia-controlled trafficking routes" by the IHRLI, which presents them to the OIM, ILO and UNODC as a scientifically valid snapshot of part of the global picture. These agencies further reify the material, imprinting it with the stamp of inconvertible truth and recommending it back to Brazil as an internationally approved and factual basis for policy. The worm thus swallows its tail and the focus on "prostitutes as trafficking victims" becomes enshrined as a factual basis for Brazil's nascent anti-trafficking policies.

PESTRAF has pushed the Brazilian government to put the policy cart before the horse of research and information. Since 2003, when the study's results were widely disseminated throughout the Brazilian mediasphere,¹¹ a wave of PESTRAF-based popular reports was incorporated into what one could call "the mythology of trafficking" in Brazil (Blanchette and Silva 2011). As the Brazilian government came under pressure from the UN and the United States to "do something" regarding the supposed legions of Brazilian trafficking victims revealed by the study, one widely reproduced policy became the foundation of government-funded anti-trafficking initiatives: "educational" or "consciousness-raising" groups whose objective was to "teach strategic partners about trafficking and how to identify and denounce it." Part of this educational initiative was to promote anonymous denunciations of supposed trafficking activities via a widely disseminated series of frankly alarmist posters and pamphlets.

The "strategic partners" whose consciousness was to be raised were groups involved in the tourism and hotel industry, as well as government officials at all levels. The educational programs that were produced for these groups generally repeated PESTRAF's claims as there was little else available to use as educational material. Because of this, many of the study's "bullshit statements" regarding

¹¹ see Summa (2005), for a typical example.

trafficking have now hardened into official dogma that has been widely taught to series of local and regional actors charged with alerting the authorities of suspected trafficking activities. These statements include:

1. Trafficking for sexual exploitation is Brazil's main problem opposed to other forms of trafficking of persons.
2. Poor, black and uneducated women are predominantly the victims of trafficking.
3. Trafficking in persons is intimately linked to sexual tourism and the sexual exploitation of children.
4. Foreigners make up a significant—if not primary—group of trafficking recruiters.
5. Trafficking is controlled by powerful networks of internationally organized mafias.
6. Trafficking is principally concentrated in Brazil's more northern and poorer regions.
7. Trafficking victims (generally identified as sex workers) do not understand that they are such and, as an “empowering initiative” need to be educated to accept their victimhood.
8. There are hundreds of trafficking routes throughout Brazil and thousands of Brazilian women are being trafficked every year.

Although every single one of these myths has since been challenged or even deflated by recent research, they are still routinely cited by Brazil's police, politicians and NGOs as appropriate guidelines for the formulation of anti-trafficking policy.

PESTRAF's most concrete practical result has thus been its contribution to a sense of moral panic which has, in turn, resulted in the promulgation of a national anti-trafficking policy in Brazil which has produced little in terms of “protection of victims,” but quite a lot in terms of vigilance and repression, especially with regard to the international movements of Brazilian women of color.

In response to the “trafficking threat” (and also to a supposed “epidemic” of sexual abuse of children), large Brazilian cities have, for the first time since the old military dictatorship, reinstated what are effectively vice units in their respective municipal police forces. Brazil's two largest cities have recently seen a series of police “blitzes” of prostitution venues under the rubric of “protecting women from trafficking and sexual exploitation.” These operations have turned up very few trafficking victims, but have generated many human rights violations themselves.¹² This new attitude was exemplified at a recent Congressional hearing into trafficking, where the chief of the Federal Police charged with suppressing trafficking in Rio admitted to preventing women from traveling overseas, in flagrant violation of their constitutional rights, on the basis of anonymous denunciations that they were prostitutes going overseas for work. When challenged with the question of whether or not such harassment was not simply using class and race filters to prevent a

¹² For information on Operation Princess 2, one of these “blitzes”, see “TJRJ concede habeas corpus a grupo acusado de prostituição na Barra”, <http://www.datadez.com.br/content/noticias.asp?id=20968> and Amar (2009) “Operação contra exploração sexual prende 22 pessoas”, *Jornal O Globo*, 28/11/2005.

“certain type” of Brazilian woman from leaving the country, he shrugged his shoulders and said, “that might be true, but it’s a necessary part of preventing trafficking.”

PESTRAF also continues to be used to furnish justification for the “anti-trafficking measures” being employed by the Brazilian government to repress illegal and irregular immigration. An excellent example of this can be seen in a recent media report surrounding the Brazilian government’s decision to open a series of “anti-trafficking posts” along the nation’s borders. Many of the areas chosen for these posts have coincidentally been the site of recent “invasions” of Brazil by Haitian and other “illegal” immigrants. The report claim that these posts will focus on “the repression of the activities of coyotes who cross overland borders with Bolivians, Paraguayans, Haitians and others,” a form of activity that is quite clearly immigrant smuggling rather than trafficking of persons. Finally, however, the report ends by citing PESTRAF’s findings as if they were recent and had been produced by the UN:

Brazil today is a country from which victims [of trafficking in persons] originate and through which they pass as well as go to. The main [final] destinations are Europe, the United States, Japan, China and countries of South America. The United Nations Office on Drugs and Crime identified 241 routes involving Brazilians—*110 of which are internal trafficking routes and 131 international* [our emphasis] (Rizzo 2012).

Conclusions

Maria Lúcia and Fátima Leal seem to have presumed that when it comes to combating trafficking, methodologically sound scientific research is not as useful as the promulgation of spectacular claims based on spurious data. They believed that the only way trafficking could be combated was if Brazilian society first saw it to be a threat and they intended to shake us out of our complacency with results which apparently showed hundreds of trafficking routes transversing Brazil.

To give the Leals their due, it is quite easy to see how their past experiences with research and public policy might lead them to the conclusion that only exaggerated and shocking research results would lead to action by the Brazilian state and civil society. One must remember that the Leal sisters entered the trafficking debate coming from the struggle against the sexual abuse of children, a problem that is notoriously well hidden, generally within the very families of the victims. One can thus understand why the Leals would think that the proper way to deal with polemical issues involving sex is to raise public awareness of the issue, which would naturally promulgate better and more responsible research.

Unfortunately, trafficking in persons is not the same sort of phenomenon as the sexual abuse of children. It is a poorly defined crime that has historically been confused with prostitution in general. It must be remembered that prostitution is a stigmatized activity which, unlike the sexual abuse of children, is a *public* affair, relatively easily uncovered and researched. When one thus whips the general public

into a panic and points toward prostitutes, the public, elected officials and the police know almost instinctively what to do: arrest and harass the whores. By conflating the movements of prostitutes with the trafficking of women—by, in fact, presuming that the two are synonymous—PESTRAF has given the powers that be in Brazil a politically acceptable and apparently progressive excuse for a good, old fashioned anti-vice crusade.

This is a pity, because moneys and efforts that are supposedly ear-marked for the prevention of human rights abuse and sexual slavery are currently being channeled into the prevention of prostitution and the migration of prostitutes. Furthermore, far from producing a wave of new studies that have improved our understanding of trafficking, PESTRAF has been enshrined by many Brazilian agents in the anti-trafficking debate as the cornerstone study of the topic.

PESTRAF offers us a case study in how “scientific” research can be conducted in such a way as to fabricate “significant” numbers regarding trafficking out of thin air. As the second decade of the twenty-first century dawns, it behooves those of us who are social scientists engaged in the anti-trafficking struggle to contemplate how we might improve research into trafficking in persons. We would thus like to conclude with a few modest suggestions to this effect.

In the first place, it is important that research into controversial subjects such as trafficking and prostitution be peer-reviewed by as wide a base of scientific experts as possible. In the case of PESTRAF, a number of methodological errors would have quickly been identified and perhaps corrected if at least one outside advisor with social scientific credentials had been available to anonymously review the project.

Secondly, when politically motivated research masquerades as scientific it needs to be quickly and publically criticized. Obviously, this is an issue that extends far beyond research into trafficking of persons. Too often, a reluctance to censor has resulted in scientists ignoring politically motivated “bad science” which goes on to captivate the public and become the basis of bad policy. Although we do not call for censorship, we do feel that scientists should be held responsible for making their methodologies clear and reproducible. When this does not occur, their professional associations should be alerted and the scientists in question should be held accountable, minimally through public debate at professional conferences and meetings.

Finally, with regard to the anti-trafficking groups and movements working on an international level, these should trace country-specific research back to its origins before accepting it as evidence. Too often—and especially in the case of countries that do not speak international languages, such as Brazil—claims are repeated as evidence and hearsay as proof. It should be a basic rule among those anti-trafficking organizations that seek to produce fact-based information for the public that research whose providence and methods cannot be accounted for should not be used.

To a great degree, the appeal among anti-trafficking activists of what David Feingold calls, “the advocacy values of numbers” (a polite term for bullshit), has laid the movement bare to the charge of bullshitting the public (Feingold 2010: loc.1507–18). In a world where bullshit can be had, 24/7, from any number of

sources, globalized political movements which rely on it for political effect quickly risk “sympathy fatigue” from their intended audience and find that their proposals no longer get the hearing that they once did.

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