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The Long Arm of the Neoliberal Leviathan in the Counter-trafficking Field: The Case of Portuguese NGOs

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The Long Arm of the Neoliberal Leviathan in the Counter-trafficking Field: The Case of Portuguese NGOs

In recent decades, in many countries including Portugal, human trafficking has become an important issue on political agendas, attracting increased investment of financial and human resources, and the growing involvement of civil society organizations. Employing a historical perspective, this article analyses the role of non-governmental organizations (NGOs) in the counter-trafficking field, in particular, in the conceptualization of human trafficking, the elaboration of counter-trafficking policies and practices, and NGOs' potentials and limitations in challenging them. Using data obtained through prolonged empirical research, the article argues that in contexts characterized by a high level of institutionalization and structural weakness in organized civil society, NGOs have little chance to assume a role beyond serving as a long arm of the neoliberal state apparatus. Both the outsourcing of certain counter-trafficking services to NGOs and the controversial yet undisputed national security-focused approach to trafficking represent integral parts of the practical logics of the counter-trafficking field, which remains largely unquestioned by counter-trafficking NGOs. These logics include the silencing of any debate about prostitution, at least within the Portuguese counter-trafficking apparatus.

Keywords: human trafficking; NGOs; critical trafficking studies; security-led approach; prostitution; Portugal

Introduction

In the past two decades, the fight against *human trafficking* has gradually consolidated in a significant number of countries.¹ Civil society,² and non-governmental organizations (NGOs) in particular, are now considered critical partners in counter-trafficking efforts. Both the main international instrument for trafficking, the UN Trafficking Protocol (2000), and European legal instruments against trafficking, such as the Council of Europe Convention (2005), fulfil essential roles in supplementing government organizations (GOs), working in collaboration with them in the prevention of *trafficking*, the protection of its *victims*, and the prosecution of *traffickers*.³

Although the involvement of NGOs in counter-trafficking is not new, the study of their role in counter-trafficking efforts remains limited. This article aims to fill this void by focusing on the role of NGOs in the construction of the counter-trafficking ‘field’ (Bourdieu, 1984). In doing so, it focuses on the Portuguese case where, in recent years, trafficking has gradually gained importance on the political agenda. Increased investment of financial and human resources, as well as growing attention from different

¹ The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (also known as the UN Trafficking Protocol or Palermo Protocol), Art. 3(a), provides the international legal definition of *human trafficking* broadly understood as the forced or coerced movement of people within and between nation-state boundaries for the purposes of exploitation.

² With the expression *civil society*, I refer to a wide array of social and political organizations, including NGOs, as well as political groups, faith-based organizations, professional associations, the media, intellectual groups, etc.—providing a space for the expression of views, interests, and purposes in public debate. Materialist state theory challenges an idealistic view of the relationship between civil society and the state, emphasizing the fact that civil society is subject to many different forms of economic and political coercion within a complex relationship that sees it as neither independent nor simply in opposition to the state (e.g., Hirsch, 2003).

³ I occasionally use italics to emphasize the fact that I am not taking for granted the meaning of certain terms and expressions.

actors, especially NGOs, have converged upon the issue. This discussion examines the role of these NGOs in the construction of the Portuguese counter-trafficking field and, in particular, in the conceptualization of *human trafficking*; the elaboration of current counter-trafficking policies and practices; and the potential and limitations for NGOs to challenge them.

Historically, *trafficking* has been identified as a serious problem by different actors with different agendas for different reasons. Among these are feminist (neo)abolitionist groups. Equating the trafficking of women with prostitution, they describe trafficking as a form of objectification that can only be fought by eradicating the sex market. Alongside a heterogeneous group of feminist and, more recently, migrant, labor, and human rights organizations and agencies, there are nation-states that have conceptualized trafficking primarily as a form of irregular immigration and/or transnational organized crime. Such countries have traditionally focused their attention on national security, over and above the interests of *trafficked* persons. By questioning NGOs active in counter-trafficking efforts—what they might do, what they specifically fail to do, and what they actually do—the article aims to advance the state of the art beyond the position established by current critical scholarship on trafficking and, in particular, the debate about NGOs and their contribution to key discussions, such as those centered on the relationship between trafficking and prostitution, as well as those pertaining to the tensions between trafficked persons' rights on the one hand, and governments' responses on the other, which are primarily focused on trafficking as a national security threat. In doing so, the paper contributes to the debate on NGOs' political and moral independence from governments and international organizations, and their role and significance in establishing or challenging current modes of governance in the counter-trafficking field.

The article argues that, in contexts characterized by the strong institutionalization of counter-trafficking, as well as the structural weakness of organized civil society, whilst instrumental to its construction, the ‘NGO-ification’ of the counter-trafficking field remains unable to question its own controversial governance. Both this national security-focused approach and the presence of NGOs constitute a form of doxa in the neoliberal counter-trafficking field. These NGOs—serving as *the long arm of the state* to gain access to economic resources—downplay any form of struggle or resistance in favor of social justice for *trafficked* persons. Following a disciplinary logic, they appear to bring counter-trafficking field closer to the functioning of an ‘apparatus’—that is, a ‘pathological state’ in which the dominant actor (in this case, the state) manages to foreclose any reaction or opposition articulated by the actors it governs (here, the counter-trafficking NGOs), depriving the field of any constructive struggle and dialectic (Wacquant, 1989). Among those debates in which NGOs remain silenced, are those pertaining to prostitution.

Critical Trafficking Studies and Counter-trafficking NGOs

Human trafficking is widely considered to be a fundamental global issue. Finding a way to draw attention to, and encourage condemnation of, the exploitation of individuals moving within and between nation-state boundaries is certainly problematic if failing to employ the concept of trafficking. Yet, the tensions and contradictions that characterize the topic remain mostly absent from mainstream debate and research on trafficking, upon which historically dubious data, and spectacular yet empirically unscrutinized claims converge (Blanchette & da Silva, 2012; Weitzer, 2014; Zhang et al., 2012). Since the late 1990s, a growing body of critical trafficking studies—or ‘anti-anti-trafficking’ studies (Marcus & Snajdr, 2013)—have drawn attention to a controversial

agenda that is perceived, optimistically, as ‘collateral damage’ (GAATW, 2007), related to the social construction of trafficking and the fight to combat it (Doezema, 2010; Weitzer, 2007).

Historically focused on the trafficking of women and girls in the sex industry—something that has mobilized the fight against trafficking since the late nineteenth century—anti-trafficking legal frameworks, policies, and programs have been criticized primarily for what they fail to do, such as protecting the rights of people involved in *voluntarily* prostitution and being implicitly opposed to people involved in *forced* prostitution, resulting in the former being largely overlooked by the Trafficking Protocol (Doezema, 2005, 2010).

Scholars have also levelled harsh criticism at the focus of counter-trafficking efforts on the control of (irregular) migration and the fight against transnational organized crime. Popular, often unverified claims include the idea that trafficking constitutes the largest organized criminal enterprise in the world, second or third only to illegal drug and weapons trading (Weitzer, 2014). The security interests of nation-states, fueled by a changing geopolitical context after the fall of the Berlin Wall in 1989 and the September 11, 2001 attacks against the United States, have placed among their primary concerns the control of migration and the interception, prosecution, and punishment of trafficking networks through interventions such as interstate cooperation, increased border surveillance, restrictive migration policies and practices, raid and rescue operations, migrant detention and deportation, and forced rehabilitation (Andrijasevic, 2010; Bernstein, 2018; Doezema, 2005, 2010; Mai, 2018; O’Connell Davidson, 2015). Meanwhile, the interests of trafficked persons have traditionally been treated as secondary to their willingness to cooperate in the criminal investigation, prosecution, and trial of traffick-

ers. Such interests are further complicated by racist, ethnic, sexist, gendered, and cultural/national stereotypes and expectations (Kempadoo et al., 2012; Lee, 2011). The impact of these measures on the mobility and citizenship of both women and men labelled as *trafficked*, and migrant workers who are not always labelled as such, have led the most critical scholars to question the use of the conceptual category of *trafficking* altogether, both in research and in public debate (Agustín, 2007; Marcus & Snajdr, 2013).

Despite this criticism, in recent decades, the fight against trafficking has gradually mobilized different actors in an array of global programs and initiatives that include the participation of a growing number of NGOs. Within the (somewhat reduced) body of literature focusing upon such interventions, a number of macro-level analyses have produced international and regional overviews of anti-trafficking NGOs and the activities in which they are engaged (see e.g., Limoncelli, 2016; Tzvetkova, 2002). Some of these studies indicate that certain challenges faced by NGOs—especially those in young democracies—result from their dependency upon governmental institutions, the limited technical experience of their staff, and conservative attitudes toward gender (Tzvetkova, 2002). However, overall, they emphasize the potential and contribution of both individual NGOs and their networks in making up for such shortcomings and promoting the institutional and political change needed in the fight against trafficking (Noyori-Corbett & Moxley, 2018; Tzvetkova, 2002).

A more cautious approach appears to be that of scholars such as Luke Bearup (2016) who, in his analysis of the discourse on the protection of *trafficking victims* in Cambodia, emphasizes a tension between the ‘thick’ substantive conception of reintegration within the field of social welfare practice and the ‘thin’ procedural provision of assistance mandated by anti-trafficking policies, conventions, and laws. Interpreting re-

integration as a deeply relational phenomenon set within social institutions, Bearup argues that, although NGOs are progressively making the ‘reintegration’ of *trafficking victims* their primary objective, they may or may not aid the substantive achievement of this goal completely independently from the Trafficking Protocol.

Criticism of the potential and the effective role of NGOs in the counter-trafficking field is increasing, especially in a number of micro-level studies that have focused on the efforts being made to protect trafficked persons by particular NGOs. Such studies highlight the reproduction of patriarchal, gender, and class norms, as well as the denial of the agency of their ‘ideal survivor’ through the implementation of certain ‘politics of safety’ and a tendency toward engaging in disciplining practices (see e.g., Bose, 2018; Guha, 2019). Even before these rehabilitation activities, rescue and raid operations involving young and middle-aged white bourgeois volunteers and activists—usually recruited by secular feminist organizations and faith-based groups—have attracted some controversy. Even when ‘paved with good intentions’ (Yea, 2019), these efforts have usually contributed to the state control and surveillance of immigrants and women’s sexuality (see e.g., Bernstein, 2018; Shih, 2016) and rarely lead to the arrest or prosecution of traffickers. Whilst a lack of training and formal authority can place activists and volunteers in challenging situations, the professional environment in which anti-trafficking NGOs hire staff for their professional competence rather than their activist commitments, coupled with a need to balance their own interests with those of the clients they represent, can markedly hinder any possibility of building an anti-trafficking movement that is actually inclusive of trafficked persons and their needs (Musto, 2010). Furthermore, according to Jennifer Musto (2010, 2013), the ‘NGO-ification’ of anti-trafficking interventions—the outsourcing of some activities to NGOs—and multi-pro-

fessional collaborations and partnerships in which NGOs participate, despite their potential advantages, place a strain on the willingness of NGOs to challenge the policies of the governments that fund them.

No less harsh are the criticisms of those who emphasize that the widespread use of spectacular, and in some cases fraudulent, representations of victimization makes NGOs and their representatives ‘guilty of exploitation for profit’ (Hoefinger, 2016, p. 75). This is a form of exploitation that, according to Heidi Hoefinger (2016), is no different from that of pimps, on which the vehement struggle of certain abolitionist neoliberal humanitarian campaigns concentrates.⁴ By drawing attention away from structural inequalities and injustices, and focusing instead on extreme cases of violence, they contribute to a controversial hierarchy of *victims*, making broad access to social justice more difficult to obtain as well as shaping the development of controversial crime-focused counter-trafficking legislation.

The Portuguese Counter-trafficking Field and its Actors: Tools of Analysis

Despite little supporting empirical evidence, from the late 1990s onward, transnational power relations and the transnational counter-trafficking field have stimulated Portuguese institutional actors to confront the issue. The foundations were laid, not only for the accumulation of a specific knowledge of *human trafficking* and the competence to

⁴ In referring to abolitionism and abolitionist initiatives, I refer to a current legal and ideological approach to prostitution, according to which prostitutes (in particular, women) are *victims* of clients and pimps. Following this logic, their protection and the abolition of prostitution as a form of patriarchal violence can be achieved by penalizing them. In recent decades, however, sex workers’ participation in the debate concerning the sex trade has moved the focus from moral positions to the conditions and rights of the sex workers themselves, thus advocating for the regulation of the sex industry under civil and labor law.

intervene, but also for the setting aside of the necessary financial resources for, participation in, and creation of, national and international networks for the construction of the Portuguese counter-trafficking field (Clemente, 2019).

European funding sustained the activities that led to the legislative changes introduced into the Criminal Code and Immigration Law in 2007.⁵ Guided primarily by criminal justice objectives designed to ensure the pursuit and prosecution of trafficking networks, the Portuguese anti-trafficking legislative framework has also substantially subordinated the rights of migrants with an experience of *trafficking* to their cooperation in criminal investigations into *traffickers*, as well as their identification by police forces.⁶ Reflecting the transnational definition of trafficking as a criminal problem, Portuguese counter-trafficking efforts have been characterized by intensified interstate cooperation and border surveillance (Clemente, 2017b), as well as the involvement of the police—in particular the Judiciary Police (PJ) and Immigration and Borders Service

⁵ See, in particular, the Cooperation, Action, Research, Worldview (CAIM) project (2005–2007), funded by the Equal Community Initiative.

⁶ This pertains to the residence permits for trafficked persons of non-European origin, which are subject to article 109 of Law No. 23 of 4 July 2007 on the Entry, Stay, Exit and Removal of Foreigners from Portugal (Immigration Law). According to this law, residence permits can be issued upon expiry of the reflection period under three cumulative conditions: (a) the potential benefit of the victim's presence for the purposes of the investigation and criminal proceedings; (b) the victim's clear intention to co-operate with the authorities to facilitate the investigation; (c) the cessation of relations with those persons suspected of having committed the offence concerned. Since 2007, a special regime for granting a residence permit has been envisaged when trafficked persons fail to meet criteria (a) and (b), but this is justified by the personal situation of the victim or members of his/her family (see Decree-Law no. 368 of 5 November 2007). However, to date, the formally envisaged regime does not appear to have been implemented in any substantive sense.

(SEF), as the two police bodies with specific competence to conduct investigations related to human trafficking.⁷

Another prominent actor, and a driving force behind the construction of the Portuguese counter-trafficking field, is the Commission for Citizenship and Gender Equality (CIG). As a body directly answerable to the state, the CIG is integrated into the Presidency of the Council of Ministers, which has been entrusted with the coordination and monitoring of anti-trafficking activities. The presence and role of the CIG—a body traditionally committed to tackling gender-related issues—is strongly related to the fact that, also in Portugal, *trafficking victims* were sought primarily in the sex trade, with trafficking described as a form of gender-based violence as well as a criminal issue. In reality, the Portuguese conceptualization of trafficking has changed over the years: It was later framed as an issue related to men exploited for labor, and in more recent times, this focus has widened to include minors (Clemente, 2019).

Here, I would like to consider the Portuguese counter-trafficking field in accordance with Pierre Bourdieu's (1984, 1986, 1989, 1990; see also Bourdieu & Wacquant, 1992) analytical tools of 'field', 'capital', 'habitus', and 'doxa', connecting them to Reyhan Atasü-Topcuoğlu's (2015) analytical concept of 'ideological closure'. Bourdieu describes different segments of social space in terms of 'fields'. Society as a whole is a field that itself contains different fields characterized by relative autonomy. According to Bourdieu, '[t]o think in terms of field is to *think relationally*' (Wacquant, 1989, p. 39, emphasis in original). In fact, he defines the field as 'a network, or a configuration, of objective relations between positions' (Bourdieu & Wacquant, 1992, 97). The field is a structure of domination in which different agents (both individual and collective) engage in struggles. The position of these agents is determined by the type and volume of

⁷ See Decree-Law no. 49 of 22 April 2008 and Decree-Law no. 252 of 16 October 2000.

the ‘capital’ they hold (Bourdieu, 1986). Here, capital points toward any generalized resource—both monetary and non-monetary; tangible and intangible—that provides its holders with power and an advantageous position within a certain field. The capital, in all of its different forms—economic, cultural, social, and symbolic—refers both to the resources used in the struggle, and to those subject to appropriation within each field (or ‘market’; Bourdieu, 1984).

Counter-trafficking can be conceptualized as a field within which different definitions of human trafficking and ways to combat it (cultural capital); legitimate authority to reproduce such definitions (symbolic capital); as well as economic resources (economic capital) for the implementation of policies norms, programs, and services based on these definitions, are at stake (Atasü-Topcuoğlu, 2015; Clemente, 2019). Following Bourdieu’s line of thinking, the role of counter-trafficking NGOs should be analyzed relative to other agents in this field. These agents, with differing levels of power (types of capital), can constitute a resource (social capital) and instrument of access to other types of capital, and/or be competing agents in the field. The position of each agent in the counter-trafficking field, and the potential and limitations of their actions, are affected by the capital and its distribution amongst the other agents in that field.

Both the potential and limitation of agency in a given field are enacted by agents in the form of attitudes and dispositions—that is, in the form of ‘habitus’. In Bourdieu’s (1989, p. 18) terms, habitus is ‘the product of the internalization of the structures’ of the social world. Related to the concept of habitus is that of ‘doxa’, with which Bourdieu (1990) indicates the horizon of unquestioned beliefs shared by the agents in the field. All fields develop a doxa, which separates legitimate discourses and interests from those that are considered illegitimate.

Atasü-Topcuoğlu (2015) introduces the concept of ‘ideological closure’ to refer to the ‘group of common definitions and practical logics shared by all actors in the field’ (3). As Atasü-Topcuoğlu points out, from the 2000s onward, all actors in the transnational field (individuals, organizations, and states) accepted a problematization of trafficking as a migratory/security problem, as well as the practical logics of the ‘3 Ps’, namely the prevention of trafficking; prosecution of traffickers; and protection to secure the human rights of victims. These practical logics of counter-trafficking also include the New Public Management (NPM) approach. This approach calls upon a multiplicity of actors (governmental bodies, supranational organizations, academics, and NGOs) in the field in order to reduce the costs of addressing social problems and providing social services (Atasü-Topcuoğlu, 2015).

If, as Atasü-Topcuoğlu (2015) suggests, all conflicts, struggles, and competitions in the counter-trafficking field are exercised within the context of its ideological closure, then, in accordance with Bourdieu, when the struggle and the dialectic that are constitutive of the field cease, it may start to function as an ‘apparatus’, hence limiting the field’s potential to effect change or indeed reflect upon such constructive actions (Wacquant, 1989). Before presenting the findings of the research carried out in the Portuguese counter-trafficking field, in the next section, I will describe the methodology employed in this study.

Methodology

This article is based on primary and secondary sources collected in two research projects. The first project (2014–2018) studied the protection of women labelled as *sex-trafficking victims* in Portugal, while the second (ongoing) project (2018–2024) studies the construction of anti-trafficking systems in Southern Europe. The collection and

analysis of national and international reports, action plans, and websites has enabled the identification of the different NGOs that have taken part in anti-trafficking activities in Portugal in recent decades. Moreover, the paper draws on about fifty qualitative interviews collected between 2015 and 2019 with counter-trafficking agents. Seven of these interviews were held with representatives of governmental organizations; five with police bodies; and thirty-four with NGOs. Interviews lasted from 1 hour and half to 2 hours and half. The majority were recorded and transcribed, however, in some cases, I took notes in order to respond to the request of some participants not to record the interview. This request was most prevalent among the representatives of the NGOs that, despite their formal presence in the counter-trafficking field, do not have, or no longer have, any projects on the subject and/or those the involvement of which was formal rather than substantial.

The selection of the NGOs that participated in the research was based on the composition of the Network for Support and Protection of Victims of Trafficking (RAPVT). Envisioned in the second National Action Plan to Prevent and Combat Trafficking in Human Beings (II PAPCTSH) – 2011–2013, and created in 2013, this network is composed of different national entities (GOs and NGOs) that either directly or indirectly intervene in the fight against trafficking. A second group of NGOs are those that are part of the Support Commission for Human Trafficking Victims (CAVITP), established in 2006 and comprising both lay and religious civil society organizations. A further group of NGOs are the members of the Network on Sex Work (RTS) which, since 2011, has brought together NGOs that intervene on behalf of sex workers. Some of the organizations that participated in the research are simultaneously part of several of these different networks, each characterized by different histories, structures, and objectives.

These different sources of information made possible the collection of data specific to each NGO and its role in the Portuguese counter-trafficking field. Also included is material detailing the history, mission, vision, and capital of the NGOs concerned, as well as further information related to the NGOs' anti-trafficking activities, demographics, and the types of human trafficking they address. During interviews, I paid particular attention to the position and relationships of each NGO within the counter-trafficking field, as well as its evolution over time. To study the roles of different NGOs in the implementation of policies, norms, and discourses on trafficking and the construction of the Portuguese counter-trafficking field, my data analysis was nuanced by also considering their 'historical, or genetic' perspective (Wacquant, 1989, p. 37). This made it possible to reconstruct the situation in which policies, norms, and discourses that today belong to the *routine* order, were not yet naturalized and therefore could be questioned. In doing so, I consider Bourdieu's warning who, in dialogue with Loïs Wacquant, reminds us that 'there is history only as long as people revolt, resist, act' (Wacquant, 1989, p. 40). In other words, the adoption of a historical perspective allows me to better understand when precisely the Portuguese counter-trafficking field lost its potential for debate, configuring itself as an apparatus.

Findings

The early history of the fight against trafficking

The early, somewhat hesitant mobilization of Portuguese NGOs in the fight against human trafficking can be traced back to the end of the 1970s, when a number of journalistic articles denounced the suspected *trafficking* of Portuguese women to Spain. These articles encouraged the feminist association Alternative and Answer Women's Union (UMAR) to launch a manifesto for an investigation into trafficking. After collecting

thousands of signatures in January 1978, the NGO called for a demonstration in the city of Porto—under the motto ‘No to the exploitation of women, for their dignity’—to deliver the manifesto to local government representatives (Tavares, 2000). After this date, no new NGO mobilizations have been reported. Predating the UMAR initiative, since the latter part of the 1960s, a faith-based organization, O Ninho, has been committed to the protection of those who are defined as *prostituted* women. However, the history, mission, and national and international relations of the two organizations mentioned above differ significantly.

UMAR, established in 1976, arose from the broader participation of women in the events of 25 April 1974 (the date of the military coup widely known as the Carnation Revolution). The mobilization of women within UMAR was linked to the more general struggle that faced Portuguese society after the April Revolution. In a document published on the NGO’s website, one of the founders, Manuela Tavares, indicated that, among the struggles of the ‘1st Phase 1976/1977’ of the NGO, were those for the literacy of the most disadvantaged women; the right to employment and equal pay; nurse-ries; housing; and the improvement of living conditions in the poorest neighborhoods.⁸ In the following years, the struggle for contraception and abortion, against gender violence, and for the professional, social, and political affirmation of women, was to become central to the mandate of the NGO.

On a national level, UMAR’s relations with the ‘field of power’ (Bourdieu & Wacquant, 1992) are, historically speaking, solid. Since 1977, it has belonged to the Advisory Council of the current CIG. As the interview with a representative of the NGO

⁸ Retrieved on June 2020, from <http://www.umarfeminismos.org/index.php/quemsomos/historia-1o-fase-19761977>

highlights, one of the challenges different NGOs seem to face, even today, is their historical links to political parties:

The Association had ups and downs because [it] was also linked to a political party of the radical left and therefore that connection ended up affecting UMAR as a result of the very differences that existed within this radical left but [...], little by little UMAR was freeing itself from this party sphere. In the eighties, we were already away, and we had our own path. (UMAR, interview December 2019, author's translation)

In more recent times, UMAR has strengthened its dialogue with NGOs from other countries in the development of its own intervention projects. Overall, even if in dialogue with various international interlocutors, the NGO would seem most constructively single-minded in the pursuit of its own agenda, using its own national struggles as its starting point.

The second organization mentioned, O Ninho, was founded in 1967, prior to the Carnation Revolution, following the model of the French Nest, which was founded in 1936.⁹ Unlike UMAR, O Ninho has a religious character which, combined with its international relations, has played a decisive role in defining its mission and vision, the focus of which is upon interventions aimed toward the 'women victims of prostitution'.¹⁰

Initially, both NGOs shared an abolitionist view of prostitution as a form of patriarchal violence. However, over time, the position of UMAR changed. Dialogues with other foreign organizations, such as the Spanish Colectivo Hetaira, the Portuguese LGBTQ movement, and researchers (see e.g., Oliveira, 2004, 2011; Ribeiro et al., 2007;

⁹ Retrieved on June 2020, from <https://www.oninho.pt/content/oninho/nossahistoria.htm>

¹⁰ Retrieved on June 2020, from <https://oninho.pt/content/oninho/quemsomos.htm>

Silva & Ribeiro, 2010) contributed to their repositioning as a pro-sex workers' rights organization in 2011, followed by their entry into the RTS and their participation in the public debate on the subject.

The call to arms

It took approximately twenty years from the mobilization of the late 1970s before *human trafficking* slowly entered the national political agenda. In 2000, Portugal signed the Trafficking Protocol (which was finally ratified in 2004) and in 2005, the Council of Europe Convention. Since the late 1990s, the Commission for Citizenship and Gender Equality (CIG) has initiated a *call to arms* of different actors.

At a time when NGOs had no experience of intervention with *trafficked* women, O Ninho was among the first organizations called to arms in the emergent counter-trafficking field. O Ninho is both highly regarded and respected, as suggested by the nomination of its director, Inês Fontinha, for the Nobel Peace Prize for her work spearheading the organization in the early 2000s. Moreover, O Ninho shared its abolitionist approach to prostitution with the main governmental organization in the field, the CIG. However, over time, tensions arose between the two actors. The CIG, while maintaining an abolitionist position, did not agree with the conflation of *prostitution* with *sex trafficking*, which is still supported today by O Ninho. The CIG rejects the conflation of prostitution and sex trafficking, as well as the need to combat trafficking by intervening in prostitution policies. This narrative emerged following the first International Seminar on Trafficking and Sexual Exploitation of Women, organized in Portugal in 1999. During the event, promoted by the CIG and co-funded by the European Commission through the STOP program, one of its representatives affirmed:

Often the concepts of trafficking and prostitution appear interconnected. This automatic connection should be avoided, bearing in mind that different states have different approaches and policies regarding legislation on prostitution, which can complicate the necessary reconciliation of legislation in trafficking and the protection of its victims. (Varandas & Saraiva, 2000, p. 173)

A few years later, another NGO, the Family Planning Association (APF), became involved in the CAIM project, led by the CIG and widely regarded as crucial, both for the mobilization against trafficking and the elaboration of laws and policies developed in Portugal after 2007. The APF emerged prior to the April Revolution, in 1967, with the primary objective of promoting family planning. Describing its history, the NGO emphasizes that ‘the group of APF founders includes sectors linked to progressive Catholicism in the 1960s, elements linked to the so-called Liberal Wing, but also others linked to movements opposing the regime’.¹¹ The APF is primarily characterized by a solid national social standing. Indeed, one of its founders and presidents, Albino Aroso, was Secretary of State of the VI Provisional Government. The NGO also belongs to the Advisory Council of the CIG. The APF was awarded the Order of Merit for services rendered to the country by the Presidency of the Portuguese Republic—an act that bears testament to its symbolic capital even if, at that time, the APF did not have equally robust cultural capital in the form of specific knowledge of the issue of human trafficking and ways to combat it. However, since 1997, their management of the Person Space—a meeting and support center for prostitutes in the city of Porto—created an opportunity for them to become involved in the counter-trafficking field.

The NGO’s firm distinction between prostitution and trafficking, as well as its (albeit timid) pro-sex workers’ rights activism, contributed to a progressive expansion of its activities within the field. In fact, although the NGO has been part of the RTS

¹¹ Retrieved on June 2020, from <http://www.apf.pt/quem-somos/historia>

since 2011, it was only in 2014 that it publicly described its position regarding sex work by emphasizing that ‘[sex work] cannot be compared to the reality of human trafficking, inasmuch as sex work involves a choice and trafficking is a deprivation of freedom, and considered a violation of human rights’.¹² Furthermore, the APF has maintained a certain reluctance toward sharing its non-abolitionist position, both during research interviews and at public events. This was true in the case of the first seminar of the northern RAPVT, held in Porto on 8 May 2017, during which the director of the shelter run by the APF avoided answering questions from the public on the issue.

The institutionalization of the counter-trafficking field

The year 2007 represents a key moment in the evolution of the Portuguese counter-trafficking field. In addition to the elaboration of the I PAPCTSH - 2007–2010, important changes were introduced, both to the Immigration Law and the Penal Code, article 160 providing the current definition of the crime of trafficking. In 2008, the Council of Europe Convention on Combating Trafficking in Human Beings also came into force. From 2007 to 2013, during the *institutionalization* of bureaucratic attention, the involvement of NGOs in the field remained low-key.

The legislative changes introduced in this period—which, as anticipated above, are primarily guided by criminal justice objectives—seem to contribute to the NGOs’ limited participation. The possibility for NGOs to enter the counter-trafficking field, accumulate economic and cultural capital, and remain in a central position within this field is substantially conditioned by sharing an enforcement-led approach to trafficking. This seems to compromise both the interests of *trafficked* persons (who become a sec-

¹² Retrieved on June 2020, from <http://www.apf.pt/noticias/posicao-apf-trabalho-sexual>

ondary concern; see Clemente, 2017b), and the role of some NGOs, requiring new, unexpected, multisectoral collaboration with law enforcement. As a representative of O Ninho emphasizes:

The process necessary to obtain a residency permit is extremely complex and requires considerable time. Being partners of the police is challenging for both us and our victims: Talking is different from collaborating with the police. Then the problem becomes that of bypassing the [immigration] law, of finding an article of law that can help these persons. (O Ninho, interview June 2015, author's translation).

During this time, the only NGO institutionalizing its intervention in the counter-trafficking field was the APF. In 2008, the NGO took over the management of the first Portuguese shelter for women identified as *victims of trafficking*. In addition, since 2012, through five regional, multidisciplinary specialized teams (Equipa Multidisciplinar Especializada, EME), the APF has been the driver of interventions characterized by their involvement in police identification of *presumed victims* and their subsequent cooperation with investigations against *traffickers*. The NGO's approach is summed up by the words of a CIG representative:

... and there are those [NGOs] that do the work just mentioned. That is the work of continuous participation in the whole process in favor of the victim, working with the police bodies for the formal identification of the victim itself, working simultaneously with the police and with the victim, via which the relationship of trust between the victim and the police becomes established and the victim realizes that the police are not bad. They are not the bad guys, but are there to help and protect the victim. Therefore, working on the trust between the actors leads to the identification of the victim, and subsequently leads to the conviction [of traffickers]. (CIG, interview August 2015, author's translation)

The security-led approach that characterizes such anti-trafficking interventions appears to increase tensions between governmental organizations and some abolitionist NGOs in the field. As a representative of the CIG confirms:

There was an actor here who for many years did not provide data and said that it had many victims of trafficking... It was O Ninho. Why did this happen? Because there was distrust in the system—that is, there was a suspicion that if O Ninho said, ‘We have many people that we identify or that we signal as potential victims, and that are irregular’, SEF [Border Service] would pursue and reject all of these people, and thus human rights or people’s protection is drawn into question. Thus, [O Ninho said:] ‘We work for the promotion of human rights and we do not work for the persecution of the crime or against someone irregular in the country.’ (CIG, interview August 2015, author’s translation)

Albeit in a peripheral sense, O Ninho and other explicitly abolitionist NGOs—some of which have been working together since 2006 under the CAVITP umbrella—have remained in the counter-trafficking field. Through state funding and opportunistic partnerships, they continue their public education and awareness activities, accepting the institutional invitation to leave the debates surrounding the security-led approach to trafficking and the abolition of prostitution outside the counter-trafficking field. In the words of the representative of one of these NGOs:

The CIG has not wanted to debate the issue of prostitution. And we were even advised, if we wanted to see the projects approved, not to include the issue of prostitution. Because they, from the CIG, said that the issue of prostitution was going to be the subject of an autonomous intervention. They were more interested in talking about labor, about labor exploitation, which, as you know, does exist, doesn’t it? (Movimento Democrático de Mulheres [MDM], interview July 2016, author’s translation)

Over time, some NGOs have been affirming a pro-sex workers' rights position. In this case, as I will show below, there is an even more cautious relationship between the governmental (abolitionist) institution that coordinates the activity in this field, the CIG, and non-abolitionist NGOs.

The consolidation phase

The III PAPCTSH - 2014–2017, adopted in December 2013, inaugurated a period of *consolidation* for the institutional commitment to the fight against trafficking. During this phase, new NGOs acquired an important role within the counter-trafficking field, among them Saúde em Português and the Portuguese Association for Victim Support (APAV). Both organizations expanded their economic and cultural capital, and became involved in public education and awareness activities, as well as the running of two new shelters, one for trafficked men—who are increasingly at the center of the discourse on trafficking—and the other for trafficked women.

Founded in the 1990s, both Saúde em Português and APAV are relatively new NGOs. On its website, Saúde em Português emphasizes that it is an organization ‘with international headquarters in Coimbra, Portugal, but facing the world!’ with development cooperation, humanitarian and emergency aid, and awareness raising projects.¹³ However, the analysis of available activity plans and budgets suggests that, since 2012, the NGO has progressively moved away from its stated mission by focusing its activities solely in the area of trafficking and making the running of the shelter for trafficked men its main source of funding. In particular, in 2019, €226,000 of the €250,942 that the NGO received that year was used for activities related to the management of this shelter, and €18,362 of its budget was allocated to the fourth edition of an awareness

¹³ Retrieved on June 2020, from <https://www.saudeportugues.org/quem-somos/>

project—Mercadoria Humana (Human Commodity)—that, during the last few years, has toured the country with an exhibition on the *sex trafficking of women*.¹⁴

Turning now to the APAV, the historical mission of the NGO has been to provide support for victims of crime and improve public, social, and private policies centered on victims. As is demonstrated by the President of the Republic's award to the NGO, making it an Honorary Member of the Order of Liberty—at the written suggestion of a group of one hundred academics, media personalities, artists, and actors—this is an organization with substantial social and symbolic capital. The strategic mobilization of this social and symbolic capital, as well as its dependence on state funding, are confirmed in a meticulous description on its website of the financial crisis the NGO experienced in the early 2000s.¹⁵

The APAV, which was entrusted with the management of the second shelter for trafficked women, asserts a supposedly 'neutral' position regarding the sale of sex—at least at the national level. Meanwhile, as suggested by its participation in one of the main international networks of NGOs working on trafficking, at the international level, the position of the NGO seems more clearly defined. This is the Global Alliance Against Traffic in Women (GAATW), known for its emphasis on the need to differentiate between *voluntary* and *forced* prostitution, and its critique of abolitionist ideas, according to which all forms of prostitution are seen as exploitative. However, the NGO avoids any advocacy activities for the rights of sex workers, as well as any activities that question the current security-led approach to trafficking.

During the consolidation phase of the Portuguese counter-trafficking field, various NGOs continued to be active, particularly in the realm of public education and

¹⁴ Retrieved on June 2020, from <https://www.akto.org/pt/quem-somos/relatorios-e-planos/>

¹⁵ See https://apav.pt/apav_v3/index.php/pt/a-apav/historia

awareness—most of them without experience of working with trafficked people. Involvement in the debate and interventions by organizations with experience in matters concerning migrant and/or sex workers remain marginal, despite the creation of RAPVT in 2013. This network, coordinated by the CIG and composed of governmental, non-governmental, and police organizations, emerged in response to international pressure (see GRETA, 2013, 2017). Once again, access to the network was effectively closed to non-abolitionist organizations. In the words of a CIG representative: ‘I have no problem that such an organization [referring to RTS members] was part of the network. [However,] I will not invite it, as is evident’ (CIG, interview August 2015, author’s translation). In a context characterized by a structural scarcity of financial resources, the wider presence of NGOs—including those working with migrants—appears limited by a substantial institutional reticence to open up the counter-trafficking field, as is highlighted in the following interview with an NGO representative:

NGOs—including migrant organizations—do not have sufficient human resources to be part of so many networks such as RAPVT because it is a lot of work. You need people involved in projects or volunteers to go to the networks’ meetings during the workday. For the smaller organizations, this participation becomes even more complicated. But perhaps there was also no political will to include these organizations: This willingness has to come from both governmental and not-governmental organizations. (UMAR, interview April 2018, author’s translation)

In the meantime, networks such as the RAPVT, which could potentially have opened up space for debate among the different actors (and the possibility for dissent), quickly end up devoid of meaning. A representative of the UMAR eloquently explains:

I have had a critical view of RAPVT lately. Last year [in 2017] RAPVT did not meet once. Previously, it met once or twice a year. There were meetings during which there was some reflection on the phenomenon [of trafficking]. There was an openness for organizations to ask questions and share ideas, but it has been lost

over time. Perhaps this was a political choice. [...] The participation of the various organizations in RAPVT ended up being closely aligned to what had been foreseen by the PAPCTSH: Every effort was made to achieve its goals. (UMAR, interview April 2018, author's translation)

Hence, both potentially critical NGOs and spaces of inter-institutional dialogue remain far from entering the counter-trafficking field.

The expansion phase

During the consolidation phase of the counter-trafficking field, a second evaluation of the implementation of the Council of Europe Convention took place in Portugal. The result of this evaluation seems to have influenced the elaboration of the IV PAPCTSH - 2018–2021. Adopted in June 2018, it inaugurated the current phase of *expansion*, during which the concept of trafficking broadened and the number of actors in the field increased.

Until 2018, cases of trafficking in minors appeared to be limited, both in terms of the reports and the data produced. Intervention, when necessary, was managed within the national protection system for children and young people at risk. The accumulation of the cultural capital necessary for its management involved training sessions for those who manage centers for such groups. However, after the GRETA evaluation in 2017, minors began to appear, both in the data (see e.g., OTSH/MAI, 2018) and in public debates.¹⁶ Henceforth, a further (fourth) shelter for minors was opened with the financial support of the EU. Its management is entrusted to Akto: Human Rights and Democracy. This NGO, founded in 2015, indicates in article 2 of its statute that its main objectives

¹⁶ See, for example, the third seminar of the northern RAPVT (Braga, 8 May 2019) or the second meeting of the RAPVT center (Figueira da Foz, 7 December 2018).

are the education, promotion, and intervention on human rights and democracy.¹⁷ As the youngest NGO in the counter-trafficking field, it is also the only one that, since its foundation, lists the fight against trafficking among its (albeit secondary) objectives. The management of the shelter for trafficked minors is currently Akto's main activity and source of funding. The NGO also participates, as an associate member, in the Portuguese Platform for Women's Rights (PpDM). This network, established in 2004, represents Portugal in the European Women's Lobby (EWL), as well as in the EU Civil Society Platform against human trafficking, and currently constitutes one of the most active Portuguese abolitionist platforms.

During this phase, in addition to the cautious expansion of the number of actors in the field, there was a strengthening of the position of the existing actors. This is the case for the APF, which is currently the main NGO in the counter-trafficking field in Portugal. In addition to its role coordinating the various regional RAPVTs set up in the last few years with the help of the state and the EU, and its participation in numerous institutional events on the issue, the APF has been involved in the management of a second shelter for trafficked men. Furthermore, the NGO has assumed an increasingly important role in activities related to the repatriation of European *victims of trafficking*.

In this phase of expansion, the cultural industry has entered the counter-trafficking field, taking advantage of the opportunities it offers. An example is the launch of the movie 'Carga' (dir. Bruno Gascon, 2018), telling the story of a young Russian woman who, believing she is going to work as a model in the United Kingdom, is imprisoned by the Russian mafia and sold as a prostitute in Portugal. The partners involved in the production of the film are both governmental and non-governmental, such as the CIG and the APF. The collaborative production of 'Carga' created the opportunity, led by

¹⁷ Retrieved on June 2020, from <https://www.akto.org/pt/quem-somos/estatutos/>

the APF, for two of its main actors to become ambassadors for the Portuguese fight against trafficking. The film also provides resources, such as photos for an exhibition, and the message related to #podiassertu (It could be you)—one of the most recent national awareness campaigns. In other words, with the entry of the cultural industry through alliances with different actors in the field, *sex trafficking* opportunistically reappears, together with the controversial portrait of the naïve young girl, deceived and kidnapped by transnational trafficking networks.

Discussion

The involvement of Portuguese NGOs in counter-trafficking is a relatively recent development. Post-25 April 1974, civic associations became more visible in Portugal, freed from the mistrust and hostility of the central power of the preceding New State (Franco, 2015). However, a multiplicity of problems facing Portuguese society contributed to trafficking—for a long time identified with prostitution—being placed at the very bottom of public priorities. Furthermore, only one or two decades ago, even the use of the word *trafficking* was exceptional in Portugal. From the turn of the twenty-first century, the bureaucratic goal of building the Portuguese counter-trafficking field encouraged governmental actors to issue a *call to arms* to some NGOs. In contrast to previous contexts (see Atasü-Topcuoğlu, 2015; Bernstein, 2018; Limoncelli, 2016; Musto, 2010), it was the government rather than the NGOs that stimulated the construction of the counter-trafficking field. It was, above all, the historical dependence on the state (Caria & Pereira, 2014; Casanova et al., 2019; Franco, 2015; Quintão, 2011)—which was and continues to be the main funder of NGO activities—that encouraged some of them toward a limited extension of their mission, as well as the accumulation of cultural capital required to manage this new issue.

Although historically, Portuguese NGOs have prioritized other issues and none of them self-identify as counter-trafficking NGOs, from the *consolidation* phase of the national field onward, trafficking has become one the main areas of intervention and funding for some NGOs, especially the more recent ones and/or those with limited resources. They see, in Bourdieu's (1990) words, the 'interest' or *illusio* of the field. Confirming the scholar's ideas, moreover, it was first and foremost the social capital-rich NGOs that had privileged access to the counter-trafficking field. Despite their differences in terms of history, party and religious affiliations, NGOs with strong connections and institutionalized relationships with dominant actors such as the state, sharing with it trust and reciprocity, first gained access to the field. Despite their different missions and visions, all of them were holders of symbolic capital which, according to Bourdieu (1989), results from the economic and cultural capital they have accumulated in another field and is here translated into symbolic capital in the counter-trafficking field.

Notwithstanding initiatives such as RAPVT—once again stimulated by the transnational counter-trafficking field—the involvement of NGOs in counter-trafficking efforts has historically been limited, both in terms of the number of NGOs and the nature of their involvement. Importantly, not all of the NGOs involved in this field engage in ongoing work on trafficking. Sometimes, when asked to participate in this study, they in fact expressed resistance because, despite their involvement in RAPVT, as one of the NGOs explains: 'We have not deepened our experience in this area. Thus, we fear that we will not be able to contribute to your study on this issue' (Jesuit Refugee Service, email communication, 17 March 2016, author's translation).

The NGOs with the greatest involvement in the field—such as APF, as well as Saúde em Português, APAV, and Akto—tend to restrict themselves to running services

such as shelters, public education and awareness, in accordance with established prevention and protection activities. One of the main protagonists in the Portuguese counter-trafficking field, the APF, expanded its interventions to facilitating identification by police and subsequent repatriation of *victims*. Through the previously mentioned EMEs, the organization can also assist law enforcement agencies during raid and rescue operations and/or subsequent police interviews of *suspected victims*. After the exceptional mobilization of the late 1970s, with the *institutionalization* of the field, NGOs remain noticeably distant from any form of advocacy. Unlike some experiences in the international context (Limoncelli, 2016), the NGOs that have had the opportunity to enter into this field and progressively expand their capital, even today, do not question the current security-led approach to trafficking, defined by a focus on national security, rather than concentrating on the security of trafficked persons. Rather, when questioned about their concerns, a representative of one of the most prominent NGOs in the field reported that their primary aim is the ‘prosecution of traffickers’ (APF, interview July 2015, author’s translation).

This also means that, in stark contrast to what happens at an international level—where currently, the criminal justice approach to trafficking usually works in tandem with an abolitionist approach to prostitution (see e.g., Bernstein, 2018)—one of the main characteristics of the Portuguese field is the fact that this approach is being shared rather than challenged by the timid and/or occasionally pro-sex workers’ rights organizations closest to the field of power. This is true for the APF, but also of the APAV. Especially in the early stages of the construction of the field, the uncertainty created by trafficking—a issue that was for a long time far removed from the main areas of intervention of many NGOs—has influenced definitions of trafficking as well as counter-trafficking activities, bringing them close to the institutional ones. However, it

is above all the NGOs' strong economic and political dependence on the state that has stimulated them to share its security-led discourses, as well as to enter the counter-trafficking field.

This dependence has also encouraged abolitionist organizations—kept in the field, albeit in a peripheral position (such as O Ninho and MDM, which tend to be engaged in education and awareness-raising activities)—to accept the institutional invitation to leave the debate around the abolition of prostitution outside the counter-trafficking field. Closely related to this is the fact that, starting from the consolidation of the field, none of the NGOs closest to the field of power address the *sex trafficking* of women alone. Rather, they report working on multiple types of trafficking and populations. More generally, the conceptualization of trafficking is strongly influenced by the institutional definition of the problem that has emerged over the past twenty years, first as an issue related to women in the sex industry; then to men exploited for labor; and in more recent times, its focus on minors (see also Clemente, 2019).

A positive outcome is that practices of surveillance of the sex market, which may negatively impact sex workers' interests (see e.g., Agustín, 2007; Bernstein, 2018; Musto, 2013), are relatively exceptional experiences in Portugal. Indeed, one of the defining characteristics of the Portuguese counter-trafficking NGOs is that they benefit from the reproduction of stereotypical representations of *sex trafficking* while accepting the exclusion of *sex-trafficked women* from national counter-trafficking efforts. Current stereotyped and misleading representations of the sex trafficking of women in cultural and awareness-raising products—e.g., exhibitions and films¹⁸—appear to constitute a

¹⁸ For example, this is true for the photography exhibition organized in the course of the previously mentioned Mercadoria Humana project of Saúde em Português (see <https://rb.gy/pxqubg>); and the exhibition that was born out of the collaboration between the producers of the film 'Carga' and APF (see <https://rb.gy/barbxj>).

‘secondary exploitation’ (Cojocaru, 2016) of both sex workers and *trafficking victims* by many counter-trafficking NGOs.

Overall, the study—reinforcing a critical perspective on NGOs’ actions (Bernal & Grewal, 2014; Heins, 2008; Hirsch, 2003)—confirms a certain caution be exercised with respect to the ‘substantive’ participation of NGOs in counter-trafficking, which could include challenging the controversial anti-trafficking policies, norms, and discourses in which they are involved, and indeed depend upon in effecting political change (Bearup, 2016; Musto, 2010). This does not mean that NGOs’ representatives do not have some awareness of the limits of current counter-trafficking governance. Importantly, the ethnographic approach employed in this study permitted this analysis to go beyond institutional discourses and practices, and grasp the contradictions between these and the (sometimes unexpected) testimonies of individuals. Meanwhile, the presence and activities of NGOs in the field are representative of the institutional conceptualization of trafficking—as well as its various evolutions—and the transnational and national logics of counter-trafficking. Despite the growing salience of these ‘benign parasites’ (Heins, 2008), owing to the neoliberal outsourcing of prevention and protection services, it seems they are unable to contribute to any substantial expansion of the debate surrounding the governance of trafficking.

It could be argued that the increased neoliberal entanglements of NGOs and the state through the sub-contracting of public services to NGOs creates passive service providers. However, research in other fields indicates that the actions of NGOs are not always determined by a logic of global neoliberalism and, for example, can be shaped by particular historical contexts and local ethical regimes, following instead the NGOs’ own agendas (see e.g., Curtis, 2010; Mosse & Lewis, 2005). To better understand the potential and limitations of NGOs in the counter-trafficking field, it is necessary first of

all to follow Wacquant's (2009, 2012) invitation to consider neoliberalism as a political discourse, rather than simply an economic project characterized, among others, by the shift from welfare state to carceral state, and the rise of new governing institutions, such as NGOs. Following Wacquant's argument, the 'NGO-ification' of the counter-trafficking field comes to be understood as part of its 'ideological closure', necessitating—following Atasü-Topcuoğlu (2015)—a problematization of the definition of trafficking as merely a migratory/security problem, as well as enabling one to challenge the practical logics of the '3 Ps' and the aforementioned NPM approach (Atasü-Topcuoğlu, 2015). As Atasü-Topcuoğlu (2015) points out, 'to reveal ideological closure in the [...] field of counter-trafficking is to reveal the power relations in the field and the blind spots in counter-trafficking policies at the same time' (3). The Portuguese experience demonstrates clearly that agents who can question current ideological closure—which includes the instrumental institutional distinction between (*sex*)trafficking and prostitution—do not enter the field or remain in a peripheral position. In other words, in contexts characterized by a structural weakness of organized civil society, the rapid and strong institutionalization of counter-trafficking—managed by dominant bureaucratic actors according to the current problematization of trafficking and its logics—leaves NGOs with only limited access and space for action in this field.

The focus on crime and security—which also makes the Portuguese counter-trafficking field inherently one of repatriation and produce a 'deafening silence' (Clemente, 2017a) among *trafficking victims*—further contribute to the reproduction of the current 'ideological closure'. What Bourdieu would describe in terms of a mismatch between structure and action seems mainly to arise from exogenous events, for example, any alterations of the wider transnational idea of what constitutes trafficking and/or its governance. As a result, despite the key role attributed to counter-trafficking NGOs,

they seem to act merely as neoliberal engines for the construction of an ‘apparatus’ without any kind of substantial dialectic, serving to maintain its existence more than to serve the interests of those women and men labelled as *victims*.

Conclusions

The aim of this paper was to study the role of NGOs in the construction of the counter-trafficking field. Focusing on the case of Portugal, it critically examined the potential and limitations of NGOs to challenge the current governance of trafficking, which is focused more on criminal justice than on social justice concerns. In setting these objectives, the paper answered questions that formerly remained on the margins of research, especially in contexts in which the study of trafficking reveals the role played by institutional entities. This is the case for Portugal, where knowledge of the topic remains limited and largely confined to statistical data produced predominantly by bureaucratic actors, and the research they produce and/or commission (Clemente, 2017a).

By extending Bourdieu’s conceptual tools to the study of counter-trafficking NGOs and linking them with Atasü-Topcuoğlu’s concept of ‘ideological closure’, the study contributes to critical scholarship on trafficking. The paper argues that, in a field characterized by a high level of institutionalization, as well as by a profound weakness of civil society, the activities of counter-trafficking NGOs remain far from an advocacy that could challenge current governance. Rather, counter-trafficking NGOs are complicit within a field that finds itself unable to fight for the interests of silenced *trafficked persons*. Despite the widespread humanitarian language employed by such NGOs, the only apparent struggle in today’s counter-trafficking apparatus seems to be that of its existence and, with it, the survival of its various agents. A feature of the Portuguese case is that the historical party ties of numerous NGOs would seem to place them at risk

of party exploitation, as well as of an exasperated political-economic dependence on the counter-trafficking apparatus.

Twenty years after the UN Trafficking Protocol, the COVID-19 pandemic seems to have activated a new *call to arms* against trafficking. Despite scant empirical evidence, a wide range of different agencies and organizations all over the world have pointed toward the impact of the COVID-19 pandemic on the increase in human trafficking. One of the open questions involves the concrete possibility that this new call to arms could be the occasion for a reconceptualization of both *human trafficking* and counter-trafficking initiatives—not only those of NGOs, but also those of more orthodox research.

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