Red light at the intersection:
The stigma of sex work and the double oppression inflicted upon trans sex workers.

Author: Alexandre Leal de Freitas
Supervisor: Csilla Kollonay-Lehoczky
ABSTRACT

Trans persons face structural barriers to access education and employment worldwide. They experience extreme adverse social-economic conditions, which ultimately lead to high rates of engagement in sex work as their main source of income. The majority of States around the world currently impose restrictions or criminal sanctions to at least one party involved in sex work activities, in an attempt to abolish the practice, assumed to be inherently exploitative.

Cisgender women are usually the target of sex work legislation and academic literature on the issue. This approach can overlook a significant group of people also subdued by gender norms. This thesis will focus on the experiences of sex workers of any gender, with an emphasis on trans individuals. It will incorporate post-modern feminism, queer theory and intersectionality concepts to investigate the negative impact of abolitionist sex work legislation and demonstrate how it creates a reality of powerlessness, accentuating the marginalisation of gender-oppressed groups in society.

This thesis argues for the adoption of decriminalisation strategies, thus recognising sex work as a legitimate form of labour, and claims for the implementation of legislation and public policies which primarily aim at protecting sex workers from human rights violations and abuse.
# TABLE OF CONTENTS

ABSTRACT .......................................................................................................................... 1  
ACKNOWLEDGEMENTS ...................................................................................................... 2  
TABLE OF ACRONYMS ....................................................................................................... 3  
TABLE OF CONTENTS ......................................................................................................... 4  
1. INTRODUCTION ........................................................................................................... 5  
2. TRANS, LABOUR AND THE STATE .................................................................................. 14  
   2.1. Trans Identity and Expression .................................................................................. 14  
   2.2 – Discrimination against trans individuals: The Labour Market .............................. 17  
      2.2.1 – The Domino Effect of labour market marginalisation ................................... 21  
   2.3 – The role of the State ............................................................................................... 24  
      2.3.1. The failure to respect, protect and fulfil trans persons’ right to work ............... 26  
      2.3.2. - Legal restrictions to sex work ...................................................................... 28  
3. SEX WORK, CITIZENSHIP AND OPPRESSION ............................................................. 32  
   3.1. – Sex work as labour ............................................................................................... 32  
      3.1.1. - Choice, Circumstance and Coercion ................................................................. 36  
      3.1.2. - Survival Sex .................................................................................................. 39  
      3.1.3. - Queering sex work ....................................................................................... 40  
   3.2 – Sex workers’ citizenship ........................................................................................ 42  
      3.2.1. - Exploitation ................................................................................................... 45  
      3.2.2. - Marginalisation ............................................................................................. 49  
      3.2.3. - Powerlessness ............................................................................................... 51  
      3.2.4. - Cultural imperialism ..................................................................................... 54  
      3.2.5. - Violence ......................................................................................................... 57  
   3.3. - Intersecting oppressions ....................................................................................... 60  
4. RESPECT, PROTECT AND DECRIMINALISE ............................................................... 67  
   4.1 – Brasileiras, Travestis, Putas .................................................................................... 69  
   4.2 – The project for decriminalising sex work in Brazil – Bill 4211/2012 .................... 70  
      4.2.1. - Defining sex work and sexual exploitation (Articles 1 and 2) ......................... 72  
      4.2.2 – Organising sex work (Article 3) ..................................................................... 73  
      4.2.3 – The engagement of third parties (Article 4) ...................................................... 75  
      4.2.4 – Labour rights and related welfare (Article 5) .................................................. 76  
   4.3 – Policies for the protection of sex workers ............................................................... 77  
5. CONCLUSION ................................................................................................................. 82  
BIBLIOGRAPHY ................................................................................................................... 87  
ANNEX ................................................................................................................................ 94
Red light at the intersection: the stigma of sex work and the double oppression inflicted upon trans sex workers

Freitas, Alexandre : Leal de

https://doi.org/20.500.11825/164
Downloaded from Open Knowledge Repository, Global Campus’ institutional repository