The Movement to Combat Sex-Trafficking:

International Norm Development and Socio-Political Change

by

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ABSTRACT

Scholarship offers several models to explain international norm development and global socio-political change. This research offers a comparative analysis between the tightly coupled Norm Life Cycle model and the loosely coupled Bee Swarm model from world polity theory. I critique the Norm Life Cycle model as having three problematic components 1) actor-centered, 2) historically narrow, and 3) linear. Using the anti-sex-trafficking movement as a case study, this research finds that the loosely coupled perspective prevails. Pre-existing institutions created the environment for norm development processes. Institutional workspaces create the foundation for actors to act and come together. The Bee Swarm model is more inclusive and captures more nuanced aspects of social change.

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INTRODUCTION

"Nobody can know for sure that their advice was the turning point over some issue, so the impression of having an influence is never confirmed" (Barratt 1996, 9).

In 2000 the United Nations Convention against Transnational Organized Crime instituted the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (hereafter, the Palermo Protocol). This piece of international legislation represented a milestone for the anti-human trafficking movement because it ignited action where domestic laws criminalized human trafficking.[1] As of March 2019, 173 countries have ratified the Palermo Protocol, and 168 have criminalized trafficking domestically (U.S. State Department). Scholars (e.g. Limoncelli 2017) have observed these isomorphic trends.[2] To narrow the scope of my research, I focus on sex trafficking—one type of human trafficking and an issue that pertains to gender, forced prostitution, and sexual exploitation.[3] I breakdown the historical processes and developments to understand how the anti-sex trafficking movement successfully changed international norms and values. Efforts against sex-trafficking were first communicated on an international level by the International Abolitionist Federation in 1875 (Rao 2013; Siller 2017; Limoncelli 2010). At least one hundred and twenty-five years go by before the Palermo Protocol criminalizes sex trafficking in the early 2000s. Depending on time,

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[1] People are trafficked for sexual exploitation, forced labour, forced begging, forced marriage; for selling children and as child soldiers, as well as for removal of organs. Women make up 49% and girls 23% of all victims of trafficking. Sexual exploitation is the most common form of exploitation (59% share) followed by forced labour (34% share). Most victims are trafficked within their countries' borders – those trafficked abroad are moved to the richest countries. https://www.un.org/en/observances/end-human-trafficking-day
[2] Isomorphism is the similarities within organizations. Limoncelli 2017 finds that international associations are a predictors of anti-trafficking policy adoption in the developing world, but that domestic ngos are not.
[3] The trade in women and girls for sexual exploitation is an industry estimated to be worth US $7 billion (UNDP 1999: 5). Worldwide, approximately 1.2 million women and girls are trafficked for prostitution annually (UNDP 2000: 4). Estimates vary widely (Kempadoo and Doezema 1998; Ackerly, Stern and True 2006).

interest, and organization, sex trafficking was framed in different ways such as state regulated prostitution, white slavery, violence against women, and transnational organized crime. I analyze this process to observe how these developments have evolved, made progress, but have also repeatedly failed. What has happened in the last century and a half to allow for this movement's success in its current form? The puzzle may be characterized as the process in which a problem throughout human history is socially constructed and develops into a call to action.[4]

I argue that the commonly accepted knowledge derived from international relations that explain how social movements gain leverage internationally cannot be adequately applied to the international anti-sex-trafficking movement. In international relations, constructivism is the approach that dominates how the field perceives social change. More specifically, international relations scholars look primarily to Martha Finnemore and Kathryn Sikkink's (1998) Norms Norm Life Cycle explanation. Yet, I argue the Norm Life Cycle model has three problematic components: it is actor-centered, historically narrow, and linear in nature.

The present research suggests an alternative model, which avoids the effects of the three identified problems of the Norm Life Cycle. Known as the Bee Swarm (Hironaka 2014), this alternative model holds more explanatory power. The Bee Swarm model is not limited by the assumptions of the Norm Life Cycle model, when applied directly to the international movement against sex trafficking. This research finds that the loosely coupled model prevails because it includes the important role institutions play, rather than being tightly coupled to actors. I find that sex trafficking succeeds when it is

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[4] See Mary Douglas 1966 for a discussion on how longtime issues in society become socially constructed and classified into a problem worth solving.

defined as transnational organized crime, but the past conceptualizations work as institutional foundations and allow for more norm development, even when the norm itself shifts in meaning.

Main Argument

For three main reasons, the Norm Life Cycle model proposed by Martha Finnemore and Kathryn Sikkink is not as flexible as the Bee Swarm model in explaining the international processes of the movement to combat and criminalize sex-trafficking. The arguments against the Norm Life Cycle model will be expressed in three theoretical critiques: The three theoretical critiques are related in that the Norm Life Cycle model is actor centric, historically narrow, and linear. As an alternative, I look to Ann Hironaka's Bee Swarm model because it alleviates these identified shortcomings. First, the Bee Swarm model avoids the assumption that social change is anchored in actors. Instead, institutions provide the setting and the environment which allows action to follow. Second, the Bee Swarm model is broad enough to include nuanced histories of social movement. It took over 125 years of effort before international law criminalized sex trafficking which I argue the Norm Life Cycle model does not fully grasp. Third, the Bee Swarm model is aligned to loosely coupled systems which are models that are flexible in understanding change and allow for disorganization. On the other hand, the Norm Life Cycle model is a tightly coupled model because it assumes that the final outcome is clearly and directly linked back to the intentional actions of the actors.

Although this paper offers a critique of the Norm Life Cycle model, it does have value under specific conditions. It is useful in identifying actors and their actions.

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However, this research aims to offer a better understanding of the role of institutions. An important role of institutions is providing what Ann Hironaka calls institutional workspaces. Hironaka refers to these workspaces that create the environment which facilitates dialogue amongst actors to define and solve problems. Institutions provide the space and context for ideas to develop. The Bee Swarm analogy can capture the role of institutions. Moreover, the Bee Swarm is a loosely coupled model, meaning it acknowledges that international social change occurs as a network and different types of efforts contribute to the final outcome. Developing social change is thus viewed itself as a system with moving parts that can sometimes drive efforts for change in different unexpected directions. Most importantly, institutions are at the heart of new international norm developments because norms cannot exist in isolation from each other.

I take the assumptions of both the Norm Life Cycle and the Bee Swarm models and conduct an analysis in a case study. The research provides an account of how the international anti-sex-trafficking movement weaved through history within the League of Nations, the United Nations, and Second Wave Feminism. Eventually CEDAW failed to include domestic violence issues in its equity documents, which seems to create a backlash and results in a unification of women's issues via the 1993 Vienna Declaration and Programme of Action (amongst others). Efforts against sex-trafficking successfully integrate into broader gender equality issues through the rhetoric of "violence against women". I argue that the movement to criminalize sex-trafficking achieved success through the use of pre-existing and established institutions that provided the ground work, the foundation, the environment, and the space for actors to act within and develop new institutions.

Overview

The sections below are as follows. The subsequent section introduces the theoretical perspectives in question and compares two approaches driving social change. The Norm Life Cycle model is characterized as a tightly coupled model compared to the Bee Swarm that is a loosely coupled model. The next section presents the literature and history of the anti-sex-trafficking movement. The three arguments will be weaved throughout this historical case study supporting the value of the Bee Swarm model over the Norm Life Cycle model. The history is divided into five active historical periods. The first period begins when the movements of humanitarianism and the abolition of slavery conceived early efforts against state-regulated prostitution. This period ranges from around 1875 to 1937 and involves the role of the International Abolitionist Federation, the International Bureau for the Suppression of the White Slave Traffic, and the role of the League of Nations. The second period, the post-World War Two era, involves the emergence of the United Nations defined by the principles of human dignity. A generation goes by before the third period emerges.[5] The third period is roughly aligned with second wave feminism culminating in the adoption of Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). This is the period in which breakthrough is achieved for the anti-sex trafficking movement. As a consequence, I refer to this as the modern movement. The fourth period focuses on the lead up to adopt the 1993 Vienna Declaration and Programme of Action and the Fourth

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[5] Activism still occurred but from an international standpoint, western efforts were silenced which subsequently silenced activism in the developing world as well. See Hicks 1994 for anti-sex-trafficking activism in Asia.

World Conference on Women in Beijing of 1995. These two agreements set the policy framework in which sex trafficking becomes tightly coupled with violence against women. The fifth period focuses on how this tightly coupled relationship loosens and unravels as a result of organizational design and bureaucratic strategy. Although the leaders of the anti-sex-trafficking movement had been mostly women-oriented grassroots organization, a transition occurs and sex-trafficking became bureaucratically grouped with broader issues that relate to transnational organized crime, in the Palermo Protocol of 2000. After the historical analysis, I conclude with theoretical reflections and implications.

CHAPTER 2

THEORIES OF INTERNATIONAL NORMS

Constructivism: Norm Life Cycle Model

In International Relations, theories of norms that explain global change are generally produced by constructivist scholars.[6] Of these scholars, Martha Finnemore and Kathryn Sikkink are well known for their contributions to the study of norms and social constructivism. First, a norm is defined as "a standard of appropriate behavior for actors with a given identity" (Finnemore & Sikkink 1998, 891). In their definition, they interpret institutions as "collections" of behavior rules and practices whereas norms are isolated standards (Finnemore & Sikkink 1998, 891).

Figure 1. represents the Norm Life Cycle thesis and interprets the developments of social change in three stages: norm emergence, a norm cascade, and finally, internalization. The theory assumes that norm emergence occurs because of norm entrepreneurs and their ability to persuade. Norm entrepreneurs are actors who actively build norms and convince states, norm leaders, to accept new norms (Finnemore & Sikkink, 1998, 895). After norm entrepreneurs have persuaded a critical mass of states to become norm leaders, they have reached the tipping point. For norm adoption to occur, little can happen without significant domestic movements supporting change. After a critical mass of states (norm leaders) adopt norms, the Norm Life Cycle reaches a tipping point. The tipping point then represents the cascade that develops. The cascade

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[6] Constructivism is more open to social identities and ideas in comparison to neo-liberal institutionalism and rational actor theory which are based primarily material interests. However, for the purpose of this research, the field of constructivism is considered similarly related to neo-liberal institutionalism and rational actor theory because mainstream constructivism is less focused on analyzing how identities came to be.

strengthens to the point where an increased number of countries adopt norms quickly, sometimes without needing domestic pressure. International and transnational influences become more important than domestic pressure for effecting norm change. Finnemore and Sikkink argue that the promotion of norm cascades is an active form of international socialization intended to induce norm breakers into norm followers.

Norm internalization and socialization works when states recognize their identities as members of an international society. At the extreme of a norm cascade, norms may become so widely accepted that they are internalized and achieve a "taken-for-granted" quality (Finnemore and Sikkink 1998, 904). Finnemore and Sikkink offer an interesting analysis in how they define internalization of the Norm Life Cycle model. The "taken-for-granted" quality suggests that a norm achieves a sense of belonging because it is harmonized with what we consider to be normal, typical, ordinary.[7] However, norms do not achieve this quality on their own—they are normalized because they become connected to other norms. The present research argues that Finnemore and Sikkink (1998) do not fully analyze how norms work within a system or a network of habitual standards. This network of norms represents an environment and a broader context in which actors are embedded. Finnemore and Sikkink do not fully explain how actors can conform automatically to norms. In their terms, "oughtness" or the "taken for granted" quality of norms is an incomplete analysis. To assume norms take on a degree of "oughtness" is to admit that actors are embedded within an environment of other norms. Finnemore and Sikkink do rely on this assumption, that actors are embedded in

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[7] See Sally Engle Merry 2006 describes internalization as the process that translates international law into the "vernacular". Law's power to shape society depends on becoming embedded in social practices (Merry 2006, 3).

institutions, but only at the third and final stage of their model—norm internalization. This stage is thus disconnected from previous stages. Broader institutional contexts are disregarded during norm emergence which is dependent on agentic actors, making it inconsistent for institutional contexts to be included in the internalization stage without explanation. In other words, the Norms Life Cycle model relies too heavily on actors, which discounts how they themselves are constructed—how culture, institutions, and norms shape identities.

Figure 1. Norm Life Cycle Adapted from Finnemore and Sikkink (1998) p.896
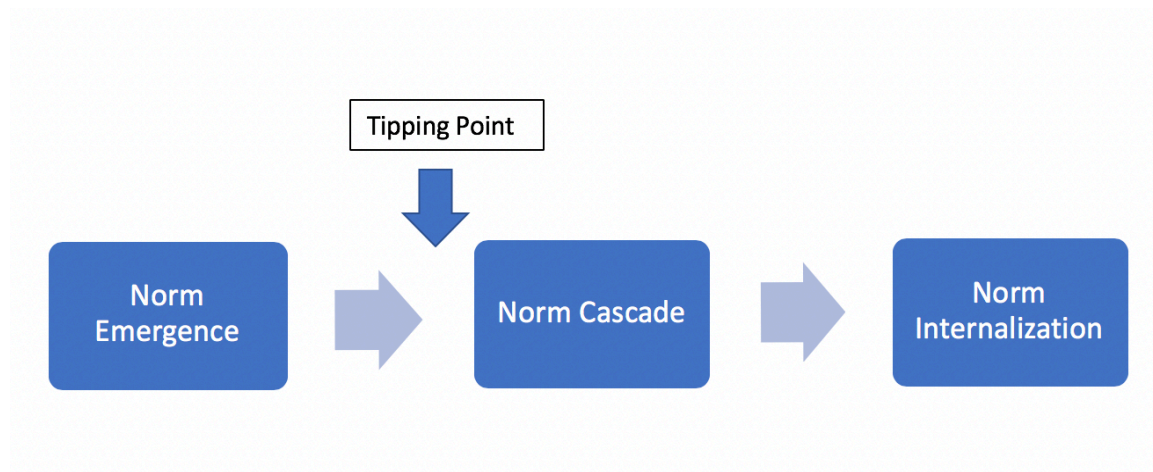
Norm Life Cycle Assumptions

This research follows and supports Hironaka (2014). When thinking about actors being embedded at all times, one may begin to realize and identify some problems with the Norm Life Cycle model. This paper primarily focuses on three identified issues. First is actor centricity. An important aspect of the Norm Life Cycle model is that it requires norm entrepreneurs to exist prior to any further action or norm development. In other words, this dependency means that the entire model is anchored in actors. Actors are seen as the driving force, as people who create norms, defined as "isolated standards of behavior". Institutions are understood as an aggregation of these particular norms. This is

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a misleading because actor centricity disconnects actors from their surroundings, their environments and conceptualizes actors as un-embedded in culture who act in independence.

The second theme involves history. In explaining social change, this model focuses on what actors can do and control but puts aside *where* actors come from. Stage 1 would thus represent a specific year in history when actors and norms become identifiable, but this model doesn't include prior events throughout history needed to reach that point. Nor does stage 1 include the institutions in which the actors act, thus implying that actors are not embedded in their environments. Take the example from Finnemore and Sikkink (1998). They cite the norm entrepreneurs of the suffragette movement in the U.S. were Elizabeth Cady Stanton and Susan B. Anthony and the norm emergence occurred in 1848 during the Seneca Falls Convention (Finemore and Sikkink 1998, 897). A statement as precise as this insinuates that other efforts prior to 1848 are not noticeable or relevant.[8] Relatedly, this theory also sees the efforts of social change as having two possible outcomes. A norm is labeled successful if it reaches stage 3, and if not, the norm failed because actors failed to get the norm established. This dichotomy assumes that many norms fail, and failure is not recognized as a contribution. Nevertheless, establishments exist within and in spite of "failures", still providing the

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[8] When taking a step deeper, one may notice that many suffragette efforts and events occurred before 1848. For example, New Jersey had institutions that allowed some women to vote as early as 1776. Abigail Adams, wife of 2nd U.S. President John Adams, advocated for women's rights as early as 1776. Black and non-white suffragettes such as Ida B. Wells, also had early influence. In addition, Stanton was influenced by Mary Wollstonecraft's 1792 *A Vindication of the Rights of Woman,* yet none of these actors are considered norm entrepreneurs even though they helped create the space necessary for more to come. https://academic.oup.com/jaar/article-abstract/XLVII/4/517/744079?redirectedFrom=PDF https://www.loc.gov/exhibitions/women-fight-for-the-vote/about-this-exhibition/seneca-falls-and-building-a-movement-1776-1890/early-feminist-inspirations/if-man-is-lord-woman-is-lordess/

grounds for other norms to develop. The problem here is that the Norm Life Cycle model does not adequately recognize an institutional context. The model considers actors to be unembedded and does not explain *where* norm entrepreneurs come from and *why* they act as they do. Equally, due to the binary of norm success, the model observes a norm in isolation from its environment and relationship to other norms. In sum, this is problematic because the model has excluded nuance and complexity in how norms are shaped and developed through history.

The last theme involves the clear, linear, and direct characteristics of the Norm Life Cycle model. By linear, I am referring to the model's requirement of a tightly coupled causal relationship and need for definitive evidence. Linear or "tightly coupled" means the outcome or effect is clearly and directly related back to the intended cause or goal of the actors. In other words, there must be definitive evidence that change, and success were the direct result of some action. Ann Hironaka refers to tightly coupled approaches such as the Smoking Gun model. The Smoking Gun analogy represents how an actor with a gun (collective action) shoots its target (norm adoption) and creates change. Just as a smoking gun is definitive evidence of who shot the target, or who is responsible for murder, the tightly coupled model must have definitive evidence that the actors created the norms and directly caused change. This research interprets and classified the Norm Life Cycle as a smoking gun model. The Norm Life Cycle model thus requires that efforts towards the outcome are organized in predictable and expected ways, see *Figure 2.*

Figure 2. Smoking Gun Adapted from Hironaka (2014) p.6

This is problematic because the model entirely dependents on actor-created norms, assuming that social change results from tightly-coupled processes. What happens if we cannot attribute credit because we cannot find a "smoking gun" or definitive evidence? Evidence must show that these particular people did these particular things and succeeded in getting their efforts and policy passed. Moreover, international sex trafficking was criminalized in 2000 as a result of the UN Convention Against Transnational Organized Crime, which excluded the previous efforts of grassroots activism, thus making the Palermo protocol loosely coupled with norm entrepreneurs. In other words, the actors did not clearly and directly create the norm.

World Polity: Background

An important distinction must be acknowledged since political scientists differ from sociologists in how they define institutions. Constructivists have defined institutions as simply an aggregation of norms; whereas a norm is a single standard of behavior, an institution is a collection of these standards of behavior, practices and rules (Finnemore and Sikkink 1998, 891; March and Olsen 1998). Instead, sociological institutionalists understand another common definition that conceptualizes institutions as cultural entities. This broad perspective originated in anthropology, sociology, and philosophy (Douglas 1966; Berger and Luckmann 1966; Foucault 1966). The general premise is that norms are standards of behavior of mutual production and reproduction. This mutual relationship

creates culture, and the context in which actors are embedded in. Actors adhere to certain norms creating their identities. Identities are mechanisms used to categorize people and label them into society. Take for example a professor and a student of a university. The norms derive from the definition of what it means to be a professor and a student. By following the norm, one is reproducing the identity and potentially shaping it as well. Importantly, the university setting is the cultural environment that enables actors to act out their identities because they are *embedded* in the institution.[9]

Possible solutions to the three problems can be found in acknowledging that institutions matter and that actors (and their actions) are embedded. One way to pursue this approach is through world culture theory. World culture or world polity theory is similar to the constructivist approach in that both attempt to understand and analyze international political change. World polity theory focuses on the similarities and patterns of the global social system, maintaining that this social system expounds a cultural framework, thus influencing those embedded in it. As John Boli and George M. Thomas articulated, "the world polity is constituted by distinct culture – a set of fundamental principles and models…defining the nature and purposes of social actors and action" (Boli and Thomas 1997). One cannot analyze actors and their actions without understanding the institutional context in which they are working. This paper applies world culture theory to understand how various events, institutions, and actors come together to form the international movement against sex-trafficking.

Bee Swarm Model

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[9] This process is motivated by how definitions describe action and how identity is established. This process is not informed by rational calculation or self-interest.

Whereas constructivists focus on norms as singular standards of behavior, world polity scholars emphasize the role of institutions—how sets of norms are moving parts of broader structural patterns. World polity scholars take a loosely coupled approach in which institutions and actors contribute to social change in disorganized manners. For example, Ann Hironaka developed the Bee Swarm to interpret social and political change. In her book *Greening the Globe*, Hironaka contrasts the Smoking Gun with the Bee Swarm, a more loosely coupled model derived from organizational theory (Bromley and Powell 2012; March 1981; J. Meyer and Rowan 1977; Weick 1976). Again, the concept of "loose coupling" generally refers to processes of weak connections that are less controllable and evolve in a disorganized fashion. The Bee Swarm represents a combination of various processes that share a general goal (loosely coupled) and eventually come together to establish an outcome. Given the overwhelming forms of influences, it is difficult to determine if the resulting outcome could have been predicted or even intended. This approach differs from social constructivism because it steps away from tightly coupled structure, strong causality, and the need for definitive evidence of actor causality. The excerpt below will provide a comparison between the Smoking Gun and Bee Swarm for clarification.

> Scholarship drawing on the Smoking Gun imagery of change focuses on identifying proximate factors, such as a specific treaty, law, or social movement, that have strong causal impacts on a particular…outcome. In contrast, world society theory shifts attention toward the broad social context – the changing cultural and institutional environment that animates the Bee Swarm. Any single law… or organization may prove inconsequential for predicting a given outcome. Moreover, it is usually impossible to enumerate and measure all of the possible mechanisms. The historical emergence and institutionalization…is the starting point for understanding the growing Bee Swarm of mechanisms ultimately leading toward social change (Hironaka 2014, 9).

Figure 3. interprets the Bee Swarm as a "loosely coupled model for social change" (Hironaka 2014). The Bee Swarm model does not to say that processes are

random; however, it does illustrate that processes of change cannot always be tracked down and directly related to each other in a linear form of pattern. The Bee Swarm model assumes the effects of global change can occur in indirect, nonlinear and uneven patterns. Thus, institutions, organizations, agents, and interests interrelate and overlap, causing inconsistency and contradictions (Hironaka, 2014). In this sense, the outcome is less direct, less predictable, and less intentional. Although this model was first developed to explain the environmental movement, this research applies the Bee Swarm as a model that represents the global movement against sex-trafficking.

Figure 3. Adapted Bee Swarm: a loosely coupled model of social change Hironaka (2014) p.7

Institutions and Workspace

The Bee Swarm model relies on a few assumptions in explaining social political change. Recall that Finnemore and Sikkink (1998) defined an institution as the collection

of behavioral standards whereas a norm is a single behavioral standard. Their analyses

assume that norms and institutions are the end result of action by actors. Internalization

occurs in the Norm Life Cycle thesis, but it only in the last stage. The Norm Life Cycle

analysis does not start with internalization but ends with it. One key difference is that the

Bee Swarm model would start and end with internalization. The Bee Swarm model

assumes that actors are always embedded in broader social contexts. Therefore, social

change begins with pre-existing institutions that get repeatedly developed resulting in

new institutions. In other words, institutions create institutions as opposed to actors create

institutions. The Norm Life Cycle model begins with actors unencumbered, disconnected,

and unembedded with norms, institutions, and their environment, but still build norms.

The Bee Swarm model sees that institutions are not solely the end result, but rather the

foundations and the establishments that provide activists with their identities. Hironaka

interprets institutions as establishments that define new social problems, foster cultural

meanings, and create workspaces for actors to address problems (Hironaka 2014, 3). The

need for a better understanding of institutions does not take away from the importance of

actors. Actors exist, and they help create change, but they are always embedded in their

environment. History must intertwine how actors and institutions relate to each other.

One source that keeps actors relevant is the concept of workspaces. The Bee

Swarm characterizes workspaces as a mechanism of institutions. Institutional workspaces

empower agents, facilitate dialogue, and bring groups together to construct problems and

develop solutions (Hironaka 2014, 62).[10] There are two important takeaways from

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[10] Sally Engle Merry 2006 is another scholar that refers to the concept of "space". Merry describes that
human right processes, women's movements, and CEDAW occur within a space of "transnational
modernity". This "space" in turn allows actors to come together (Merry 2006, page 37, 100).

institutions and workspaces. First, pre-existing institutions provide workspaces which are essential for social change because they are foundation for actor agency. Just as the identity of a student exists within a school, the identity of an activist exists within a cause. The cause provides the actor with an identity and a reason to act. Second, the effects of institutional structure and workspaces occur in messy, disorganized, and indirect manners. They work to create space through trial and error. Workspaces allow for the freedom to construct problems and solutions. They do not offer blueprints for how to achieve policy goals or social change, but they do provide a broad channeling of the direction of change through viable discourse.

   With the theoretical approaches presented, the analysis put forth will examine the history and literature of the movement against sex-trafficking. The arguments and critiques will be weaved throughout. To summarize, I will argue three main points. First, actors are embedded in existing institutions and normative contexts. Second, episodes in history may seem as partial successes or failures but should not be dichotomous in the long term. Finally, institutions and norms created by actors become the contexts of future actors. The historical section presented below includes multiple periods ranging from 1875 to 2000 and later. After, another section is dedicated to a theoretical discussion and compares models by using the historical facts. This discussion also clarifies the three main critiques. In brief, this paper argues that the loosely coupled model of social change is better equipped in explaining the haphazard, disorganized, and unintentional consequences that arise from the anti-sex-trafficking movement. Finally, the conclusion involves new research directions.

Expectations

If the Norm Life Cycle model can adequately explain the anti-sex-trafficking movement, we should see tightly coupled causal relationships. We should expect intentional action of the norm entrepreneurs that directly and clearly build norms. If the institutional perspective is correct, we should see more nuance. We should see success when actors develop a norm that achieves a degree of institutionalization yet fails to cascade. We should see new actors come later, generations later, and refer to the old efforts, proving that they are embedded in the environment that has already been established to some degree. We should see how old institutions are constantly dismantled or reformed to uphold new institutions. We should see how chaos and mistakes lead to effective strategies. Likewise, we should see how some well-planned and well-intentioned strategies backfire and create unintended consequences. We should see effects (both positive and negative) coming from different institutional environments and re-directing the movement in various ways.

CHAPTER 3

ORIGINS OF ANTI-SEX-TRAFFICKING ORGANIZATION

The origins of anti-sex trafficking organization developed because 1) norms of cultural reform were *already* institutionalized and permitted ideas such as religious morality and humanitarianism. 2) Anti-sex trafficking took off as a response to state regulation that legitimated and globalized prostitution, thereby enabling trafficking in the first place.

Existing Culture, Institutions and Norms

The globalization of trafficking first gained awareness almost 150 years ago during colonial and imperial rule. The moral values and institutionalized norms that helped develop the origins for the anti-sex trafficking movement to succeed can be attributed to a subset of Christian missionaries. For example, norms such as international humanitarianism led by Henri Dunant, founder of the Red Cross. The first important international document that emerged was the Geneva Convention of 1864 (Finnemore 1996; Stamatov 2006; Bristow 1977). The aftermath of the Christian religious reform movement transformed how the public regarded socio-political issues. Put another way, this re-conceptualization is what Ann Hironaka would refer to as a workspace. Institutions such as Christian religion and humanitarianism create the space (the workspace) for ideas to develop and to construct and re-imagine problems and solutions. The space created from these pre-existing institutions is what eventually contributed to a new-found support for the abolition of slavery, temperance, and the prohibition of prostitution in the 19th century. These norms could thus be further developed to grant, endorse and approve future efforts to combat sex trafficking.

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Response to State Regulation

Despite the availability of institutionalized norms such as religious morals and humanitarianism, this in itself did not catalyze the anti-sex-trafficking movement alone. Rather, they created the setting, the environment and the space for action to take place. Although the setting existed, mobilization and organization against sexual slavery first had to gain momentum. Anti-sex-trafficking norms began to develop in response to another movement: the globalization of state regulated prostitution that spread throughout the 1800s due to state building, colonialism and militarism. Awareness of sex trafficking depended on a deeper understanding of prostitution. Specifically, awareness of how stated-governed systems enabled and encouraged coercive involuntary prostitution. The international abolitionist movement was a direct response to the rise of regulated prostitution among nation states. The International Abolitionist Federation (IAF est. 1875) was adamant about the consequences regulated prostitution caused: it legitimated and encouraged globalized prostitution as a profession within the sex industry while also implementing structural mechanisms that enabled the abuse and traffic in women on an international scale (Limoncelli 2010, 38; Mumm 2006; Levine 1994; Stoler 1997b). On the other hand, purity reformers argued that state regulation was helpful in controlling and reducing traffic (Limoncelli 2010, 41). This debate continues today. The purity reformers eventually overpowered the IAF and later established the International Bureau for the Suppression of the White Slave Traffic in 1899.

The movement against white slavery essentially overtook the efforts of the IAF and used the injustices of globalized sex trafficking for political means—to implement

policy that favored eugenics, social hygiene, and racist immigration laws.[11] European and

colonial state regulation of prostitution were partly designed to control reproduction so

that ethnic, national, and class lines were kept separate (Limoncelli 2010, 40; Levine

1994; Gal and Kligman 2000: 18). These eugenic social hygiene priorities went under

threat when white European men traveled across the world and "needed" to be "satisfied"

sexually. A dilemma emerged: where white European women going to be exported to

serve the sexual needs of white men? Or, would Europeans spare their "own" women and

instead import women of other nationalities and ethnicities for prostitution? (Limoncelli

2010, 41; Conklin 1998:).[12] The latter option would put eugenic priorities at risk, causing

the emergence of the white slavery movement. White slavery was an attempt to define

the anti-trafficking movement for racialized European national interests. It was masked

under the impression that it was leading an honorable and moral cause. Nevertheless,

state interests were prioritized over human interests which the League of Nations further

validated.[13]

International Abolitionist Federation and the International Bureau for the Suppression of the White Slave Traffic

Established in 1875 by radical British feminists, the International Abolitionist

Federation was the first anti-sex trafficking transnational organization. Led by Josephine

Butler, the IAF was initially created as a "global humanitarian effort to protect women

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[11] See Berkovitch (1999b) for how the World Purity Federation and traffic were linked in the 1900s. Social hygiene was encouraged. The publication, the Light, declared "the white slave traffic and public vice can and must be annihilated" and promoted "higher standards of morals, and the safe and sane instruction of our young in sex hygiene" (Berkovitch 1999b, 39).

[12] For example, Collette Piat 1999 *Les Filles du Roi.* Translated to "The King's Daughters" – were unmarried women sponsored by the King to emigrate to New France (Canada).

[13] See page 21 League of Nations section.

from sexual exploitation" (Limoncelli 2010, 2; Margot Badran 1995: 192; Fawcett and Turner 1927, 131; Bristow 1982; George and Johnson 1909; Berkovitch 1999b., 36)[14]. This group of liberal feminists worked for prostitution reform, namely to abolish state regulation of prostitution around the world, and instead, favored a universal treaty designed to make worldwide prostitution illegal, regardless of consent (Limoncelli 2010; 11; Reanda 1991; Siller 2017). They saw prostitution and state regulate brothel systems as primary causes of trafficking. The IAF deeply challenged the inherent state interests, often working with locals and international groups as outsiders, seeking policy reform in governments and colonial rule around the world. The IAF strived to develop universal ideals for gender and individual rights, something that wouldn't succeed until the emergence of the United Nations, post WWII. The IAF essentially failed in their propositions of a worldwide abolition of state regulated prostitution, the prohibition of the procurement of women for prostitution, and the "elimination of all legal standards that reinforced the sexual double standard for women" (Limoncelli 2010, 68).

Rather than the IAF taking off, a second British-based organization emerged that sought to address the exploitation of women differently. This group, first established as the National Vigilance Association in 1886, later became known as the International Bureau for the Suppression of the White Slave Traffic in 1899. History is cognizant of the rhetorical weight white slavery brought along. The term was used to create international policy that continued to give states the right to regulate prostitution for

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[14] Margot Badran 1995, 192 analyses written letters to Josephine Butler from French writer Victor Hugo. The letters indicate that Hugo may have first coined the term "white slave" when he wrote: "the slavery of black women is abolished in America, but the slavery of white women continues in Europe". See more on Josephine Butler and her attack on state regulation in Berkovitch 1999b. page 36. See Fawcett and Turner 1927, 131; Bristow 1982 on the universal goals of the IAF. See George and Johnson 1909 on IAF and "women's revolt".

nationalist interests, maintain ethnic hierarchies, and socially control women (Limoncelli 2010, 2; Levine 1994; Rao 2013). The IAF and the International Bureau both claimed to be protecting women from sexual exploitation but were divided in their approaches. While the IAF looked to challenge state sovereignty on the regulation of prostitution, the International Bureau was aware that the ethnic make-up of nation states depended on female reproduction (Stoler 1997a., 226; Stoler 1997b; Gal and Kligman 2000, 18). Thus, another branch of feminism emerged; one that saw a patriotic importance in protecting women as mothers of their own race.[15] Anti-white slavery emerged because sex-trafficking was primarily viewed as an issue that harmed white communities and societies from the pollution of others—i.e. "undesirables". Legislation that passed included nationalist, exclusionary, and eugenic policies that protected white communities. At the time, protecting "undesirable" migrant women from sexual slavery, abuse, and exploitation was not taken seriously and human trafficking did not exist nor was there any consideration to the individual—attention was only paid to protecting white communities, from the threat of migrant women. For example, international lawmakers in Western Europe paid close attention to protecting their own from borders that neighbored the Balkans. As the closest minority to Europe, slavic prostitutes were viewed as the major threat to the European genetic pool. Thus, foreign prostitution was considered illegal, yet domestic prostitution was tolerated and regulated (Mann 2005, 62; Berkovitch 1999b; Siller 2017).[16]

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[15] See Nadkarni (2014) for more on eugenic feminism and reproductive nationalism.
[16] See Mann (2005, 52) on the difference between domestic and international prostitution. The former was considered a necessity, the latter a danger.

The International Bureau and the discourse of white slavery is an example of what organizational and world polity theorists mean when they claim that processes of social change encounter contradicting ideals. and how. The International Bureau, as an institutional and cultural context, channeled the movement in a certain direction by shifting international norms away from the IAF. Politicians preferred having the ability to make unilateral decisions and the sovereignty to control, regulate, and manage the ethnic makeup of their borders. As a result, the International Bureau under Alexander Coote became the first organization to develop an international agreement to combat white slavery in 1904.[17] Instead of the progressive fight to end all forms of sexual slavery against all women, the Bureau did two things. First, it allowed nation-states the sovereignty to make decisions about prostitution as a national security issue, which defeated the purpose of the IAF that vouched for universalization of gender equality in international law. Second, the Bureau added a racist rhetoric to the international discourse by framing the issue as "white slavery" once again contradicting the IAF's goal of increasing inclusion and universality.

Although the IAF was the first international anti-sex trafficking institution, it was too radical or progressive, given the institutional and cultural contexts. Instead, the International Bureau for the Suppression of the White Slave Traffic dominated international discourse and the objectives of the IAF were overshadowed. Whereas the Norm Life Cycle model would view the IAF as having failed to create norms, the Bee Swarm model would view this short-term failure as a contribution to long term outcomes. Although these events of history greatly influenced the modern anti-sex-trafficking

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[17] White slavery was a term meant to make people have sympathy for white women exclusively in what was seen as exploitative to purity and social hygiene reformers.

movement, the Norm Life Cycle analysis cannot account for the IAF or the White Slave movement. However, the Bee Swarm model has the ability to include institutions and agents that do not achieve their desired policy objectives. In other words, the "failure" of the IAF does not signify its irrelevance—it represents a process.[18]

League of Nations

In 1921, the League of Nations subsumed all existing white slavery accords and institutionalized the crusade against the traffic in women (League of Nations 1921; Berkovitch 1999b). The following year, the League and the Traffic in Women and Children Committee collected annual reports on trafficking and prostitution for eighteen years between 1922 and 1939 (League of Nations 1923, 1927a; 1927b; Limoncelli 2010, 77).[19] Although the new terminology, "traffic" was less blatantly racist, the League only achieved marginal change. Since the influence of the International Bureau lingered, the League of Nations continued to take anti-trafficking measures within the system of unilateral state regulated prostitution. Since state regulation allowed domestic prostitution, it concerned itself only with migrant women by prohibiting only foreign prostitution (Mann 2005: 62; Limoncelli 2010, 86; Berkovitch 1999b, 41; Conklin 1998; Bristow 1977; Siller 2017). What the IAF initially attempted to achieve, universal protection of women, had transformed into a movement that protected white European states from foreign migrants. The issues surrounding the legal decisions on prostitution continued to be viewed as domestic politics, regardless of international law established

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[18] See Krook and True (2010) for an interesting debate between the constructivist understanding of viewing norms as "things" compared to the alternative of viewing norms as "processes".
[19] Annual Reports on the League of Nations were funded by the American Social Hygiene Association.

by the League of Nations.[20] Although the IAF was not a significant presence in policy making at the time, it continued to criticize the International Bureau of enhancing sex traffic. Therefore, the Norm Life Cycle approach cannot account for how the IAF continued to criticize international law, despite the fact that it was an institution that failed to complete its goals. These processes demonstrate how a smoking gun is not present in the anti-trafficking movement. Tightly coupled mechanisms of cause and effect typically ignore processes that occur, unintentionally or behind the scenes. The IAF still influenced the League of Nations, for example by assisting in the drafting of the 1937 Convention for Suppressing the Exploitation of the Prostitution of Others.[21] After the Second World War, the 1937 Convention would become this foundation for the UN 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. The 1949 Convention sought to abolish regulated prostitution universally (United Nations 1949; Bertone 2004, 10; Reanda 1991; Sullivan 2003, Doezema 1998; Fawcett and Turner 1927, 131; Bristow 1982).

The Norm Life Cycle cannot account for the unsuccessful and contradictory historical events. Future norm entrepreneurs are not the ones "building" the anti-trafficking norm; these historical processes have been established internationally years before activism and the modern anti-trafficking movement took place. An important distinction is that at least three anti-trafficking movements had occurred: radical abolitionists, anti-white slavery, and the modern movement. Although this study is

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[20] The League of Nations never mentioned the abolition of state regulation and avoided this significant issue to secure international cooperation (Bristow 1977).

[21] This Convention in 1937 was drafted but never adopted because of WW2 (Demleitner 1994, 172). However, this was the basis for the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others.

concerned with the modern movement, the contributions of earlier actors and the effects of the institutions they created cannot be ignored as they form the basis for the modern movement. While the old movements seem like failed attempts, these processes that involved the IAF, the international bureau, and the League of Nations, built institutional discourses and spaces. Thus, future norm entrepreneurs did not create or "actively build" norms from scratch, they only had to reference existing institutions.

CHAPTER 4

ROLE OF THE UNITED NATIONS

After the Second World War, the depth of horrors of the Holocaust cam to be

understood—the realization that the Nazis had weaponized Darwinian thought and the

dangers of ethno-nationalism. In the aftermath of WWII, the United Nations emerged to

promote universalized models to encourage individual rights and freedoms to all

cooperating nation states. Therefore, trafficking does not become a violation of an

international law until the 1949 UN Convention for the Suppression of the Traffic in

Persons and of the Exploitation of the Prostitution of Others. This change transformed

international laws set by the League of Nations that essentially protected states, into a law

that respected the individual's right to be free from sexual slavery. For the first time in

history, prostitution and traffic in persons were "incompatible with the dignity and worth

of the human person and endanger the welfare of the individual, family, and community".

There was also no distinction made between forced and voluntary prostitution (Bertone

2004, 10; Reanda 1991; Sullivan 2003).

> Article 1: The Parties to the present Convention agree to punish any person who, to gratify the
> passions of another:
> (1) Procures, entices or leads away, for purposes of prostitution, another person, even with the
> consent of that person;
> (2) Exploits the prostitution of another person, even with the consent of that person.

Realism

The events occurring so far that benefited state sovereignty are consistent with a

lot of theories in international relations, including realism. Cutting across theories, most

assume the League of Nations was weak and failed because it was never able to rise

above a realist nationalism. Realist theory is therefore correct up until this point, it is

logical that the motivations and efforts behind the League of Nations could never be achieved because of deep and stubborn national interests, that had underlying racial and eugenic tones. Nations have power and therefore their interests always win. An organization like the League has no teeth, and idealism fails.

Further support for realist theory may be found in the events that follow. As it was accepted post-World War II, the regulation state prostitution combined with the criminalization of foreign prostitution, and joined by a general toleration of prostitution, are the processes which created a main *cause* of the traffic in women. Amongst the formulation of the United Nations, the progressive feminist IAF was given another chance and new supporting legislation emerged. The 1949 convention made all procurement illegal (with or without consent, and within or between countries), rendering it incompatible with state regulation of prostitution. The dismemberment of the League of Nations, along with the onset of new United Nations ideals, started moving rhetoric towards criminalizing all forms of prostitution in the attempt to enhance consistency (Limoncelli 2010, 92; Demleitner 1994, 172). As realist theory would predict, the UN got discredited by the most powerful and influential states, thus new attempted progressive norms became unpopular. Most signatories to the 1949 Convention came from newly independent postcolonial states such as Algeria, India, Pakistan, Morocco, and Myanmar as well as socialist states. Nevertheless, European and American states failed to sign and support the UN 1949 Convention. Their failure to ratify would weaken the effect on the anti-sex-trafficking movement for the next decades to come. This opportunity does not come again for another half a century in 1999 during the Palermo Protocol.

The United Nations system that replaced the League of Nations was better equipped to further penetrate into state affairs. Human rights ideology meant that individual rights became conceptualized as independent of the person's citizenship status (Berkovitch 1999a; Risse, Ropp and Sikkink 1999). Although beneficial for most women's issues, it had a counter effect on sex trafficking. Whereas the emergence of UN policies encouraged and elevated most other forms of women's rights, especially domestically, sex-trafficking and related migrant rights were neglected. The history of the International Bureau, white slavery, and the failure of both the League of Nations, and the United Nations in propelling a new international political normative change, is a result that traditional realism would predict.[22] However, if applied to the Bee Swarm model, the failures and unintended consequences of the IAF, the International Bureau, white slavery, the League of Nations, and the United Nations would all receive some credit for influencing and developing successful international law. Although most of these efforts failed and no tipping point was reached, this movement paved the way for future action. The Palermo Protocol that ended up cascading could not have occurred if these contradictory, indirect, and unintentional international events had not first taken place. Future events will demonstrate that realist theory loses some explanatory power

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[22] Traditional realism would predict the failure and irrelevance of the League of Nations and the United Nations because the theory prioritizes material interests, power and anarchy that exists by nature and are not socially constructed (Waltz 1959). For neo-liberal institutionalists, formal institutions come into existence only when bilateral or unilateral exchanges fail to achieve valued objectives. Formal organizations rise due to the intense demands from modern and complex economic systems of production, trade, and exchange. Formal organizations are beneficial because of their effectiveness in management and coordination. They can facilitate the accessibility to information, reduce uncertainty, and increase stability (Keohane 1989, 274).

because universalism and human rights develop into dominant international constructs

(Risse, Ropp and Sikkink 1999).[23]

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[23] According to many studies within World Culture focus on how the end of World War II dramatically increased globalization and organizations. Studies have showed that early human rights treaties exploded discourse that positively affected women's rights and issues (Berkovitch and Bradley 1999). This is not the case for anti-sex-trafficking rights. This could be something that could be looked at further.

CHAPTER 5

INTERNATIONAL WOMEN'S MOVEMENT AND RISE OF THE MODERN ANTI-

SEX TRAFFICKING MOVEMENT

Second wave feminism is when history begins to see new activism combating sex

trafficking on an international level, decades after the 1949 UN Convention. This period

may be described as the origins of the modern movement against sex trafficking—a

movement that seems to have a clear direction and ultimately reached a norm cascade.

The modern movement begins over one century since the efforts began with the

International Abolitionist Federation in 1875, something that the Norm Life Cycle model

is unable to account for historical antecedents.

Women in Development Movement

The 1948 Universal Declaration of Human Rights, was the first international

instrument to contain wide-ranging sex-equality provisions in its doctrine, eventually set

the stage for the international women's movement to be loosely coupled with global

development in the 1970s (Berkovitch 1999a; Ashworth 1982; Whittick 1979)[24]. This

linkage was addressed in large part through the intersection between the UN Decade for

Women from 1976-1985 and the second UN Decade for Development from 1971-1980.

Women's international non-government organizations intensified especially in the 1970s

as transnational groups emerging from the global South "began playing a major role

within the movement, introducing new issues, shifting its agenda, and changing its

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[24] Berkovitch 1999a states an important distinction: the international community had been engaged in social issues previously, such as traffic and prostitution, but for the first time, the emergence of human rights gave individual protections independently from citizenship status. This supports the idea that the two trafficking movements are separate but also connected (Berkovitch 1999a, 117).

priorities" (Berkovitch 1999a, 101;). The international women's movement and the UN

Decade of Women were influential because it began to establish the environment for

women's issues to be better unified and to voice global South concerns. This process was

nonlinear, disorganized, messy, and contradictory. Attempting to include the vast

diversity of women from around the world created tensions. Institutional workspaces

operated to enhance communication yet tensions often formed between the global North

and South (Berkovitch 1999a., 126; Pietila and Vickers 1990). Moreover, bureaucratic

structure shifted as global South feminist grassroots organizations embraced a more

disorganized networking frame and complex organization structure (Stienstra, 1994). The

Decade for Women established the framework: achieving gender equality was necessary

for national, social, and economic development, later fostering the Convention on the

Elimination of Discrimination Against Women in 1979 (Berkovitch 1999a, 121; Reanda

1992).

Sex Trafficking Resurfaces

Despite the influence of the international women's movement, efforts to combat

sex trafficking had stalled since the 1949 UN Convention failed to gain widespread

momentum (Sullivan 2003; Chiang 1999; Siller 2017; Doezema 2002; Gallagher 2001)[25].

The political will to confront sex trafficking vanished during the 1950s, '60s, and early

'70s as issues such as sex slavery, sex tourism, and labor trafficking were ignored by the

international community (Bertone 2004; 11). After thirty years of political and social

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[25] Apart from purely political will, Chiang (1999, 348) notes that the "silence" may also be in part because of limited monitoring strategies, and few resources to ensure adherence of the 1949 Convention.

silence, the issue of sex trafficking resurfaced in the late 1970s, according to one scholar because the UN Decade for Women 1975-1985 "catalyzed activism" (Bertone 2004, 11).

Kathleen Barry was a sociologist and scholar at University of California, Berkeley and in 1979 she helps introduce the social issue of sex-trafficking in her publication *Female Sexual Slavery.* The book includes an exclusive Interpol data report that had never been made public (Barry 1979). During the 1970's and '80s, the few existing anti-trafficking international organizations were unsuccessful in bringing these problems to the media. Thus, the UN Decade for Women served as an institutional workspace that "catalyzed activism" by offering the space and environment to empower agents, facilitate dialogue, and bring groups together to construct problems and develop solutions (Bertone 2004; Hironaka 2014, 62). The UN Decade for Women intertwined with actors such as Kathleen Barry to further develop norms. The Bee Swarm model can include the contributions of both, whereas the Norm Life Cycle model is actor-centric and values norm entrepreneurs as the architects for norm emergence.

Even though the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others seemed to fail at gaining widespread attention and adherence, these efforts should not be overlooked. The older efforts succeeded in institutionalizing protections against trafficking in 1949. This success is undeterred by the failure to reach the norm cascade because the norm was already institutionalized. In turn, it created the setting and the environment for future developments to take place. These mechanisms worked in various ways. I will examine one successful way. In the years before World War Two, the IAF along with other actors, applied pressure on the international community to organize. This worked, for instance,

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through data collection on sex trafficking (League of Nations 1923; 1927a; 1927b).

Although the 1949 Convention did not cascade, international reporting existed to an extent. Kathleen Barry's book published in 1979 uncovered Interpol's trafficking reports which led to public outrage because Interpol refused to publicize them. Importantly the Interpol reports that Barry uncovered symbolize the legacy of past contributions and the measures previously put in place by the IAF and others. Therefore, Barry's publication that references Interpol in fact also references the pre-established institutions. Within this given space, she acted and helped these norms resurface. Although Barry may be seen as a norm entrepreneur or an agentic actor by Norm Life Cycle theorists, she did not actively build or create the norm, she referenced pre-established institutions that provided the environment (the workspace), which thus allowed her to take action.

CEDAW

Institutions and actors continued to intertwine strengthening the anti-sex-trafficking movement. In the same year Kathleen Barry published her book, the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) took place.

CEDAW was influential for the anti-sex-trafficking movement because of Article 6 below:

> Article 6:
>
> States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

Article 6 of CEDAW was important for the anti-sex-trafficking movement because it directly addressed the problem of sex trafficking, decades after international

silence.[26] It is important to note however that article 6 does not acknowledge a new issue. Although little observable political development occurred for decades, the issue of sex-trafficking had already been institutionalized by the United Nations in 1949 (United Nations 1949, 1). Article 6 of CEDAW is likely one of the first times sex trafficking gets linked to other forms of discrimination against women. Therefore, although the anti-trafficking norms were established in 1949, they were never linked or defined as a form of discrimination. The institution of CEDAW provides the workspace for actors to think, develop, and construct through a new lens—through the intersection of sex trafficking and gender discrimination. Pre-existing institutions thus operate by producing an environment and offering the space that leads to further development. This cycle continues to create more institutions by providing new environments and new frameworks that actors work with to develop new ideas. The influence of CEDAW acted again like a workspace, laying the foundation, facilitating dialogue and brought people together to discuss differences. Tensions occurred because CEDAW failed to take into account the concerns of developing countries and women in the global South. CEDAW excluded more serious forms of gender discrimination such as domestic violence, bodily harm, rape and abuse. Instead, CEDAW focused mostly on global north initiatives such as discrimination in the workplace, gender representation, maternity leave, and access to childcare (Gray, Kittilson and Sandholtz 2006; Bernard 1987). Article 6 is thus a significant exception of CEDAW because it took into account more fundamental

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[26] There was silence in the international community, but that doesn't mean efforts weren't being made. Future research is needed to understand this lag of events and to unearth what was occurring that we cannot observe. Although Western efforts silenced many efforts, they were still occurring in other areas of the globe. For example, see research on "comfort women" and activism by Kim II Myon. For more see Hicks (1994).

concerns of the global South. The trafficking clause most likely occurred because it drew upon the principles set out by the 1949 Convention[27]. Many have criticized CEDAW because it failed in 1979 to include what was later defined as violence against women. On the other hand, Sally Engle Merry has describes CEDAW as a "powerful site of cultural production" and a "transnational social space where actors come together" (Merry 2006, 37, 90, 100).

Failed Strategies

An observable theme that continues to show up during the years and decades of the international women's movement is that of feminist tensions. In 1983, Kathleen Barry, Charlotte Bunch, and Shirley Castley organized a week-long international workshop in Rotterdam.[28] Barry, Bunch, and Castley organized The Global Feminist Workshop to Organize Against Traffic in Women in Rotterdam which had thirty-four attendees from twenty-four countries—half from the developing world (Barry et. al 1986). The goal of this workshop was to create a coordinated transnational network against trafficking. The workshop was strategically implemented as a place which could fix these problems of the tensions brought about by the international women's movement and how sex trafficking should be conceptualized. Despite the efforts of the actors to build a coordinated strategy, it failed and no network emerged. There was too much

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[27] In general, the history of the anti-sex-trafficking movement is not complete. It would be an interesting idea for further research to investigate why article 6 was institutionalized almost as an exception in CEDAW. Additionally, as an issue that related to women in both developed and undeveloped countries, it would be interesting to investigate whether article 6 had any role in connecting gender discrimination to gender violence.

[28] According to Norm Life Cycle theorists, Charlotte Bunch is considered a norm entrepreneur who helped establish the norm of violence against women (Keck and Sikkink 2014).

debate as advocates who called for total abolishment of prostitution were matched with those advocating much less extreme or radical positions. More debate occurred between the western feminists and non-western feminists. In the end, the workshop ended in a "stalemate" (Bertone 2004, 11; Barry et. al 1986; Keck and Sikkink 2014, 178).

The failed workshop and the failure to establish a coordinated strategy is an example of how norm development does not occur in a linear fashion, despite best efforts from actors. One reason this exists is because effects come from different directions. Movements are fluid and change shape. They can even be restructured because of other movements. For instance, the movement to combat sex-trafficking contradicted the sexual liberation movement (Sullivan 2003; Murray 1998; Doezema 2001; Chiang 1999, 356). An immense problem occurred because disagreements within feminist networks continued to discredit anti-sex-trafficking efforts. Radical feminists, such as Kathleen Barry, saw that abolishing prostitution was necessary for abolishing sexual-slavery.[29] On the other hand, other feminist groups, some involved in the sexual liberation movement, began pushing for sex-workers' rights. The effects of activism coming from another direction contradicted both movements.

In sum, the efforts that led to anti-sex trafficking norm development during this period in history include the contributions of actors such as Barry, Bunch, and Castley combined with institutions such as the UN decade of women and CEDAW. This period begins around the late 1970s and after a generation (thirty years) of political silence in response to the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. This period thus marks the beginning of the

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[29] See Berstein (2010) for a discussion on how sex trafficking laws have united radical feminists with evangelical social activism and how this unification opposes the support for sex workers rights.

modern anti-sex trafficking movement. However, the modern movement cannot be understood separately from the institutions and culture that made it possible. CEDAW was significant in advancing the anti-sex trafficking movement but article 6 did not created anything new. Rather, it called to advance and bolster the 1949 convention. Equally, actors of this modern movement were not actively building norms, they were reinforcing forgotten ones. Kathleen Barry wrote a book to invoke public outrage because Interpol failed to publicize its reports on sex trafficking data. However, the fact that Interpol was collecting this data initially supports the idea that these norms were already institutionalized. Finally, when norm entrepreneurs did attempt to advance norms with clear direction, their strategies failed because no solution could unify women's issues on a global front.

CHAPTER 6

TIGHT COUPLING: VIOLENCE AGAINST WOMEN

Despite CEDAW taking place in 1979, critics argued that it understood a narrow definition of discrimination. Much of the document centered on issues global North feminists faced such as employment discrimination and overall representation. Discrimination therefore was not defined in forms of physical violence, domestic abuse, or rape, except in article 6. Despite the failure of CEDAW to include universal definitions of discrimination, institutional workspaces operated by facilitating this dialogue and creating the space to discuss failures. A combination of action emerged as the result of institutional workspaces, ultimately leading to new discourse: violence against women. Violence against women became a frame that unified the women's movement on a global level because it included more feminist voices from the global south that were previously silenced. This rhetoric and new founded culture proved to be the binding tools needed for the anti-sex trafficking movement to eventually cascade. However, this may have never happened had CEDAW *not* failed. In 1992, the CEDAW committee enacted General Recommendation No. 19 which asserted that "violence against women" was considered a form of discrimination.[30]

Vienna Declaration and Program of Action 1993

The Vienna Declaration and Program of Action on Human Rights was one of the first UN documents to significantly showcase violence against women after General

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[30] CEDAW fist considers violence against women as a form of discrimination in 1992. The 1993 Declaration on the Elimination of Violence against Women became the first international instrument explicitly addressing violence against women, providing a framework for national and international action. https://www.unwomen.org/en/what-we-do/ending-violence-against-women/global-norms-and-standards.

Assembly Recommendation No. 19.[31][32] In 1995, the Beijing Conference on Women

further reaffirmed these reforms. Despite this progress, it took decades for the language

to develop in a way that could better accommodate feminists in less developed countries

than previous attempts.[33] Although the violence against women norm developed on its

own, this norm directly relates to the anti-sex-trafficking movement. However, Charlotte

Bunch as a norm entrepreneur did not directly build the anti-sex trafficking norm while

she was building the violence against women norm. Although violence against women is

directly related to the anti-sex trafficking movement, this development was *indirect*.

However, a few problems occur when analyzing the Norm Life Cycle model of

violence against women. First, creating the notion violence against women was not

strategically planned because it happened accidently (see excerpt).

> We observed in that two weeks of the forum that the workshops on issues related to violence against women were the most successful . . . they were the workshops where women did not divide along north-south lines, that women felt a **sense** of commonality and energy in the room, that there was a sense that we could do something to help each other. . . . It was so visible to me that this issue had the **potential** to bring women together in a different way… It wasn't that we built the network in that moment. It was just the sense of that possibility.[34] (from an interview with Charlotte Bunch in *Activists Beyond Borders,* page 177)

Violence against women emerged as something unintentional and unpredictable[35].

Global North and global South feminists gathered at meetings where arguments and

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[31] The Vienna Declaration and Programme of Action is not the first official UN document that officially defines violence against women. It is defined a few months later in December of 1993 in the Declaration on the Elimination of Violence against Women.
[32] See Sally Engle Merry (2006) for more on Vienna, human rights, gender violence, and legal culture. She also writes an interesting analysis on various definitions and variations of culture and how it can, and should be seen as fluid, creative, flexible and open to change.
[33] In *Activists Beyond Borders*, Charlotte Bunch is considered an agentic actor and norm entrepreneur who built the norm, violence against women (Keck & Sikkink 2014, 177).
[34] Keck and Sikkink (2014, 177) provide an excerpt of an interview with Charlotte Bunch in *Activists Beyond Borders.*
[35] Elizabeth Boyle (2002) has researched how violence against women influenced the movement against female genital cutting.

disagreements were fruitless, until something changed. Notice how Charlotte Bunch

speaks of an "energy in the room". Instead of arguing, feminists focused their meetings

on the issues they had in common. It was later observed that this could develop into

something else, but the point remains that this was different and unpredictable. Violence

against women was not strategically planned, As Bunch states, it was not "built in that

moment". Rather, the institutions that brought these women together created the space,

the "energy", to facilitate dialogue and unleash new possibilities. It is only once actors

identify with this possibility, can they then act.

      Violence against women emerged haphazardly, contributing to the argument that

some emphasis should be taken away from the role of actors in creating outcomes, and

balanced with the role of institutions. Violence against women emerged because actors

noticed, observed, and identified with culture. Margaret Keck and Kathryn Sikkink argue

that violence against women "caught on" because it "made sense and it captured the

imagination" (Keck & Sikkink 2014, 172). However, this is evidence that institutions and

culture are at play. Observing that something "made sense" implies that it is tied to a

broader social order and context. For the case of violence against women, the language

was "evocative" because bodily harm is something anyone can "feel" (Keck and Sikkink

2014, 172). Preserving human dignity, protection from physical abuse, bodily integrity,

and simply life appears to be the most basic human rights that cannot be easily disagreed

upon. A norm thus "made sense" because it logically relates to previous understandings,

values, and culture. Using the words of Krook and True "norms resonate and spread

when they 'fit' with pre-existing cultural values" (Krook and True 2010, 111; Checkel

1998). Using what we know, and the discourse already provided, is how we modify and

continue to conceptualize. New ideas cannot emerge without being connected to "prior

normative frameworks" and that is why culture and institutions are deeply intertwined

with actors (Krook and True 2010, 111; Carpenter 2005). The Norm Life Cycle model

assumes that actors create norms, insinuating that they are the ones that birth norms into

existence. World culture views that norms build off of each other and develop into new

conceptualizations. Actors are there to guide this process, but they are not the sole cause

or the essential ingredient.

Through institutional workspaces, violence against women also bridged issues

together and unified many practices that were previously not understood to be connected.

Sex-trafficking was included in article 6 of CEDAW, but it seemed out of place because

CEDAW failed to include gender violence as discrimination until 1992. Sex trafficking

becomes better connected with other gender issues because of the violence against

women framework. The Vienna Declaration was one of the first UN documents to

connect sex-trafficking and forced prostitution as a form of violence against women

(Keck & Sikkink 2014, 173). The final document from Vienna explicitly recognized

gender-based violence, including rape and sexual slavery, and all forms of sexual

harassment and exploitation as human rights issues (Keck & Sikkink, 2014, 187).

According to the Vienna Declaration and Program of Action, adopted by the World

Conference on Human Rights, section 18 states:

> The human rights of women and of the girl-child are an inalienable, integral and
> indivisible part of universal human rights. The full and equal participation of women in
> political, civil, economic, social and cultural life, at the national, regional and
> international levels, and the eradication of all forms of discrimination on grounds of sex
> are priority objectives of the international community.
> Gender-based violence and all forms of sexual harassment and exploitation, including
> those resulting from cultural prejudice and international trafficking, are incompatible
> with the dignity and worth of the human person, and must be eliminated.

In the same document, section 38 states something similar. In this section the language "violence

against women" is explicitly used multiple times.

> The World Conference on Human Rights stresses the importance of working towards the elimination of violence against women in public and private life, the elimination of all forms of sexual harassment, exploitation and trafficking in women, the elimination of gender bias in the administration of justice and the eradication of any conflicts which may arise between the rights of women and the harmful effects of certain traditional or customary practices, cultural prejudices and religious extremism. The World Conference on Human Rights calls upon the General Assembly to adopt the draft declaration on violence against women and urges States to combat violence against women in accordance with its provisions.

The Vienna Declaration of Human Rights in 1993 are pivotal because sex

trafficking is explicitly linked to violence against women (United Nations 1993, 4). A

few months later the Declaration on the Elimination of Violence Against Women is

adopted by the UN General Assembly on December 20th, 1993. This Declaration is seen

as a complementary addition that further strengthens and enhances both the Vienna

Declaration as well as CEDAW. Articles One and Two of the Declaration on the

Elimination of Violence Against Women give explicit definitions. Most importantly, the

second section in Article Two explicitly defines "trafficking in women and forced

prostitution" as a form of violence against women:

> Article Two:
> Violence against women shall be understood to encompass, but not be limited to, the following:
>
> (a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;
> (b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;

(c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

1993 is extremely important for the anti sex-trafficking movement because the crime of trafficking in women becomes tightly coupled with broader gender-based issues of discrimination and violence against women. This tight coupling draws much more attention to an issue that was largely overlooked.

Beijing Declaration and Program Action of 1995

Tight coupling between violence against women and sex-trafficking is further institutionalized during the Fourth World Conference on Women held in Beijing in 1995. The Commission on the Status of Women, established in 1949, implemented twelve critical areas of concern that included women and poverty, violence against women, and human rights of women amongst others. [36] The Beijing Platform for Action lists three strategic objectives to combat violence against women. One of such three strategic objectives is to "eliminate trafficking in women".[37] Strategic objective D.3. (see excerpt below) represents a pivotal point in norm and policy development because it marks the first-time trafficking in women is prioritized in recent history. It is constructed as a problem and requires specific action to be taken. This differs from CEDAW which

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[36] For a full list of the 12 critical areas of concern see the UN women website:
https://www.unwomen.org/en/how-we-work/intergovernmental-support/world-conferences-on-women
[37] The three strategic objectives to support critical area of concern D. violence against women are D.1. Take integrated measures to prevent and eliminate violence against women D.2. Study the causes and consequences of
violence against women and the effectiveness of preventive measures and D.3. Eliminate trafficking in women and
assist victims of violence due to prostitution and trafficking. See online version of the Fourth World Conference on Women 1995 here:
https://www.un.org/womenwatch/daw/beijing/platform/violence.htm#object3

mentions sex trafficking in one sentence, with little detail, in article 6 (United Nations 1979, 3). The documents that emerge from Beijing are unique; the last time international texts referred to trafficking in such detail was in 1949.

> Strategic objective D.3. Eliminate trafficking in women and assist victims of violence due to prostitution and trafficking
>
> Actions to be taken
>
> > 130. By Governments of countries of origin, transit and destination, regional and international organizations, as appropriate:
> > (a) Consider the ratification and enforcement of international conventions on trafficking in persons and on slavery;
> > (b) Take appropriate measures to address the root factors, including external factors, that encourage trafficking in women and girls for prostitution and other forms of commercialized sex, forced marriages and forced labour in order to eliminate trafficking in women, including by strengthening existing legislation with a view to providing better protection of the rights of women and girls and to punishing the perpetrators, through both criminal and civil measures;
> > (c) Step up cooperation and concerted action by all relevant law enforcement authorities and institutions with a view to dismantling national, regional and international networks in trafficking;
> > (d) Allocate resources to provide comprehensive programmes designed to heal and rehabilitate into society victims of trafficking, including through job training, legal assistance and confidential health care, and take measures to cooperate with non-governmental organizations to provide for the social, medical and psychological care of the victims of trafficking;
> > (e) Develop educational and training programmes and policies and consider enacting legislation aimed at preventing sex tourism and trafficking, giving special emphasis to the protection of young women and children.

Whereas in Vienna there was only a small introduction to violence against women and the issue of sex-trafficking, it was largely embraced two years later in Beijing. This is when anti-sex trafficking efforts gain leverage, begin to increase support, and steadily grow. In the Beijing Declaration, a great emphasis is put on trafficking in women and forced prostitution. Another telling sign of the institutional and cultural processes at work is that the Beijing document recommended that the UN 1949 declaration be "reviewed

and strengthened" (United Nations 1995, 50). It consistently labels trafficking in women and forced prostitution as a form of violence against women, as displayed above. There exists other language in the document that connects sex trafficking to forced labor, drug and arms trafficking, and international organized crime. Although this language exists, trafficking in women and forced prostitution is still tightly coupled to the idea of violence against women.

CHAPTER 7

TRANSITION AND AFTERMATH

The Unraveling of a Tightly Coupled Relationship

The Beijing Declaration re-affirmed the strong conceptualization of sex

trafficking as violence against women, and prioritizes the issue, something that had not

occurred since the 1949 Convention.[38] The Beijing Declaration was also significant on a

broader level for promoting women within all UN bodies. The Fourth World Conference

on Women instituted strategies that required bureaucratic reform to promote women

rights. One such implemented strategy was the practice of gender mainstreaming. Gender

mainstreaming as a UN bureaucratic strategy influences how women's issues are

organized bureaucratically. As a result, it largely effects sex trafficking norm and policy

development.[39] Gender mainstreaming is another example of a nuanced effect that the

Bee Swarm model captures whereas the Norm Life Cycle model focuses mainly on the

effects of norm entrepreneurs.

Gender Mainstreaming

To understand the international norm development on sex trafficking, one must

understand the organizational and bureaucratic transformations that occurred within the

United Nations in the late '90s. The Beijing Declaration and Platform of 1995 is often

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[38] UN Beijing Declaration and Program for Action 1995, Strategic Objective D is violence against women. D.3. is: "Eliminate trafficking in women and assist victims of violence due to prostitution and trafficking" (page 55).
[39] Conversely, (Ackerly, Stern and True 2006, 249; True 2004) have argued that anti-sex trafficking policy is strengthened because it is tightly coupled with other forms of trafficking operations such as fraudulent immigration, money laundering, drug trade and trafficking in weapons. To them, the loose coupling of violence against women is not problematic because sex trafficking is indivisible from these other instruments and thus should not be separated

said to have mainstreamed gender perspectives in UN entities as a "mega-strategy" (Krook and True 2010).[40] Gender mainstreaming highlighted the need for a gender perspective in all policy areas; "in the period leading up to and immediately after Beijing…official texts often positioned mainstreaming as an umbrella equality norm that incorporated women's participation, as well as gendered analysis of public policy" (Krook and True 2010, 120). Mainstreaming became used as a popular tool within the UN for designing, implementing, evaluating, and measuring public policies (Krook and True 2010, 121).

Conversely, implementing the specialized techniques of gender mainstreaming to *all* policy areas caused a diffusion and unraveled certain tightly coupled systems, thus losing some "critical edge" (Krook and True 2010, 120). By expanding to a diverse array of policy areas, the importance of gendered issues is almost spread too thin; the meaning of gender importance is diminished because it cannot be tightly coupled with one easily understandable framework. As it gets thinner, it gets disconnected. As Krook and True claim, negative effects of this strategy are evident: "mainstreaming programmes have retained an exclusive focus on women and, in some cases, served as a pretext to eliminate women-oriented policy initiatives" (Krook and True 2010, 112). Consequentially, gender mainstreaming has been used to empower technocrats and gender "experts" at greater extents than it has empowered grassroots women organizations (Krook and True 2010, 121). The following will explain how gender mainstreaming disrupted sex-trafficking norm and policy development and led to a bureaucratic transition.

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[40] See Krook and True (2010) for more on gender mainstreaming and gender balance, the other "mega strategy" was an initiative that encouraged decision making to be balanced by calling for equal participation and representation in decision making positions.

Transition Explained: Beijing Follow Up Report 1999

Mainstreaming became a practical methodology for UN treaty bodies and contributed to an important transition and disruption for sex-trafficking norm development. This example supports Krook and True's claim by showcasing how gender mainstreaming empowered the UN bureaucracy more than it empowered norm entrepreneurs and feminist grassroots activists.[41]

Following the Beijing Declaration of 1995, the Commission on the Status of Women undertook follow up measures to assess the implementation of the Beijing Declaration and Program of Action in regard to sex trafficking. In 1999, the General Secretary put forth a follow-up report for the implementation of the Beijing Declaration and Platform for Action. The Commission on the Status of Women and the Commission on Human Rights would cooperate with the Centre for International Crime Prevention in Vienna (United Nations 1999, 67). Research and studies would be prepared by United Nations Interregional Crime and Justice Research Institute on behalf of the Office for Drug Control and Crime Prevention. This information was found under section 67 of the report:

> The issue of traffic in women and girls will receive particular attention in 1999. The High Commissioner has identified trafficking in women and children for purposes of sexual exploitation as a priority issue. The Office of the High Commissioner has set up a project aimed at raising awareness on the issue at the highest political level. Efforts will be made better to support implementation of relevant resolutions of the General Assembly, the Commission on the Status of Women and the Commission on Human Rights. Cooperation will be sought with the Centre for International Crime Prevention at the United Nations Office at Vienna to cover action to combat international trafficking in women and children. Both the Division and the Office of the High Commissioner will contribute to the study on the criminal aspects of trafficking in human beings, which is being prepared by the United Nations Interregional Crime and Justice Research Institute on behalf of the Office for Drug Control and Crime Prevention.

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[41] This is interesting because regardless of bureaucratic control having the ability to change a norm, it is still often an important part of norm institutionalization.

Upon review, this evidence highlights the negative influence gender mainstreaming had on sex-trafficking norm development. The report of 1999 marked a transition because it re-framed sex-trafficking and connected it to another bureaucratic institution. Sex trafficking, once in the hands of the Commission on the Status of Women, was relocated to another authority, the UN Office of Drugs and Crime. In turn, the UNODC was advised to intentionally practice gender mainstreaming within its department.[42]

The bureaucratic transition diverted norm development from the original undertaking of women-oriented organization. Understanding the change of norm development is important because it explains why women lost responsibility and ownership of the issue they pushed for. It took decades, if not a century, for feminist developments to define sex-trafficking as a priority issue and as a form of violence against women.[43] As sex trafficking became loosely coupled with other norms, the tightly coupled relationship it had with gender violence unravels to some degree.

The result of this transition caused sexual exploitation to become broadly infused with transnational organized crime, rather than gender violence. The Convention Against Transnational Organized Crime was supplemented by three protocols:[44] the Protocol to Prevent, Suppress, and Punish Trafficking in Persons Especially Women and Children; the Protocol against the Smuggling of Migrants by Land, Sea and Air; and the Protocol

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[42]For more on gender mainstreaming see the UNODC website and the gender mainstreaming plan: https://www.unodc.org/documents/evaluation/HumanRights-GenderEquality/UNODC-IES_gender-responsive_evaluation_Briefs-for_Managers.pdf

[43] By priority issue, I mean that combating trafficking was considered one of three strategic solutions to end violence against women.

[44] The Convention of Transnational Organized Crime was held on November 15, 2000 in New York and opened for signature in December of 2000 in Palermo, Italy. The convention went into effect in 2003.

against the Illicit Manufacturing of and Trafficking in Firearms, Their parts and Components and Ammunition. The priority issue of sex trafficking was finally raised in the first one.

Palermo Protocol: Language Changes

The language of the first protocol, entitled *Especially Women and Children* implies gender priority, but this is inaccurate and misleading because it is only paying lip service. Previous international documents such as CEDAW, the Vienna Declaration, and the Fourth Conference on Women referred to trafficking in women under the definition set forth by the Commission on the Status of Women in 1949. Half a century later, the women-oriented definition is reformulated:

> "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose 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

The definition provided by the Palermo Protocol is broader than previous definitions (United Nations 2000, 2).[45] In 2000, trafficking in persons considers exploitation in the broad sense. Sexual exploitation and the exploitation of prostitution are forms of overall exploitation and thus human trafficking. This is not to say that what occurred hindered the success of the movement. After all, Palermo led to a cascade of mutual agreement and state legislation. It was successful in empowering anti-labor

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[45] The broadness of the definition extends as human trafficking itself is a form of trafficking, such as drug trafficking and weapon trafficking. The Palermo Protocols involve other conventions such as the criminality of migrant smuggling.

trafficking efforts in addition to sex-trafficking. Yet, there is a theoretical disruption

concerning norm development. The definitional change indicates how norm development

was redirected and underwent a nonlinear transition, something that strengthens the Bee

Swarm model and hinders the Norm Life Cycle model.

Throughout the 1990s, sex-trafficking was an important issue predominantly led

by the Commission on the Status of Women (CSW) that successfully defined trafficking

in women and children as a form of violence against women. In 1999 a transition occurs,

and sex-trafficking is defined differently. The phrase "violence against women" was

never mentioned in the ten-page document of the Protocol to Prevent, Suppress and

Punish Trafficking in Persons Especially Women and Children (hereafter referred to as

Palermo Protocol). The word "violence" or "rape" is never used. "Sexual exploitation"

and "prostitution" are stated once (in the excerpt attached above) and never mentioned

again. The Palermo Protocol does not explicitly mention the historical roots of how

trafficking was defined as gender discrimination in article 6 of CEDAW. Additionally,

the word "women" is only used 8 times in the ten-page document and is never mentioned

independently from that phrase "especially women and children". There is no section of

the document dedicated to gender specific concerns of human trafficking. The examples

put forth that display the language and wording used in the written document of the

protocol provide evidence that the language of the norms developed by the Commission

of the Status of Women disintegrated. Moreover, the document does not mention whether

the Commission of the Status of Women was even involved in drafting the Palermo

Protocol. One thing that is clear is that bureaucratic strategies have immense influence.

The language that was commonly used in prior internationally recognized documents are essentially nonexistent in its new form under the Office of Drugs and Crime.

Additional subtle language is also evident in Article 9 of the Palermo Protocol. Article 9 of the Palermo protocol centers on prevention, a key word in the document. However, it is noticeable that the prevention section of Article 9 is not satisfactory or promising, especially when compared to previous language used in the Beijing Declaration of 1995. Prevention measures in Palermo are vague in comparison. For example, one clause for human trafficking prevention is to advance "social and economic initiatives", but the specifics to what this could mean are undetermined. On the other hand, the Beijing Declaration explicitly mentions many forms of prevention that directly relate to sex-trafficking. For instance, the Beijing document lists tackling the industry of sex tourism; dismantling known trafficking networks, offering healing and rehabilitation services for victims; and other prevention clauses that include health concerns, psychological care, legal assistance, and job training (United Nations 1995, 55). None of these points in Beijing 1995 are mentioned in the 2000 Palermo Protocol, a document that was released four years later to enhance its precursor. The Beijing Declaration encompasses a broad array of gender issues discussed during the Fourth World Conference on Women. In comparison, the Palermo Protocol focuses on the one gender-based issue of sex trafficking. It is thus ironic that the Beijing Declaration has language more clear-cut and explicit about sex trafficking than the Palermo Protocol.

Aftermath of Gender Mainstreaming and Palermo:

In support of the Palermo Protocol, the UN Office of Drugs and Crime has formed what they call a *Gender Team*.[46] Tacking on the words *especially women and children* to a handful of sentences and then forming a *Gender Team* is an example of how the UNODC performs gender mainstreaming. Many bureaucratic entities use this strategy for inclusiveness because it is convenient. Additional support for this argument may be found in another example. In the aftermath of the Palermo Protocol, the UN launched a Global Initiative to Fight Human Trafficking (UN. GIFT) in 2007. UN.GIFT is considered an "inter-agency initiative" whose Steering Committee consists of six organizations "positioned at the leading edge of the global movement to eradicate human trafficking": The International Labour Organization (ILO); The International Organization for Migration (IOM); The Organization for Security and Co-operation in Europe (OSCE); The UN Children's Fund (UNICEF); The UN Office on Drugs and Crime (UNODC); The Office of the High Commissioner for Human Rights (OHCHR).[47]

The above example depicts the recognition of six UN bodies as the leaders in the fight to end human trafficking, thereby excluding the grassroots feminists who have been true leaders in the international fight since at least 1875. The UN entity that initially brought the issue of trafficking to the table was the Commission on the Status of Women, which despite mainstreaming efforts was excluded from the Steering Committee and the six UN organizations. The convenience of creating Steering Committees, inter-agency initiatives, and Gender Teams demonstrates how the policy of gender mainstreaming is

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[46] Link for gender team is the same link for gender mainstreaming here: https://www.unodc.org/documents/evaluation/HumanRights-GenderEquality/UNODC-IES_gender-responsive_evaluation_Briefs-for_Managers.pdf
[47] For more on the UN.GIFT see website here: http://www.ungift.org/steering-committee

used to hide the desperate need for bureaucratic reform. Structures of power within UN bureaucracies are not challenged at the highest level. The strategies, methods, and approaches of how bureaucracies deal with and try to find solutions are not questioned and other possibilities or directions of action that attempt to solve problems are not considered. Moreover, World Culture predicts that globalization and institutions empower bureaucratic organizations and empower bureaucrats to determine how problems are constructed and solved. Therefore, norm entrepreneurs and activists are undermined because the efforts of actors can be limited by bureaucratic decisions and policy. The Norm Life Cycle model assumes norm entrepreneurs actively build their norms on their given organizational platform, yet the model fails to recognize how actors are constrained through bureaucracies.

Short Summary

The history of the anti-sex-trafficking movement suggests evidence that the expectations of the institutional perspective have been met. Although some actors have the agency to actively, purposely, and intentionally contribute, international norm development is more complex. The anti-sex-trafficking movement developed during the era of the International Abolitionist Federation; the League of Nations; the Universal Declaration of Human Rights; the Decade for Women; CEDAW; the Vienna Declaration; and the Beijing Declaration amongst others. Although the IAF worked to develop a norm that achieved a degree of institutionalization, it failed to cascade. New actors re-emerge decades later, but they refer to old institutions, which were all that was available, proving the embeddedness of actors in a pre-existing space and environment. Old institutions are constantly dismantled or reformed to uphold new institutions as sex-trafficking shifts

from being recognized as state-regulated prostitution, as White slavery and as violence against women. Some well-planned and well-intentioned strategies, such as gender mainstreaming, backfired and created unintended consequences. The process of international norm development was disrupted in 1999 when the issue of sex-trafficking was transferred from women-oriented initiatives to transnational organized crime. What was once an issue about mitigating systemic injustice like gender violence and sexual abuse, turned into an issue that focused on illegal money flows and fraudulent immigration. Norm development and policy processes are nuanced, thus demonstrating the theoretical limits of the Norm Life Cycle model which fails to grasp the complexities at work. *Figure 4.* represents the Bee Swarm model from the introduction (*Figure 3*) with added specified effects mentioned throughout this piece. Figure 4. Highlights the effects that come from different directions and that contribute in different ways (both positive and negative). These effects include both actors as institutional environments that work together to change and reconfigure the movement in various ways throughout time.

Figure 4 Specified Bee Swarm Model Adapted from Ann Hironaka (201

Figure 4 Specified Bee Swarm Model Adapted from Ann Hironaka (201
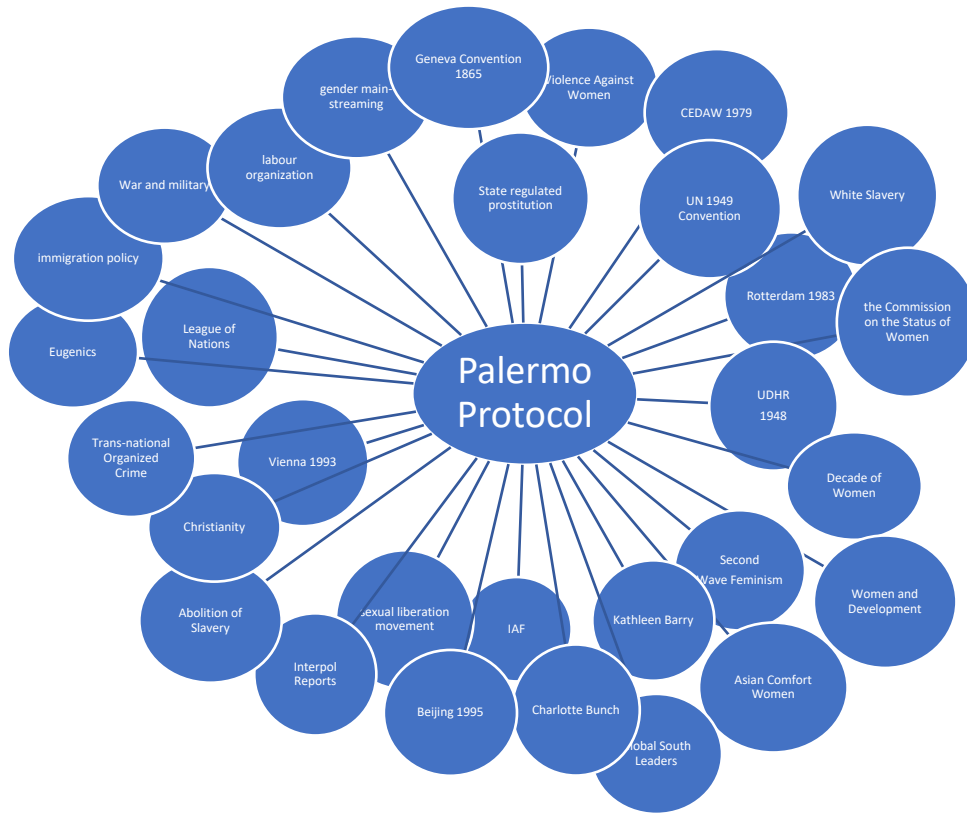
CHAPTER 8

THEORETICAL DISCUSSION

The argument remains that the Norm Life Cycle model is problematic for three

main reasons; it is actor centric, historically narrow, and linear.

Actor Centric

Overall this paper criticizes the overreliance on individuals who are seen as the

drivers of social-political change. The field of International Relations sometimes puts too

much emphasis on actor-centered theories and ignores the third level of analysis. In some

cases, this is a mistake because academics reduce the broad and fundamental importance

of institutions and culture. The example of the anti-trafficking movement reveals that

actors are not always actively building norms, rather they can sometimes provide

guidance and a voice for institutions and culture.

World Culture theory and the Bee Swarm model conceptualize institutions as

establishments that define new social problems, that foster cultural meanings, and that

create workspaces for actors to address problems (Hironaka 2014, 3). Through

workspaces, institutional structures facilitate dialogue by bringing groups together to

construct problems and develop solutions (Hironaka 2014, 62). A good example is how

violence against women was developed, inadvertently and unplanned. Grassroots

feminists couldn't agree in heated discussions and opposed each other along global North

and South lines. They finally began noticing the issues they had in common, such as

physical abuse and bodily harm. Previous institutions provided the workspace for

discussions to raise a new strategy and for actors like Charlotte Bunch to help guide it. In

this context, actors are not at the center because they do not provide authentic ignition, rather institutional structures create the conditions for the development of more institutions (Hironaka 2014, 62, 66). One example is how Kathleen Barry summoned public support by referring to Interpol data on sex-trafficking (Barry 1979).

The Bee Swarm model of the workspace enables us to examine the interplay between actors and institutions. Actors and institutions are constantly intertwining. Structural and cultural mechanisms are at play. It should not be argued whether actors are superior to institutions or vice versa. The debate between top-down or bottom-up analyses is problematic because picking one is partial. The Bee Swarm model does not see institutions as having more importance than actors. Instead, the Bee Swarm model perceives that institutional structures and workspaces facilitate and enable actors to promote change.

Historically Narrow

The Norm Life Cycle can appear to work if one looks at a limited time frame and credits a movement's success to an actor of that time. However, from a broader perspective it is misleading. For instance, this research recounts how it took over a century for the anti-sex-trafficking movement to adequately frame and construct what we see today as "the problem" (Douglas 1966). This movement began at least in 1875. However, if applying the Norm Life Cycle model, the anti-sex-trafficking "norm" can only be identified as something that emerges in 1979 for two reasons. First, that is when norm entrepreneurs emerged and the modern movement that eventually succeeded began. Second, past institutions like the IAF and white slavery failed, but were fundamental to the eventual cascading of the norm. However, it took a century of various degrees of both

successes and failures for institutions to develop, to allow for the developments of new institutions, and for the emergence of actors (norm entrepreneurs) to be effective.

International relations scholars view that a movement's success is determined when norms compete against other norms in war-like rivalries and one norm "wins" to advance its initiative (Finnemore & Sikkink 1998, 897). As the history of the anti-sex trafficking movement shows, a vast array of effects contributes to social change. In a Bee Swarm model, "a dense network of causal factors shapes outcomes, even if most individual causal factors prove weak or inconsequential" (Hironaka 2014, 7). In the anti-sex trafficking movement, this can be observed throughout history during the period of the IAF and white slavery. By 2000, the IAF and white slavery are relatively obsolete, however, at certain times, they were far from inconsequential. The IAF and white slavery were causal factors that should be included in this dense network because they have shaped outcomes. The policies institutionalized during this era provided the workspace for actors to make heavy reforms. Likewise, the radical IAF policy goals that sought complete eradication of all forms of prostitution was never universalized internationally. The Bee Swarm does not view the IAF or white slavery as two separate failed movements, as the Norm Life Cycle does. Rather, the Bee Swarm views the IAF and white slavery as institutions that shaped the outcome and contributed to one global event.

Competition driven theories like the Norm Life Cycle model produce dichotomous outcomes where a norm either succeeds or fails and each movement is separate from others. This is problematic for two reasons. First, the dichotomy between success and failure is limiting. Second, a norm cannot be dissected in isolation from its environment of other norms. Just as a forest that has burned down provides a space for

new life, a "failed norm" provides a similar possibility. The Norm Life Cycle model sees this new life as an independent norm birthed by effective and apparent actors. The constructivist approach sees a norm emerge, but only once it is identifiable, disregarding the context that allowed for this initial achievement. The Bee Swarm model sees the emergence of a new norm within an existing environment.

The Bee Swarm model also accepts a more nuanced and encompassing history because the existence of institutional structures allows for actors to demand improvements that are already in line with established standards (Hironaka 2014, 73). For example, Kathleen Barry published a book about how Interpol withheld reports on sex trafficking form the public. Evidently, institutions were already at work. Institutions provide the reasoning as to why Interpol was collecting data to begin with. Although the efforts of the IAF disintegrated around 1949, the pressure they put on international authorities endured. It shows the importance of historical facts. In another instance, the Beijing Declaration of 1995 attributed high priority to anti-sex trafficking and announced the revival of the 1949 UN Convention. Conventions on sex trafficking had already been institutionalized and created the workspace for events in the '90s to take place. This also demonstrates that institutions offer durability, the ability to persist, and the means to reconstruct interests (Hironaka 2014, 64-65).

Linear

This Bee Swarm model is inspired by the theory behind the approach of loose coupling (Hironaka 2014; Bromley and Powell 2012; March 1981; J. Meyer and Rowan 1977; Weick 1976). For systems of loose coupling like the Bee Swarm, evolution and norm development can occur in a disorganized and unintended fashion. Loosely coupled

systems accepts the possibility of an external force having the ability to bring change to many parts of the system and network (Hironaka 2014, 7; J. Meyer and Rowan 1977; Schofer and Hironaka 2005). Therefore, the Bee Swarm model would not be challenged by the transitionary events that occurred in 1999. This is unlike the Norm Life Cycle model, which requires a Smoking Gun, where actors form goals that are only achieved under clear and direct conditions. Since the Norm Life Cycle model requires that a norm cascade be the direct result of norm entrepreneurs, it is unclear they would consider the norm successful. It is reasonable to assume the Norm Life Cycle model would view the disconnect between sex-trafficking and gender violence as a failed norm.

The transition in which the UNODC replaces feminist efforts is problematic for the smoking gun model. In the end, the original activism could no longer control the movement's unintended final outcome. Therefore, the onset of the Palermo Protocol and the domestic legislation that follows, (the tipping point and norm cascade) cannot be considered linear, clear, or direct because the evolution of the norm disconnects from the actors. Finnemore and Sikkink require that their model have clear direction, where the goal of the actor is willfully and deliberately realized. It is evident in this case that no direct causal links are present due to the administrative and bureaucratic alteration, as well as the conceptual realignment of sex-trafficking. In sum, initial policy goals do not perfectly match policy outcomes. Outcomes are shaped in much more complex ways by both intended and unintended effects.

The Bee Swarm model includes these nuances. In fact, the nature of institutional workspaces enhances the need for standardization, bureaucracies and administration (Hironaka 2014, 63). Thus, it is not surprising that UN bureaucracies ushered widespread

system change, thereby disrupting anti-sex trafficking norm development. The Bee Swarm model not only accepts this possibility but can even predict this outcome. The Norm Life Cycle model may sometimes fail to account for the changes and influence brought about by bureaucracies. On the other hand, bureaucratic changes enhance, support, and are even predicted by the Bee Swarm model and loosely coupled systems theory (Hironaka 2014, 7; J. Meyer and Rowan 1977; Schofer and Hironaka 2005).

CHAPTER 9

CONCLUSION

Critiques of Norm Life Cycle

This research identifies several significant problems of the Norm Life Cycle model that limit explanations for socio-political change. Weaving a theoretical analysis through specific historical events, this research offers a better understanding of how international policy on sex-trafficking developed. In addition to highlights some problems in the current constructivist literature, this research suggests an alternative perspective that originates from world polity theory. The significant problems of the Norm Life Cycle model can be summarized into three main points: actor centric, historically narrow, and linear.

I predict that future research may also find that the constructivist Norm Life Cycle model continues to limit how international norms develop in the context of the information age and the digital revolution. Future research may study how social media and digital platforms contribute to international social movements. It would be interesting to see how norm entrepreneurs are identified when millions of hashtags, stories and posts circulate. The digital age adds chaos to already complex networks of organization (and disorganization). How might the Norm Life Cycle approach track the cumulative effects of big data in a linear, clear and direct way?

Positive Outlook and Expectations

On the other hand, the Bee Swarm model avoids the problems mentioned above. The Bee Swarm model acknowledges that many processes work within a network to

produce successful social change. The Bee Swarm model accepts that pre-existing institutions provide a context and an environment of norms. This established setting allows embedded actors to identify and act. Institutional workspaces provide space which facilitates action and norm development. This is crucial because norms are not built by autonomous, unembedded actors, rather they develop out of previous norms. For example, anti-sex-trafficking norms did not result from a norm entrepreneur like Kathleen Barry who gathered support leading to a cascade. Social change occurred as a byproduct of institutions such as religion, abolitionism, humanitarianism, and globalization.[48] Trafficking took on many forms, taking generations before overcoming difficult obstacles. The Bee Swarm model understands actors and institutions work together, and even against each other. It accepts developments that become loosely coupled in non-linear processes. Finally, the Bee Swarm model is able to encompass the entire history of social change, the combination of events that evolve globally throughout hundreds of years.

Although this study has argued against the flaws and gaps in the current literature, it is based on the evidence of one case study and one example of an international movement. In other cases, it may be possible to analyze, explain and predict the development and evolution of norms through the Norm Life Cycle model. The argument here it is that for the anti-sex-trafficking movement, it is not enough to ignore the

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[48] Sally Engle Merry (2006) has described CEDAW as a "powerful site of cultural production". Merry also uses a similar understanding in her conception of "space" She describes human right processes and CEDAW were created by transnational modernity. Transnational modernity worked as a "space" and incorporates actors and brings them together (page 37 and 100). Likewise, Gray, Kittilson and Sandholtz (2006) also note that globalization is what drives, promotes, and diffuses the ideas and norms of equality for women.

nuanced role of institutions. It is important for the discipline of international relations to

be open to interdisciplinary theories and models such as world polity and the Bee Swarm

model because it is better equipped to include the various effects that contribute to global

socio-political change. The strengths of the Bee Swarm model complement the field of

international relations because it includes individual, state, and international levels of

analysis.[49] Broader systemic views are combined with individual actor-centered views.

Likewise, the Bee Swarm model does not argue for a bottom-up or a top-down approach.

It remains neutral and values both perspectives in a refreshing way.

Unanswered Questions and Further Study

      This paper demonstrates how institutions and actors alike contribute to the

processes that effect norm development and policy on sex-trafficking. I argue here that

institutions and workspaces channel outcomes. If they are important than we must

critique them. When faced with the horrifying global problem that is the criminal activity

of sex trafficking, we must question the systems, frameworks, and bureaucratic standards

that shape and address problems. These workspaces exist, but they are not often noticed

and almost never fundamentally challenged. If prostitution, inseparable from sex-

trafficking, is considered the world's "oldest profession" we need new ideas and

solutions. Or, rather not new ideas but new voices (Tickner 2005). We, as agentic actors,

need to question the institutional mechanisms we rely because they allow us to perceive

problems and construct solutions. The way we structure our current priorities are never so

much as questioned, especially with current bureaucratic hierarchies and powers that

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[49] See Waltz (1959) for first, second, and third imaging.

command international law and academic research. Institutions work as the foundations of how our future is shaped. Institutions are thus not failures, rather they are the beginnings of what is to come.

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