

Beyond Framing and Shaming

Human Trafficking, Human Security and Human Rights

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ABSTRACT

This essay will argue that human trafficking, especially transnational sexual exploitation of women and girls, has received disproportionate attention in ways which reflect fundamental characteristics of the international human rights regime. The communicative action dynamic of framing grants greater shaming resonance to certain types of violations, victims, and even regions. In the short-run, this spotlight may limit attention to equally salient abuses and represent a shortfall in the universality and indivisibility of rights. However, in the long run, a distorted emphasis on trafficking may well be a politically beneficial spur to wider consciousness of a linked set of 'private wrongs', as well as legitimately addressing a significant stream of especially heinous abuses that do affect large numbers of victims. Moreover, ultimately a human security approach linked to complementary state interests and multilateral mechanisms may be the best way to institutionalise the mobilisation sparked by the international human rights regime.¹

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PISCES (Feb. 19–March 20): *If you're reading this horoscope, you're not a Cambodian orphan who grew up as a slave in a brothel or a Sudanese man kidnapped by a militia and forced to do heavy labor 18 hours a day or one of the 27 million other victims of human trafficking around the world. But you may be yoked and subjugated in a less literal way, perhaps to an addictive drug or an abusive relationship or a job that brings out the worst in you. The good news is that the coming months will be a favorable time for you to escape your bondage. Maybe it'll help you muster the strength you need, Pisces, if I inform you that your freedom won't be anywhere near as hard to achieve as that of the Pakistani boy tied to a carpet loom in a dark room or the Nigerian woman who's beaten daily as she toils in the sugar cane fields for no pay.* (Breznsy 2009)

After decades of relative neglect, the international human rights regime in recent years has focused intense efforts to combat human trafficking—especially sex trafficking. It is a mark of agenda recognition that the issue of trafficking has permeated policy and public awareness; from Interpol programs to popular films. Why has attention mushroomed for trafficking, a widespread but privatised violation that affects scattered and powerless individuals? How has the human rights regime, established to protect political dissidents from the abuses of governments, come to focus on some forms of humanitarian protection that transcend the original model of rights? And can a human security framework ameliorate the uneven attention to human trafficking under the traditional model?

WHAT'S THE PROBLEM?

Trafficking is the illicit movement of people, under conditions of force, fraud, or ignorance which do not permit free consent. Trafficking of human beings is defined in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children as

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. (United Nations, 2000)

Although trafficking is usually depicted as *international* migration, far greater numbers of people are trafficked within their own country or region.

This inherent violation of human freedom is often violent and degrading. Moreover, displacement is almost always associated with exploitative and unsafe labour conditions, and frequently with ongoing imprisonment by private parties, physical and sexual abuse, and coercive threats to victims and family members.² It often results from and intensifies discrimination against vulnerable groups: women, children, ethnic minorities, and refugees. Although some migrants are illegally smuggled with consent rather than trafficked, their undocumented dependency may also result in forms of exploitation and abuse similar to those suffered by trafficking victims—especially among female migrants and those working in the informal sector.

Many advocacy groups cite figures of more than 27 million people worldwide trafficked for exploitive labour, with several million of those forced or tricked across borders (based on Bales, 2004). The US State Department estimates that up to 820,000 men, women, and children are trafficked internationally each year, while the International Organization for Migration cites a rough figure of 800,000 (US Department of State, 2009b; International Organization for Migration, n.d.). The US data suggest that about two-thirds are women and girls. This report shows that the majority of *transnational* victims are trafficked into commercial sexual exploitation. Much of this traffic is from East to West (Europe) or South to North (Latin America–US, Southeast Asia–Europe and US) (Attorney General's Annual Report, 2008).

The numerical preponderance of people trafficked *domestically* are men indentured for debt slavery in rural areas of developing countries, or forced labour in dictatorial regimes and war zones. Significant numbers of male and female children are also enslaved on plantations, in informal factories, as domestic servants, as beggars, and as child soldiers. The largest flows of domestic labour trafficking are within the poorest countries and regions: Africa, South Asia, and the Middle East.

Women now comprise almost half of international migrants. Women are trafficked within and across borders for various forms of female-typed labour: from 'nimble-fingered' sweatshops to the 'maid trade', from mail-order brides to prostitution. Women are highly vulnerable to sexual harassment and exploitation in *all* of these forms of labour, but the level of coercion and commodification is highest in transnational prostitution. While regional patterns of female factory and domestic labour mirror those of males, the export of female sexual services follows distinct geographic patterns: East–West and South–North. International abuse of women grows from pre-existing domestic practices of commodification of female reproductive labour, such as prostitution, forced marriage, and domestic service, and patriarchal control of women's movement, education, and employment—enforced by gendered violence.

Like other forms of labour migration, sex trafficking follows dual market and organisational logics: supply and demand plus availability of smuggling and receiving networks. A supply of desperate and vulnerable women (and families, in the case of children) is generated by the collapse of local economies, due to endemic poverty, political conflict and/or pressures

of globalisation. Conversely, demand is highest in areas that have benefited from globalisation, with high flows of tourism and migration. Smuggling and receiving networks often developed around other illicit flows, such as drugs or weapons, but now flourish in weak states and articulate with local institutions of gender inequity.

Thus, the predominant flows are from Eastern Europe and the former Soviet republics to Western Europe, from Southeast Asia to Japan and Thailand, from the smaller, poorer countries of South Asia to India and the Middle East, and a much smaller number from Mexico and Central America to the United States. The Coalition Against Trafficking in Women reports that: 'Two-thirds of 500,000 women trafficked for prostitution worldwide annually come from Eastern Europe' (Gradin & Vandenberg, 1997). By contrast, an estimated 14,000 people are trafficked into the United States each year (Attorney General's Annual Report, 2006). An estimated 50,000 undocumented immigrants come to Japan each year, at least one-third women doing sex work, with many coerced, duped, and/or exploited (Neary, 2002); this would represent a greater number than for the US, for a receiving country with less than half the population. Huriights Osaka estimates that Japan's sex industry brings in nearly \$US90 billion each year, and a significant proportion of sex workers in Japan are undocumented foreign women and girls (Fujimoto, 2006). The US State Department has placed Japan on its Trafficking Watch List. More massive flows within Asia are less publicised. For example, as many as 200,000 Nepalese girls have been sold into the sex industry in India (International Human Rights Law Institute, 2001).

Although international sex trafficking is an especially egregious violation of almost every fundamental freedom, enacted on especially vulnerable populations, other forms of labour exploitation and abuse are even more widespread and affect greater numbers of people. For example, the International Labor Organization (ILO) estimates there are nearly 700,000 child domestic workers in Indonesia alone, and Human Rights Watch has identified that country as one in which a large number of such workers face 'slave-like conditions', including frequent physical and sexual abuse (Human Rights Watch, 2006). This is a far larger and more vulnerable affected population *in one country* than the maximal estimates of Eastern European women trafficked to the West for sexual exploitation. Similarly, the International Organization for Migration estimates that in 2007 alone, there were 26 million internally displaced persons as a result of political conflict or natural disaster (along with 11 million refugees)—and these vulnerable groups face very similar threats to their rights and well-being as do trafficking victims. Although women trafficked for sexual exploitation are especially at risk due to displacement, the number of women coerced or pressured into prostitution *within* their countries far exceeds the number of trafficking victims. For example, some sources estimate that Iran, a closed society where migration is not a major factor, hosts 200,000 to 1,000,000 women working as prostitutes under degrading, repressive, and exploitive conditions—and increasingly threatened by HIV infection (Prostitution in Iran, n.d.). Even within the US, it is estimated that more than a million women and girls are involved in prostitution—around 40 per cent of them people of colour, who are disproportionately exploited, raped, and incarcerated (Issue Paper, n.d.). More than two-thirds have experienced assault with a deadly weapon, and the Department of Justice estimates that the mortality rate for domestic US prostitutes is *forty times* the national average, in many cases due to violence (Flowers, 1998, p. 64).

RESPONSE TO THE PROBLEM

In response to the post-Cold War surge in human trafficking, there has been a corresponding surge in NGO formation and mobilisation, media coverage, and policy measures by both international organisations and (mostly receiving) states. This does not mean that the problem has been solved, and some monitors argue it may even have worsened due to structural factors beyond the scope of current campaigns and policies. But trafficking is a 'success story' of consciousness and mobilisation. While the increase in advocacy and policy is appropriate and necessary, we must also consider how and why the response to international sex trafficking exceeds the attention and resources devoted to other, equally abusive forms of labour and migration. How does this disproportionate attention flow from inherent features of the international human rights regime—and are there ways such attention can be expanded to encompass the full range of threats to human dignity?

The anti-trafficking network is notably broad and cross-cutting, encompassing newer issue-specific groups, traditional human rights organisations, children's advocacy groups, historic anti-slavery activists, religious humanitarians, labour, international organisations, migration and law-enforcement agencies of governments, experts, celebrities, and journalists. Thus, long-standing human rights actors with physical resources, information-processing capabilities, and international recognition have adopted anti-trafficking programs: notably Amnesty International, Human Rights Watch, Save the Children, and UNICEF. Issue-specific organisations like ECPAT, the Polaris Project and the Coalition Against Trafficking in Women have added a laser-like focus and dogged determination to establish the issue in public consciousness, while the Somali Mam Foundation has given voice to victims and attracted strong celebrity and feminist support worldwide. While many journalists have provided extensive and sympathetic coverage, the New York Times' Nicholas Kristof stands out for his long-term involvement and highly effective reporting on agonizing cases of abuse in far-flung locales (Kristof, 2004, Kristof & Wudunn 2009). The combination of advocates mobilised by the trafficking frame offers an unusually favourable opportunity for awareness and policy response to this particular form of abuse.

Another strong and interacting response to trafficking is the high level of mass media attention, compared to that for similar but differently framed abuses. Dozens of popular feature films centre on dramatic stories of trafficking, in many cases based on actual incidents or representative situations. They include *Lilya-4ever*, *Svetlana's Journey*, *Human Trafficking*, *River of Innocents*, *Spartan* and *Holly*. *Trade* is based on a *New York Times* magazine cover story about trafficking in the Americas, 'The Girls Next Door' (Landesman, 2004). While media depictions of domestic prostitution are often glamourised, personalistic, male-centred and titillating (e.g. *Pretty Woman*), films on international trafficking are generally gritty, sympathetic to the victims, and often offering some social context. Such films far outnumber the few features on sweatshops or smuggling, such as *Dirty Pretty Things*. However, almost all of the films on trafficking involve Euro-American victims, usually coerced rather than deceived, and often minors.

As a result, opinion marker individuals such as American college students are far more familiar with trafficking than with any other genre of human rights abuse, except genocide. Students who enter my International Human Rights course unable to name a single human rights treaty, organisation or political prisoner speak with concern about 'sex slaves from other countries'. Similarly, within the context of courses or projects on international gender

issues, students often state that they became interested in these issues because of the problem of trafficking.

There is more international policy on trafficking than on any other form of migration, except perhaps refugees. While the International Convention on the Rights of Migrants is one of the most weakly subscribed UN instruments, the United Nations Convention against Transnational Organized Crime contains two relevant standards: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children; and the Protocol against the Smuggling of Migrants by Land, Sea and Air. The International Organization for Migration (IOM), with 129 member states, 'has been working to counter the trafficking in persons since 1994. In this time, the Organization has implemented almost 500 projects in 85 countries, and has provided assistance to approximately 15,000 trafficked persons' (International Organization for Migration, n.d.). International efforts under the auspices of UNICEF include prevention and rehabilitation alongside the law enforcement activities of Interpol, and international organisations and state agencies in this area coordinate to a high degree with non-governmental groups.

Yet another positive feature of the response to trafficking is that receiving countries, the customers, have changed their own laws, devoted their own resources, and prosecuted their own citizens for a problem mostly affecting powerless foreigners. The response compares quite favourably to that for other illicit flows like drug smuggling, in which customer countries focus almost exclusively on source suppression. In 2005, the Council of Europe Convention on Action against Trafficking in Human Beings was adopted, and eventually signed by 21 member states. Two states with strongly liberal domestic ideologies regarding commercial sex work, Sweden and the Netherlands, crafted new legal mechanisms and enforcement networks to protect trafficked women without impinging the rights of voluntary sex workers.

Australia has been a leader in reform among receiving countries, informed by a relatively strong civil society and regional consciousness. Negative publicity of Australian men's involvement in regional sex tourism was also a 'shaming' spur to action, resulting in an Australian provision for extraterritorial prosecution of sexual exploitation by its citizens overseas. The Australian government works to eliminate trafficking through a combination of domestic programs and international coordination with sending countries, mainly in East and South East Asia. Domestic efforts include funding for NGOs, enhanced police enforcement, and legal prosecution of traffickers.³

The Australian government coordinates anti-trafficking efforts with sending countries in the region: the Asia Regional Trafficking in Persons project (ARTIP) is a partnership between Australia and Thailand, Cambodia, Laos, Burma and Indonesia; and the Bali Process on People Smuggling, Trafficking in Persons, and Related Transnational Crime (US Department of State, 2009b). The Australian government also funds return and reintegration programs for trafficking victims. While Australia's anti-trafficking programs are heavily focused on the trafficking of adult women for sexual exploitation, the government is also beginning to address broader labour-related trafficking via the National Roundtable on People Trafficking, a partnership between the Australian government and Australian anti-trafficking NGOs (Australian Government, n.d.).

The differential effectiveness of the trafficking frame compared to other forms of exploitative migration or labour is suggested by the strong US response, despite the relatively low number of trafficking victims compared to Europe, to US population, or total US migration flow. Furthermore, the United States in recent years has been loth to internalise any elements

of international law or international human rights standards, but has responded readily to appeals to counter trafficking at home and abroad. Elements of the trafficking frame are specifically resonant in the United States, a country founded on slavery repudiated only after a bloody civil war, and strongly influenced by religious humanitarian organisations that see commercial sex work as inevitably exploitative.

While prostitution, all forms of involuntary servitude, and smuggling of migrants were already illegal, in 2000 the US strengthened its legal regime to further support victims' rights and enforcement. The Victims of Trafficking and Violence Protection Act⁴ provided longer sentences for traffickers, resources for victims, interagency cooperation, and a special visa for trafficking victims to remain in the United States to testify and seek witness protection. The act also established a system of annual country reports on trafficking, parallel to those on human rights and drug trafficking, linking foreign aid to source countries' anti-trafficking cooperation. The State Department has a high-level special Office to Monitor and Combat Trafficking in Persons, and a National Human Trafficking Resource Center (NHTRC) hotline and victim assistance program funded by the Department of Health and Human Services.

Even in Japan, which is widely cited for many forms of migration abuse and impervious to international pressure on its human rights record, some measures have been taken against international sex trafficking. A new law in December 2004 increased definitions and penalties for trafficking, following an Inter-Ministerial Delegation to the Philippines and Thailand as well as hearings in Japan. The more meaningful scrutiny of 80,000 'entertainer' visas per year—notoriously abused by traffickers—took place in 2005. In addition, the immigration code was revised to allow a stay of deportation and witness protection for trafficked women to testify. A Cabinet Office on Anti-Trafficking has been established (Onishi, 2005).

While this response to the very real and horrifying growth of international sex trafficking is laudable, it is disproportionate in two senses that reveal strengths and weaknesses of the international human rights regime. First, international sex trafficking receives more attention and intervention than other forms of labour exploitation and violence against women that affect equal or greater numbers. Even by the necessarily imprecise estimates of a covert activity, victims of non-sexual bonded or forced labour outnumber victims of international sex trafficking by a factor of at least ten. Similarly, women and children enslaved or exploited in domestic forms of sex work receive comparatively little attention compared to international trafficking, and their situation is still more often naturalised as a cultural norm or regrettable generic outgrowth of local poverty, with little recognition of the gendered forms of coercion that generate and enforce subjugated commodification of female sexual services.

Second, even within anti-trafficking campaigns, media coverage, and policies, some regions and some victims are emphasised. International trafficking receives far more attention than intra-regional or domestic trafficking. East–West trafficking is most publicised, followed by Southeast Asian, with less attention to South Asian, and almost no coverage of African international sex trafficking (except peacekeeper abuse); mirroring the general hierarchy of regional awareness and baseline expectations of the international human rights regime. Trafficking involving children is by far the most prominently publicised, and trafficking of women—for any form of exploitation—is recognised to a much greater degree than even fatal smuggling and subjection of males. For example, the 'maid trade' of (mostly adult) female domestic servants—some grossly abused, some treated better abroad than at home—is far better documented than the situation of South Asian boys as young as four sold as camel jockeys to Middle Eastern countries (Bales, 2004; Human Rights Watch, 2007).

This is neither surprising nor necessarily illegitimate; *all campaigns for social change or humanitarian protection focus on easily understandable and appealing images and symbols of complex problems*. But it is intensified by the dependence of the human rights movement on ‘framing and shaming’—labelling a social problem in terms that match international legal standards of individual violations of physical integrity by state action or neglect, and focusing on those aspects of the problem that fit this understanding at the expense of others. There are also material and structural factors that help to account for the relatively high response to trafficking. Trafficking is in some ways an easier issue for sending states to address than internal state-based abuses integral to the interests of power-holders; even though many sending states profit from trafficking through corrupt relations with smuggling networks, most do not depend on it for political survival. Collaborating with anti-trafficking efforts is a relatively easy way to enact modern norms and burnish humanitarian credentials, without undertaking structural political or economic reform. In parallel fashion, receiving states can strengthen immigration enforcement and please humanitarian and religious constituencies by attending to sex trafficking, without examining their larger role in the dynamics of globalisation. Humanitarian, religious, and even classic human rights NGOs, in turn, find in trafficking a seemingly apolitical call for protection of vulnerable individuals that does not involve civil or political rights and seems to transcend cultural difference.

This does not discredit attention to trafficking; it merely explains why it is a good ‘starter’ issue. Thus, it is also instructive to consider which frames work within this window of opportunity, to understand and improve the effectiveness of the international human rights regime for all forms of abuse. It also suggests that a human security approach may respond more fully to the interest basis of state support and enhance subsequent policy development and enforcement, after the mobilisation of shame has succeeded.

FRAMING AND SHAMING

Why does the trafficking frame command attention? Why are certain types of trafficking, victims, and regions noticed more than others? There are many approaches to explain the emergence or resurgence of particular human rights. Some of these emphasise changes in the demand for rights, based on increased violations and/or the empowerment of victims along with new forms of political or economic development (Foweraker & Landman, 1997). This does not seem to apply to trafficking, which affects scattered and relatively powerless individuals. Although trafficking has increased with globalisation, the sweatshop frame is a more salient response to violations generated directly by a phase of modernisation.

Others focus on the supply and diffusion of international human rights norms, institutions, and resources (Boli & Thomas, 1999), and sometimes a matching process between the interests of international gatekeepers and local victims (Bob, 2009). Although fighting trafficking may be relatively compatible with state interests because it does not threaten sovereignty as much as addressing internal political repression, neither does it serve any discernible international institution or organisation (in contrast with some economic development strategies, for example). While trafficking has inspired the formation of new NGOs, they are relatively poorly resourced, and some of the campaign work emanates from existing organisations that simply extend their resources to take on the new issue. For example, according to its 2008 Annual Report, Childwise—Australia’s affiliate of the international anti-child trafficking advocate ECPAT—has a staff of less than a dozen, an annual budget just over \$1 million (spending roughly 90 per cent on programs), and receives two-thirds of its

income from government and foundation grants (not private donations subject to fundraising campaigns or popular appeals) (Childwise, 2008).

A more persuasive perspective examines the construction of human rights campaigns through ideas and communication: the 'mobilization of shame' (Drinan, 2001). Social movement theorists posit that the existence and fit of relevant frames enables international publics to recognise and mobilise against particular social problems (Snow & Benford, 1988). In a broader analysis of symbolic politics, successful issues match coherent narrative frames, articulated by charismatic speakers, and are positioned to reach wide and relevant audiences (Brysk, 1995). At the level of ideas, human rights expand when Kantian logics persuade international society of humanitarian interdependence (Risse, 2000). On the affective side, scholars of human rights campaigns observe that they succeed best when they defend 'innocent victims' against physical harm causally linked to responsible authorities (Finnemore & Sikkink, 1998).

This also means that in certain situations or phases an alternative frame, such as human security, may provide better leverage when aspects of an issue do not fit the initial frame of the human rights agenda. Human security seeks to promote a new ethos of practical interdependence to enhance global cooperation and protect vulnerable populations against 'governance failures', rather than individuals against government abuse. Hampson describes human security as an 'international public good' (Hampson, 2002, p. 12). Human security helps illuminate structural, passive, and situational sources of violations (Krause, 2005; Neack, 2006)—which may help when the causal linkages are unclear to individual victims. And through the notion of 'responsibility to protect', human security proposes a wider range of agents who can provide human rights when states are absent, complicit, or inadequate (United Nations Commission on Human Security, 2003).

The communicative action analysis of human rights does seem to account for how features of the trafficking frame currently gain international standing. Women and children are the classic humanitarian objects of protection, 'innocent victims'. One perverse effect of this frame feature is that women who have been sex workers prior to trafficking, or who emigrated voluntarily but have been exploited or abused within initially voluntary arrangements, are disqualified from consideration as 'innocent victims' of trafficking. Some trafficking victims become charismatic speakers for the cause (somewhat contradicting the critique by some feminists that campaigns against trafficking as well as domestic sexual exploitation may disregard the agency of women as sex workers and turn them into passive objects of humanitarian concern). Adding another layer to charismatic voice, celebrities have flocked to this issue as humanitarian advocates, albeit often emphasising the dependency and innocence of victims.

The narrative of trafficking itself has particularly salient features for contemporary Western publics, vis-à-vis other types of human rights abuse. The frame of transnational sexual labour exploitation was initially established as 'white slavery' (Kempadoo & Doezema, 1998). It thus taps into the moral capital of the anti-slavery campaign, often deemed the first modern human rights movement. In a morally regrettable yet politically powerful semantic move, *white* slavery emphasises the 'unnatural' threat of enslavement to a portion of a population generally exempted from this peril. Differential attention to Eastern European women promotes ready identification by Western publics with the subset of victims who are culturally and racially similar. Talk of slavery taps into Judeo-Christian religious imagery that appears to transcend ideology, avoiding more challenging sociological frames of labour exploitation or the highly contested issue of immigration rights. And the slavery frame garners

a special historical resonance from the dominant society most resistant to universal human rights—the United States—as one of the most mainstream American organisations ties trafficking to ‘American values’:

We tell our children about the slave trade of Africans to the Americas. We speak of the atrocities that were committed. We speak of noble ideals and shun the thought that these things ever occurred in our history. And we pledge that no living thing shall ever be enslaved again to another. And while we recite these words, thousands of women and children across the world are being trafficked as slaves across US borders and abroad. (The National Association of the American People, n.d.)

The trafficking frame also draws on the most palatable and marketable form of feminism: violence against women. Internationally, the humanitarian protection rubric and transnational networks combating violence against women have succeeded in gaining much greater response than equally costly but chronic or contested economic, cultural, or social rights struggles (Keck & Sikkink, 1998). Trafficked women, as ‘people out of place’ (Brysk & Shafir, 2004), span the universal individual claims of displaced persons and the claims of traditional family values—as they are uprooted from the ascribed protection of home and family. Moreover, even within the violence against women frame, sexual violence receives greater recognition and priority. This is partly a reflection of decades of feminist education regarding the differential vulnerability of women and girls to these forms of abuse, but it also articulates with cultural scripts of female sexuality as fascinating, dangerous, and inherently degrading. Thus, a recent brochure to bring attention to the worldwide patterns of trafficking and forced labour by the joint coalition One Voice to End Slavery was provocatively titled, *Sex & Chocolate*.

Finally, these revived and reconstructed frames of trafficking reach an audience connected by and concerned about globalisation. The contemporary anti-trafficking campaign is networked and uses electronic media to an extraordinary degree, even compared to parallel movements against human rights abuses like political prisoners, or domestic problems such as bonded labour. The large number of films about trafficking is another dimension of this globalised communication. Furthermore, trafficking is the most easily understood and most widely known abusive aspect of globalisation, one that puts a human face on abstract and structural dynamics of migration.

WHAT'S WRONG WITH THIS PICTURE?

If trafficking is such a good fit for the human rights agenda, is disproportionate attention a bad thing? There are moral, political, and strategic grounds for concern. On the moral level, it might seem that attention or mobilisation to remedy a social problem ‘should’ be proportionate to the incidence or the harm caused by it. This accords with our moral intuitions of equal worth and dignity, as well as the human rights principles of universality and indivisibility affirmed at the 1993 United Nations’ Vienna Conference on Human Rights. It is one of the reasons that genocide receives special status in international law and as a ground for humanitarian intervention. However, in the case of trafficking, the political implications of disproportionate attention may be more constructive than moral logic would dictate.

The leading strategic critiques contend either that attention to trafficking deflects attention from other abuses, or that it distorts responses to the problem itself. Countering the distraction argument, all forms of communicative action select and semanticise some images and

frames out of a complex and overwhelming stream of reality. Political communication is never fully faithful or representative; we can only ask that campaigns be transparent, accountable in some sense to their subjects and audience, and strategically constructive. Moreover, political attention is not a zero-sum and static object, although some campaigns may stagnate in a phase of trade-offs (and should be critiqued as such). Truly transformative campaigns can enlarge the circle of attention and concern over time, and build bridges of identification between diverse communities and issues. Thus, the *Sex and Chocolate* pamphlet uses the salience of sex trafficking to draw attention to the less known plantation child labour on West African cocoa farms, and begins to build a link between 'normal' Northern consumption of chocolate and exploitation of Southern labour.

A more telling and empirically-based critique contends that the pressure to brand all forms of exploitive labour as sex trafficking and all forms of sex work as exploitive may distort effective responses to trafficking itself, as well as overlapping problems with distinct causes and solutions. Some argue that a 'rescue industry' undercuts the rights of migrant sex workers when it types them as 'innocent victims' in need of humanitarian protection rather than displaced agents in need of migration rights (Agustin, 2007). Similarly, some health workers and scholars believe that an overemphasis on trafficking hinders HIV prevention and empowerment of sex workers to protect themselves, as well as stigmatising prostitutes on the basis of religiously-based ideology (Pisani, 2008).

Since these types of critiques centre around the use of a disempowering protection rather than a rights model, they imply that the distortion is not the rights norms themselves, but rather structural manifestations of inequities in global civil society in human rights campaigns.⁵ For example, one of the most multilateral and effective agencies, The International Organization for Migration, bases its work on 'respect for human rights; physical, mental and social well-being of the individual and his or her community; sustainability through institutional capacity building of governments and civil society'—not *rescue*. Distortions of anti-trafficking work also point to the potential for 'starter' issues to be hijacked by conscience constituencies, such as some religious organisations, that are conditional rather than core supporters of universal human rights. These are sociological rather than ideological problems, but they do argue for the availability of alternative frames to counter the limitations of human rights and its narrowest protectionist interpretations.

What can anti-trafficking campaigns do to maximise their constructive contribution to expansion of the human rights agenda to all victims of exploitive labour and violence against women? In *Human Rights and Private Wrongs* (2005), Alison Brysk extends a communicative action approach to human rights violations that are generated by non-state, private actors—like trafficking. She finds that civil society campaigns against these genres of abuse face three tasks: to insert new classes of subjects into existing normative frameworks designed for earlier state-based abuses; to analyse new mechanisms of accountability in global civil society for private wrongs; and to discover new needs for protection and empowerment resulting from new activities or social conditions. If and when campaigns against trafficking are doing this work, a disproportionate emphasis on international sex trafficking may be politically valuable and necessary. If and when human security provides a complementary frame to recognise new subjects and provide new mechanisms, it may enhance the power of human rights campaigns.

In this sense, trafficking is potentially a perfect frame to mobilise shame for the faceless harms of globalisation and patriarchy by inserting new subjects in the existing frame of slavery. Since slavery is the most delegitimised form of labour relations, and the strongest

bridge between labour and civil rights, it may be necessary to insert some of the most visibly vulnerable victims of globalised exploitation in this frame to invoke the moral and institutional capital of the international human rights regime. The next step, which some campaigns have already taken, is to broaden the emphasis beyond international sex work to other forms of contemporary slavery. Human security can add to this a more universal right to protection from non-state actors that does not emphasise the ‘innocent victim’ rubric associated with sex work, and provides a better understanding of the vulnerability of populations displaced by war, natural disaster, or even social and economic crisis to labour and migration exploitation of all types.

Following this, it is in the analysis of new mechanisms of accountability that advocates have the greatest potential to bridge private wrongs to the global governance gap. Initially, international sex trafficking is a privileged issue of international human rights concern and intervention because the border-crossing nature of trafficking overcomes the traditional state objections to human rights interventions of sovereignty and cultural relativism. The policy linkages that emerge during international interventions then may generate pressures for greater political accountability and structural reform. Some intriguing evidence for this dynamic is agenda expansion among even a few of the most narrowly humanitarian religious advocates. For example, the International Justice Mission, a firmly American movement that cites a Biblical mandate for rescue, now lists on its website the linked goals of ‘victim relief, *perpetrator accountability*, victim aftercare, and *structural prevention*’ (International Justice Mission, n.d.; my emphasis). Since trafficking is associated with weak states, the human security agenda of strengthening state capacity (for prevention and enforcement as well as accountability) complements the narrower human rights emphasis on rule of law.

Finally, has the movement against trafficking discovered new needs or crafted new rights for new realities? Neither trafficking nor sex work nor bonded labour is a new phenomenon, but the anti-trafficking campaign has arguably expanded understanding and diffused awareness of the abuses of each. The UK rewrote its anti-trafficking law to encompass ignorance of working conditions as well as coercion or deception, Sweden shifted its legal prostitution regime in response to trafficking, and Australia has expanded towards greater recognition of non-sexual bonded labour. But the missing piece of the trafficking frame, and an overall weak spot in the international human rights regime, is not slavery or sex, but migration. The refugee’s right to protection from forced migration is not matched by empowerment to migrate voluntarily, and this lack of positive rights undermines the negative right—like all such imbalances in the international regime. Trafficking has not bridged to the relatively weaker frame and network for refugees, let alone the dearth of coherent standards or even monitoring for voluntary labour migration. While voluntary migrants may or may not face private wrongs depending on their migration modality and labour niche, they are systematically subject to greater state abuse than (identified) trafficking victims. The intensification of all forms of migration with globalisation is the new need, as yet ill-served by ILO efforts and localised advocacy, and lacking an encompassing rubric to overcome entrenched national interests and invisible market logics (Kyle & Kozlowski, 2001).

Can a human security approach improve migration rights? Human security programs can protect and empower migrant populations, but only human rights campaigns for legally enforceable universal guarantees can provide migrant *rights*. On one hand, the United Nations Human Security Office and Office of Civilian and Humanitarian Affairs, along with associated human security assistance programs in leading states such as Canada, have provided assistance to migrants that make them less vulnerable to trafficking, and even coordinated

anti-trafficking enforcement programs with willing states and NGOs. On the other hand, while very few receiving states profit directly from trafficking, most states do seek to regulate migration in accordance with their own national interests in security, economic management, and cultural identity, with no systematic accountability for the rights of migrants. Humanitarian relief for victims of trafficking is structurally subjugated to sovereign migration policy, so that for this issue, human security is relegated to a kind of international social work.

What does this mean for the 'Cambodian orphan who grew up as a slave in a brothel'? Because of human rights 'framing and shaming', it means we know who you are, we understand some of the limitations on your freedom, and we believe we have a responsibility to help. Second, the human rights regime has brought episodic protection, prevention, and enforcement for some victims—depending on the nature of vulnerability, sending state, receiving state, presence of NGOs and international programs. Beyond framing and shaming, the human security perspective and presence can help to expand consciousness of different dynamics of vulnerability besides coercion, build broader networks of cooperation for monitoring, prevention, and enforcement, and work with willing weak states to protect their citizens. Neither human rights nor human security yet offers policy tools to cope systematically with the exploitation and even subjugation of 'free' labour and migration. But together, they can expand the trafficking campaign niche to send the Cambodian girl's orphaned sister to school—before she is enslaved in the brothel—and perhaps even to ease her brother's exploitation in the factory next door.

NOTES

- 1 Many thanks to Mariam Moustafa for research assistance and Kamal Sadiq for useful reflections from his own research on the topic.
- 2 It is theoretically possible for persons to be illicitly trafficked without labour exploitation; for example, a certain proportion of transnationally adopted children are smuggled by force or fraud, but in the majority of cases are not subsequently ill-treated.
- 3 See Australia's Anti-People Trafficking Strategy at www.fahcsia.gov.au/about/news/2009/Pages/Anti-PeopleTraffickingStrategy.aspx.
- 4 www.state.gov/documents/organization/10492.pdf.
- 5 This parallels the analysis of the relationship between missionaries and indigenous peoples offered in Alison Brysk's (2000) *From Tribal Village to Global Village*.

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ORGANISATIONAL WEBSITES

Anti-Slavery International: www.antislavery.org
 Captive Daughters: www.captivedaughters.org
 Coalition Against Trafficking in Women: www.catwinternational.org
 ECPAT International: www.ecpat.net/ei/index.asp
 Free The Slaves: www.freetheslaves.net
 Human Rights Watch: www.hrw.org
 Human Trafficking Org: www.humantrafficking.org
 International Justice Mission: www.ijm.org
 Not For Sale campaign: www.notforsalecampaign.org
 Polaris Project: www.PolarisProject.org
 The Project to End Human Trafficking: www.endhumantrafficking.org
 International Organization for Migration: www.iom.int

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