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In analyzing the process of norm diffusion, this contribution addresses the question of why the global problem of human trafficking remains one for the most serious human rights violations despite the existence of an anti-trafficking norm embedded in a global human rights regime. In arguing that the violation of human rights indicates the structural limits of the current global governance system, this study explores ways of how to explain the paradox of norm violations in parallel existence of globally adhered norms, and wishes to synthesize the current theoretical body of norm scholarship with new insights stressing the importance of local value and belief structures in the process of norm internalization. Thus, arguing for a culture-sensitive ‘bottom-up’ constructivism we will apply this model in reconsidering the case of human-trafficking. Here we emphasize the importance of cognitive factors beside the well studied economic incentives as underpinning causes of the trafficking problem. Considering the implications of a stronger emphasis on local values we will extend our argument in reconsidering the formation of transnational advocacy networks as carriers of global norms through introducing the notion of co-governance, before bringing the discussion back to its starting point in discussing the prospects of global governance in addressing the subject of norm protection.

KEYWORDS: Co-Governance, Constructivism, Global Governance, Human Rights, Human Trafficking, Network-Governance, Norm Diffusion, Norm Localization

1. A Century of Best Norms and Worst Realities

“No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.” (Art. 4)

“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” (Art. 5)

Those are the well known articles proclaimed in the “Universal Declaration of Human Rights,” a document which has just commemorated its 60\textsuperscript{th} anniversary of adaption by the United Nations General Assembly in December 2008. And yet, six decades after the declaration has been drafted, its content remains a broken promise for many of those who are victims of poverty, war, or sexual exploitation.

Even after the ambitious promises of the declaration have been proclaimed and accepted by the members of the United Nations, horrible and tragic violations of human rights remain some of the most ardent concerns in the international society. The past’s slave trade is resembled by its modern version of “human trafficking” (Trafficking in Persons). Centuries have past and the agents of trade have changed, and yet the acknowledged crime of trading with humans continues to bring to the surface the dark side of globalization. The challenges that transnational crimes pose to the international system of governance are severe. For example, consider a local community in the rural north of Thailand in which girls and young women are captured by locally operating and often globally connected crime groups and trafficked into brothel rooms in Bangkok or other tourist destinations in Thailand’s south, or even across the borders to work for the sex industries of industrialized countries like Japan. Here, these girls and women are forced into prostitution, and sexually exploited. Affected by HIV/AIDS or other diseases, and unable to return to their home countries, many of these girls and women die impoverished and abandoned as strangers in foreign societies (cf. Aoyama, 2007). Even governments who as the primary agents in the international society are responsible for protecting the rights of the girls and women continue to infringe upon the principles of the Universal Declaration of Human Rights.

The problematic situation of the human rights regime becomes clear when we consider that with the United States as the most powerful representative and advocate of this international liberalism which underpins today’s international governance system and human rights regime has itself continuously violated these norms which for long have been the most convincing argument for the implementation of democratic governance in the international society. In its “war on terror” as a response towards the terrorist attacks of September 11, 2001 (henceforth 9.11) illustrated by the detention
of terrorist suspects in Guantanamo Bay and the acts of torture conducted at the Iraqi prison of Abu Ghraib, the U.S. under the Bush administration implemented counterterrorism measures which stood in harshly contradicting terms to the human rights norms upheld and advocated by previous U.S. governments. The moral-ideational and thus political “costs of counterterrorism” which have been paid in the conflict between security and freedom (Donohue, 2008) for the sake of national security have been tremendous in terms of individual liberty and the legitimacy of the global human rights regime across the world. These two cases are illustrative for the conflict between the proclaimed normative validity represented by the post-World War II (WWII) human rights regime represented by the Universal Declaration of Human Rights, the Genocide Convention, and the four Geneva Conventions in 1949 and the current state of their violation. In the light of this situation Rieff argued that while these documents have clearly caused a transformation of national law and the normative base of international relations, “the murderous twentieth century remained just as murderous. In other words, every state paid lip service to the new norms, but when those who had the power to kill thought it was time to start killing, these laws and conventions saved not a single life” (Rieff, 2002: 71–2). In short, while the twentieth century had the best norms, it had also the worst realities.

And yet, the grievous experiences of the past century raise the question whether the twenty-first will look any better, will certainly depend on the international society’s members to honor their commitments to the human rights regime while at the same time improve the global governance system to effectively implement and protect the human rights norms.

Human rights violations such as trafficking and torture represent two problems of great importance in international relations. Human trafficking occurs in a given local area but has developed into a problem of global reach as it transcends borders in parallel to the dynamics of economic globalization illustrating the still shallow nature of the global governance system. The case of torture has illustrated that this institutional structure became further under attack from its most outspoken advocate, the U.S., underlining the constraining relationship between power and global governance in a world of unilateralism (cf. Barnett and Duvall, 2005).

The structure of this paper is straightforward. Firstly we will discuss the current limits of global governance in relation to the structural causes for the violations of human rights. Secondly, we will outline theoretical perspectives on norm diffusion while pointing out theoretical deficits which explain the paradox of acknowledged yet violated global norms. Here, we draw on scholarship which emphasizes the conditioning effects local beliefs and practices have on the internalization of global norms. We will then extend this discussion of a ‘culture-sensitive bottom-up constructivism’ with regard to the implications this argument has to the formation of transnational advocacy coalitions as carriers of norms.

2. Human Rights Violations and the Limits of Global Governance

What human rights violations in form of human trafficking and torture have in common is the fact that they illustrate the structural limits of the current system of global governance. To be more precise, the contemporary system of global governance proved incapable of constraining the action of the powerful U.S., which highlights the complex and often conflicting relationship between global governance and unilateralism in the international society. At the same time the global governance system proved unable to facilitate adherence to the international law regime by the members of the international society.

Against this background, the questions ‘how to diffuse norms in the international society?’ and ‘how to ensure their implementation and protection?’ arise. The case of torture as it occurred during the “war on terror” represents a human rights violation committed by the institution of the state, while human trafficking occurs in the shadow of states conducted by criminal groups highlighting the limits of the capabilities of governments to enforce law adherence and the limits of the international human rights regime to push for and ensure the protection of human rights by states.

With the formation of the Westphalian system in 1648 the institution of the sovereign nation-state emerged and evolved into the dominant actor in the international society. With regard to international treaties and conventions in international relations, the basic principle of international law is *Pacta sunt servanda* stating that the decision to join and ratify a treaty rests with the state. And even if states become parties to new agreements and treaties, this does not automatically mean that the proclaimed rights and principles are guaranteed, since these treaties and agreements often lack forceful measures to ensure implementation and protection of rights and principles or sanctions for those who violate them. This is probably the most important reason for the continuation of human rights violations. And it is here that the system of global governance shows signs of limitation, because more often than not are its functions and scope constrained by the interests of states, which are in conflict with the normative principles that govern the state of anarchy in the international system and thus are responsible for transforming this system into the anarchical society (Bull, 1977).

Needless to say it is the interests of states that determine which international laws are supported and followed, and therefore whose national interests are reflected and protected by international regimes. Therefore, the question is ‘which norms are diffused and which fail in their attempt to change the normative structure of the international society?’ Moreover, what conditions the process of norm diffusion and internalization and therefore the question of norm protection? These questions have gained wide scholarly attention in the field of international relations (IR)
focusing on the mechanisms and agents which spread norms and cause political change (Barnett and Finnemore, 2004; Finnemore and Sikkink, 1998; Keck and Sikkink, 1998; Sikkink, 2004; Risse et al., 1999).

In this paper we wish to contribute to this body of scholarship. In reviewing systematically the scholarship, we attempt to describe the mechanisms and processes of norm diffusion in the international society as well as in the domestic sphere of politics. We will pay attention to the process of norm internalization at the local level of governance and the factors which condition the adherence and resistance to global norms. This process still has not received the scholarly attention it deserves in understanding the competition of norms in the international society. In discussing the process of norm diffusion and in seeking more integrative ways of governance for the purpose of enforcing the process of norm protection, we will then argue for a more comprehensive understanding of norm advocating, synthesizing the existing scholarship on norm diffusion with theoretical insights from the study of the concept of governance and the diffusion of norms in the regional setting of Asia.

The current debate by scholars of international law usually ends with the formulation and interpretation of human rights treaties and the question of what constitutes a human rights violation and what does not. However, the current human rights regime lacks sufficient measures for the intervention and enforcement of human rights protection. This fact emphasizes that while the debate on international law does evoke theoretical interests, it lacks practical measures to enforce these insights. Therefore, this paper conceives the formulation of human rights treaties not as the finish line of the debate on human rights norms but as its point of departure. Thus, we seek to engage in the search for measures to enforce norm adherence by those states who violate the principles and norms proclaimed in the human rights regime and how to prevent the violation of human rights norms conducted by nonstate actors, such as criminal groups in the case of human trafficking.

2.1 On the State of Global Governance

In today’s world of turbulent changes driven by globalization the Universal Declaration of Human Rights is representative for a governance system formed under the American leadership. With the end of WWII the only remaining superpower — at least for the immediate moment which followed the collapse of Germany and Japan — was the U.S., now powerful enough to shape the international system in accordance with its own national interests and in commitment to an internationalism which gave birth to this international governance system. It was this liberal international order with the United Nations and the Bretton Woods institutions at its core which tied the U.S. to its allies and brought with it the victory of this order over its contending order formed under the auspices of the Soviet Union (Ikenberry, 2001, 2008).

According to Ikenberry, the reason why this liberal world order proved successful during the decades of the Cold War and ultimately victorious in the struggle against the Soviet alternative can be found in the precise character of the governance system formed by the U.S., i.e. its inclusive norms and principles, as well as the openness of the economic market enabling members of this liberal world order to generate economic and social prosperity, which was in stark contrast to the hierarchical order of the Soviet bloc with Moscow at its apex (Ikenberry, 2008: 28).

In this context, Ruggie describes Washington commitment in formulating this new liberal international order as the positive side of American exceptionalism. This exceptionalism stood in the tradition of Roosevelt’s ideas on the international order after WWII and was, many Americans believed, a legitimate system which reflected the peculiar values of the U.S. In this view, only the U.S. was in the position to create such an international system constituted by this set of unique and superior values. This exceptionalism rested on the belief of Americans different from other countries in the international society. Based on this same thinking, another form of exceptionalism emerged, after the end of the Cold War. While the old exceptionalism was an internationalism based on the perception of being characterized by the possession of exceptional and superior values, this new type of exceptionalism turned this international commitment upside down arguing that Washington’s exemption from the rules and norms which govern international society can as well be justified with American exceptional position in this same society (Ruggie, 2005: 304–7).

Against the background of this particular exceptionalism illustrated by the new unilateralism that has characterized American foreign policy approach towards international relations after the end of the Cold War, Ikenberry has raised the question of whether this means the retreat of American multilateralism (Ikenberry, 2003). The unilateralism pronounced in this line of argumentation has many faces. Take for example the International Criminal Court (ICC) founded in 2002 towards which Washington continues to be critical and refuses to join (along with China, Russia, and India), despite the fact that the court enjoys wide support among other governments and nonstate actors within the international society. Given American involvement in international (violent) conflicts, Washington fears that the court, which represents a permanent tribunal with the task of prosecuting crimes of genocide, crimes against humanity, war crimes, as well as crimes of aggression, could significantly constrain its space of maneuver in international relations, if, for example, its soldiers could be held responsible for war crimes. Another example includes the human rights abuses conducted in the course of the “war on terror” in the name of national security. In the wake of 9.11, the train bombings of Madrid in 2004 and the subway bombing of London in 2005 national security trumped the human rights regime, turning the “war on terror” itself into a norm dividing the international society and ignoring the United Nations and therefore the international consensus.
Here, Ruggie points out that at time this “exceptionalism” appears to turn into an “exemptionalism” (Ruggie, 2005: 323). This exemptionalism became most visible in the foreign policy agenda proclaimed by the neoconservative establishment, and represents the core ideas of American unilateralism which itself was at the heartland of Washington “postmodern imperialism” which reached its peak in the post-9.11 foreign policy agenda (cf. Fearon and Laitin, 2003; Halper and Clarke, 2004).

As is well known, the cases of torture conducted against terror suspects in the wake of 9.11 caused a stream of criticism against the U.S. government. As Keohane and Nye pointed out as early as 1972, the security of the state has often been conceived as being more important than transnational commitments (Keohane and Nye, 1972). Indeed, this argument corresponds with the situation after 9.11. For example, the problem of poverty in large parts of Africa, the Middle East and Asia have not always been considered as a problem of national security. And yet, the questions are justified whether these two issues are really unrelated, and whether a strategy which puts more emphasis on national security than on the reduction of poverty in other parts of the world does really serve the purpose of reducing the danger of terrorism? Although we do not wish to generalize the causes of terrorism which are under no circumstances monocausal, we do believe that poverty is a breeding ground for terrorism and is interpreted in terms of exploitation creating a victim-consciousness, which in turn can create terrorists in both, its material and ideational dimensions (cf. Newman, 2006).

Moreover, the U.S. unilateralism exercised after 9.11 and the violations of human rights have caused considerable obstacles for those who engage in the advocacy of human rights norms, who were no faced with severe legitimacy problems towards non-western societies. What are the implications of these changes for the global governance system?

The important scholarship on the concept of global governance as put forward by, inter alia, Rosenau is a response to the changes of the international society as they evolved at the end of the Cold War, recognizing the increasing importance of nonstate actors in international relations (Rosenau, 1992). And yet, we need to emphasize that the current system of global governance emerged as a system under the American unilateralism. The result of this can be studied with the bankruptcies within the American financial sector which quickly draw the world economy into a downward spiral, turning a national crisis into a global one. Keohane and Nye have pointed out that the increased international interdependence was in fact an interdependence centered on the U.S. This interdependence has become denser as the process of globalization advanced. The world order based on this dense interdependency is in turn defined as globalism, which until today has been extremely U.S.-centered (Keohane and Nye, 2000: 7). This U.S.-centered globalism is an important cause behind the smoldering Anti-Americanism in world politics (Yamamoto, 2008: 121–124, see also Katzenstein and Keohane, 2007). The notion of global governance is a concept primarily western. As such, this concept appears to be exclusive towards non-western actors and ideas; hence, its functions are primarily performed by members of the liberal western order.

Consequently, the global order based on this global governance system is expressed through this globalism, which at the same time became in the wake of the relative decline of American hegemony since 9.11 the object of fierce criticism, leading us to the question of what the prospects of governance in a “post-hegemonic” world are?

2.2 Governance in a ‘Turbulent World’

While we can observe a relative decline of economic and cultural American influence, this diagnosis does not account for American military power, which will continue for the years if not decades to come. This change of American power in the international society has been described by American scholar and journalist Zakaria not as the decline of America but as the “rise of the rest” (Zakaria, 2008: 1).

These profound changes of the contemporary global order correspond with what Rosenau has described in his notion of a “turbulent world” (Rosenau, 1997). In such a “turbulent world,” the borders between the international and domestic are becoming increasingly vague, since many problems go beyond national borders or even the boundaries of regions, as is well illustrated by the problems of human or drug trafficking but also by many environmental issues. The new aspect captured by the notion governance since the 1990s is the spread of new technologies such as the internet which gave birth to a broad set of new actors such as NGOs or Transnational Corporations (TNCs). Given the great complexity many global issues have reached, acknowledging the turbulence of the global order which surrounds us is an inevitable step in rethinking the problems of global governance and the processes of norm diffusion.

It is here that Ruggie argues that we can observe the development of a new “global public domain.” This global public domain exists alongside the traditional interstate and domestic public domains, while it “introduces opportunities for and constraints upon global governance that did not exist in the past” (Ruggie, 2005: 308). This new space which opens up at the transnational level emphasizes the increased deepening and broadening of what is conceived as “sociality” at the global level (ibid.). This reconstituted global society is characterized by an enhanced de-territorialization of the institution of sovereignty. This process of de-territorialization occurs simultaneously with the advancement of globalization, expansion of transnational interactions, and interrelationship between states and transnational actors (IOs and TNCs) in terms of political, economic, social, and cultural influence (Held et al., 1999). This complex system constituted by multiple actors and problems has transcended the state system striking a blow to realism’s rendering of world politics based on the sole significance of the state.
The question thus is ‘how to develop transnational mechanisms of cooperation which integrate this multiple set of actors in order to develop solutions for the various global problems generated through globalization?’ Those are the questions which contextualize our further analysis of the process of norm formation and norm diffusion.

2.3 Global Governance and the ‘New Internationalism’

Is it possible then to return from the American unilateralism to the system of global governance based on multilateralism, whose principles have been formulated by the U.S.? This question is imminent and asks us to project a global governance system which will succeed this profound changes and which is able to generate solutions for the various global issues, such as human trafficking.

Against the background of the events which unfolded in the early years of the twenty-first century, including the ‘war on terror,’ the system of global governance has arrived at an important crossroad. In fact, as Ikenberry has argued, the post-1945 American-initiated multilateralism today embraces America (Ikenberry, 2003: 534). More precisely, interrelationships within the international society have reached such a high density that it appears inevitable for America to engage in multilateralism. For example, given the current global economic and financial crisis which dramatically unfolded in the autumn of 2008 after the bankruptcy of the investment bank Lehman Brothers, seeking solutions on the ground of unilateralism seemed impossible, not the least because America’s financial faith is more and more financed by China. Moreover, some seven years after 9.11 American unilateralism shows indicators of having reached its limits, suggesting that transnational crimes such as terrorism can only be solved through relying on multilateral approaches. Thus, an opportunity for a return to multilateralism can be found in the current economic crisis, as well as in the dense intergovernmental relations, explained by Slaughter, who has argued that it is not only civil society actors who have engaged in transnational networking but also government officials who are increasingly linked internationally through horizontal and vertical networks bringing together not governments put their individual parts, such as judges, or legislators. This tendency of a transnational networking illustrates that actors recognize the need to response to networked global problems (Slaughter, 2004). Against this background, the “post-American World” is not a global governance system under the American hegemony, but indeed offers new alternatives for organization. This alternative system of global governance states a revival of the internationalism unilaterally installed by the U.S. after the end of WWII.

Thus, given the failure of the ‘neocons’ to construct a ‘Pax Americana’ and to expand American power throughout the world, especially in the Middle East, we can argue with Ikenberry (2003, 2008), that this failure marked also the beginning of a world order based on a new internationalism. This new internationalism embraces governments and civil societies who share a common set of interests and beliefs, as well as networks which provide access to a broad set of stakeholders, most importantly NGOs to public policy networks and the UN-centered governance system.

Consequently, the deep changes of world order brought about by the decline of American unilaterism, means also inevitable change for the old system of global governance. This involves risks of instability as well as opportunities of readjusting the old system to generate more sustainable and efficient mechanisms of solution-finding and cooperation. Reconstructing global governance in the post-unilateral world will inevitably need to focus on the system which will be multipolar and horizontal, providing equal opportunity of participation. Furthermore, this global governance system needs to integrate (re)emerging great powers such as China, and India, as well as Russia. In short, such a development in the international society indicates a shift from hierarchical to horizontal governance (Yamamoto, 2008: 126).

3. Rethinking Norm Diffusion: The Virtues of a ‘Bottom-Up Constructivism’

The question where norms come from and how they diffuse is addressed in a rich body of scholarship. Yet, this literature still does not provide sufficient answers on the question why certain global norms are meet with strong resistance, and why some norms continue to exist at local levels despite official pledges of their adherence. Thus, here we argue that to fully understand the continuing existence of problems such as human trafficking we need to focus on the local level of global governance.

In the field of IR scholars working from the theoretical perspective of the constructivist research program most contributed to our understanding of the mechanisms behind the process of norm diffusion (ex. Finnemore, 1996; Finnemore and Sikkink, 1998; Katzenstein, 1996; Keck and Sikkink, 1998; Risse et al., 1999). And yet, as Acharya correctly remarks, while current research on norm diffusion has proven that norms do indeed matter, adding to the cognitive dimension to the power and interest based explanations of international relations, the question of ‘whose ideas matter’ represents a largely undertheorized spot on the theoretical map of constructivism (Acharya, 2004, 2009).

And yet, this question is of great importance if we want to develop a comprehensive understanding of the causes and conditions of failure and success in norm diffusion, which itself is understood as a ‘life cycle’ characterized by contestation between new and established ideas. In fact, if we consider that the process of norm diffusion with respect to human rights is often driven through more or less broad transnational advocacy coalition networks characterized by the dominance of western ideas advocated through western NGOs in a ‘western’ dominated global governance system,
the advocacy of human rights norms is often perceived in terms of western dominance and cultural superiority which evoke memories of colonization and imperialism and thus can possibly result in strengthening nationalism which is often a strong wall behind which the abuse of human rights continues to exist. Thus, with respect to the resistance human rights advocacy coalition networks are confronted within the past and continue to confront at present, the task is to consider approaches which contribute to the proliferation of norms while taking into account different value and belief structures. Consequently, we will attempt to reassess the process of norm diffusion by focusing on the notion of norm localization while arguing that this theoretical reassessment has important implications for the formation and the work of advocacy coalitions, which need to integrate their scope to include local civil society actors while organizing these networks more horizontally with respect to the relationship between state and nonstate actors in the international and domestic sphere of politics. The notion of “co-governance” offers important insights for this purpose.

3.1 Norm Diffusion and Norm Localization

Much academic effort within the social constructivist stream of IR theory was devoted to the development of systematic approaches which explain the mechanisms and processes which lead to the diffusion of norms in the international society and which explain the impact of such norms and ideas on political and social behavior, i.e. the change of actor preferences in relation to a given norm. The concept of norms in this paper follows the commonly accepted definition norms “are collective expectations about proper behavior for a given identity” (Jepperson et al. 1996: 54).

Broadly speaking, we can identify two stages of theoretical development in the research of norm diffusion. The first of wave of research is characterized by Acharya as “moral cosmopolitanism” and focuses primarily on the diffusion of universal norms, such as against land mines, racism or the protection of the environment (Acharya, 2009: 9). These norms where primarily advocated by transnational agents such as individual “moral entrepreneurs,” larger coalition networks or social movements. Furthermore, the research conducted here focused primarily on what is often referred to as a “moral proselytism of transnational moral entrepreneurs” (Nadelman, 1990: 483, quoted in Acharya, 2009: 10). Here, the importance of norms and ideas in international politics, and the mechanisms and processes by which they diffuse have been theorized through a systematic and careful reading and interpretation of empirical data collected around case studies such as the end of the apartheid regime in South Africa (Klotz, 1995), the role of International Organizations (IOs) as “norm teachers” (Finnemore, 1996; Barrett and Finnemore, 2004), and the role of non-governmental actors and transnational advocacy networks (Keck and Sikkink, 1998; Sikkink 1993, 2004).

The second important stage in the development of norm scholarship focuses strongly on the notion of domestic structure, i.e. the socio-cultural and political-economic institutions which condition the impact of global norms. And yet, the problem with this perspective is that it took an outside-in view on norm diffusion undertheorizing the importance of local values and belief structures as possible causes for resistance against global norms. Acharya termed this perspective “top-down constructivism” (Acharya, 2009: 3), which ultimately calls for a “bottom-up” alternative.

The general mechanisms of norm diffusion and internalization is well explained by Finnemore and Sikkink (1998) who provide a general account on the conditions of norm evolution in international relations as well as Keck and Sikkink (1998) and Risse et al. (1999) who extend this analytical focus of “moral cosmopolitanism” beyond the macro-level through analyzing the mechanisms by which norms are internalized and result into domestic political changes. The important analytical model provided by Finnemore and Sikkink describes the diffusion of norms as a three-stage process: norm emergence (stage 1), norm cascade, i.e. norm acceptance (stage 2), and norm internalization (stage 3). These three stages compose a norm “life cycle.” The transition from stage 1 to stage 2 is marked by a tipping point. At this point, norm entrepreneurs influence a critical mass of state actors who then opt to adopt the given norm and evolve into norm leaders. Once this has happened, the second stage of the norm life cycle is marked by a process of imitation, in which norm leaders attempt to convince other states to adapt to the norm, i.e. norm leaders set out to socialize other relevant state actors. If norm leaders are successful in persuading a critical number of states and turn them into norm followers, a norm cascade is likely to emerge, i.e. the norm will spread through the international society. Once a norm went successfully through this stage and generated enough followers, the process of norm internalization obtains great importance. During this final stage of a norm “life cycle” a norm will be turned into an essential part of daily life until the point where it is not questioned anymore but totally habitualized and institutionalized.

Keck and Sikkink (1998) as well as Risse et al. (1999) depart from where Finnemore and Sikkink (1998) have left off, i.e. the focus of the conditioning effects of domestic structures on norm internalization expressed in the theoretical model of the “boomerang effect.” The boomerang effect focuses precisely on the interaction between the stages 2 and 3, thus the stage after which norms have cascaded in international society, but met resistance in the course of internalization, for example in countries such as Myanmar or China, in which opportunities for civil society actors within the domestic sphere of politics to voice their moral concerns are limited. Domestic actors connect with transnational advocacy networks in their attempt to pressure governments for political change. Therefore, the boomerang model explains the interplay between domestic and international society in order to increase pressure on governments “from below” and “from above.”
And yet, as Acharya points out, the problem with this type of scholarship is that it is biased in favor of a moral cosmopolitanism, i.e. the above introduced models concentrate on the moral struggle in which ‘good’ global norms attempt to displace ‘bad’ local beliefs and practices. The ‘good’ global norm here is usually advocated by western norm entrepreneurs whereas the ‘bad’ local beliefs and practices exist in non-western areas (Acharya, 2009: 4). Therefore, scholarship on norm diffusion has undertheorized the agency role of norm-takers and the “cognitive prior,” i.e. the beliefs and the cultural background by which these actors are shaped, when theorizing the process of norm internalization and causes of conflict and failure.

Consequently, this leads us to the task to rethink the notion of norm diffusion and transnational advocacy coalitions taking into account potential norm conflicts caused by strong local beliefs and practices. However, before we will describe a feasible framework for achieving the internalization of norms into local areas with beliefs and practices we will briefly discuss the importance of transnational advocacy networks with respect to their functions and problems in the process of norm diffusion.

### 3.2 Agents of Change: Transnational Advocacy Networks and the Problem of Norm Conflict

The primary agents through which norms are spread in the international society are transnational advocacy networks (TANs). Keck and Sikkink define these networks as “forms of organization characterized by voluntary, reciprocal, and horizontal patterns of communication and exchange” (Keck and Sikkink, 1998: 8). These networks represent “fluid and open relations among committed and knowledgeable actors working in specialized issue areas (…) [which] are organized to promote causes, principled ideas and norms, and they often involve individuals advocating policy changes that cannot be easily linked to a rationalist understanding of their ‘interest’” (ibid.: 8–9). Advocacy networks can be constituted by international and domestic nongovernmental research and advocacy organizations, local social movements, foundations, the media, churches, trade unions, consumer organizations, and intellectuals, parts of regional and international intergovernmental organizations, and parts of the executive and/or parliamentary branches of governments (ibid.: 9).

The problem with these networks is that they are overtly dominated by western actors. Thus, if we consider that TANs often function as important agents of political change this fact inevitably is connected to the question of “whose norms matter?” Risse argues that “for global governance to succeed, governments will also have to enlist the active cooperation of nonstate actors” (Risse, 2002: 255). To be clear, “transnational” relations according to Risse who follows the 1972 definition by Keohane and Nye (1972: xii–xvi) are conceived as “regular interactions across national boundaries when at least one actor is a non-state actor.” Thus, non-governmental organizations (NGOs) are understood as “epistemic or advocacy networks” primarily motivated by promoting a perceived ‘common good’ and the distinction between for-profit and not for profit NGOs as best defined in terms of a “continuum” rather than a fundamental difference (Risse 2002: 256). Today’s transnational actors, Risse argues, are not necessarily more successful than their predecessors (e.g. the anti-footbinding campaigners explained in Keck and Sikkink, 1998: 60–6) for the benefits of modern communication technologies (Risse, 2002: 256). The intellectual roots for transnational relations can be found in the notions of liberal rights and trade which would promote world peace as explored in the works of Kant. The social background to these movements can, Risse suggests in his treatment of TANs, be linked to “societal interest groups” such as trade unions and business associations.

The increased importance of “transnational advocacy networks” in world politics and the process of norm diffusion can easily be proved by the growing amount of literature on this subject matter (Keck and Sikkink, 1998; Sikkink, 1993, 2004; Slaughter, 2004; Tarrow, 2006). Nonetheless, it has been argued that the early literature on transnationalism is “much more about the interaction between states and transnational society than about replacing a state-centered view with a society-dominated perspective” (Risse, 2002: 259). In fact, the replacement of state-centeredness by transnationalism as observed in the work of Keohane and Nye (1989) represents indeed somewhat of a contradiction in terms that “the very concept of transnational relations implies an international system composed of nation-states as well as the distinction between state and societal actors within a given nation state” (Risse, 2002: 259).

Taking this description a step further Risse argues with regard to the relationship between government and TNCs that the causal relationship between the actions of the two begins with state policy and power, which in the postwar political arena has been dominated by that of the U.S. led western democratic block characterized by “the hegemony of the US capitalism and its particular mode of production, the power of the US state, and the consensual nature of western liberal ideas” (Risse, 2002: 259). He challenges us with the question whether, given the vastly higher participation rate of individuals from rich democratic Anglo-European countries in INGOs world and the campaigns thereof, INGOs represent not so much a “global civil society” but rather “merely reproduce Western enlightenment values such as universalism, individualism, progress and cosmopolitanism” (ibid.: 260, emphasis in the original). This question becomes of great significance, when we think about the entire process of norm diffusion and norm advocacy, which appears so often as a one way process, in which western norms are transferred to non-western target countries whose own set of ideas and beliefs is conceived by the global “western” public as stating a clear violation against “universal” western norms.

Furthermore, theorizing NGOs within the framework of the state-civil society relationship, then we need firstly point out how heavily dependent some NGOs are on the state sector. Risse explains that some scholars estimate that the
dependency of Southern NGOs on public funding by states or international organizations reaches 80–90 per cent (Risse, 2002: 260). Therefore, the above made claim with regard to a western dominance in norm diffusion is clearly based on economic wealth enabling the western governments to equip the civil society with resources the Southern counterparts do not have, and thus to compete successfully on the global market of ideas and norms.

Thus, reviewing the study on norm diffusion in the international society often suggests that this process is a western dominated one-way transfer of ideas and beliefs and in which norm competition is often a priori determined by the norm’s origin and roots in western sets of beliefs. This tautology, though well illustrated by the case studies provided by Acharya (2004), Keck and Sikkink (1998), and Risse et al. (1999), is not often mentioned in the scholarship on this subject matter in IR.

The importance of TANs is highlighted in the model put forward by Risse and Sikkink (1999) on the process of norm diffusion and norm internalization bases on the assumption that diffusion of international norms depends on the creation of networks linking transnational actors with their domestic counterparts connecting them to international regimes and raising public awareness in the ‘western’ global public and thus enhance pressure on norm violating governments to adhere to international norms. For this purpose, advocacy networks are said to possess three crucial functions within the context of norm diffusion. These are: (1) generating public awareness by bringing norm-violating states on the international agenda; (2) empowering domestic groups which are oppressed by norm-violating governments through linking them to transnational networks; (3) enhancing pressure on norm-violating governments through establishing transnational structures which enhance pressure on regimes from above (i.e. through other governments within the international society, and/or international regimes) and from below (i.e. through linking civil society transnationally) (Risse and Sikkink, 1999: 5).

With regard to the question of “whose norms matter?” it would seem to be fair to suggest that in particular cases in IR it is the norm upheld by a TAN which matters most. This is where a majority of states of powerful state actors support the campaign, which has now become a structure, a norm in itself. Some states, usually with strong nationalist or authoritarian tendencies, are involved in the private lives and non-legal moral control of their citizens. However, very few states, democratic or otherwise, would now attempt any significant moral international campaign without the cooperation of a TAN. Because states have legacies of past misdeeds, make wars, cut deals, and limit freedoms, their moral authority is less than inspiring. Therefore, TANs and state governments have a reciprocal relationship, which is proved by scholarship, which shows that while access to policy-making is granted to TANs this does not guarantee impact in every country and policy area. Risse, for example, lists three ways in which TANs influence multilateral negotiations; firstly, through lobbying in the domestic society of power states; secondly, in coalition with IOs; and thirdly, through coalition-building with smaller states (Risse 2002: 265). However, sufficient research across issue-areas is still lacking. Risse, for example, is alive to the notion of “strategic construction” put forward by Finnemore and Sikkink (1998: 269–75) in the process of grafting, framing and pruning of norms and agrees with us that “the argument about ideational (in)compatibility is still underspecified in the literature” (Risse, 2002: 267). However, the general pattern is autocatalytic: “the more these actors have been committed themselves and their collective identities to the norms advocated by the networks, the more they should be vulnerable to TAN pressures in cases of norm violation” (ibid.: 268).

The term ‘norm-violation’ suggests that a norm has been taken on in the first place in order to be violated. This may be more readily explained in terms of norm conflict, where a norm in conflict with human rights ideals is in place. From the perspective of the question of ‘whose norms matter?’ this model seems to suggest that it is those of western states and human rights organizations which matter, as all that is described is the displacement of actions and beliefs in contrast to the norms held by these key actors. Ironically, what has been described here as a process of norm internalization through processes of socialization is very much involved with the issues of norm conflict and norm localization. The efficacy of this model to describe norm change would seem to depend on the strength of the international community to bring pressure on a state and support domestic opposition. This would surely only be the case after the norm which Risse and Sikkink (1999) describe as being violated has reached the international “tipping point” in the model developed by Finnemore and Sikkink (1998). If this were not the case then it seems that further reasons would be needed for the boomerang effect to be successful.

If we think about alternative explanations, then the notion of norm localization appears to be of great relevance as an additional element for explaining the diffusion of international norms and for developing an answer to the “whose norms matter?” question.

3.3 Overcoming Norm Resistance through Norm Localization

It is all too easy to demonstrate with numerous instances the fact that a norm applies differently depending on different institutionally conditions with regard to the domestic structure of a target state. This is a phenomenon well known among scholars of religions who have studied the process of acculturation for example of Buddhist thought traveling from India to other parts of the world, being modified to the local settings where practitioners of Buddhism have adopted this foreign influences (cf. Bowring, 2008; Gethin, 1998). Therefore, the idea of localization is really nothing new to us, and yet it has been largely neglected in IR scholarship. It is here that Acharya (2001, 2004) observes that the discussion on norms, including the constructivist elements of that discussion, oversimplify the adoption of
norms and neglect the role of norm adaptation, acculturation and cultural variation in contextual interpretation. He provides various examples, focusing on the Southeast Asian region, of how norms and cultural elements in general have been deliberately adopted in a way which enhances the status of previously valid cultural patterns, and is of use within the “recipient” culture relevant to the predominant norms which make up the significant political and socio-cultural elements of that area, or what he calls the local “cognitive prior.”

If the social constructivist conception of norm diffusion is correct in its assumption, then this can be understood within the framework of moral reasoning rather than the more temporary notions of “rational interest.” We would describe this in terms of norm conflict and norm competition, using a concept of norm robustness similar to that put forward by Legro (1997) as a means of assessing the various circumstances likely to make a norm more or less competitive or successful in conflict. We have already indicated this argument in framing the process of norm diffusion as a process of norm competition/norm struggle in our discussion of Finnemore and Sikkink’s model. In his work Legro quite correctly criticizes the existing literature on norm diffusion for its lack of attention to the aspects of norm development other than the positive success of norm change campaigns.

The notion of norm conflict typically refers to a situation in which norms compete in a situation in which one will eventually be displaced and its rival taken on and institutionalized. However, there is a second order of norm conflict, perhaps better called “norm competition,” as we have already suggested above. In such a situation, norms struggle, i.e. compete for legitimation, influence and robustness within in a certain society. This is perhaps typical of traditional party politics in which, for example, the norms of conservatism and social radicalism may endlessly compete for dominance with little thought that one tradition should be rejected entirely. A key factor in the continued robustness of these political norms and trends is their institutionalization within the frameworks of political parties and certain wings thereof. These factors keep a chosen political norm alive and active within a system which gives it influence but not unlimited influence. We wish to argue that an understanding of the role of the other, not specifically political-theoretical, norms may be enhanced by considering them in a similar way. For example, Legro argues in this context that there is an element of hit and miss in the constructivist use of norms within IR that vitiates the usefulness of that theory for predicting decision-making on the part of actors operating in the sphere of international politics. The stronger the norm is embedded in national and international organizations, laws, culture and ideas, the more likely it is to be upheld. This principle is theorized in the notion of “norm robustness.” Legro conceptualizes “robustness” in terms of specificity (defined as the understandings of the simplicity and clarity of the prohibition, in other words, “is the norm well defined?”), durability (i.e. how long the rules have been in effect and whether they represent challenges to the prohibition) and concordance (i.e. how widely accepted the are in diplomatic discussions and treaties, understood thus as the degree of intersubjective agreement) (Legro, 1997: 34–35).

Thus, where human rights norms are ill defined, not well established historically and/or lacking broad currency we will find little chance for their successful popularization and institutionalization. This aspect of norms theory is valuable as it accounts for the negative side of norm failure, where norms simply become obsolete. However, it is difficult to see that norms do not lose currency to other norms. These limiting factors on the strength of norms do not seem to be far removed from “the very effects attributed to norms” as they amount to “levels of adherence” (Legro 1997: 34) which is clearly related to belief in a norm. Thus, Legro provides useful terms to discuss the decline stage in the life cycle of a norm, but in failing to separate norms from the individuals who uphold them (this being impossible) he does not describe their robustness independently of their effects, while other scholars, such as Risse et al. (1999) provides important insights into the question of why the impact of global norms differs in many countries and through what mechanisms political change with regard to norm acceptance is achieved in the international society.

The difference between “norm conflict” and “norm competition” is that in the latter but not the former type of norm rivalry the acceptance of the contingent or ideal validity of the rival norms is typically accepted by all actors in the relevant community. To be precise, the notion of norm robustness is understood here as a supplement to the notions of norm conflict and norm competition. It is not the same order as “conflict and competition,” because it would exist in their absence. It is a supplement because it is primarily a choice of measures, which can be applied generally to make comments about the norms exposed to conflict and competition. The robustness measures as put forward in the work of Legro are feasible to describe conflict and competition, though others may adopt different robustness measures without denying the reality of conflict and competition. Therefore, we shall argue that the notion of norm robustness is a supplement to our notions of norm competition and norm conflict in the course of a norm life cycle.

Conceived in these terms, the notion of norm robustness adds a further layer of sophistication than has been achieved by the models provided by Finnemore and Sikkink (1998) and Risse and Sikkink (1999), because it allows us to make more precise statements on the causes of norm failure and success and provides through the notion of organizational culture further insights into the microprocesses and mechanisms at work at the domestic level, i.e. the stage of norm internalization.

There is need for a cross-disciplinary approach to assess historical/socio-political situations with sufficient depth and a great deal more of issue-specific research is needed to provide the data needed to properly discuss varieties of norm robustness within norm conflict and norm competition situations. Greater inclusion of area-specific socio-cultural perspectives would help explain the reasons why norms are applied differently to different countries. The way in which norms are localized, however, has been the subject of some study, though not yet enough.
Much of the current norms discourse is overly simplistic with regard to the evolution and rejection of norms. It is never the case, excepting the possibility of the end of a human society, that a norm reaches a state of rejection at which it exerts no further influence whatsoever upon society. Norms are not like the software in our computers which we may change by deleting one old program and installing an updated version to better perform the task, say, of data sharing on a network. Norms are necessarily elements of opinion, society and culture. These three things therefore are the causal impetus for the creation of new norms as well as maintenance of existing norms. Where a norm is superseded or replaced, it may not be said that social effects of previous norms disappear. Norms are impossible to remove entirely as even when their direct effect has ended, the effects that they have had at previous points in time will continue to have an effect on the future of that society. This is even the case with legal norms, as even a norm which contradicts and replaces rather than updates a previous one is necessarily an action relative to the existence of the previous norm.

This is of course more obvious in the case of the importation of norms; a process often considered typical of modern internationalization, but historically nothing new. Thus, Acharya shows how existing beliefs and practices contest and thus shape the impact on global norms on local areas. The elements of norm contestation are not simply a problem whether external norms fit local norms, but it is described as a process of “constitutive localization” in which local agents modify both, local beliefs and practices, as well as global norms in order to circumvent complete norm resistance (Archaya, 2009: 21–3).

Acharya states “constructivist scholarship on norms tends to focus on ‘hard’ cases of moral transformation in which ‘good’ global norms prevail over the ‘bad’ local beliefs and practices. However, many local belief and value structures need to be considered as an essential part of a prior legitimate normative order which does condition the acceptance of foreign norms. Thus, the argument is, that is local agents who reconstruct foreign norms to ensure that they fit with the local cognitive priors. Here, the generation of congruence is a key element (Acharya, 2004: 244–50). Acharya deal with the many foreign cases in which a foreign norm has been taken on deliberately and often in a way which is free of immediate outside pressures. This usually happens at a high level within a state or group, as a certain international perspective is necessary. Where there is no government, domestic or international NGO to persuade people of a certain country of a norm’s relevance to them, perhaps, the best chance for them to take on that norm is outside pressure particularly from a power state exerted on their government. He is keen to emphasize “norm diffusion” as opposed to “norm displacement,” giving the example of ASEAN as a “distinctive form (the norm of) regional institutionalization as compared to Europe” (Acharya, 2004: 241). Thus, he regards the emphasis on “moral proselytism” in disregard of cases of “contestation” to be associated with “regarding resistance to cosmopolitan norms as illegitimate or immoral” and, in direct reference to the work of Finnemore (1996), Finnemore and Sikkink (1998), and Barnett and Finnemore (2004), “downplaying the role of local actors” (Acharya 2004: 242). Furthermore, Acharya stresses “congruence” between a new and previously existing norm. Congruence, of course, does not imply competing international norms but the compatibility of an external norm with domestic norms. This is hopefully obvious in regard to some of the examples of norm conflict on cultural and sub-cultural grounds, such as the example of certain Thai communities’ involvement in forced prostitution. The notion of localization, identified by Acharya as being a result of the norm adoption can be summed up, according to Wolters (1999: 57) as a “local statement (…) into which foreign elements have retreated” (quoted in Acharya 2004: 245). Even so, this does not prevent local backlashes against perceived foreign impositions, as for example Japanese nationalist-toned campaigns for whaling show.

The importance of local congruence is made clearer with reference to the negative instantiation of the process of localization. In his work Acharya makes reference to the above discussed scholarship of Keck and Sikkink (1998) and their discussion of the failure of the anti-circumcision campaign in Kenya. These examples of what we call externally advocated norm internalization illustrate that these outside attempts at norm displacement failed even though they had already been challenged domestically because they were supported by strong cognitive priors (Acharya, 2004: 247). Illustrating this phenomenon Acharya provides us with a convincing example of a Soviet norm change to the nonprovocative defense norm being couched as a Soviet tradition to avoid the identity norm conflict that might ensue from a perception that a western norm had been gratuitously imported: “(…) it is the norm-takers’ sense of identity that facilitates localizations, especially if they possess a well-developed sense of being unique in terms of their values and interactions” (Acharya, 2004: 249). We broadly agree with this point, though, we suggest three additional observations, which are related to Acharya’s line of argumentation.

Firstly, there are cases in which norms are imported without the direct suggestion that these have any local background, and localization is aided by a simultaneous campaign of national renewal and perhaps even restoration of national institutions. The Meiji Restoration is a prime example of this. Many western norms were introduced alongside a purported restoration of some of the oldest and most fundamental institutions of Japanese state culture. Debates about the extent of the changes were intense and interesting because the eventual norm changes exceeded the expectations and interests of many of the norm—catalysts; especially with the loss of samurai privileges. This shows that though norms are linked to identity, they may prove injurious to immediate individual interests of norm-supporters when a full set of associated norms is instantiated.

Secondly, where there is a large program of norm imports, there is often a strong element of norm conflict both in the form of obvious campaigns and in the form of a persistent lack of engagement with the new norm. Sometimes the
perception that a government is prepared to engage in norm conflict with foreign states and pressure groups can serve its nationalist interests. This, for example, has been suggested as a factor in the current Japanese whaling controversy. There is at least one case where the Japanese government does not do as it is asked by its western allies. This perhaps is more significant than any public demand for whale meat and whale experiments. The other interesting point regarding the whaling controversy is that the Japanese historical involvement with whaling, which was much localized, is often overplayed by pro-whalers to give the impression that Japanese people share a pro-whaling identity. This has put Japanese anti-whaling groups like Greenpeace on the defensive, as conflict with the Japanese identity per se would obviously injure their standing in Japan and their other campaigns. The emerged norm conflict, in this particular case has been fostered by the pro-whaling side to emphasize the particularity of Japanese tradition. Until today the transnational advocacy coalition has not succeeded in achieving a norm displacement but has meet fierce resistance in its campaign being forced to reconsider its campaign.

Thirdly, surely the clear significance of the question of identity is a hint for campaigners. There is more to be said than ‘don’t break the law of the land.’ Especially where trafficking occurs in sub cultures that have a slightly different identity from those typical of, for example, the capital city, the identity difference might make norm conflict more likely. Therefore identity-specific norms would be a good basis for campaign material which would introduce a new element of shame in cooperating with traffickers. These concerns are different to the less general notion of norm ‘adaption’ (Johnston, 1996), which only concerns itself with the changes imposed on a norm; localization is concerned with what Wolters (1999: 56) describes as “the crucial question of where, how and why foreign elements began to fit into a local culture” (quoted in Acharya 2004: 250).

To bring this discussion of norm conflict and norm localization together, we need to emphasize that the first stage of norm scholarship was largely monocausal with respect to the relationship of global and local norms. Thus, merging both perspectives of norm diffusion, i.e. the “top-down constructivism” with the “bottom-up” perspective represented by the notion of norm localization the resulting picture will look somewhat like the model laid out in Figure 1.

3.4 Applying Norm Localization to the Problem of Human Trafficking

Finally, we will apply this idea to the problem of human trafficking. The debate on human trafficking highlights economic disparities as the prima facie cause. And of course, this reasoning should not to be dismissed, since poverty and economic incentives do represent significant forces behind the problem of human trafficking and the directions of “trade.” However, as Nakamura (2008) argues, only conceiving material causes as the prime factor would be a mistake, since this alone does not explain why women are trafficked ‘beyond borders.’ To phrase the ideational dimension of human trafficking in more provocative terms, we ask ‘why is that foreign “women” are sexually exploited in the brothels of industrial countries?’ Of course, for brokers it is easier to handle the ‘commodity women’ in an environment, where their victims do not speak the local language, the public often turns a blind eye to the problem of sexual exploitation, and the victims’ families cannot find their beloved ones. Therefore, the problem of human trafficking embodies a three-layered structure of discrimination which lies behind human trafficking, combining material (economic reasoning) and ideational reasoning (cognitive reasoning): male/female, rich/poor, national/
foreign. It is this structure of power disparity in material and ideational terms which makes it so difficult to extinguish the problem of human trafficking (Nakamura, 2008: 144–8).

Here, Acharya’s notion of norm conflict between local beliefs and practices and global norms offers important insights, since we can argue that it is local beliefs and practices (structure of identity) which resist the pressure for internalizing global norms and extinguish human trafficking, that is, to replace the ideational grounds of selling and buying women and children. Of course, this does not mean that the problem of human trafficking can in its entirety be broken down to cultural factors. Farming households in rural areas who are forced to sell their daughters to brokers because of poverty is a common reported reason for human trafficking. However, for example the Human-Trafficking.org project points out with regard to the case of Cambodia referring to the Cambodian Ministry of Social Affairs and Youth Rehabilitations that 76 percent of the trafficked persons who returned from Thailand did indeed come from families who posed their own land, 94 percent owned their houses and had no debt on the land or house, and 47 percent stated that their mother was the facilitator of their trafficking (the report does not mention the total number of victims who are trafficked from Cambodia). This challenges conventional explanations referring to poverty as the primary factor behind trafficking.

Another example which highlights the importance of local believe structures is the steeling of male babies in rural China, here especially China’s industrial areas along the Pearl River, who are than sold to parents in China, and sometimes trafficked into Malaysia, Singapore, or Vietnam. Jacobs explains in his New York Times article that the “demand is especially strong in rural areas of south China, where a tradition of favoring boys over girls and the country’s strict family planning policies have turned the sale of stolen children into a thriving business” (Jacobs, 2009).

Against this background, the goal for activists is to diffuse and facilitate the internalization of an anti-trafficking norm which at the end would replace the belief structure which leads to the practice of selling women and children into the hands of others. And yet, as we have already explained above, this is not as easy as it appears to be. In order to bring in a norm which possesses sustainability and robustness the process of localization appears suitable because it integrate and thus to modify the local culture. And yet, the problem is not simply the banning of trafficking as such but in creating access to local communities who conceive norm advocacy as simply another way of “Western imperialism.” It is here that local agents (ex. local community associations, NGOs, or local governments) need to be integrated into coalition networks and met with cultural sensitivity.


Against the background of the above discussed changes of the global society and respectively the implications these change have for the system of global governance, the question how to achieve the diffusion of norms to protect the rights of humans remains a crucial problem in IR scholarship.

To be more precise, the problem is, to follow Ignatieff, how to avoid the impression of a “western moral imperialism” which is today so often attached to transnational advocacy activism in non-western areas, and thus to circumvent the danger of total resistance to a global norm (Ignatieff, 2001: 102). It is exactly at this point, where this paper attempted to argue for an enhanced integrative model of norm diffusion and advocacy coalition networks. The model outlined above based on the notion of norm localization acknowledges the possibility of political and social change global norms can achieve if internalized successfully, but it acknowledges also the importance of local beliefs and practices which can modify the same global norm or even resist it, leading in consequence to the strengthening of nationalism in a given society.

Therefore, the attempt was to argue for a critical assessment of the current system of global governance. And yet, even if the transnational advocacy coalitions are accused of “western moral imperialism,” the set of transnational problems remains a severe challenge not only for a limited number of states but for all states and nonstate actors within the global society. Thus, it becomes important to think in terms of networks which enforce the cooperation between state and nonstate actors to overcome the paradox that norms which have spread successfully remain violated, as the example of human trafficking illustrates. Broader cooperative frameworks are not only important because of the global scope of many of the transnational problems, but also many states lack the governance capabilities to implement and monitor the implementation of global norms in their societies, even if governments have willingly agreed to adhere to a global norm.

Conceived in these terms, the problem of human rights violations such as human trafficking must also be conceived in terms of a lack of statehood. And yet, this lack of statehood can have positive effects, because it provides space for the emergence of governance-networks build by actors from below. This phenomenon has been studied by Risse who terms this process, which is visible in many failing and failed states, “governance in areas of limited statehood.” This concept emphasizes the increasing importance of civil society actors in situations in which the state as an institution declines, arguing that in times of “weakening statehood” the role of civil society becomes even more important” (Risse, 2005: 9). This, in turn, will bring with it a political organization and decision-making in which nonstate actors obtain access and play a vital part. This form of governance can, for example, take the form of hybrid notions of politics, such as public-private-partnerships (PPPs), while these hybrid forms of governance are not hierarchical...
structures, but horizontal. Risse refers to this form of policy and decision-making as “soft governing” (ibid.: 9). This argument is not limited to the national level but applies to the global level as well. In other words, the problem of human trafficking occurs, because a government is unable to facilitate the internalization of a global norm in the domestic realm to change the social and political practices which cause human trafficking, while the transnational problem of human trafficking is only insufficiently addressed by regional organizations such as ASEAN. It is here that we wish to emphasize the importance of the concept of ‘co-governance.’

According to Torfing (2007), the existence of transnational problems such as human trafficking should not be understood in terms of a decline of state power per se. In fact, he argues, that in today’s global society the state did not decline but relies in terms of its governing capabilities more and more on the cooperation with other actors. It is exactly here that we can see the importance of the notion of network-governance as a feasible mechanism for the resolution of collective action problems. According to Torfing, networks became important, because not only on the domestic but also on the international level the number of actors other than the state has largely increased, highlighting the great complexity of today’s society. Against the background of this complexity, the limits of each, the state, the market, as well as the civil society are visible (ibid.: 4). Consequently, these limits emphasize the advantage of governance networks based on bargaining processes between a set of multiple actors with multiple relations. Thus, giving this increased plurality of actors in the domestic and international spheres as well as the space that binds thus two levels, governance through networks appears to be an appropriate approach.

Given the character of the international society which lacks a central authority above the state, the notion of network-governance represents a feasible approach to facilitate dialog and cooperation in international relations. The increasing set of global problems ranging from human trafficking over international terrorism to global warming is not solved by the action of a single state, but these problems illustrate the importance of multilateral solutions. Here, governance is a central but ambiguous concept in international relations, meaning the governability of actors at the transnational, national, sub-national levels and the mode of governing. The European Union has defined governance in a famous 2001 white paper on European Governance as the “rules, processes and behaviour that affect the way in which powers are exercised at European level, particularly as regards openness, participation, accountability, effectiveness and coherence” (Commission of the European Communities, 2001: 8, footnote 1). Moreover, at the national level the various processes of governance performed by the state and nonstate actors, i.e. the government, and corporations, community associations or NPOs respectively overlap. This complex overlapping of governance is referred to as co-governance.

This particular mode of governance represents in the eyes of Kooiman a reaction to the “growing societal interdependence and inter-penetration” (Kooiman, 2003: 97). This tendency is not limited to the national level but has advanced and deepened at the transnational level as well (cf. Yamamoto, 2008). Therefore, Kooiman understands co-governance as a process of “utilising organised forms of interactions for governing purposes” (Kooiman, 2003: 97). The way in which interactions between actors should evolve is that of “horizontal governing,” meaning that “actors communicate, collaborate or co-operate without a central or dominating governing actor” (ibid.: 97). Stressing the processes of collaboration and cooperation which integrate public and private actors as well as the civil society through, for example NGOs, the space of co-governance can also be referred to as a “new public sphere.” In these terms, co-governance as a form of network-governance explains how interdependencies emerge between autonomous actors in the process of policy- and decision-making who engage in dialog based on a common recognition formed through the mediation of the search of rules, principles and knowledge and how these interdependencies are regulated.

How does this concept contribute to our problem of norm diffusion and the formation of transnational advocacy coalitions? Norm diffusion is a process which in many cases bases on a western problem-consciousness and which is driven by actors who derived from backgrounds with western value and belief structures. These advocates of a given moral awareness dominate the market of ideas in what appears to be a “western” global society and are often conceived as representing an exclusive western ‘post-imperialism.’ Since this top-down advocacy is prone to create resistance and a hardening of local beliefs and practices, it is here that we wish to argue that for the construction of a “global” society, based on the principles of equal participation and opportunity between all actors, western and non-western, state and nonstate. Thus, what is required is a construction and promotion of inclusive horizontal networks functioning a platform for norm diffusion and advocacy, and thus for global governance in general.

Global governance, as has become clear, needs to facilitate and enforce solidarity between states, civil society actors and international organizations, that is, it needs to build networks between these actors. Integrating actors into networks will likely enhance the efficiency of advocacy activism, since it enhances mutual responsibility as well as creating visible outsiders; this in turn will make strategies such as “naming-and-shaming” even more important which can create high publicity and moral consciousness with regard to human rights violations (cf. Hafner-Burton, 2008). Furthermore, for governments the formation of coalition networks will be inevitable in order to address the broad set of transnational problems and to counterbalance their lack of governability.

Given the increase of actors and problems in the international society, the concept of co-governance suggests itself for application in the field of IR, enforcing the cooperation and collaboration between state and nonstate actors. Actors within networks interact through dialog. In course of this dialog, actors increase their influence with regard to a given problem and mobilize the unequally distributed power and resources in the international society. And yet, despite the
fluid and open character of networks, this form of organization does institutionalize the interaction between actors, in
other words it does represents a form of voluntary restriction. Networks are limited in their scope of decision-making
through the existence of external political actors and other governance-networks. And yet, networks contribute in
reducing the political, social, and economic ballast of the state (Torfing, 2007: 5–6).

Additionally, our discussion of governance networks resembles Slaughter’s concept of government networks
(Slaughter, 2004). Yet, her concept is extremely narrow, since she does only focus on the way state-actors like
judges, and legislators engage in horizontal and vertical networking, the former creating links between state officials
(ex. between individual Japanese members of the Diet and German members of the Bundestag), while the later includes
networks between national and supranational actors (ex. between judges of the German Federal Constitutional Court
and the European Court of Justice). Although these government networks clearly increase in density and number, we
argue that these networks need to be more open to nonstate actors such as NGOs. Conceiving civil society actors
outside such networks will make the formation of a global public sphere impossible. This, in turn, will inevitably result
in the continuation of the one-directional process of norm diffusion which has been accused of being a “western moral
imperialism.” Therefore, a discourse on how to achieve the equal opportunity and access to these networks is inevitable
in reassessing the system of global governance.

And yet, as Ignatieff reminds us, although the language in which human rights norms have been advocated in the
global society appears to be overtly “imperialist” in its claims of universality, this does not question the value of the
norm itself but the way in which they are communicated. He argues that “human rights norms are not so much a
declaration of the superiority of European civilization as a warning by Europeans that the rest of the world should not
reproduce their mistakes” (Ignatieff, 2001: 107). And yet, this argument does include that the western dominated
advocacy of human rights norms needs to take the autonomy and dignity of “others” as well as the legitimacy of
different cultures into account (Ignatieff, 2001: 113).

Finally, as Ignatieff points out, international human rights norms have been criticized for being primarily based on
values in the tradition of western individualism. This is why this paper has argued for a reconsidering of norm advocacy,
which contributes to the understanding of the basic universalism inherent in human rights norms (which according to
Ignatieff might probably be as narrow as the basic intuition of what is pain and humiliation, Ignatieff, 2001: 116). And yet,
norms have become universal because they have accepted local beliefs, which is why we have argued for a
“bottom-up constructivism” and a more culture-sensitive way of norm advocacy. Therefore, to illustrate the
significance of our argument we will once more quote Ignatieff (2001: 111), who argues that: “Human rights have gone
global by going local, empowering the powerless, giving voice to the voiceless.”

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Notes

1 See “Greenpeace launches major anti-whaling campaign in Japan” at http://www.guardian.co.uk/world/2008/dec/09/

ii In the annually published Trafficking in Persons Report, the U.S.’s Department of State applies the following
definition to its analysis of “severe of forms trafficking”: (1) “Sex trafficking in which a commercial sex act is induced
by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age” or
(2) “The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use
of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.”
Under this definition victims need to be transported physically in order to be covered here, U.S. Department of State

iii No exact data exist on number of victims of human trafficking who fall under the definition in endnote 2. Yet, the
International Labor Organization (ILO) estimates 12.3 million adults and children who are in forced labor, bonded
labor, and sexual servitude at any given time, while the U.S. government has estimated for the year 2006 that approx.
800,000 people have been trafficked across national borders, U.S. Department of State (2007), Trafficking in


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