THE AMBIVALENCE OF ADVOCACY

International NGOs and their discursive power of attributing identities

(Draft; please do not quote without permission)

Kristina Hahn*
Anna Holzscheiter**

Abstract

International discourse places international non-governmental organisations (INGOs) in a field of tension between empowerment and structural restrictions. On the one hand, they often see themselves compelled to pragmatically adapt to an institutional environment created by nation states in order to exert discursive power. On the other hand, INGOs are increasingly perceived as successful partners alongside nation states in many issue-areas since they dispose of various assets that make their contribution to international discourse valuable: Acting as advocates for others empowers NGOs insofar as they dispose of knowledge about life experiences which otherwise are not included in international negotiations, being an advocate for the otherwise powerless confers moral power and credibility to them and provides them with possibilities to campaign displaying various dimensions of symbolic power. However, particularly in the human rights area, “giving voice” to “weak” interests often implies attributing identities to others. It will be argued that discursive practices of appropriating and attributing identities represent an interesting link between identity politics and the analysis of discursive power. This link becomes especially interesting in cases where INGOs’ discursive frames and strategies visibly diverge from or even clash with the interests of the affected people they claim to represent. Two empirical examples shall demonstrate, how large international NGOs which have often lost connection to their constituencies engage in appropriating identities: the debate about child labour (with child saving INGOs on the one hand and increasingly powerful associations of child workers on the other) and the example of prostitution, with sex workers’ organizations increasingly contesting the representation of their ‘fate’ in international politics.

* PhD Student, University of Bremen, Germany, contact: khahn@gsss.uni-bremen.de
** PhD Student, Free University Berlin, Germany, contact: holzsche@zedat.fu-berlin.de
Furthermore, there is the perennial problem of whether those that take up valuable space in deliberations are actually those that are crucial in terms of power over outcomes, that hold issue-specific knowledge and expertise, or that represent individuals who are affected in the end [...] NGOs, in some cases, are clearly just as biased as governments. Criteria for distinguishing the professionals from the charlatans are lacking and this reality is essential to the question of what this transformative process is all about” (Söderholm 1997: 14).

1 Introduction

The scope of our paper

Non-governmental organizations (NGOs) have been “en vogue” in international relations studies since the 1990s and the major world conferences of this decade, where these actors have had an important impact on the subjects discussed and the decisions made. The Rio Conference in 1992 in particular opened the floodgates for further NGO involvement (Alger 2002). Today, NGOs have secured access to virtually all UN conferences and committees (Sankey 1996: 217). This raises questions of NGOs’ right to representation, their legitimacy and accountability: „The networks’ successes and increasing visibility in international policy discussions create new demands – internal and external - for clarity about legitimacy and representation. These demands are surfacing within the networks as well as from their critics, and they focus on how the networks do business, whom they are speaking for, and how they set their agendas and strategies. It is no longer sufficient to invoke the name NGO; governments and World Bank officials are increasingly prepared to press NGO representatives on whose views they represent, what experience they draw on, and whether a larger constituency in fact supports their demands” (Nelson 2002: 150).

Among studies dealing with NGOs we can distinguish earlier studies undertaken at the beginning of the 1990s from contemporary studies insofar as the latter look much more critically on the role of NGOs in international politics. In most of the early studies, NGOs were cheered as being part of an evolving global civil society, as creating a “world culture” (Boli & Thomas 1999). There may be critical aspects, but in general NGOs are seen as moral players fighting for a common good. Although Willetts states that this assumption can not always go unchallenged, he at least claims that it applies to the area of human rights: “There is a widespread attitude that NGOs consist of altruistic people campaigning in the general public interest, while governments consist of self-serving politicians. On some issues, such as human rights, this may be generally valid and NGOs are ‘the conscience of the world’” (Willetts 1996: 11). In opposition to this “first generation” of NGO studies, actual studies that we may define as belonging to a “second generation” of NGO literature tend to focus on problematic aspects of NGO influence. After the cheering of a so-called global civil society we now come to explore its limits.

In this paper, we want to explore the limits of advocacy NGOs’ representational power, especially of large international (human rights) NGOs. We will show what kind of power is
involved when NGOs speak for others, when they act as advocates for them. Sikkink states: “International NGOs claim to speak on behalf of affected communities and thus bring into international institutions perspectives from people affected by international policies and projects, but normally excluded from global or national policy making” (Sikkink 2002: 312). We want to know what happens if the strategies of international NGOs enter into conflict with organizations made up of the people for whom NGOs claim to speak. These questions of NGOs’ right to representation, their legitimacy and accountability have not been at the forefront in most of the studies about NGOs written so far, which mainly deal with the possible influence NGOs can have on international policy-making (e.g. Florini 2000; Keck & Sikkink 1999; Sikkink 2002). But in major works on NGOs that discuss their influence and positive impact on the evolution of international norms, issues of representativity are often raised in the concluding remarks (e.g. Sankey 1996: 270ff.; Sikkink 2002: 301ff.). As Sikkink states in the concluding remarks to her famous book “Restructuring World Politics” (2002): “Social movements have authority because they claim to speak for the weak, the repressed, the underrepresented. Thus, human rights organizations claim to represent the voices of repressed individuals in other countries who may not be free to speak for themselves. This is the most complicated link because the authority of networks is undermined when groups that networks claim to represent question or criticize their work.” (Sikkink 2002: 314).

Some initial clarifications

In order to study the representational power of NGOs, we first of all have to be precise in defining NGOs. NGOs in general are seen as being the civil society-counterparts to firms and governments (Teegen et al. 2004: 464), civil society being “a voluntary sector made up of freely and formally associating individuals pursuing non-profit purposes in social movements, religious bodies, women and youth groups, indigenous peoples’ organizations, professional associations, unions and so on” (definition by UNDP, cited in: Teegen et al. 2004). NGOs are defined as follows: “NGOs are formal (professionalized) independent societal organizations whose primary aim is to promote common goals at the national and the international level” (Martens 2002: 282). For interactions on the international level that involve at least one non-state actors the term transnational has been introduced (Risse-Kappen 1995), therefore we can also talk about transnational instead of international NGOs.

1 Martens explains this definition as follows: “NGOs are societal actors because they originate from the private sphere. Their members are individuals, or local, regional, national branches of an association (which, again, are composed of individuals) – and usually do not (or only to a limited extent) include official members, such as governments, governmental representatives, or governmental institutions. NGOs promote common goals because they work for the promotion of public goods, from which their members profit and/or public gains. NGOs can be professionalized because they may have paid staff with specifically trained skills, but they are not profit-oriented. NGOs are independent because they are primarily sponsored by membership fees and private donations. They may receive financial funding from official institutions, but only to a limited extent, so that they are not under the control of governmental institutions. NGOs are formal organizations because NGOs have – at the least – a minimal organizational structure which allows them to provide for continuous work. This includes a headquarters, permanent staff, and constitution (and also a distinct recognized legal status in at least one state)” (Martens 2002: 282). Willetts offers a less concrete definition: “An NGO is any non-profit-making, non-violent, organised group of people who are not seeking government office. An international NGO has a less restricted definition. It can be any non-violent, organised group of individuals or organisations from more than one country” (Willetts 1996: 5).
This definition of international/transnational NGOs is of course very broad. There exist various types of NGOs, ranging from small, local groups to large multinational entities that manage large budgets and employ thousands of people. To make a first differentiation, it is common to distinguish among those NGOs who mainly provide services versus those whose main function is advocacy (see Martens 2003; Teegen et al. 2004). **Advocacy NGOs** work on behalf of others who lack the voice or access needed to promote their own interests. Therefore, advocacy NGOs have certain “clients” whom they serve – the object of the NGO that gave rise to its formation. According to some authors, examples of these clients include “people afflicted with HIV/AIDS, ethnic minorities threatened with genocide, certain animal and plant species facing extinction, and women denied access to public services and opportunities for advancement” (Teegen et al. 2004: 466). Underlying our argument is a distinction between ‘clients’ like plants or animals on the one hand and people who are assumed to be voiceless but theoretically in a position to speak for themselves on the other. Accordingly, speaking for other people poses the question of accountability and representation. This issue becomes problematic especially when the “voiceless” people raise their voice themselves and may oppose the views that are made public about them by their advocacy groups. In this paper, we will call those people that advocacy NGOs claim to speak for their alleged **constituency** (which therefore does not describe their staff or members, but their “clients”, see above) and concerning the relationship of a NGO with its constituency we will introduce the following distinctions:

- NGOs “speaking for themselves” grassroots-NGOs, self-help groups, built by the affected people themselves;
- NGOs “speaking for others”/advocacy NGOs: large membership NGOs whose “clients” (see above) are often far away (e.g. large human rights groups, especially those with a special focus groups, such as women, children e.g.);
- NGOs “not claiming to speak for anybody”: expert groups, think-tanks or social purpose NGOs who defend a common cause and not so much the interests of anybody else (e.g. environmental groups).

Of course, these categories are not exclusive: For example advocacy NGOs (2nd category) often act as experts (3rd category) as well or they may include experts among their staff. Nevertheless, with our focus it is advocacy NGOs that we are interested in, whereas we neglect “pure” expert groups or think tanks that do not claim to speak for somebody else. Our object of study, therefore, is now more narrowly defined since we are mainly interested in the relationships that large international advocacy NGOs, mainly from the area of human rights (2nd category) have with self-help groups made up of those people that advocacy NGOs claim to speak for (1st category).

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2 Another common distinction of NGOs refers to their internal structuring and distinguishes upon those NGOs organized in a centralist versus those organized in a federalist manner (Martens 2003; Willets 1996).
To analyse this relationship, we do not compare NGOs’ behaviour against standards for inclusion and representation derived from normative, democratic theory (see for example: Nanz & Steffek 2004) – instead we talk about the power inherent in representation. Based on the power theories of M. Foucault and P. Bourdieu we assume that all relationships of representation are characterized by power asymmetries between those who represent/speak (+) and those who are being represented (-). In the first part of this paper we will lay down our theoretical framework: We will analyse how representation and power, and more generally discourse and power, are linked. We will investigate further which power mechanisms related to advocacy NGOs dispose of, and what kind of power effects this has on a NGOs’ constituency. The exercise of this power becomes especially visible if advocacy NGOs enter into conflict with groups of those people whom they claim to speak for. We will illustrate this with two empirical examples, the case of prostitution and organizations of sex-workers and conflicts around child-work (2nd part of our paper).

**First part: theoretical foundations**

**2 Our concept of power – preliminary remarks**

In the following, we will show why NGOs’ speaking for others involves power and leads to the construction and attribution of identities. To this aim, we will first of all like to clarify our underlying power concept referring to the power theories of Bourdieu and Foucault. These theories help to explain how representation, discourse, language and power are linked together and can be used to show how NGOs’ power of advocacy implies certain power effects on those people advocacy NGOs claim to speak for, on their constituency.

**2.1 Power and representation**

For a better understanding of the power of representation, Bourdieu’s power theory offers us valuable insights. For Bourdieu, the power of representation is inherent in all practices of giving a group a name, and attributing a representative to a group. Through this, the group is constituted. Of course, the creation of groups cannot happen completely arbitrarily since individuals have to share at least certain similarities. Yet, the act of constitution is very important. It is only through the existence of a representative that single individuals form a group which then identifies with the representative (Bourdieu 1985: 37; Bourdieu 1989: 23). In the social movement literature, we find further evidence for this point of view. Brysk for instance describes symbolic politics of NGOs as creating alternative meaning through storytelling and introducing different narratives in a debate (Brysk 1995). Through this process, identities are not only represented, but also created and constructed (Brysk 1995: 565). In the light of this power theory, groups are not “natural”, but socially created by their representatives. The process of speaking for them always implies relations of power: Relations of communication – the linguistic exchange – are symbolic power relations, through...
which the relations of power between the speakers and their respective social groups become actualised (Bourdieu 1990: 11).

The power inherent in relations of communication can be further explained with reference to M. Foucault and his theory about discourse and power.

### 2.2 Power and discourse: The Foucaultian view on power

For Foucault, power is mainly exerted via discourses. Discourses decide what can be said, what has to be taken seriously and who has the right to speak (Rabinow & Dreyfuß 1994: 77). Discourses obey certain rules and have excluding and oppressing functions in society. They set boundaries between the allowed and the forbidden, right and wrong, between a legitimate speaker and an illegitimate one, between true and false. Especially the latter is — according to Foucault — an “enormous instrument of exclusion” (Foucault 1974: 17). Foucault recognizes the exclusionary and oppressive functions of discourse but he also sees the other side of the picture: the productive effects of discourse that are even more important. Especially in his works on the “history of sexuality”, e.g. part I – “la volonté de savoir” — he concentrates on this aspect of power and discourse. Of course, discourses have exclusive and oppressive characteristics: Discourses obey internal and external rules concerning their internal structuring, authors and disciplines (Foucault 1974: 30). But they also contain a multiplicity of devices “invented for speaking about it, for having it spoken about, for inducing itself to speak, for listening, recording, transcribing, and redistributing what is said about it” which constitute “a regulated and polymorphous incitement to discourse” (Foucault 1980: 34). Discourses do not so much create barriers to what can be said, e.g. through taboos etc., than they create their objects of speaking (Foucault 1977: 86). This view on the productive power of discourse implies that the individual subject as well as knowledge and truth are also discursive productions.

For Foucault it is impossible to think that power can work without knowledge, or that knowledge does not have power effects; they are part of the power knowledge-complex (Lemke 1997: 94). The same applies to ‘truth’ which can never be seen as being outside of power or being without power (Foucault 1978: 38). What has to be seen as truth is discursively constructed and historically contingent. Consequently, it is difficult to think of something “outside of power” out of which resistance can be created. This does not mean however that resistance or freedom become impossible, just that they have to be thought as being part of power politics. Individuals, “subjects”, are part of power too: It is a major effect of discourse to produce individuals’ identities. Through discourses individuals are transformed into subjects, they are attached to their identities (Foucault 1982: 212), e.g. the identity as mad person or as a homosexual. This idea has been very fruitful for researchers whose works are based on Foucault’s theory of power, such as feminists like Judith Butler, or post-colonialists like Edward Said. These studies concentrate on processes of (discursive)
identity-formation: Processes of inclusion and exclusion, of constructing a “self” and an “other” are important here.

Against the background of this abovementioned theoretical framework and referring to NGOs, we are therefore interested in the power of discourse they exert. NGOs, we assume, have a certain freedom in the discourse, but that this freedom is always restricted since NGOs are not outside of the discourse but also obey its rules and internal logics. Therefore, NGO representatives contribute to the construction of knowledge that is seen as legitimate knowledge – to the disadvantage of other forms of knowledge that are excluded – and they contribute to the construction of identities, especially of those people they claim to represent.

This discursive power of NGOs may be strengthened through another aspect, the symbolic capital that NGOs have and the politics of symbolic power they may display.

2.3 The symbolic capital of NGOs

NGOs possibilities to exert discursive power may be strengthened through the fact that these actors dispose of a certain symbolic capital, that they are seen as legitimate players by other actors. This may also give them an advantageous position vis-à-vis their own constituency that often lacks this acceptance.

For Bourdieu, it is only through **symbolic power** that actors acquire legitimacy in society. Their economic, cultural and social capital has to be “converted” into symbolic capital so that its owner becomes recognized and accepted. Symbolic capital therefore is defined as the recognized and legitimate form of the other capitals (usually known as prestige/renommée) (Bourdieu 1985: 11) – we can also call it the already accumulated recognition or reputation somebody has. For NGOs, it is crucial to have a good reputation in order to be seen as moral authorities or providers of credible information. To influence other actors, NGOs rely on their ability to persuade, on the power of persuasion and attraction, on “soft power” (Nye 1990). Although Joseph Nye in 1990 introduced this concept referring to states, this term has then also been applied to NGOs, e.g. by Keck/Sikkink (1999) and Florini (2003), and Nye himself in his latest book dedicates a whole chapter to non-state actors whose soft power – he says – is often more important than that of states (Nye 2004: 90ff.). To exert soft power, someone needs the characteristics of being trustworthy, credible etc. in the eyes of others – otherwise you cannot persuade. For Joseph Nye, the notion of soft power is almost interchangeable with the notion of **reputation** (Nye 2004: 95).³

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³ In a recent study, Sharman showed for the OECD how important their reputation as provider of reliable information is for being heard in the international debate (Sharman 2005). Generally, in IR, the concept of reputation is often very narrowly defined. In deterrence theory, it is mostly considered as the negative/threatening reputation of an ally or enemy. In game theoretical studies we find the idea that a player has to preserve his or her reputation in order to be seen as a reliable partner for further cooperation. These notions of reputation have been criticized for several reasons: they reflect a too narrow understanding of reputation: they neglect the social construction of reputation etc (for the concept of reputation in IR see Mercer 1996).
Through their increasing involvement in international policy processes NGOs have come to acquire reputation, not only as moral players, but also as reliable experts, especially those NGOs that have, over the years, increasingly professionalized. Amnesty International may serve as a good example for a NGO that changed from a grass-root-oriented organization based on single individual supporters to human rights professionals (Schmitz 2002). Many transnational NGOs have adapted to the international institutions they work with (for NGOs in the UN context see Martens 2003; Take 2002). Nowadays, some large well-known international NGOs dispose of significant budgets (Nye 2004: 90), a well-trained staff, network structures and a bureaucratic organization. Careers that start in a NGO and continue in an International Organization (IO) or vice versa are common today; therefore it can be said that NGO staff is sometimes part of an international elite together with IO officials etc. This may be strengthened and made visible by NGO representatives’ way to speak, to act, even to dress – which Bourdieu would call the “habitus” of a certain class⁴: Glasius showed for NGOs in the negotiations which led to the adoption of the ICC statute that “NGOs had learned to accept a great deal of the institutional culture and style of international treaty conferences, which many of them had previously been inclined to ignore. This included matters of procedure, timing, access to documents, decorum and even dress” (Glasius 2002: 152).

The symbolic capital NGOs possess offers power mechanisms for them additional to the discursive power they have. This may constitute another aspect of exclusion for those who do not have this symbolic capital, renommée and the respective habitus and may illustrate how in relations of representation symbolic power is exerted by NGOs towards their constituencies. These relations of power are not fixed and unchangeable – there may also be what Bourdieu calls “symbolic struggles”, fights over what has to be seen as the legitimate view of the world, but those who dispose of symbolic capital are especially successful in these struggles. Therefore, it is difficult for those who are being dominated to bring in their views of the world and the actual symbolic order that reflects the dominant point of view has a tendency to persist (Bourdieu 1985: 23). After having clarified our concept of power, we now want to look into more detail and with reference to empirical studies what exactly constitutes the power of advocacy that NGOs dispose of.

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⁴ According to Bourdieu, to strengthen the recognition and acceptance as legitimate actor in society, the habitus of an individual is very important. For Bourdieu, everyone adopts a certain habitus, a way of speaking, dressing up, even bodily behaviour that is consistent with his or her position in society and this habitus plays an important role in explaining the acceptance someone receives in society. We think that it is interesting to consider the way in which actors speak, dress or express a certain body language in terms of power and social recognition. Bourdieu introduced his concept with reference to classes in society, but it can also be used referring to other relations of power, such as the relations between men and women etc. (Young 1990). For Bourdieu, the habitus is unconsciously adopted according to the position somebody has in society but we can also think about interpreting this concept in a more flexible way. We then pay attention to the power that lies in a certain way of speaking, dressing, body language etc., and pay specific attention to such cases where people adapt the habitus of “more powerful groups” in order to augment their power. This is then applicable to NGOs as well.
3 NGOs’ power of advocacy and its ambivalence

It is stated in the literature that NGOs can influence states or delegates of international organizations through **soft power**, a power that relies – as Joseph Nye claims – on persuasion and attraction (see above). According to Ann Florini the soft power of NGOs is mainly based on their moral authority and the credible information they provide (Florini 2000: 11). Keck/Sikkink introduce a typology of soft power politics containing four mechanisms of power: NGOs use information politics, symbolic politics, leverage politics – which is defined as tending to call upon more powerful actors, either by exerting (public) pressure or by linking issues (e.g. human rights and economic sanctions) – and accountability politics that holds governments accountable for principles they have agreed to beforehand (Keck & Sikkink 1999; Sikkink 2002). Since leverage as well as accountability politics rely on NGOs’ perception as moral players, we will focus on three major dimensions of NGOs’ soft power, namely knowledge (information) power, symbolic power (which we understand in a broader sense than Keck/Sikkink do) and moral power. All these dimensions of NGOs’ soft power towards states or IOs have certain links to NGOs’ role as advocates and their respective perception by others. We will deal now with this typology in some more detail referring back to our aforementioned theoretical framework.

3.1 NGOs’ power of knowledge related to advocacy

**NGOs different roles as providers of information**

In the literature on NGOs, different mechanisms of power related to knowledge are described:

1. **NGOs as mediators**: From a normative point of view, the task of NGOs is to introduce the “local knowledge”, the “wisdom of the grassroots” or people’s experiences into the international realm (Breyman 1993: 131). NGOs are often seen as mediators between the “local” and the “global”.

2. **NGOs as experts**: NGOs have become specialists in certain fields. In opposition to representatives of states who sometimes are not familiar with certain details, NGO representatives often work for a long time on a specific issue. NGOs’ expert knowledge is seen as their most valuable resource by many State delegates (Brühl 2003). A technique of NGOs in this respect may be to include experts among their staff (Glasius 2002).

3. **NGOs as creators of publicity**: NGOs not only provide information to state representatives or IOs, they also make available information about what is going on in the international arena and about the issues at stake for a broader public. In doing so, they make international negotiations more transparent, but they are also able to exert some pressure in giving information about states that did not keep their promises e.g. (Blaming and Shaming, see (Liese 2001)).
NGOs as *educators*. Finally, NGOs provide information to the affected people, e.g. about their rights deriving from certain international legal instruments. This function of education is often exerted by service-providing NGOs.

Acting as advocates, NGOs basically display the first mechanism; they are mediators with the life experiences of local people and especially those affected by a decision. As mediators they are a valuable source of information for State representatives or delegates of international organisations since NGOs dispose of knowledge that would be otherwise difficult to obtain. NGOs are considered to be closer to the local people and knowing more about their life experiences that they can bring into the international arena.

Referring to our abovementioned theoretical framework, we think that knowledge and power are linked and that the construction of some positions as legitimate knowledge involves the exclusion of other positions. We now want to see what this means for NGOs’ relations with their constituencies. First of all, there is the risk that NGOs may perceive the interests of their constituency wrongly. Large international NGOs are far away from those people whose interests they claim to represent. Mallaby shows in several empirical cases how Western NGOs have prevented the World Bank from setting up programmes in developing countries because they wanted to protect the environment or prevent the local communities from resettlement, but these Western NGOs had only insufficient information about the needs of the local population that was in favour of the project or suffered from disadvantages because of the withdrawal of the contribution of the World Bank (Mallaby 2004). This may be an example why today also Southern NGOs challenge the role of international NGO spokespeople (Nelson 2002: 150). Problematic relationships of representation and legitimacy arise in cases where others nevertheless see these large, Northern NGOs as being reliable providers of knowledge about local people’s needs. This in turn relates to the symbolic capital these NGOs have (see above) and to their position as well-equipped, well-trained staff with good relationships to the media in opposition to small, local groups with limited resources.

But advocacy NGOs do not always speak for their constituency. Often, they just give their constituency the opportunity to talk for themselves. They offer affected persons the possibility to raise their voices, e.g. through testimonies. *Testimonies* can be described as “stories told by people whose lives have been affected” (Keck & Sikkink 1999: 95). This is a more direct way of giving voice to people who would otherwise be excluded from discussion. Yet, it has to be kept in mind that also here, mediation is involved. To quote Keck/Sikkink again: “The process by which testimony is discovered and presented normally involves several layers of prior translation. Transnational actors may identify what kinds of testimony would be valuable, and then ask an NGO in the area to seek out people who could tell those stories. […] There is frequently a huge gap between the story’s telling and its retelling – in sociocultural context, in instrumental meaning, and even in language. Local people, in other words, sometimes lose control over their stories in a transnational campaign” (Keck & Sikkink 1999: 96). Another problem is that the role of testimony is often very restricted. Glasius showed that
in the ICC-negotiations, women from conflict areas gave their testimonies but were otherwise excluded from the negotiation in which expertise was more important (Glasius 2002). If NGOs can play the role of experts, this involves therefore the risk that they contribute to the construction of expert knowledge as the valuable legitimate knowledge to the disadvantage of other forms of knowledge like life experiences which become marginalized and have only a limited role to play if they are listened to at all.

To sum up: While acting as experts, mediators, or publicists, NGOs help to construct which knowledge is seen as legitimate. Acting as experts and privileging this knowledge in order to be accepted by other actors like State representatives may exclude different forms and sources of knowledge like life experiences etc. Even acting as mediators who provide knowledge about life experiences of local people etc. involves several problematic aspects. First, sometimes NGOs themselves perceive the interests of those for whom they are speaking wrongly; second, even in cases where NGOs “open the floor” for the affected people to speak for themselves, this still involves a kind of “filter” and mediation, which is also a way in which NGOs exert power towards their own constituency.

For the NGOs themselves, being mediators with local people is a valuable source of influence because it allows them also to display their moral and symbolic power mechanisms.

3.2 NGOs’ moral power and symbolic power of advocacy

Besides knowledge power, acting as advocates for others confers moral power to NGOs since they give voice to weak interests and they make people heard whose interests would otherwise be excluded from the discussion. Rather than pursuing their own, self-interested agenda, NGOs are seen as altruistically defending the interests and perspectives of others, of weak people. NGOs may strengthen this common perception of their own role as moral players NGOs by using moral argumentation and moral language, referring to common values. Acting as advocates also offers the opportunity for NGOs to display the wide range of symbolic power practices. With our perspective on power we understand symbolic politics in a broader sense than e.g. Keck/Sikkink do, including what Pierre Bourdieu calls symbolic power, namely the habitus, and the prestige/renommee someone has (see above). NGOs have the reputation of being moral players who act unselfishly and who introduce the life experiences of affected people. In addition to this, acting as advocates also allows them to display various dimensions of symbolic action and “spectacle” according to the notion of Edelman. An example may be the struggle of women’s NGOs against gender-based violence.

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5 Edelman sheds light on the “theatralization” of politics, of an emotional appeal of political actions. Edelman sees the news, the media, political problems and their solutions etc. as part of a “political spectacle” (Edelman 1988). By symbolic means – which include rites, myths, but also in general the use of language – politicians and the media interpret and make sense of political events and it is these interpretations that the broader public experience, not the events themselves (Edelman 1964). Edelman talks about politicians and the media as part of the political elite who governs the masses via symbolic politics, but his ideas can also be applied to NGOs. NGO representatives engage very often in symbolic politics like building a “human carpet” to protest against torture
and for its recognition as a violation of human rights. During all major venues important for this struggle such as for example the 1993 Vienna Conference on Human Rights, the 1995 Beijing Conference on Women or the ICC negotiations (Rome, 1998) women’s NGOs set up so-called public tribunals. Here, women told their stories as victims of gender-based violence to a symbolic jury and judges composed of representatives of the NGOs. This is an example for NGOs’ use of symbolic politics and of testimonies (see above). These tribunals were perceived by many delegates as the emotional high points of the conference (Finke 1998). The Vienna tribunal for example led to strong emotional reactions by the other delegates and is seen in the secondary literature as a successful means for obtaining support for the women NGOs’ claims, the final declaration by the judges was even included in the Vienna declaration (Friedman 1995: 30).

In sum, acting as advocates for others involves many possibilities for NGOs to display their soft power mechanisms – related to knowledge, moral and symbolic means. But it involves also an exercise of power towards their constituencies, and for those the effects may be problematic. The way in which NGOs represent affected people or in which they choose who should speak publicly significantly contributes to the construction of their constituency’s identity.

3.3 NGOs’ power of attributing identities

The issue of identity-attribution is also raised by Sikkink when she states, referring to discourses of transnational advocacy groups: “In some cases, these discourses constitute actors as carriers of rights, victims of globalisation, or protagonists in global struggle” (Sikkink 2002: 306). To illustrate this argument, I will seize the abovementioned example again: By giving testimonies as victims of gender-based violence about crimes that have been committed towards them these women were shown as victims and not so much as subjects who determine their own destinies. In opposition to this, framing gender-based violence as a development issue – as it has been done in the decades before (UN decade on women 1975-1985) – allowed to perceive women as active members of the society and gender-based crimes as a hindrance to development. Therefore, these public tribunals were not only effective tools for NGOs who could display their symbolic power, but contributed to a victimization of the affected women. This aspect of victimization can be explored by analysing the discourse around sex trafficking and sex-workers; conflicts around the latter will be shown in more detail in one of our case studies.

Referring to Foucault, we have stated that resistance and power are closely interlinked (see above). Wendy Brown in her book “States of injury – power and freedom in late modernity” (Brown 1995) says that “[…] political resistance is figured by and within rather than
externally to the regimes of power it contests, […]”, ostensibly emancipatory or democratic political projects “[…] mirror the mechanisms and configurations of power of which they are an effect and which they purport to oppose” (Brown 1995: 3). This certainly also holds true for – at least some – NGOs who over the years have become insiders to the political processes they criticize (see above). In this paper, we showed in several instances how NGOs exert power towards their constituencies. One consequence is that NGO representatives also reproduce patterns of a dominant discourses, in our case the human rights discourse, and for example construct people’s identities as victims: women, prostitutes, child-workers, etc. In the discourse on trafficking in women and prostitution the issues of victimization and the attribution of identities are especially virulent. A good example for this may be the discourse about prostitutes led by the Coalition against Trafficking in Women (CATW), an internationally operating NGO who sees all prostitution as a violation of women’s human rights (Doezema 2001: 17). It is particularly third world prostitutes who are constructed as helpless victims in the need of rescue in CATW’s official discourses (Doezema 2001: 17).

In opposition to this victimizing view on prostitution and the affected women, resistance of prostitutes who name themselves sex-workers formed, who were either “outsiders” of political processes and institutions or participating in alternative international forums. Many elements of what Foucault calls a resistance against “subjectivation” can be found here. According to Foucault, these types of resistances have in common that they resist a certain attribution of identity: they claim the right of difference of every individual against normalising tendencies and they claim their right to solidarity (Foucault 1982: 212f.). All of these patterns can be found in the discourse of sex-workers, for example laid down in the “sex-workers’ manifesto”, produced at the First National Conference of Sex-Workers in Calcutta (see also: Doezema 2001). In this text, third world sex workers complain that their identities are only incompletely represented in the official discourse in which NGOs such as CATW participate. They maintain that sex workers’ roles in society, e.g. as mothers and people who support their families, are completely neglected. Instead of being seen as abnormal persons who need salvation, sex workers themselves tend to underline their similarities with other groups, e.g. workers exerting other exploitative occupations (Network of sex work projects (NSWP) 1997: 3) or they emphasize that women in general are oppressed in society.

In the following empirical part we will now further analyse the aspect of the attribution of identities by NGOs on the one hand and resistance towards these identities by groups and organizations composed of the affected people themselves. We will discuss two cases in which transnational representation of identities via international NGOs and their networks has

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6 In a similar direction goes the objection towards development NGOs to treat people in developing countries as objects of their development and not as subjects who change their situation themselves and even object NGOs to be in this respect the “successors of colonial missionaries” (Manji & O’Coill 2002).
7 Kempadoo defines sex work as follows: “[…] a sexual-economic exchange in which the persons providing the sexual labour did so with multiple partners while publicly acknowledging their participation in this exchange” (Kempadoo 2001: 44).
become highly contested by those whose ‘weakness and defencelessness’ the networks claimed to stand in for: working children and youth (NATs\(^8\)), and sex workers.\(^9\) Both of the issues at stake – prostitution and child work\(^10\) – have for a long time incited fervent public debates and both have seen an international ‘revival’ with the processes of globalisation of the late 20\(^{th}\) century.

4 Exploring the Limits of Advocacy and Representation

In order to lay bare the ambivalence of advocacy (title of the paper), the following pages will (4.1) discuss the commonalities and differences between the two cases, (4.2) give a brief historical introduction of the coming-into-being of both abolitionist NGO-networks on the one hand and grassroots social movements of the affected people themselves (child workers, sex workers) on the other.\(^11\) Thirdly (4.3 – 4.5), for both cases, we will discuss the various dimensions of the power of representation developed in the theoretical part of the paper and show how particular ways of representation both produced certain identities for the groups affected and bolstered INGO legitimacy and moral authority (child workers, prostitutes). Finally, we will show the contestedness of the images and identities promoted internationally by pointing to the various facets of counter-discourses led by the supposed constituency (persons targeted) themselves, and as such discuss the limits of global civil society with regard to the issue of representation and advocacy.

4.1 Child work and Prostitution: Legitimate Work vs. Illegitimate Exploitation

The two cases that will be the subject of this second part of the paper have a lot in common. Both case studies are essentially concerned with transnational representations of local realities and identities of large groups of human beings (child workers, sex workers) diffused through global discourses and transnational advocacy coalitions. They both revolve around two core issues: 1. the issue of work as a deliberate choice versus labour/prostitution as a case of enforced exploitation, 2. the issue of work as beneficial versus labour/prostitution as detrimental. Human rights discourses as well as discourses about bodily integrity/prevention of bodily harm for particularly ‘innocent’ groups play a significant role in both of these

\(^8\) NATs = Niños y Adolescentes Trabajadores; the common self-reference of child workers, which emerged with the strong movement of child workers in Latin America in the 1970s and 1980s and is today used internationally.

\(^9\) Both of these terms are taken from the concerned persons’ own discourses within which they attempt to reposition their identity: ‘working children and youth’ rather than ‘child labourers’, ‘sex workers’ rather than ‘prostitutes’. These definitions in themselves demonstrate a resistance towards global advocacy networks whose protectionist efforts are legitimised by using victimising and stigmatising portrayals of these persons’ lived realities. The ramifications of such ‘labelling’ will be discussed in more detail at a later point in this paper.

\(^10\) We have chosen the term ‘child work’ rather than ‘child labour’, here, adopting Miljeteig’s argumentation that it is a less ideologically laden term than ‘child labour’ – generally used by all those who criticise all forms of child work (apart form the light, ‘pocket-money’ work that is common in industrialised countries). ‘Child labour’ will be used for all instances in which the text talks either about an child labour abolitionist movement or about exploitative and harmful forms of child work (Miljeteig 2000: 6).

\(^11\) Even though it is acknowledged that sex workers include men, women and transgender persons, this paper will predominantly focus on women prostitutes – the exclusion of ‘male’ voices from discourses on prostitution and sex work adds another dimension to the limits of representation and advocacy but cannot be dealt with in the context of this paper.
dimensions. In this regard, Cabezas argues that it is before all the impact of human rights discourse that makes the victimising perspective so imperative for advocates of prostitutes – “women who willingly work in prostitution are without the explicit protection of victimhood as defined by the language and conventions of human rights” (Cabezas 2002). The “contentious politics” (Tarrow 1998) of child work and prostitution is characterised by two oppositional aims: on the one hand, an emphasis on the right to work, to self-determination and to material security, on the other the safeguarding of bodily integrity, of a right to protection, physical and emotional well-being and personal development. The latter view is commonly upheld in all efforts to combat and, ultimately, “abolish” these phenomena. This means that two competing objectives are at stake: the recognition of work and improvement of working conditions (mostly promoted by those directly involved, i.e. child workers and sex workers) versus the aim of abolishing the phenomena themselves, not last by tackling their supposed root causes, i.e. poverty, the lack of alternatives (formal school education in the case of child workers or decent work, in the case of prostitutes) and deep-rooted societal attitudes and cultural beliefs.

As shall be seen, in both cases, fundamental frictions have arisen as soon as persons affected collectively demanded a departure from a perspective of victimisation and suffering and from a moral ambition to abolish the inhuman practices in question and ‘save’ the individuals affected. The debates and policies surrounding these two issues have from the onset been contentious politics around which social movements and civil society organizations formed – yet, the increasing international recognition and visibility of resistance towards the identities constructed and projected onto the groups affected is a rather recent phenomenon. Only in the later decades of the 20th century did these critical counter-movements take on international dimensions, fuelled by new, fast and cheap ways of cross-border communication and travel. By now, one can witness a growing transnational character of loosely organised movements mainly composed of the persons affected, who participate in global forums and work against dominant understandings of and policies targeting the two “social problems” of child work and prostitution. However, it is not only national policies and public debates they aim to transform – among the main targets of their criticism are powerful INGOs and their privilege to represent other people’s experiences in highly prestigious decision-making forums.

4.2 Child work and Sex Work in a Historical Perspective

Transnational advocacy coalitions (TACs) (Khagram et al. 2002: 7) which have grown around the issues of prostitution and child work have a long history – their origins date back to the

12 The latter dimension has been identified by Finnemore and Sikkink as “particularly effective transnationally and cross-culturally” (Finnemore & Sikkink 1998).

13 In the case of prostitution, the gender or feminist dimension added to these two discourses also plays a major role in public debates, with feminists deeply divided concerning the question if they should support prostitution by promoting de-criminalization and de-victimization or if they should condemn it as a fundamentally patriarchal and humiliating practice(Carpenter 2000; Kuo 2002; Outshoorn 2004b: 9). However, it lies beyond the scope of this paper to discuss these issues in greater detail.

14 The zero-sum game of work or school rather than both is reflected in many policies targeting child labour, not last in those promoted by the ILO and the Global March Against Child Labour. The view is also supported by UNICEF.
19th century. In both cases of transnational advocacy, the legitimacy of those claiming to defend the cause of child workers and prostitutes has been based on moral issues such as the prevention of bodily harm in sex slavery or the promotion of bodily integrity and a norm of childhood that is composed of happiness, play and education with regard to child work. Church organisations have played a major role in creating national and international awareness for both issues during the 19th century (on church and prostitution: Mathieu 2000: 66). Rather than targeting disembodied phenomena such as the environment and corruption, or practices related to ‘speechless’ living beings such as whale hunting or the destruction of primary rain forests, both TACs aim at the well-being of human beings – persons with a potential to raise their own voice and to speak on their own behalf (see Part I above). In both cases, the strongest transnational advocacy coalitions that have developed were those seeking to abolish the practices in question – exploitative and harmful child work, and prostitution. And the strongest movements of contention were composed of the ‘innocent victims’ targeted by TACs.

4.2.1 The Origins of Advocacy for the Abolition of Child Labour and Prostitution

Children in full-time employment have been an essential feature of the labour market in all European countries until the beginning of the 20th century (Pierik & Houwerzijl 2002: 6-8; Rahikainen 2004). It was only during the 19th century that legislation which sought to alleviate working children’s situation at the workplace as well as to regulate their working hours was slowly introduced (van Bueren 1998). The legislative steps that were undertaken started with the worst forms of child labour and later spread to all areas of child work, regulating working hours, working conditions and minimum age for work or introducing regular medical check-ups. With all industrialising countries following the British example and implementing child work legislation, the wake of the 20th century saw the development of an international child saving movement, whose primary moral impetus also included the issue of child labour. When the International Labour Organisation (ILO) was created in 1919, it adopted Convention No. 5 regulating the Minimum Age for Employment at its very first session. Ever since, international efforts to combat child work have grown in size and scope. ILO policies also reflected this trend, with its IPEC-programme  ranging today among the most important policy-issues of the organisation. The Optional Protocol to the Convention on the sale of children, child prostitution and child pornography 2002 was the last international treaty adopted which deals inter alia with certain forms of child labour identified as ‘worst forms’. Increasing recognition of the process of globalisation (trade, migration, communication) engendered a renewed concern in industrialised countries’ public debates for the issue of child work and a spill-over of the issue of child work into other areas of international politics: by now, child work has become a central issue in debates over globalisation of trade, de-regulation of labour markets, debates about a ‘social clause’,

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15 ILO C5 Minimum Age (Industry) Convention, 1919, entered into force 13 June 1921
16 International Programme on the Elimination of Child Labour, established in 1992, as the core programme for gradual abolition of child labour.
practices of corporate social responsibility or the Global Compact (as a code of conduct for transnationally operating firms) (de Feyter 1996; Smolín 1999; Smolin 2000).

Analogous to the emergence of advocates or ‘moral entrepreneurs’ – as we called them earlier – for the fighting for the abolition of child labour, an international movement for the elimination of prostitution emerged in the late 19th century in Europe. In 1875, Josephine Butler founded the Abolitionist Federation in England, with the aim to safeguard the dignity of the ‘fallen girls’ in prostitution. The abolitionist movement against prostitution soon spread to other European countries (Malkmus 2005: 48; Mathieu 2000). The first international organisation fighting for abolitionism – the common term capturing the desire to end prostitution, trafficking and sexual slavery – was created in 1898, when the British and Continental Federation for the Abolition of Government Regulation of Vice (founded in 1875) was renamed Fédération Abolitioniste Internationale (FAI). In 1904, the first international agreement was reached – the International Agreement for the Suppression of the White Slave Traffic – in which the FAI had played a major role. Mathieu argues that it was particularly the issue of white slave trade (an issue with, apparently, cross-border dimensions) that provoked an internationalisation of the abolitionist movement (Mathieu 2000: 66). Several other international treaties followed in the inter-war period. This development culminated in the 1949 UN Convention for the Suppression of the Traffic in Women which called for the suppression of both trafficking and prostitution, even in cases where women had consented to prostitution or being trafficked (Outshoorn 2004a: 7-8).

Similarly to the 19th century concern for prostitution within the context of sexually transmitted diseases, prostitution experienced heightened international attention with the emergence of HIV/AIDS (Kempadoo 1998; Law 2000: 1; Micollier 2004). Outshoorn maintains that issues of prostitution and trafficking “returned to the political agenda of most post-industrial democracies by the end of the 1970s”, a “process accelerated by the emergence of HIV/AIDS in the mid-1980s” (see also: Mathieu 2000; Outshoorn 2004a: 8, 277). During this ‘second wave of feminism’, as it is often called, new groups within the women’s and feminist movement seized the issue, many among them promoting a form of neo-abolitionism (Fincke 2002: 31). Among those organizations growing out of the feminist movement, two major transnational alliances emerged during the 1980s, alliances who promoted sharply contrasting understandings of prostitution and adequate policy frameworks: the abolitionist US-based Coalition Against Trafficking in Women (CATW) and the Global Alliance against Traffic in Women (GAATW) based in Thailand (Fincke 2002; Kempadoo 2005c; Outshoorn 2004a), a TAC promoting the distinction between forced prostitution and voluntary sex work. At the same time, women in prostitution themselves began to organize and to establish their

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17 It is frequently upheld that it was particularly due to the so-called Contagious Diseases Acts (C.D. Acts) established in England and Ireland in the second half of the 19th century that provoked public resentment and the emergence of a protectionist movement for prostitutes. The C.D. Acts provided for the control of sexually transmitted diseases and allowed for forced medical examinations and the possibilities for infected prostitutes to be locked up in a hospital for up to six months. In response to these policies, several associations formed, among them the Ladies National Association for the Repeal of the Contagious Diseases Acts in in 1869 (Carpenter 2000; Mathieu 2000).
own interest-groups (Kuo 2002; Outshoorn 2004a: 9). This nascent formation of a prostitutes’ social movement was also reflected in publicised self-representations of sex workers in the late 1980s, such as most notably Delacoste and Alexander’s *Sex Work: Writings by Women in the Sex Industry* (1987) and Pheterson’s *A Vindication of the Rights of Whores* (1989)\(^\text{18}\).

Based on this historical overview, we will, in the following discuss, how these various international non-governmental actors have constructed child workers’ and prostitutes’ identities in international discourse (the power of representation) and how the resulting perceptions have been contested by emerging transnational movements of the people affected themselves.

4.2.2 The NGO landscape targeting prostitution/sex work and child labour/work

Within the lively transnational landscape of networks and organizations concerned with child work and prostitution, it is possible to make a distinction between internationally operating, highly bureaucratic and professional NGOs on the one hand, and rather loose transnational networks of grassroots organisations of the persons affected themselves on the other. Many of the professional international NGOs closely collaborate with intergovernmental (IGOs) or supranational organisations and enjoy wide access to institutional arenas in which far-reaching policy-decisions are taken – most notably the UN system, the ILO, the World Bank and the European Union.\(^\text{19}\) Yet, in recent years, claims to foreign-representation in these forums by comparatively powerful NGOs have in both cases significantly clashed with increasing self-representation of identities and collective understandings of the affected groups themselves, even on a global scale.\(^\text{20}\) While in many cases, resistance has been organised around certain competing events\(^\text{21}\), these clashes sometimes manifested themselves in the same forum. White, for instance, reports that the claims made of child workers’ representation at the ILO Child Labour Conferences in Amsterdam, Trondheim and Oslo strongly stupefied their ‘advocates’ when the child workers announced: „We are against exploitation at work, but we are in favour of work with dignity and appropriate hours, so that we have time for education and leisure“ (White 1999: 139).\(^\text{22}\)

Generally, then, it is possible to distinguish for both cases between those non-governmental organisations and advocacy networks who act and speak on behalf of the persons affected

\(^\text{18}\) Pheterson also organized the First and Second World Whores Congresses.

\(^\text{19}\) For the child labour case particularly the *Global March Against Child Labour and Anti-Slavery International, terre des hommes international, ECPAT*; for the prostitution case especially the *CATW, GAATW, Anti-Slavery International*.

\(^\text{20}\) Of course, the claims of this second group of organisations might also have to confront criticism as regards the issue of genuine representation as soon as they depart from local realities!

\(^\text{21}\) In the child labour case, two events in 2004 have epitomised the ‘contentious politics’ of child labour: shortly after the *Global March Against Child Labour* held its “World Congress on Child Labour” in Florence (Italy), representatives of child worker organisations met for a World Meeting in Berlin, voicing their resistance to the main thrust of the *Global March* philosophy.

\(^\text{22}\) For an in-depth account of the controversial participation of child workers at the Asterdam Conference see: Anthony Swift, “Let us work!”, @ [www.newint.org/issue292/work.htm](http://www.newint.org/issue292/work.htm)
(advocacy, representation, top-down) and those who are mainly composed and maintained by those affected (grassroots, self-help, bottom-up). Yet, it is also the case that certain NGOs working in the field of prostitution and child work characterise themselves largely as facilitators or catalysts for those they aim to empower – claiming that their main objectives is to provide the technical assistance in order to “get people organised”. Once in place, these organizations of affected people should then become self-contained, with the facilitating NGO gradually retreating. In this regard, Miljeteig’s analysis of child and youth workers’ associations concludes that “[a]lthough initiated by adults, or by adults and youth in collaboration, the organizations as we see them today should be regarded as children’s organisations” (Miljeteig 2000: 10). Many of those acting as facilitators rather than representatives make this explicit in their organisational philosophies. The founders of the Latin American Movement for Working Children and Adolescents from Christian Working Class Families (MANTHOC), for example, claimed that “rather than organise child workers, they would enable them to organise themselves to become protagonists in their places of work and their neighbourhoods“ (Swift 1999: 19). NGOs perceiving their role mainly as facilitating rather than promoting particular views and ethical concerns have been particularly strong on the child workers’ case. Most of the sex workers’ organisations have grown out of collective self-organising activities, trade union-like bodies, rather than out of NGO initiatives.

With these three types of advocacy in mind, NGOs can be positioned alongside a continuum with regard to the interplay between the organization and its constituency:

*Illustration 1: Types of Advocacy*

<table>
<thead>
<tr>
<th>NGO representing on behalf of the persons affected</th>
<th>NGO as facilitator Persons concerned &amp; affected</th>
<th>Grassroots Groups Persons affected</th>
</tr>
</thead>
<tbody>
<tr>
<td>top-down Representation</td>
<td>bottom-up Constituency</td>
<td></td>
</tr>
</tbody>
</table>

The following discussion of the ambivalence of advocacy in the field of child work and prostitution will mostly focus on observable collisions between grassroots networks and large INGO networks – it will eventually also discuss the various ways in which NGOs claiming to act as ‘facilitators’ have attempted to avoid the ambivalence of advocacy and representation.

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23 In the child labour case, for example, Butterflies (India), Save the Children UK, terre des hommes (Germany), or the Senegal-based ENDA, an NGO that supports NATs in West Africa (http://www.enda.sn/ela/). ENDA provides the children with an education geared to their situation (in the evenings and with the content worked out with the students), legal aid and help in negotiating cheaper medicine and hospital care” @ http://www.unesco.org/courier/1999_05/uk/ethique/txt1.htm. Butterflies (India) helped to establish the so-called Children’s Councils (composed of working and street children), the Bal Sabhas, contact points where these children can discuss certain incidents or their situations and take collective action. Involvement in the Bal Sabhas finally resulted in the formation of the Bal Mazdoor Sangh (Working Children’s Union) in 1991 – the Union was established with the help of a trade unionist and a human rights activist. In 2001, its membership was 300 children (Swift 2001: 184-85).
4.3 Common Features: Innocence, Outcasts and Protection

The majority of NGOs who act as moral entrepreneurs (see above) and advocate for an end to child work and prostitution have done so out of a moral impetus that necessarily sees the abolition of the two “social problems” as an improvement to these persons’ lives and a step forward in civilisation.\textsuperscript{24} The alternatives or even ‘solutions’ propagated in the child work case are in most cases built upon free and compulsory education, poverty reduction and the transformation of societal values with regard to children (Myers 1999; Myers 2001; OECD 2003; Smolin 1999; Smolin 2000; White 1999) – in the prostitution case, they aim at the abolition of gender inequalities, of socially accepted forms of male violence against women and at the transformation of societal attitudes towards sexuality, the de-criminalization of prostitutes and the criminalization of clients (Carpenter 2000: 125-137; Kuo 2002: chapter 9). In their interaction with state actors, IGOs, transnational and national publics and other non-state actors, powerful international NGOs targeting child work and prostitution have displayed the various dimensions of soft power identified above. They continuously disseminate statistics (although mostly tentative estimates) and fact sheets on the number of women in prostitution and labouring children and dispose of valuable knowledge about the ‘local’ situation in specific countries\textsuperscript{25}. Awareness-raising campaigns in rich countries about the involvement of children in the production of consumer goods or about forced prostitution in typical holiday countries have aimed at education and sensitisation of large publics towards these issues. Many NGOs are engaged in evaluation of good practices, in issuing country reports and situation analyses and in developing alternative ‘solutions’, most importantly educational and vocational offers. Save the Children (UK), for instance, is actively involved in supporting flexible education for working children in India; Anti Slavery has been focussing on the issue of child domestic workers and publishing “hard evidence” about the situation of these children in several countries\textsuperscript{26}.

Perhaps the strongest common denominator of labouring children and prostitutes that has suffused international politics during the 20\textsuperscript{th} century is the portrayal of both groups as innocent and stigmatised human beings living on the margins of society. Consequently, global public debates on child work and prostitution have been deeply marked by a language of vulnerability, purity and victimisation on the part of many of those struggling to abolish the practices in question – this tendency has been joined by a strong emphasis on ‘re-habilitation’ and ‘re-integration’ in policies created to target child work and prostitution (Carpenter 2000; Liebel et al. 2001). The frequent invocation of the need to re-habilitate, re-integrate and re-

\textsuperscript{24} Anti-Slavery International in Annual Review 2004: “Our goal is to protect children from all forms of slavery and to free those who are suffering in these terrible conditions” see www.antislavery.org/homepage/resources/full%20annual%20report.pdf page 7; Global March Against Child Labour on Homepage: “Global March Against Child Labour is a movement born out of hope and the need felt by thousands of people across the globe – the desire to set children free from servitude”, www.globalmarch.org/aboutus/index.php.

\textsuperscript{25} See for example: www.savethechildren.org.uk/childlabour; the various publications by Anti Slavery on child labour (“Child Domestic Workers: Finding a voice, a handbook on advocacy”, by Maggie Black & Anti Slavery, 2002). The Global March Against Child Labour provides country reports for all countries around the world online: http://www.globalmarch.org/resourcecentre/country.php.

\textsuperscript{26} http://www.antislavery.org/homepage/antislavery/childlabour.htm#work
patriate suggests that many of the advocacy organisations acting on behalf of child workers and prostitutes conceive of these human beings as essentially living outside a normal societal environment, family contexts or community. In many international policies targeting child workers as well as prostitutes (or women who have been trafficked), these groups are seen as social outcasts, rather than participating in social life and enjoying social acceptance: “Working children are portrayed as people who drop, so to speak, out of the ‘normal society’ and therefore are to be handed to ‘rehabilitation’” (Liebel et al. 2001: 11). Especially in the child work case, thus, a common tendency to expose child work as, generally, something abnormal and illegitimate has demonstrated the unwillingness or incapability to perceive of child work as a lived reality with its negative but also positive effects, particularly with regard to social status, self-esteem, material subsistence and the acquisition of skills (Boyden & Levison 2000; Invernizzi 2001; Miljeteig 2000).

The two case studies are prototypes of issues of international concern in which the moral objective to rescue the victims from their situation of poverty and exploitation has encountered a strong opposition built up by those same human beings portrayed as passive victims rather than active social agents. Particularly with regard to the issue of agency, questions of free will, informed choice, responsibility and rationality have suffused debates revolving around prostitution and child work (Kempadoo 2005a: xxiii; Law 2000) – and about the legitimate claims to meaningful participation in the discussion and design of policies advanced by those directly experiencing prostitution and child work (Kuo 2002: 19-27). Within the protectionist and abolitionist national and international movements that have been established throughout the 20th century, women (prostitutes) and children (child workers) have continuously been depicted as innocent victims of male (prostitutes) or adult (children) domination and as mute targets of malicious intentions. Through this objectification, both in the language employed by charities and advocacy organisations and in the policies that resulted thereof, they were effectively denied agency (Schwenken 2003). These dominant perceptions have constructed child labour and prostitution as fundamentally a life situation in which the exploited human beings ended up against their will. A forceful language of victimisation and passivity has been in many cases joined by a terminology of salvation and liberation, with frequent invocation of the verbs ‘freeing’, ‘liberating’, ‘and rescuing’.

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28 For a particularly telling example of the social and communal acceptance of child prostitution in Thailand see (Montgomery 2001).


It was, before all, the denial of agency and free will transported in a discourse on victimisation that opened up the gates for all those who saw it as their moral duty to speak on behalf of those helpless, suffering groups of human beings – feminist associations in support of prostitutes, child saving associations in support of working children\textsuperscript{31}. Particularly in the case of labouring children, the understanding that they are innocent and irrational human beings, who are not capable to make informed decisions on their own behalf continues to serve as a legitimising rationale for advocacy organisations to represent these muzzled voices. Picturing the prostitute as an innocent, weak woman follows the same pattern in advocates’ self-legitimation. Hence, a supposed helplessness and voicelessness of those subjected to the practices that instigated international concern backs up the moral credibility and authority of those advocacy and charitable organizations who promoted the well-being and human rights of prostitutes and child workers. Yet, matters have become complicated when networks and organizations of those helpless victims formed and began to speak up, even on a transnational scale, and demanded to be included in discussions about policies and about their situation and experiences.

4.4 The Child Work Case

For the greater part of the 20\textsuperscript{th} century, child work has ranged among those subjects generating “deep emotions and growing international concern” (Pierik & Houwerzijl 2002). But within debates about globalisation and trade liberalisation it has taken on a particularly strong position, not last due to numerous awareness-raising campaigns that have sensitised the Western public towards the involvement of children in the production of many of their consumer goods. Many of industrialised countries’ policies created to encounter the rise of child work in newly industrialising and developing countries have, at times, had unintended consequences for the children whose fate was at stake. The most well known examples are consumer boycotts of export products, such as the so-called Rugmark-campaign\textsuperscript{32}. Here, boycott of carpets produced by children effected a situation in which, indeed, the children were withdrawn from their workplaces but ended up in even worse situations (Myers 2001: 42). Only a few of these children – as was hoped – were able to replace work with school, all other had to take on more hazardous jobs for their subsistence. At the same time, the focus on the export sector in awareness-raising campaigns overlooked the evidence that most of the children in the worst forms of child labour did not work in the export industry, but rather worked as housemaids, prostitutes or miners.

All throughout the 20\textsuperscript{th} century, child work has been among the most contentious issues with regard to global norms of ‘proper’ childhood and child protection. By some, the case of child work is seen as a showcase for the strong influence of Western or Northern childhood ideals on global policies for child protection (Boyden & Levison 2000; Ennew 1995; Ennew 2000b; 31 One of the earliest and most influential organisations in the field of child protection was the Save the Children International Union, founded by Eglantyne Jebb in 1920 (Marshall 1999; van Bueren 1998: 8). Even though the organisation focussed on relief for the child victims of World War I, it continuously expanded its protectionist focus over the years – today the Save the Children Alliance is the largest child-specific NGO internationally. 32 \url{www.rugmark.com}
Myers 2001; Nieuwenhuys 1998). These ideals revolve around a notion of childhood as a sorrow-free, happy, playful phase, which essentially takes place in the home (family) and in school. During this phase, they should develop physically, mentally, spiritually and morally in order to become useful adult members of their respective societies. This childhood ideal rests on the belief that children should not have to shoulder greater responsibilities, should not be forced to earn money or to spend most of their day working. Essentially, thus, such a conception of childhood also supposes that the child should not have to play an economic role in society (financially supporting his or her family or him- or herself) (Boyden & Levison 2000: 6). Yet, if one looks at the history of child work, it is evident that such norms of childhood have emerged in European and Northern American societies only after these societies had had their own child work experience with masses of children working in factories and farms. Only when the economic situation of these countries made it necessary, when industrialisation allowed to reduce the number of workers and when compulsory formal schooling was introduced was it possible, particularly for the middle-class, to make this childhood ideal a living reality (Zelizer 1985).

When, in 1979, the UN proclaimed an International Year of the Child, child work was one of the ‘top’ issues in public debates and campaigns triggered by this Year.34 Ever since, the circumstance that millions of children around the world manage the same or even greater workloads than adults, work under hazardous circumstances and enjoy little or no occupational health and safety, has been one of the greatest challenges to the question “about how children’s rights are to be defined and observed in an era of globalisation” (Myers 2001: 39). All efforts to tackle the issue of child work have had to struggle, from the onset, to differentiate detrimental child labour from forms of child work that might have a positive social and vocational effect on children. Essentially, this differentiation also has normative implications: while most NGOs and IGOs working in the field of child labour have, by now, acknowledged that certain forms of light work (helping in the household, earning pocket money, babysitting etc.) might be part of childhood, they have difficulties to define what they understand as child labour. Some, such as, for instance, the OECD, simply assume that any work interfering with a child’s school attendance must be considered detrimental to the child and, as such, child labour (OECD 2003: 9-10). Even though the ILO – the most important actor in the development of standards and guidelines for combating child labour – has undertaken to single out the ‘worst forms of child labour’ with its 1999 Convention No. 18235, the issue of child work vs. child labour is a highly contested one.36.

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33 Numerous authors have discussed these childhood ideals and their influence on international child protection policies. Among the most influential and interesting we would stress (Breen 2002; Freeman & Veerman 1992; Heinze 2000; James & Prout 1997; McGillivray 1997; Sall 2002; Stephens 1995; van Bueren 1998; Veerman 1994; Verhellen 1997).

34 This is also reflected in the wealth of studies issued by the ILO during 1979 on child labour situation in various countries.

35 ILO Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999).

36 Convention 182 undertakes to delineate harmful employment (‘labour’) from other forms of child work and contains a whole catalogue of criteria defining these ‘worst forms’. It it seen by many as a far more realistic instrument to confront child labour than its predecessor, Convention 138.
4.4.1 Childhood, Play, Happiness and the Power of Representation - the dominant discourse and its main proponents

Many INGOs and NGO-networks addressing child labour and speaking on behalf of child workers have endorsed a philosophy of childhood with the central dimensions of ‘family home’, school and play/leisure. Among those large international NGOs and networks most bluntly striving for the realisation of the ‘right to childhood’ that is seen as a right to happiness, home, play and school for all child workers are for example CARE, Defence for Children International, or the Global March Against Child Labour. CARE advances the following belief:

“Childhood should be a happy time spent playing with friends, enjoying a favourite toy – even planning for the first day of school. But children in the developing world spend most of their childhood struggling to survive, without much hope for a secure, productive life”

Defence for Children International simply states, “no child should have to work”. The Global March philosophy also transports the ideal that a child (usually between 0 and 18 years of age) should not be an economic actor and not have to shoulder the responsibilities and ‘sorrows’ that come along with full-time work. These parameters of childhood clash with the daily reality of the majority of children worldwide and allow to depict their childhood experiences as, largely, an unhappy phase full of suffering, devoid of joy and lacking the carefree and protected zone of the home (Sall 2002). Many of those who have worked with child workers claim that such images of ‘proper’ childhood bear the danger of de-legitimising and stigmatising working children’s childhood: when children who spend most of their time working or bearing responsibilities for siblings, cattle etc. are depicted as bereft of a ‘proper childhood’, the self-esteem they gain from these responsibilities and the life skills they learn there are devaluated (Cussiánovich 2001; Invernizzi 2001; Miljeteig 2000).

One of the most forceful global TACs in the field of child work in recent years is the Global March against Child Labour. NGO networks such as the Global March against Child Labour have had the opportunity to participate in high-level conferences in which child labour policies were debated and designed – they were, before all, involved in the preparing conferences to the latest ILO Convention No. 182 of 1999 in Oslo, Trondheim and Amsterdam. Within this network of NGOs and its advocacy activities it is possible to locate specific dimensions of soft power and power asymmetries, which, together, constitute the ambivalence of advocacy and representation. Even though the Global March claims to involve child workers in its advocacy activities, it is evident that, in the rare cases where working children are allowed to speak out, their participation happens through “adult selection rather than as child representatives” (Ennew 2000a: 48) (see above NGO’s role as

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37 The latter is one of the strongest advocacy networks aiming for the total abolition of child labour worldwide
38 CARE on “Children and Poverty Campaign” @ www.careusa.org/campaigns/childrenpoverty/index.asp
40 Text example
The perceptions of adult advocates without a child worker background dominate rather than facilitate child workers’ empowerment and their views, perspectives and experiences are clearly devalued (Boyden & Levison 2000: 6). Certain powerful transnational advocacy NGO networks with limited regional scope also display this tendency. *Child Workers in Asia* (CWA) stated in their last Annual Report:

> “Child participation is an effective strategy to empower children. We recognize the importance of identifying the needs of the child from his or her point of view because each child has a rich and broad perspective of issues and that his or her opinions can benefit the cause of working children”

It is apparent in this statement that the child worker here is not seen as the primary source of information about his or her experiences of reality but that this participatory element is an additional dimension in the advocacy against child work.

### 4.4.2 Resisting the Attribution of Identity: The Transnational Social Movement of Child Workers

In recent years, new development in the thinking about childhood and children’s rights have come up against a purely protectionist approach towards child workers as targets of benevolence and salvation. As shall be seen in the following, those resisting this protectionist movement have also made use of the norm catalogue of the CRC, yet emphasised its rather innovative dimensions, before all the various participatory and ‘empowering’ rights contained in the Convention, most notably in its Article 12 which calls for respect of the child’s views.

Based on issues of participation and respect, proponents of this new understanding of children as social agents maintain that children should have the right to be involved in decision-making and, thus, are in a position to state what lies in their best interest. This belief in the validity of children’s opinions and in their competencies as children has also influenced certain strands of the ‘child labour’ debate and diversified the range of positions. Increasing recognition that work per se is not harmful to children, even when it is their main occupation during the day has led these child advocates to re-think the distinctions between adult and child and to depart from the childhood ideals promoted by many Northern-based advocacy networks. These theoretical deliberations, which have also gradually encroached international institutions such as the ILO and UNICEF, have been fuelled by a growing international visibility of working children’s organisations. Those NATs organisations, which still exist today, have emerged in the 1970s, particularly in Latin America and the Caribbean. During these years, certain groups who worked with street and working children started to promote political and organizational skills among children (Ennew 2000a: 47). The term NATs (Niños y Adolescentes Trabajadores) with which young workers describe themselves is also a

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41 See CWA homepage @ [http://www.cwa.tnet.co.th](http://www.cwa.tnet.co.th)
42 The most important among these are the African Movement for Working Children and Youth/Mouvement Africain d’Enfants et Jeunes Travailleurs, Concerned for Working Children ([http://www.workingchild.org/](http://www.workingchild.org/)) in India, the Latin America Movements NATRAS (Nicaragua), MANTHOC (Peru).
43 The African Child Workers’ organizations often use the French equivalent, Enfants et Jeunes Travailleurs (EJT).
legacy of this period, and it is used today by child workers’ around the world to indicate that they belong to an international movement (Miljeteig 2000: 16).44

During the last decades, a rather effective transnationalisation of these working children’s movements could be observed, with the emergence of NATs organizations in Africa and Asia, a growing World Movement for Working Children and Youth, which claims to act “as representatives for the working children of the world”, and with several regional and international meetings of NATs during which the child workers’ counter-discourses were remarkably strong. It was particularly in the context of these meetings that internationally dominating perspectives and anti-child-labour policies were strongly criticised and rejected by the child workers themselves. The main thrust of child workers’ self-representation was their request not to be seen and treated as vulnerable, immature and helpless victims of exploitation or “passive recipients of protection and special services” (Miljeteig 2000: 22, original emphasis) – rather, they demanded to be seen as social agents who are capable to take responsibilities for their own lives, to hold opinions and to make decisions. Their self-representation, thus, is based on the claim that, rather than being subsumed under the term ‘child labourers’ and, thus, associated with the vulnerable, socially neglected and exploited child, their positive life experiences as workers should be acknowledged. As Duncan Green, a British worker with the Catholic Aid Agency reported after having spent several months with the NATs in Latin America: “Working gives them self-confidence, know-how and money to feed themselves”45. As a consequence, representation of child workers’ voices diversified with essentially two factions: those speaking on behalf of children, and those composed and (largely) run by children themselves.

4.4.3 The Right to be Consulted and the Lack of Participation

Child workers’ resistance towards the identities attributed to them by NGOs and promoted in international forums has particularly centred on the inadequacy of policies (i.e. the supposed trade-off between child labour and education), on their right to work, on adequate security at their workplace (health) and, before all, on their right “to be consulted in all decisions concerning us, at local, national and international level”46. In their various international meetings and resulting declarations, one of their main concerns was their inadequate possibilities for participation and consultation in international conferences and decision-making arenas47: “We want representation on an equal basis (if there are 20 ministers present, we want 20 working children also to be present)”48 and:

44 For an excellent account of the coming-into-being of child workers’ organizations see (Miljeteig 2000).
45 @ http://www.unesco.org/courier/1999_05/uk/ethique/txt1.htm
46 Declaration of the 1st World Meeting of Working Children, Kundapur, India, 24th November to 8th December 1996, see: http://www.cwa.tnet.co.th/Voices/ref_voice1.html
47 See also the 2002 Milan Declaration of the World Movement of Child Workers, item 3): “Guarantee the achievement of our right to participation and right to be heard. We insist that the members of the media provide us space to carry our voice to society”; @ http://www.tu-berlin.de/fak1/gsw/pronats/welttreffen_eng.html
48 Declaration of the 1st World Meeting of Working Children, Kundapur, India, 24th November to 8th December 1996, see: http://www.cwa.tnet.co.th/Voices/ref_voice1.html
“We have decided to participate in the International Conferences in order to exercise our right to free expression; we also demand our full participation, including the right to vote, since matters which concern us are going to be discussed and decisions will be taken. Therefore, we must be protagonists in these Conferences”

In their claims to representation, child workers’ organizations have also directly attacked other stakeholders, most importantly the Global March Against Child Labour. While they also counter-argued many of the March’s underlying motivations, their strongest criticism of the Global March was that “its organizers did not take us into account”.

Child workers’ organizations attack international NGOs on the ground that their claims to ‘empowerment’ are often coupled with little respect for children’s own interpretations and opinions. In these influential advocacy activities, it is maintained, the right to participate and to have one’s views respected often occupies a marginal position in the everyday work of NGOs doing advocacy for labouring children. ‘Participation’ by working children is sought only insofar as these children serve as living testimonies of the brutal realities that should be abolished. Even though most NGOs active in the field of child labour (as generally), find it difficult not to speak in favour of child participation, ‘listening’ to children often takes on awkward forms. Frequently, children who speak are already among those who have been ‘rescued’ by the organisation in question – and they mostly give impressions of their singular, tragic case rather than speaking on behalf of larger groups of working children. Before all, they have been carefully selected by adult members of the organization because of the specific value of their individual experience – supporting the moral impetus of their advocates, which illustrates our theoretical assumptions about NGOs’ use of testimonies, see above.

The self-representation of child workers, hence, contradicts the ideal image of the child who, rather than fully participating in the adult world (with all its responsibilities and ‘evils’), should enjoy a phase of seclusion and protection, at home and in school (and not in the street, factory or field). Such visions of childhood, however, deny fundamental dimensions of agency, respect and responsibility that are part of working children’s positive life experiences. They are reinforced by policies and NGO activities that aim at re-socialisation of working (or street) children – a tendency that child workers’ organizations also clearly recognise: “

“[…], just because we work we are regarded as if we were sick, outlaws, or anti-social delinquents that need to be "rehabilitated and reincorporated into society"”

49 Declaration of the World Meeting (1st Mundialito) of working children, Huampani, Peru, 10th to 14th August 1997, with representative from Movimiento Latinoamericano de NATs, Mouvement Ouest Africain des EJTs, Bhima Sangha (India).
51 The Global March, for example, disseminates the story of Waib, “the real hero”, on its current ‘Chairperson’s Column’. Waib, an 8 year-old boy, ran away from his exploitative work situation and “told the truth to the world”, whereupon the other 29 children who were also exploited in the same workplace were “liberated”; see http://www.globalmarch.org/ecolumn/index.php
52 Opposition of Working Children’s Organizations to ILO Convention No. 182, see: http://www.tuberlin.de/fak1/gsw/pronats/index.html
It appears, thus, that working children’s self-representation, which is collectively channelled in their various, and rather strong, movements and organizations, fundamentally departs from the identities transported by global advocates participating in influential decision-making forums and events such as the Child Labour Conferences hosted by the ILO at the end of the 1990s. Ongoing international visibility of these NATs organizations have increasingly challenged the advocacy roles and representations of local (i.e. Southern and Eastern) realities and the perceptions of child labour and child work that continue to dominate the policies of international institutions such as the ILO, the World Bank, UNICEF and other UN agencies as well as international protectionist and abolitionist NGOs working in the proximity of these organisations.

4.5 The Sex Workers’ Case

In the sex workers’ case, parallel to the issue of child work, merely saying that the lines of contestation run along the victim/agent divide would be rather simplistic – yet, it has been the core issue around which a discourse of resistance has been organised. As has been shown above, the most fundamental effect of a victimisation perspective with regard to the issue of representation is its silencing effect on those for whom prostitution is a lived everyday experience, and often not the most negative one they can imagine. Accordingly, sex workers’ organisations commonly argue that it is this victimisation and stigmatisation that depicts all prostitution as a crime against women\(^{53}\), rather than recognising that prostitution has to be accepted as work in the first place and then, in specific cases, denounced as criminal exploitation. Furthermore, even though sex workers’ organisations repeatedly attack their representation as vulnerable and helpless victims of, mostly, male aggression, they often do not contest the understanding that they might be compelled to ‘sell sex’ (through economic hardship, lack of alternatives) – what they do criticise is the exclusion of their opinions, views and experiences from decision-making and policy-making events and their marginal speaking position vis-à-vis powerful international NGOs.

4.5.1 The power of representation

The historical overview and examples given above have evidenced that international NGOs addressing prostitution have largely grown out of the women’s movement and the specific issue-area of trafficking in human beings. It was this transnational issue in particular that created increasing awareness to prostitution and exploitation within the United Nations framework. Here, transnational advocacy networks advocating the ‘cause’ of prostitutes have been divided into those who promote and outright abolition of all forms of prostitution (CATW) and others who promote a distinction between forced and voluntary forms of prostitution (Cabezas 2002: 50-51). These conflicting perspectives among advocacy networks have manifested themselves at the various Women’s Conferences and UN policy-making events.

\(^{53}\) Again, we emphasise that this paper focusses on prostitution of women since it is here in particular that victimising perspectives have been most clearly advanced by advocacy organizations. Traditionally, NGOs targeting prostitution have been concerned with women – to discuss gender dimensions for both sexes (and also for transsexual persons) would simply go to for and obfuscate the argument.
events which addressed issues of migration, trafficking and prostitution (Fincke 2002). Yet, these high-level deliberations have rarely seen the active involvement of sex workers’ organisations.

Generally, victimising and abolitionist perspective on prostitution have been displayed internationally by NGOs coming from feminist and women’s standpoints. CATW’s perceptions of the ‘problem’ of prostitution and the enslavement of all women in the sex industry, for example, had a particularly strong influence on the 1995 Fourth World Conference in Beijing (Law 2000: 98). Similar to the child labour case, strong NGO networks in the vicinity of the UN and other large international institutions have given expression to their abolitionist understandings of prostitution as modern, sexual slavery. At the 49th Session of the Conference on the Status of Women in March 2005, for example, the CSW-NGO Caucus on Violence Against Women and Sexual Exploitation of Women stated the following:

“As asserting that the Millennium Development Goal of combating HIV/AIDS will not be achieved without eliminating all forms of prostitution and sexual exploitation and that any recognition of prostitution as a form or labor will only serve to put women and children at further risk of HIV/AIDS”54 and “[a]sserting that all forms of sexual exploitation, including prostitution, are forms of violence and male domination which undermine the Millennium Development Goal of eradicating extreme poverty and hunger” (same site)

Representatives or groups of prostitutes or commercial sex workers rarely formed part of these advocacy coalitions collaborating with UN organisations. As Kuo reports, in certain cases, the absence of sex workers’ own opinions and voices was justified by referring to the fact that they had “false consciousnesses”.

“At the United Nations headquarters in Geneva, Switzerland, during a special seminar on ‘Trafficking and the Global Sex Industry: Need for Human Rights Framework’, held June 21-22, 1999, this view was given voice by a variety of representatives of NGOs (see Coalition Report, Coalition Against Trafficking in Women 5-6 [1998-2000], page 8), it was also raised by Andrea Dworkin in an interview on San Francisco’s KQED-FM Forum, (Michael Krasny, host), April 15, 1997” (Kuo 2002: 173, fn. 7)

When the Fourth Women’s World Conference was held in Beijing in 1995, 30.000 women participated in this, to date, largest women’s world conference. Even though sex workers’ organizations had planned to attend the NGO Forum in Huairou, they were excluded from the official conference. First, because no sex workers’ organization had consultative status at the UN, secondly, because the Chinese government had been reluctant to provide sex workers with entry visa. Nevertheless, some sex workers from the NSWP managed to participate – as NGO members of Anti-Slavery International (Fincke 2002: 44-46). They then were in the position to advance their anti-abolitionist perspective (Doezema 1997: 34) and to counter argue the victimising perspectives of many of their ‘advocates’. Here, as in the child work case, the issue of victimization and the attribution of identities have become particularly visible in discourses on trafficking in women and prostitution – which can serve in the same time as an example for the construction of knowledge and the exclusion of certain life

54 See: www.fokuskvinne.no/Nyhetsarkiv/4303/VAW_resolution_Beijing_10.pdf
realities from it. Jo Doezema shows that a conflict arose during negotiations at the UN Centre for International Crime Prevention in Vienna around a new international agreement on trafficking in women. These negotiations led to a split in the camp of NGOs: on the one hand, the Human Rights Caucus who sees prostitution as legitimate labour, on the other hand the Coalition against Trafficking in Women (CATW) who sees all prostitution as a violation of women’s human rights (Doezema 2001: 17). The CATW is a very well known international NGO coalition framing all forms of prostitution as “sexual exploitation” and fighting for an end to all legislation of prostitution. Its basic moral impetus lies in the argument that “all prostitution exploits women, regardless of women’s consent”.

Doezema compares this to the image that Victorian feminists created of the Indian prostitutes. Her major claim is that the creation of the identities of these victims served and serves first of all the interests of first world feminists, but not of those women whose interests they allegedly defend. In that discourse she also finds a certain paradox: on the one hand the experience of affected women is valued as being ultimately true, but on the other hand only some experiences are accepted as such by CATW: “[…] there is no place for the experiences of sex workers who claim their work is not harmful or alienating. For […] CATW, the notion of a prostitute who is unharmed by her experience is an ontological impossibility: that which cannot be” (Doezema 2001: 27). This refers back to our theoretical assumptions about the status of legitimate knowledge claimed by NGOs and their role as filters of the affected women’s life experiences. “While a few studies have been devoted to the experiences of sex workers in Asia, and some sex workers have moved up through the ranks of community organizations, it is more often the case that they are spoken for” (Law 2000: 2). Cabezas argues that this victimising portrayal of prostitutes corresponds with the broader human rights frame – a frame presupposing suffering in order to become authoritative (see also: Brown 2002; Cabezas 2002: 46). Such dominant images of the suffering, humiliating and helpless prostitute, unable of self-determination (Kempadoo 1998: 11) or self-representation (Liddle and Rai 1998: 512), serve as a forceful ethical impetus for ‘altruistic’ NGOs advocating for either abolition or alleviation of these women’s situation. This is also very virulent in discourses on sex trafficking: referring to trafficked women words like “white, innocent, pure” etc. are often used (Berman 2003). The “injured bodies” of the affected women play a crucial role in these constructions.

4.5.2 Resisting the attribution of identities

International networks and movements of sex workers have had a longer history than those of NATs. Nevertheless, the transnationalisation of sex workers’ organizations is also a phenomenon that emerged during the 1980s and 1990s – spreading from the United States and Europe to other parts of the world, particularly Asia (Kempadoo 1998: 1-2). Today, global

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55 www.catwinternational.org/about/index.php
56 For Liddle and Rai, this is an example for the workings of orientalist power in feminist discourse (Liddle and Rai 1998: 512).
57 For directories of Sex Work Organizations see www.salli.org/english/links.html and www.chezstella.org/stella/?q=mouvement.
networks of sex workers’ organizations have consolidated and continue to grow and solidify. The two most important networks are the International Union of Sex Workers and the Network of Sex Work Projects. Regional and national organisations are strongest in the United States (Coyote), Canada and Europe (ICRSE), but do also exist in all other regions of the world. This year in October, a European Conference on Sex Work, Human Rights, Labour and Migration will take place in Brussels, Belgium. It is organised by an International Committee for the Rights of Sex Workers in Europe (ICRSE), a recently established network that hopes to expand in size and scope through the European Conference. This European Conference’s principal aim is to bring together sex workers from all over Europe “with representatives from European and international labour, migrants’ and human rights organisations, activists and politicians”. Among its desired outcomes are a Sex Workers’ Manifesto and a “Declaration of the Rights of Sex Workers in Europe”.

Sex workers’ organizations have emerged in response to the abolitionist movements and NGO coalitions mentioned above – they have persistently demanded to be recognised and respected as sex workers rather than prostitutes. Kuo claims that, despite a multiplicity and diversity of voices, sex workers’ organizations have “done an extraordinary job of developing a global lobby that attempts, as far as possible, to speak as one policy voice” (Kuo 2002: 22). In their self-representation, the terminology “sex workers” stresses the “social location of those engaged in sex industries as working people” (Kempadoo 1998: 3). Three primary goals are largely shared by all networks, unions and organizations of sex workers: a) that sex workers be included in debates about their life experiences and work situation, b) that sex workers’ work is accepted as such and, thus, that sex workers should have labour rights equal to all other professions and c) that sex workers are socially accepted and respected for their work:

“From our local experience, we find no difference between people working as factory workers, domestic workers, sex workers, or people wanting to marry abroad. Sex work is a job or simply a way for women to increase their and their families’ living standards. They are women who take initiatives to improve their living conditions. This quite the opposite of the ‘passive victim’ stereotype that is widely circulated about them. [...] Only when we accept sex work as a job, actively engage with the lives of women in the sex industry, we may understand the unfairness of current sex transactions and enable sex workers to gain legal protection…”

Opposing a victimizing view on prostitution and the affected women, sex workers’ organisations strive to diversify their identity, shedding light on the motives out of which they came to choose prostitution as an income-generating activity. A research project investigating the life experiences of Caribbean prostitutes shows that these sex workers reached the following conclusion: “Sex work and prostitution was represented in sex worker discourse as an alternative to income-generating activities such as domestic work, street or beach vending, fishing, work in manufacturing plants, [...]. In the majority of cases, men and women described sex work as more lucrative than these other jobs and, in some cases, less demanding.”

58 See www.salli.org/oma/icrse/coletter.pdf
59 See www.salli.org/oma/icrse/coletter.pdf
61 Yim Yue-Lin and Anita Koo, for ZiTeng, non-governmental organization established for the purpose of providing much needed services to Hong Kong and Mainland Chinese sex workers, in (Kempadoo 2005b: 151)
or less hazardous to their well-being” (Kempadoo 2001: 46). What becomes evident in the
description of these third world sex workers’ life realities is the extreme poverty they suffer.
This makes sex work appear as a possible means to escape starvation, which at least
sometimes is the autonomous decision by the affected women themselves.\(^{62}\) Rather than
presenting a prostitute’s fate as a situation in which she found herself either through coercion
or through false consciousness (victimisation), sex workers agree that prostitution is a
“legitimate work decision for adults, be it a decision based on choice or necessity”\(^{63}\).

Resistance geared towards dominant constructions of all prostitutes as victims of forced
exploitation and gendered power asymmetries, thus, has become visible in specific competing
events and forums, most notably those organised around the issue of HIV/AIDS – giving sex
workers’ organizations much better political opportunity structures than the issue of
trafficking. Kempadoo, for example, maintains that “international AIDS conferences provided
new opportunities for sex workers to get together” (Kempadoo 1998: 21) and that particularly
in developing regions of the world, the HIV/AIDS helped in the formation of sex workers’
organizations (Kempadoo 1998: 22). More critically, Doezema claims that it was easier for
sex workers to raise funds for participation public health events than for assuring their
representation in ‘whores’ conferences’ (Doezema in: Kempadoo 1998: 22). Among those
who have most actively fought for greater involvement of sex workers and their organizations
in international policy-making events, most notably, the United Nations’ venues, is the
Network of Sex Work Projects (NSWP). The NSWP claims that

\[ \text{“[t]he dominant ideology about prostitution within the United Nations is that prostitution is a form of}
\text{sexual exploitation which should be abolished. This view has been legitimised and passed into}
\text{resolutions and laws at conferences such as Beijing with no input at all from sex workers}
\text{themselves. Many sex workers feel that it is time to demand that we are heard in such a significant}
\text{international forum” (NSWP quoted in: Kuo 2002: 21)} \]

The resistance of sex workers’ organisations to the identities and dominant constructions of
their ‘fate’ lying at the heart of many advocacy NGOs activities and ethical imperatives has
been most clearly articulated in their various manifestos and other public statements. One of
their fundamental complaints is that their identities are only incompletely represented in
official discourses and that their roles in society are completely neglected. Even though
individual experiences of prostitution and exploitation are valued as ‘testimonies’ in advocacy
campaigns, these experiences are selected and, as such, evaluated by others. While striving for
the social recognition and legal protection of their employment, sex workers have clearly
demonstrated awareness for the exploitative, criminal dimensions of their occupation. As such,
they also draw upon human rights frameworks that call for universal protection from
exploitation. In fact, they see the differentiation between criminal exploitation and legitimate

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\(^{62}\) “One young Colombian woman describes her experience as a domestic worker in the following way:’…it was
a starvation diet, and then I could not live with that…[I am not used to living on just lunch without dinner or
breakfast [...]} Sex work enabled her to escape the drudgery and hunger that domestic work forced upon her”
(Kempadoo 2001: 46).

\(^{63}\) see International Committee for Prostitutes’ Rights, World Charter for Prostitutes Rights, Asterdam 1985,
reproduced in (Pheterson 1989)
sex work as a dangerous distinction – that grants protection to the victimised prostitute while denying the same protective measures to the voluntary sex worker (Kempadoo & Doezema 1998). Accordingly, the human rights perspective within which sex workers’ organisations locate their identity as workers and agents is much broader, calling primarily for the recognition of social and economic rights, before all the right to work in the commercial sex industry, health and safety in employment and, generally, legal protection of their work situation.

5 Conclusion

NGOs and their networks enjoy today increasing access to and credibility in international policy- and decision-making venues – the knowledge they generate and the realities they represent often lie at the heart of policies formulated and implemented, even though the ultimate decision-making authority might lie with materially more powerful actors (states). Both case studies that were briefly discussed in this paper evidence the contestation of advocacy and representation that has grown around those transnationally operating non-state actors (NGOs and their networks), which have traditionally been closest to intergovernmental and international decision-making forums.

Displaying their soft power resources of knowledge, moral and symbolic power allows NGOs to influence international decision-makers but at the same time also implies an exercise of power towards NGOs’ alleged constituencies. NGOs’ exercise of power towards their own constituencies manifests itself in the discursive representations of the affected people and the construction of their identities. We have attempted to show, how the identification of the constituency (child workers, prostitutes) as extremely powerless, victimised and voiceless has been one of strongest underlying justifications for legitimate foreign-representation by NGOs. However, these justifications seem to become more and more difficult to sustain and might require new forms of accountability for NGOs in the long run. The increasing visibility, publicity and transnationalisation of grassroots movements built up by those on whose behalf moral entrepreneurship is done (in the name of human rights, protection, civilisation) has come to present a challenge to the authority and legitimacy of powerful advocacy organizations at the international level. Efforts aiming at empowerment and participation of local groups and weak actors, have, in certain cases, undermined the authority of those who initiated these processes in the first place.

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