



THE BANALITY OF GOOD

The UN's Global Fight against
Human Trafficking LIEBA FAIER

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The UN's Global Fight against
Human Trafficking *Lieba Faier*

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For Ruben, who has taught me that other worlds are possible,
and Hirshl, who makes me want to help build them

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Abbreviations

AI	Amnesty International
AIC	Australian Institute of Criminology
AWA	Asian Women's Association
AWL	<i>Asian Women's Liberation (Ajia to josei kaihō)</i> journal
BAN	Basel Action Network
CATW	Coalition against Trafficking in Women
CATW-AP	Coalition against Trafficking in Women–Asia Pacific
GAATW	Global Alliance against Traffic in Women
ICAT	The Inter-agency Coordination Group against Trafficking in Persons
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ILO	International Labour Organization
IOM	International Organization for Migration
JICA	Japan International Cooperation Agency
JNATIP	Japan Network against Trafficking in Persons
KCWU	Korean Church Women United
MOFA	Ministry of Foreign Affairs

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MOJ	Ministry of Justice
NGO	nongovernmental organization
NPA	National Police Agency
ODA	Official Development Assistance
OTIT	Organization for Technical Intern Training
RRATVJ	Return and Reintegration Assistance for Trafficked Victims in Japan
TIP	Trafficking in Persons
TITP	Technical Intern Training Program
TVPA	Trafficking Victims Protection Act
UN	United Nations
UNHCR	UN High Commissioner for Refugees; UN Refugee Agency
UNICEF	United Nations International Children's Emergency Fund
UNICRI	United Nations Interregional Crime and Justice Research Institute
UNODC	United Nations Office on Drugs and Crime
UNTFHS	United Nations Trust Fund for Human Security
UNVTF	United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children
WCO	Women's Consultation Office (Fujin Sōdan Sentā; Fujin Sōdanjo)
WEP	Women Empowerment Program
WHO	World Health Organization

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X • ABBREVIATIONS

Preface

The fight against human trafficking is often assumed to be a straightforward matter of good versus evil. It is one of the few issues that regularly receive bipartisan support in a searingly divided US Congress. The commonly accepted strategy has been to criminalize those practices labeled as human trafficking, arrest those who engage in such activities, and help victims return to their pre-trafficked lives. Not only has this approach been endorsed by the US government, but it has brought together 180 countries, thus far, as parties to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking Protocol), as well as active participants in the UN-sponsored global counter-human trafficking campaign.

This book argues for a different approach.

I first learned about the Japanese government's participation in the UN's global counter-human trafficking campaign from caseworkers I knew through my work with grassroots migrants' rights organizations in Japan during the 1990s. During a phone conversation early in the summer of 2005, a friend working with one such organization in Chiba suggested that I focus my next research project on the Japanese government's efforts to counter human trafficking. "It's what everyone is talking about," he told me. After the UN General Assembly's adoption of the Trafficking Protocol in 2000, the Japanese government faced increasing pressure from the US State Department to undertake a counter-human trafficking campaign focused on the exploitation and abuse of foreign migrant women working in the sex industry—especially those from the Philippines, which the US government identified as one of the largest groups of trafficking victims in the world. The Japanese government began sponsoring workshops, symposia, and meetings with international organizations and NGO (nongovernmental organization) staff to develop a formal plan of action centered on international guidelines.¹

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Initially, NGO caseworkers in Japan and the Philippines were cautiously optimistic about the possibilities of this project, and when I set out to study Japan's counter-human trafficking campaign in the mid-aughts, I planned to examine how national governments, international organizations, and grassroots NGOs were engaging in unprecedented collaborations to fight human trafficking into the country. However, in the years that followed, as I volunteered at assistance organizations and spoke with NGO caseworkers, international organization staff, and government officials, I increasingly observed that the global approach to this issue was sidelining, if not displacing, the expertise and guidance of the experienced NGO caseworkers whose labor was so central to it. Even more troubling to them, the protocol seemed *by design* to turn a blind eye to the political-economic realities of labor migrants' lives. As I listened again and again to the disappointment and frustration of these NGO caseworkers, my research shifted to examining how, why, and to what ends their vision for these efforts was being ignored.

Some feminist scholars have argued against the very premise of counter-human trafficking programs, maintaining that the category of "trafficking victims" deprives migrant workers of agency and is simply based in the conviction that all prostitution should be legally abolished.² These scholars have also critiqued the carceral framework that structures these efforts and have highlighted their anti-migrant foundations.³ Although I agree with many of the specific charges of these arguments, I also worry that a wholesale dismissal of this movement risks ignoring the abuse and violence that I witnessed in my years working with migrants' rights groups in Japan and the Philippines.

Despite their reservations about the current global counter-human trafficking campaign, many NGO caseworkers whom I greatly respect and admire remain invested and active participants in this work. As I explain in this book, in their view, the fight against human trafficking marks an insistence that something must change in the lives and treatment of migrant workers. For them, this fight is not new but part of a much longer and broader tradition of grassroots activism in Asia centered on political-economic justice and anticolonial, antiracist, and antisexist politics. They do not see a contradiction in simultaneously viewing their clients as victims of violence *and* insisting on their clients' agency and personhood. Indeed, for them the two are inextricable. They understand that in a legal sphere, victimhood is not a non-agentive, objectified status so much as an entitlement by a rights-bearing subject to restitution and a hearing on account of experiences of violation. When these NGO caseworkers recognize their clients as victims of human trafficking, they do so to foreground the structural violence that makes labor migrants unacceptably vulnerable to violations of their human rights.

These NGO caseworkers are sometimes themselves former labor migrants, and they work for grassroots shelters and support groups that have long mobilized against the abuse and exploitation that many migrant laborers face. Such organizations differ from many of the newer, expressly anti-human-trafficking organizations that formed in response to the international attention garnered by the UN Trafficking Protocol. In Japan, these latter organizations tend to be headed mostly by Japanese professionals (academics, journalists, attorneys) that primarily engage with governments and international bodies on a public stage, such as at conferences and meetings, to draft more effective legal strategies. Although older migrants' rights groups can be included in, and sometimes work together with, these newer organizations, caseworkers from these long-established groups have worked directly and intimately with foreign workers over many years. For them, fighting human trafficking means going beyond legal strategies to arrest traffickers; it means supporting vulnerable migrants and working for real political-economic change to prevent their abuse in the first place. These NGO caseworkers contend that even if the UN Trafficking Protocol may claim to guarantee migrants' civil and political rights, such as the right to bare life and to due process and a fair trial, we still need to work to protect migrants' economic and social human rights, such as the right to fair and safe work and to a decent standard of living with adequate food, clothing, and housing.⁴ In other words, when these NGO caseworkers appeal to migrants' human rights, they do so in recognition of the inherent limits of dominant liberal rights frameworks centered on individual civil and political rights and as a strategy for advocating for a jurisgenerative reworking and expansion of what protecting these rights can mean.⁵

Particularly in the case of the Philippines, with its recent history of authoritarian regimes, NGO caseworkers' calls for migrants' human rights puts them at odds with the government. Consider that in the 1970s and 1980s, Ferdinand Marcos Sr. legitimated his dictatorship by claiming that liberalism was an inappropriate political model for the Philippines because a totalitarian regime could better promote the social and economic human rights that were preconditions for liberal freedom.⁶ Consequently, some grassroots activist groups in the Philippines today invoke liberalistic notions of human rights both to safeguard against government overreach and as a means for challenging the Philippine state's social and economic policies, calling for redistributive justice and affirmative action for vulnerable groups.⁷ These activists understand that just as legal codification legitimizes centralized states as liberal, it provides an enjoined transparency that opens these states up to critique.⁸ For these activists, claims to liberal subjectivity and human rights are not statements of global

absolutes but strategic assertions of entitlements in the present; demanding them does not preclude hoping for broader and more far-reaching changes in the future.⁹

With the UN-sponsored project to fight human trafficking, these grassroots NGO workers found themselves between a rock and a hard place: committed to helping labor migrants as best as they were able and stymied by the formal procedures for doing so. Some years into these efforts, one confided about his work assisting women who would ultimately be repatriated, “Sometimes I don’t feel good about the work that I’m doing. These migrants have nothing back home.” Yet he also could not bring himself to leave the movement, steadfast in his commitment to migrants’ rights and worried that abandoning the project would only make things worse. Under the UN Trafficking Protocol, these NGO caseworkers found themselves weighing whether it was worse to watch labor migrants remain in deeply exploitative or abusive situations in Japan or to push for their formal recognition as victims of human trafficking so that they could return to economically desperate situations back home with few resources at their disposal. This choice was not one that they wanted—or should have had—to make.

My conversations with NGO caseworkers suggest that rather than arguing over the legitimacy of the concept of human trafficking, we need to be asking how and why these local experts’ more culturally, geographically, and political-economically informed understandings of the violence glossed by this term—and their educated strategies for addressing it—have been evacuated by the prevailing global counter-human trafficking campaign.

This book undertakes this task. The following chapters historically and ethnographically explore how the globalized institutional approach of the UN-sponsored counter-human trafficking project uncouples the suffering of trafficked persons from everyday relationships of political domination and economic inequality that render labor migrants vulnerable. It considers how the bureaucratic protocols of this project not only ignore these links but also evacuate the perspectives of those intent on making these connections. It argues against models of global governance that propose single universal solutions on a global scale, asking instead how we can begin to think differently about the forms of violence now identified as human trafficking to make real change in labor migrants’ lives.

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Introduction

The trafficking of persons, particularly women and children, for forced and exploitative labor, including for sexual exploitation, is one of the most egregious violations of human rights which the United Nations now confronts. . . . Criminal groups have wasted no time in embracing today's globalized economy and the sophisticated technology that goes with it. But our efforts to combat them have remained up to now very fragmented and our weapons almost obsolete. The Palermo Convention gives us a new tool to address the scourge of crime as global problem.

—SECRETARY-GENERAL KOFI ANNAN, “Address at the Opening of the
Signing Conference for the United Nations Convention against
Transnational Organized Crime”

Global governance is characterized by a dramatic discrepancy between commitments on paper and actual improvements in conditions.

—THOMAS WEISS AND RAMESH THAKUR, *Global Governance
and the UN: An Unfinished Journey*

During the summer of 2005, I traveled to Tokyo to visit a dear friend, Cherie, who was a caseworker at Tahanan, a grassroots migrant women's shelter that had recently been contracted by the Japanese government to house and assist women officially identified as victims of human trafficking.¹ At the time,

the Japanese government was beginning to take active steps toward ratifying the United Nations' Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking Protocol), which had been adopted in 2000 and came into force in 2003. As soon as I arrived at the apartment that Cherie shared with her young Japanese Filipina daughters, she began talking about a site in her suburban Tokyo neighborhood where the police had planned a "rescue" of Filipina women who had reportedly been "sex trafficked." She ushered me into her Toyota station wagon and drove us to a nearby 7-Eleven, which was across the street from the site where the women were allegedly being held.

In addition to working at Tahanan, Cherie answered phones at a grassroots helpline in Tokyo that provided counseling to Filipina migrants who faced problems ranging from unpaid wages to exploitative labor conditions to sexual assault, including some cases in which women were indentured, forced into prostitution, confined, abused, threatened with violence, and sold as chattel. We had met nearly ten years earlier when I was volunteering with this helpline. I had always known Cherie to be equanimous, even when she was assisting migrants who had suffered extreme abuse, so I was surprised that she was shaking as we entered the convenience store. She whispered with urgency that I should take a magazine from the rack by the store's front window and pretend to read it. She then nervously directed my attention out the store window to the apartment building across the street.

The building looked like any small residential development in the city. It was two stories tall, covered with brown tile, and composed of what appeared to be ten single apartments—five on each floor—off an open-air corridor, with a small empty parking lot beside it. I noted that the shades were drawn on all the windows. Cherie explained that the police had collected evidence about the building so that they could bust the operation as part of what had been, until recently, an unprecedented government crackdown on sex industry establishments employing foreign women. She then added in a strained whisper, "The police said that women were locked in the apartments. Men stood as lookouts and wouldn't let the women leave." I asked Cherie how the police knew this. Cherie explained that they had learned about the apartment complex from a woman staying at Tahanan. The police had begun conducting surveillance on the site, and they had observed men coming in and out of the apartments at all hours of the day and night. Cherie added that a national news station had done a story on the case. Suddenly, she jabbed me in the arm with her elbow and gave me a pleading look. "Don't stare," she insisted. "We don't want anyone to see us." Cherie trembled as she ushered me out of the convenience store.

When we had made it back to Cherie's car, I asked how she felt about the Japanese government's new counter-human trafficking program. Cherie conveyed ambivalence. On the one hand, she had long been part of grassroots activist networks that had lobbied both the UN and the Japanese government to address the mistreatment of migrant workers in Japan, including but not limited to foreign women in the sex industry. She, along with many with whom she worked, had felt vindicated the previous year when the Japanese government had responded to international pressure to comply with the Trafficking Protocol by adopting the Action Plan of Measures to Combat Trafficking in Persons (hereafter the Action Plan).

On the other hand, Cherie was starting to question how the Japanese government's efforts were unfolding on the ground. The Trafficking Protocol officially fell under the United Nations Convention against Transnational Organized Crime. Although official statements, like the one in Annan's address, stressed that the protocol promotes human rights, official efforts were overwhelmingly focused on criminal justice measures.² The Japanese government had been working with NGOs to develop formal protection and assistance procedures for migrants identified by Japanese police or immigration officials as victims of trafficking; however, justice officials were recognizing only a small select group of foreign women working in the sex industry as being entitled to this assistance, and once identified, these women were swiftly being repatriated. Moreover, those foreign women caught up in rescue operations but not afforded such status were being deported on criminal charges of visa overstay (*fuhō taizai*, "illegal presence").

Cherie had begun to wonder if these counter-trafficking efforts were truly helping migrants or if they were leaving them in more dire situations. In the early 1990s, Cherie had come to Japan from Davao City as a migrant worker to support her mother and younger siblings after her father died and her family lost its small coconut farm. She knew that most Filipina labor migrants in Japan were similarly desperate to support their families, had likely incurred large debts to travel abroad, and had few means for earning money at home. Simply repatriating them with limited resources hardly seemed like a solution. At the same time, Cherie had time and again worked with migrant women at Tahanan who had faced grave exploitation and abuses in Japan. Leaving them to remain in such abusive situations felt unconscionable. Cherie was beginning to doubt that the official counter-trafficking program could resolve this predicament. Recalling her first trip to observe the apartment building with shelter staff, Cherie began to cry, "There were men going in and out. It was very emotional—the helplessness, the feeling of dread. Part of you thinks that

maybe the women inside just want to make some money and then go back home. But what if there is someone there who isn't willing and just can't get out, and you don't know because they are inside the building?"

In this book, I take the ambivalence of NGO caseworkers like Cherie toward official protocols for assisting victims of human trafficking as a point of departure for understanding how a UN-sponsored global counter-human trafficking campaign has been playing out on the ground. I explore the incongruities between the official procedures of this globalized project and the needs of those whom the Trafficking Protocol aims to assist. An international legal instrument, the Trafficking Protocol established a formal definition of human trafficking to serve as a model for state, regional, and local legislation on the issue.³ Parties to the protocol agree to a counter-human trafficking framework centered on "the 3Ps": prosecution, protection, and prevention.⁴ As of this writing, 180 state parties have ratified the Trafficking Protocol, and numerous legal initiatives have been developed on international, regional, and national levels, creating a "transnational legal order" centered on the issue.⁵ Over the past two decades, hundreds of millions of dollars have been spent on counter-human trafficking efforts worldwide.⁶

However, a protocol is more than an international treaty. It is also a program of rules and procedures. Along with providing an influential template for domestic legislation, the Trafficking Protocol set the stage for the development of a new globally scalable regime of norms and guidelines for how national governments, NGOs, and international organizations should actively work together in this fight. It has inspired data collection and formal knowledge-sharing on a global scale centered around commensurable, quantifiable measures of those practices defined as human trafficking.⁷ It has prompted international organizations to produce a wide range of guidelines, handbooks, and collections of what they identify as "best practices" and "recommended principles" aimed at providing global models for both undertaking and evaluating human trafficking countermeasures.⁸ It has also provided a basis for these organizations to provide "technical cooperation" by sponsoring trainings, workshops, and symposia for government officials and domestic NGOs across the globe.⁹ The result, in legal scholar Hila Shamir's words, is "a remarkably uniform" collection of protocols for fighting human trafficking.¹⁰

This book takes this collection of protocols as the object of its analysis, ethnographically examining their everyday enactment in Japan's official counter-human trafficking campaign. It examines what happens when an intent to "do good" and address human suffering meets the bureaucratic forms

and everyday procedures of global governance. At first glance, Japan appears to be a success story of these efforts. Japan has generally been recognized as a destination country for human trafficking. In other words, it has been identified as a country to which migrant workers are coercively, if not forcibly, brought and kept under conditions of sexual and labor exploitation, often by members of what the US State Department has identified as “Japanese organized crime syndicates (the Yakuza).”¹¹ The primary groups initially identified as trafficking victims were migrant women working in the sex industry from the Philippines, Thailand, Colombia, South Korea, and eastern Europe, with Filipina entertainers initially highlighted as the largest group.¹² In more recent years, a limited amount of attention has also been paid to labor migrants from China and other Asian countries who have come to Japan as part of the Technical Intern Training Program (TITP, Ginō Jisshū Seido).¹³ However, the overwhelming focus of the counter-human trafficking campaign in Japan has remained on women in the sex industry, and particularly, in recent years, on Japanese women and girls (see the conclusion for a more detailed discussion).

In the decades before the Trafficking Protocol’s adoption, grassroots activists in both Japan and migrant-sending countries had lobbied the Japanese government to address the abuse of migrant workers in Japan. However, they made little headway.¹⁴ Even in-depth reporting about the exploitation and abuse of Southeast Asian migrants in Japan’s sex industry by the International Labour Organization (ILO), the International Organization for Migration (IOM), Human Rights Watch, and the United Nations Global Programme against Trafficking in Human Beings did little to prompt the Japanese government to take action.¹⁵ Things only changed when the US State Department ranked Japan on the newly created Tier 2 Watch List of its 2004 *Trafficking in Persons Report* (TIP Report). This report puts the diplomatic weight of the United States behind the protocol by evaluating and ranking countries in regard to their official counter-trafficking efforts.¹⁶ Concerned about its reputation in a global arena, the Japanese government immediately switched its official position and announced that it would “seize leadership in Asia on this issue.”¹⁷

Soon the Japanese government formally adopted its Action Plan and created an Inter-Ministerial Liaison Committee and Task Force on Trafficking in its cabinet to oversee the plan’s implementation.¹⁸ The 2004 TIP Report had identified Filipina women entering Japan on “entertainer visas” as one of the largest groups of “trafficking victims” in the world, and in 2005 the Japanese government promptly tightened requirements for this visa.¹⁹ The Japanese police also began raids of establishments like the one in Cherie’s suburb. Within two years, the number of Filipina women entering Japan on entertainer visas dropped by

nearly 90 percent, declining from 82,741 in 2004 to 8,607 in 2006—a shift enthusiastically noted in US State Department cables and reports.²⁰ Around the same time, the Japanese government also began adopting assistance guidelines published by international organizations, holding conferences and symposia on human trafficking, sponsoring international agencies' counter-human trafficking initiatives, and convening police trainings with US officials and international organization staff. By 2017, Japan had ratified the UN Trafficking Protocol, and in 2018 and 2019, it received the *TIP Report's* highest-tier ranking.²¹

However, as official counter-human trafficking protocols have been adopted in Japan, NGO caseworkers directly working with migrant workers have expressed reservations about the banal outcomes of these efforts. They point to the persistent abuse of migrant workers despite the government's formal steps to comply with international standards. They argue that despite the focus on assisting foreign women in the sex industry, these women have in reality become more vulnerable, as procuring a visa has become more challenging and police raids have pushed the sex trade further underground, where it is harder to track.²² They point to how official efforts have had little impact on the exploitation and abuse of migrants in many industries that hire foreign workers through the legal TITP, such as agriculture and manufacturing. They assert that the minimal support provided to repatriated trafficking survivors leaves them vulnerable to re-trafficking. International organizations themselves acknowledge that despite their considerable expenditure of money and effort, the problem of human trafficking is only growing on a global scale.²³

How can such a high-profile campaign, on which so many committed people have worked so diligently, fall so short of its stated objectives? The following chapters explore this question in depth. In the remainder of this introduction, I first offer some background on the labor migration of Filipina women into the Japanese sex industry. (This group comprises a plurality of those foreign nationals who initially received assistance through the Japanese government's official counter-human trafficking program.)²⁴ I then turn to a brief discussion of the emergence and limitations of a global solution to address the abuse and exploitation that migrants experience, and the attendant banality of good that has stymied and gravely compromises the UN's approach.

The Structural Vulnerability of Filipina Migrants in Japan

Studies of Filipina migration to Japan have repeatedly argued that political economic and geopolitical inequities lie behind this migration trend.²⁵ The Philippines' nearly four hundred years of colonial occupation—initially by

Spain (1565–1898) and then by the United States (1898–1942 and 1945–46) and Japan (1942–45)—entrenched practices of foreign resource extraction on the archipelago and established deeply rooted inequalities both within Philippine society and between the Philippines and countries in the Global North. Both the United States and Japan continue to have imposing economic presences in the country. Both have been key and influential sources of bilateral aid and direct investment, and corporations based in both countries rely on resources and labor from the Philippines to produce profit back home; indeed, Japan and the United States have often worked in tandem to support each other's interests at the Philippines' expense.²⁶ Trade agreements between the countries have overwhelmingly served Japanese and US-based corporations and consumers at the expense of those in the Philippines.²⁷ The governments of, and corporations based in, both countries have also left behind significant environmental damage, whether from abandoned military bases, unsustainable resource extraction, or waste disposal agreements.²⁸ For instance, Peter Dauvergne has described the devastating consequences of Japanese logging on the Philippines, which began in the mid-1960s and by 1997 resulted in only 20 percent of the country retaining significant forest cover.²⁹ Meanwhile, the export of timber from the Philippines enabled Japan to retain its forests while building homes in urban areas for a growing middle class.³⁰ Today, Japan imports raw materials from the Philippines, while also relying on the country for labor and as a market for finished products. Despite the promise of development support, the Philippines has consistently run trade deficits with Japan. In addition, the 2006 Japan-Philippines Economic Partnership Agreement removed tariffs on the import of forms of Japanese waste into the Philippines, including manufacturing residues, chemical and industrial waste, used batteries, and waste pharmaceuticals, by defining them as “goods.”³¹ As elites in the Philippines have partnered with, and benefited from, relations with US and Japanese governments and corporations, the majority of Philippine nationals have suffered. The cumulative result of these relationships in the Philippines has been widespread environmental destruction, the displacement of rural populations left without subsistence means, and low wages and negative health consequences for workers in the limited jobs created through development plans—for instance, in tourism and export processing zones.³²

Most Filipina labor migrants go to Japan to manage the income insecurity and insufficient work prospects created by this history.³³ Their migration is part of a broader trend of overseas labor migration that began during the Marcos regime, with support from the International Monetary Fund and the World Bank, to inject foreign currency into the struggling Philippine economy. Over

the past half century, this trend has only intensified as the national economy has become increasingly dependent on migrant remittances.³⁴ Meanwhile, although agriculture could offer livelihood possibilities in the Philippines, land reform in the country has repeatedly failed.³⁵ The unemployment rate remains high. The cost of medical care is unaffordable to all but the most privileged, in part because foreign corporations, such as US-based pharmaceutical companies, insist on maximizing profits at the expense of health and lives. Most Filipina migrants working in the Japanese sex industry come from the most economically desperate communities in the Philippines. These communities are up against a political system both intergenerationally locked by a coterie of elite families with ties to powerful states and burdened by the failures of development policies endorsed by international funding agencies, multinational industry, and powerful centralized state investors.

Scholars agree that Filipina women's decision to migrate for work abroad is an expression of their agency; most Filipina overseas labor migrants self-identify as mothers, daughters, and sisters, and they, like Cherie, are motivated by feelings of both duty and love to endure even extreme exploitation abroad to support their families and find a better life.³⁶ Yet migration paths for these women are limited, particularly for the majority who lack postsecondary educations or other specialized skills. Consequently, they often find themselves facing a dark dilemma: continue living economically impoverished lives at home or risk abuse and exploitation working abroad.³⁷ This risk inheres in part because accessing jobs abroad is so difficult. For instance, the Japanese government does not issue visas for work that it deems unskilled. Consequently, Filipina women have had to rely on middlemen and incur heavy debt to find jobs in Japan, where, subject to strict immigration laws and the always-present threat of deportation, they are all the more vulnerable to exploitation and abuse.³⁸ A significant number of these women have experienced labor demands far exceeding job recruitment descriptions; substandard or unpaid wages; substandard food and housing, which employers are required to provide; insufficient time off from work; indenture; forced labor, including coerced or forced sex work; constant surveillance; restrictions on their movement; and, in some cases, physical and sexual abuse, assault, and enslavement.³⁹ In Japan, like the United States, industries employing migrant workers—not only in the sex industry but also in agriculture and factory work—have been minimally regulated.⁴⁰ Few tax dollars are allocated to protect the rights of noncitizens, and particularly those of irregular migrants. Meanwhile, the Philippine national economy's dependence on foreign remittances has made its

government reluctant to intervene in the abuse and exploitation of its overseas workers.⁴¹

The mistreatment of Filipina migrants in Japan has emerged in the context of these braided histories of colonialism, neoliberal policy, economic exploitation, corruption, state failure, sexism, racism (including intra-Asian racism), and cultures of greed and domination, which have shaped relationships between people in Japan, the Philippines, and the United States for over a century.⁴² One might thus expect that an effort to address the extreme forms of abuse and exploitation faced by these migrants would take these structural vulnerabilities into account and focus on transforming the political economic realities of their lives. In fact, the Trafficking Protocol states that in the interest of preventing human trafficking, “State Parties shall take or strengthen measures, including through bilateral or multilateral cooperation, to alleviate the factors that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity.”⁴³ The preface to the 2020 *Global Report on Trafficking in Persons* reiterates this point, arguing the need to “tackle the structural inequalities that leave women as well as children and marginalized groups vulnerable to human trafficking.”⁴⁴ However, in practice, almost no attention has been paid to this issue.

Instead, the enactment of the Trafficking Protocol has prioritized a single modular institutional protocol for prosecuting traffickers and repatriating victims. The current website of the United Nations Office on Drugs and Crime (UNODC) describes its “response” as follows: “*help* countries to draft, develop and review the laws, policies, and action plans they need to effectively combat human trafficking”; “*train* and *mentor* the people who use these instruments to apprehend, prosecute and convict traffickers and protect and support the victims”; “*supply* studies, toolkits and models for training, research and policy reform purposes”; and “*form* partnerships with international, governmental and non-governmental organizations and support joint investigations into trafficking crimes.”⁴⁵ All of these strategies focus on working with established agencies to disseminate a global, bureaucratic protocol; none of them address the need, cited in the UNODC’s own 2020 *Global Report*, to “tackle the structural inequalities” shaping migrants’ lives.⁴⁶ How and to what ends has this modular globalizable bureaucratic strategy come to seem the most appropriate and desirable way for the UN to eradicate the wide-ranging forms of violence and abuse that are now glossed as human trafficking—not only forced prostitution and sex trafficking but also extreme labor exploitation in a broad swath of industries as well as the sale of human organs?⁴⁷

The Development of a Globalized Approach

The modular globalized approach of the UN-sponsored counter-trafficking campaign is not unique to efforts to fight human trafficking. Rather, the campaign's methods follow from broader strategies of global governance that gained traction after the end of the Cold War, when international relations were no longer constrained by a bipolar dynamic.⁴⁸ These strategies rest on a notion of globality in which the earth is viewed as a singular object to be managed on the whole by a shared humanity.⁴⁹ This notion of globality was first articulated by the environmental movements of the 1960s, which were focused on threats of planetary nuclear annihilation and poignantly reinforced by the Apollo missions' delicately beautiful images of a singular, shared "blue planet."⁵⁰ During the 1970s, this new singular conception of globality led to the emergence of what historian Mark Philip Bradley has called a "new global affect toward power and territoriality" in which the global became a novel scale for political participation.⁵¹ A growing number of newly formed NGOs began to take up issues such as human rights, economic inequality, and gender inequality as global problems. Technological innovations, such as the growth of the civil aviation industry and new modes of electronic communication, also contributed to the emergence of a new form of civil society that, by the 1990s, could imagine itself as global in a singular, universalizable sense.⁵²

By the 1990s, many contemporary problems, like human trafficking, came to be viewed as warranting a global response. Transnational collaborations among governmental and nongovernmental entities came to be seen as crucial to facilitating the technical cooperation and spread of international norms central to global governance.⁵³ The UN became a clearinghouse for promulgating such norms by attaining the consent of member states and creating collaborations among international organizations, NGOs, and state bodies.⁵⁴

This commitment to technical cooperation through transnational collaborations figures importantly in the UN's global approach to combating human trafficking. A key justification for the Trafficking Protocol has been the "urgent need to increase technical cooperation activities in order to assist countries . . . with their efforts in translating United Nations policy guidelines into practice."⁵⁵ Former UN secretary-general Ban Ki-moon emphasized the importance of these collaborations in an official press release for the 2010 UN Global Plan of Action to Combat Trafficking in Persons—one of a number of expansions of the UN's counter-human trafficking project since the adoption of the Trafficking Protocol: "The only way to end human trafficking is by working

together, between States and within regions, among United Nations entities and in public-private partnerships.”⁵⁶

Yet coordinating diversely positioned stakeholders for a single global agenda is not a simple matter. Creating a uniform global project requires strategies that can be scaled up and disseminated. It requires identifying a lowest common denominator that applies across different cases in different geographical sites, necessitating the “disentanglement” of the specificities of history, place, and political economy that create friction and gaps among disparately located and invested groups.⁵⁷ It demands consistency of practice and a common language that can link institutional bodies with different visions and approaches in a single technical practice.

Bureaucratic strategies have facilitated this governance at scale. Bureaucratization enables the uniform management of large populations by rationalizing administrative tasks through the standardization of rules and procedures.⁵⁸ It authoritatively promotes the legitimacy of a single legal order through pretensions of neutrality that standardize forms of audit and review.⁵⁹ In line with such an approach, the past few decades have witnessed the efflorescence of what Peter Larsen calls an “international guidance culture” that enables interinstitutional collaborations for norm compliance by standardizing everyday bureaucratic protocols across cultural, geographical, and institutional divides.⁶⁰ Such guidelines also enable an institutional division of labor that breaks down complex problems into manageable bites for different institutional bodies to oversee. Meanwhile, they erase history, political-economic inequality, and cultural and geographical differences in the interest of establishing a standardized institutional practice—a protocol—to link and coordinate among national governments, international organizations, and NGOs on a global scale. They also offer measurable standards for regulating national governments and evaluating compliance with international norms, guiding the critiques of NGO caseworkers who are involved in the protocol’s day-to-day enactment into formalized, bureaucratic channels where these critiques are both contained and managed.

The Banality of Good

As this book explores how the bureaucratic logic of global governance plays out in the Trafficking Protocol’s everyday enactment, it argues for attention to the *banality of good* that laces this endeavor. I use this expression to refer to the perils of this campaign’s globalized institutional approach, which ultimately privileges technical prescription and bureaucratic compliance over the

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needs and perspectives of those it means to assist. I borrow the term *banality* from Hannah Arendt, for whom the word refers to a rote thoughtlessness in political life.⁶¹ In her reporting on the Jerusalem trial, Arendt famously wrote of the “banality of evil” when reflecting on German Nazi Adolf Eichmann’s testimony.⁶² To her horror, Eichmann appeared a strikingly ordinary bureaucrat, “terrifyingly normal” in his disengagement from and “inability to think” about the consequences of his actions.⁶³ For Arendt, thinking required a measure of humility. She identified it with a Socratic practice in which the end was not reaching a solitary or fixed solution but the ability to engage in a “soundless solitary dialogue”—to engage in an ongoing practice of questioning oneself as one endeavored to see the world from another’s perspective.⁶⁴

Arendt was troubled by the logics of bureaucratic organization that had developed with the introduction of totalitarianism into the world; she believed that these logics had turned bureaucracy into an instrument of evil insofar as they were designed to maintain the status quo by precluding individuals’ responses to contingency and difference.⁶⁵ She drew attention to Eichmann’s thoughtlessness to illustrate how people can be ensnared in a machinery of harm not on account of an innate evil nature or of merely being a cog in the wheel of bureaucracy but specifically through a conditioned neglect to consider how one’s actions impact others.⁶⁶ She refused to see evil behavior as reflective of an individual’s immutable sinfulness, corruption, or depravity, and she also rejected the notion that it was a simple result of submitting to institutional hierarchy. Rather, she aimed to hold individuals accountable for their injurious behavior, asking how such actions were facilitated, and thus could be interrupted, by both human thought and practice.⁶⁷

Arendt’s notion of banality teaches us that the tolerance of even extreme forms of violence is not necessarily the consequence of exceptional or aberrant belief or action.⁶⁸ Rather, it can result from a banal self-deception encouraged by bureaucratic organization: the neglect to question taken-for-granted assumptions in the face of formal, accepted practice. This understanding of banality shows that one can perpetuate injury on account of not only what one does but also what one thoughtlessly fails to do or avoids doing. It resonates with the concept of banality put forward by Achille Mbembe, who also connects broader patterns of political-economic violence to the mundane and thoughtless actions of individual actors who are simply following the rules, mean well, and are enjoying their lives.⁶⁹

Building on Arendt and Mbembe, this book explores how the structures and logics of modern institutional life encourage a kind of unthinking, so that the rote adherence to an institutional protocol comes to stand in for neces-

sary structural change. Focusing on the everyday enactment of counter–human trafficking efforts in Japan, it considers how practical adherence to the global counter–human trafficking protocol, in the face of its obvious and acknowledged inadequacies, allows those behind the project to unthinkingly hold that it is accomplishing “good” even though it is actually doing little to address the root causes of the violence it claims to fight. From this view, the harms of the Trafficking Protocol’s banal good are not a consequence of the sinful nature or bad intentions of those involved in its institutional enactment; to the contrary, many government officials and international agency staff mean to do well in supporting this campaign. Rather, this book explores how globalized political projects aimed at doing good—such as those intended to fight, in Annan’s words, “the most egregious violations of human rights”—both enable and provide cover for an injurious rote thoughtlessness as their bureaucratic structure neglects, and thereby sidelines, critical consideration of structural inequality.

My examination of the banality of good that laces the global counter–human trafficking project extends a long tradition of scholarship that explores how socially and legally sanctioned forms of violence inhere within those practices commonly understood as *progress*, *justice*, and *right*. These studies have examined forms of violence that elude attention or are hidden, disavowed, and unrecognized, such as structural violence, legal violence, and bureaucratic violence.⁷⁰ Sociologist Randall Collins and anthropologist Michael Herzfeld, in particular, have focused on bureaucratic systematization and indifference as ways that bureaucracies depersonalize violence and thereby eliminate any individual sense of moral responsibility for it.⁷¹ For instance, Herzfeld argues that bureaucratic indifference is a strategy by which modern nation-states deflect responsibility for those outside their imagined community, thereby justifying and normalizing practices of exclusion.⁷²

However, being thoughtless is not the same as being indifferent. Whereas indifference reflects a logic of disregard, thoughtlessness rests on a practice of self-deception. Consider that the global counter–human trafficking protocol is fully premised on caring about victims of human trafficking. International agency staff and government bureaucrats assert their humanitarian concern about trafficking victims and their determination to address their suffering. Ethical commitments to equality, justice, and human rights vest their work. In the face of these commitments, the banality of good does not reflect a bureaucratic apathy to suffering so much as a deflection from considering, or an unwillingness to delve into, its inconvenient causes and forms. Bureaucracies are technologies for government administration in modern societies; they were

established to provide consistency and continuity in the management of large populations.⁷³ They channel political action into formal procedures that are convenient and manageable for stable governance at scale. Anything inconvenient to such frameworks of action is rendered irrelevant. This approach is anything but compatible with nuanced or comprehensive social change. Rather, it creates ways of seeing that are also ways of not seeing.⁷⁴ It offers institutional practices of care that are careless.

THE CONSEQUENCES FOR NGO CASEWORKERS

Committed NGO caseworkers, like Cherie, struggle to reconcile the mismatch between their clients' needs and the Trafficking Protocol's modular, globalized approach as they work on a day-to-day basis to provide assistance to migrants who need it. The predicament faced by these caseworkers is at the heart of this study. The on-the-ground enactment of Japan's official victim assistance and protection process is structured by a standardized protocol for interinstitutional collaboration in which national governments manage the arrest and prosecution of human traffickers, the IOM repatriates identified "trafficking victims," and both rely on established NGOs in destination and sending countries to shelter, counsel, and reintegrate victims.⁷⁵

Yet the word *collaboration* carries the double meaning of working toward a common goal and cooperating with an adversary, and this ambivalence is palpable in relations among NGOs, centralized state governments, and international organizations executing the protocol. The international legal system that developed in the years following World War II relies on the willingness of nation-states to cooperate with international institutions and adopt global norms.⁷⁶ Because Article 2 of the UN Charter protects the "sovereign equality" of all members, the UN system has few direct means at its disposal to impose compliance.⁷⁷ International legal instruments are binding only insofar as member states consent to be bound by them.⁷⁸ Moreover, since the UN's establishment, political-economic inequalities among these states have shaped how the organization is run.⁷⁹ These inequalities are masked by a myth of territorial sovereignty: the notion that all nation-states are uniformly sovereign (i.e., they all have territories that they rule as sovereign) and thus can be treated as interchangeable parts.⁸⁰ However, at the same time, NGOs and international organizations involved in UN projects (including UN agencies) are dependent on funding from member states, which contribute unequally; moreover, some members states (e.g., permanent members of the Security Council) have more political pull than others. Consequently, the pressure to comply with global

norms applies unequally to different national governments, with some dominating others, and unequal political economic relations within the UN shape relationships among international organizations, member states, and NGOs participating in UN projects in ways that perpetuate the status quo.⁸¹

Ethnographic studies have demonstrated the gaps between the stated objectives of international policy and its everyday practice.⁸² These studies have taught us much about the establishment of hegemonic international regimes and the manufacture of consent to them.⁸³ They have also demonstrated how these projects are inconsistently vernacularized, and have examined outward forms of resistance to them.⁸⁴ However, we know less about the ways that efforts at global governance have systematically sidelined and evacuated the perspectives of those, like grassroots NGO workers, who find themselves ambivalently incorporated into their day-to-day enactment of these projects as both invested and troubled participants. We have limited understanding of how the modular, globalized design of these efforts contributes to a neglect of the ethical impasses and dark dilemmas that NGO caseworkers like Cherie face.

For both political legitimacy and logistical support, the global counter-trafficking campaign in Japan and the Philippines actively depends on the work of grassroots NGO caseworkers. Many of these caseworkers had worked with migrant laborers for years, if not decades, before the Trafficking Protocol was adopted. In Japan, these caseworkers are often themselves immigrants who share cultural and linguistic backgrounds with their clients; if they are Japanese or come from a different background, they have characteristically spent extended periods of time in migrants' home countries and speak their native tongues. All the grassroots NGO caseworkers that I met were deeply committed to their work, most laboring part-time at low wages and without benefits, if they were not volunteers. Many of these caseworkers recognized the dilemma that migrants in Japan faced when channeled into official assistance programs for trafficked persons, which almost without exception resulted in their repatriation. In working with clients, NGO caseworkers took into account the complex calculations that many vulnerable migrants must make, weighing their experiences of hardship and abuse abroad against both their determination to financially assist their families and their resources for economic survival at home. As Vicente, a caseworker at a migrant shelter in Japan, put it, "They don't have anywhere to go. For many, their life of extreme poverty in the home country is much worse than what they have now."

Consequently, these NGO caseworkers often emotionally and ethically struggled with their work in official counter-human trafficking campaigns. As

I explain in chapter 1, some NGOs in Japan had become involved in these efforts after years of bearing witness to the extreme forms of abuse and violence that some foreign women in the sex industry suffer at the hands of private citizens (i.e., employers, recruiters, and clients). These NGO staff were frustrated that their clients had for years been criminalized, rather than assisted, by the Japanese government. They were also personally troubled that some of their clients seemed to believe that they deserved their exploitation and abuse (further discussed in chapter 8). Hoping that official attention to the issue might usher in real change, these NGO staff members encouraged their clients to identify as trafficking victims both so that their clients would not blame themselves for their abuse and to stress their clients' entitlement to legal and economic rights.⁸⁵ They also relied on this framing to argue against their clients' criminalization under Japanese law and to fight for their clients' legal right to restitution and a hearing on account of their experiences.

However, as Japan's counter-human trafficking project increasingly took shape on the ground, these same NGO caseworkers began to have concerns about the effectiveness of these efforts. Some tried to express their concerns through official channels, moving their critiques beyond the category of "hidden transcripts."⁸⁶ Yet they found their input systematically repressed, ignored, or evacuated through institutional hierarchies in which national governments retain final say.⁸⁷ Despite their problems with the global counter-trafficking project, they worried that the situation would be even worse if they did not continue to do what they could. "Someone has to do this. At least if it is me, I know that I will be seriously considering the women's needs," Cherie once commented with resignation. Facing women in grave, sometimes life-threatening situations, these NGO caseworkers opted to participate so as to at least do triage.

In the face of a global protocol, these caseworkers found themselves forced to choose between compromising their commitments and working to support migrants under the protocol's constraints or losing the resources and access to assist them at all. Lacking other alternatives, they found themselves holding a poisoned chalice of collaboration in a global counter-trafficking campaign. Throughout this book, I reflect on NGO caseworkers' experiences with the banal everyday practices of the global counter-trafficking regime. I pay special attention to how they *thought* about these issues, including questioning their own roles in the assistance chain. I also consider how their frustration sometimes manifests not as an overt form of resistance or dissent but in the ambivalence, restlessness, and discontent that ultimately pushes some NGO caseworkers to leave, taking their insight, expertise, and experience with them.

An Ethnography of Global Governance

While grassroots NGO caseworkers' experiences and perspectives are at the heart of this study, they were by no means the only people with whom I discussed the counter-human trafficking protocol. I interviewed a diverse cross-section of people involved in these efforts—government bureaucrats, some of whom felt passionately about fighting human trafficking and some of whom were simply doing their jobs; committed, disillusioned, and occasionally confused international agency staff; and feminist activists, both those who had been involved with the issue for decades and those who had been spurred to action by the Trafficking Protocol. I also conducted participant observation at NGO offices in Japan, the Philippines, and the United States, and I augmented my interviews and fieldwork with legal studies, detailed excavation of policy documents, and historical research on global feminist activism and grassroots women's movements in Asia. Different chapters are built around variously sourced material, moving between the establishment and text of guidelines and protocols and the experiences and perspectives of those who execute them.

I draw on these mixed methods to produce a necessarily multi-sited ethnography of global governance. My ethnographic approach to the topic differs from most studies of international law, which usually focus on the drafting and adoption of multilateral agreements, the cultivation of international norms, and the politics of government compliance with them. This work speaks to formal political processes, but it teaches us little about how and to what ends international agreements are enacted on a day-to-day basis. Ethnographers are committed to understanding social and political life through its quotidian enactment. The global fight against human trafficking is enacted through a shifting network of institutional activities: the drafting and citing of guidelines; the circulation of documents; the completion of forms; the setting of funding expectations and conditions; the commissioning of state, international organization, and NGO labor; and the standardization of practices for identifying victims, assisting them, and moving them within and across national borders. These activities span geographically and institutionally diverse sites, including UN headquarters, national and local government offices, and grassroots NGO shelters. I bring an ethnographic eye to these practices in the interest of identifying how sets of shared affects and cultural logics work to link them together. At the same time, I pay attention to how those enacting the protocol are unequally positioned within it and to the discrepancies of resources allocated to them.

My ethnographic approach to global governance builds on the work of anthropologists who have pioneered strategies for studying the politics embedded

in the everyday practice of nation-states, international law, and NGOs—three political agencies linked through the UN Trafficking Protocol’s global governance model. First, Aradhana Sharma and Akhil Gupta have demonstrated that the seemingly technical, routine, repetitive, and, in their words, “banal” practices of modern bureaucracies are central to both the ways that nation-states produce themselves as political bodies and the micropolitics of centralized state governance in their citizens’ lives.⁸⁸ I contribute to their insights into the injurious effects of state proceduralism by considering how such effects can also be produced on a transnational scale through the proceduralism of global governance. Second, I build on work by Annelise Riles, who has explored how the international system is constituted through technocratic and aesthetic practices as much as through government strategy.⁸⁹ Riles analyzes the textual production and ratification of the UN Platform for Action and the Beijing Declaration to highlight how technocratic and aesthetic logics shape the drafting of international law. I expand her insights to consider how such technocratic and aesthetic logics also shape the *enactment* of international agreements once they have been adopted. Finally, I build on ethnographic studies of NGOs by Erica Bornstein, Julie Hemment, China Scherz, and others that explore how cultural and moral logics inform the ways that NGO staff negotiate the investments of governments and international funding agencies.⁹⁰ I augment their analyses by considering how the experiences of NGO staff are shaped by the very technocratic practice of global governance as it structures NGO collaborations with government agencies and international organizations. My approach also responds to a call by cultural and political geographers for more ethnographic attention to how geographical processes relate to everyday institutional practice.⁹¹ Contributing to this project, I look to how a global-scale campaign is performatively articulated through local enactments of shared bureaucratic routines, which link distinct political bodies and noncontiguous spaces into a single program of governance. In other words, I explore how a global protocol “comes to matter” as international law through the day-to-day practice of its proceduralism, which involves the establishment and enactment of a modular, standardized practice across nation-states and local sites.⁹²

A NOTE ON RESEARCH METHODS

Because the Trafficking Protocol is being enacted in some capacity in nearly every country across the globe, and its practice is constantly evolving, a single ethnographer could never expect to capture it in its entirety. Most ethnographers today acknowledge that our research is partial and situated; we do not aspire to holism or comprehensiveness so much as offer positioned insight into

the structures and logics of the contemporary world. I began ethnographic fieldwork for this book in 2004, when Japan's official counter-human trafficking campaign was just beginning, and I conducted focused research until 2007, returning to Japan in 2010 and 2014 and maintaining ongoing contact with activists in the country, some of whom visited me in the United States. In the meantime, I audited courses at UCLA School of Law in international, human rights, and comparative law (2013–14), and I conducted documentary research through to the present. This book offers a window into the UN global trafficking project based on the specific path my research took.

Because my project at once involved “studying up” and learning about efforts to assist a vulnerable population, I recognized early on that some information would be inaccessible.⁹³ Although many government officials were forthcoming, some seemed evasive or even hostile, and all were constrained in what they were willing or able to share. In most cases in Japan and the United States, government offices expected me to submit my interview questions beforehand for approval. In the United States, I was sometimes referred to public relations officers in US agencies. In one memorable interview at a government ministry in Japan, a civil servant responded to my submitted questions by reading responses off published ministry brochures. Another Japanese civil servant requested that our interview be held away from the office and visibly sweated and shook throughout our meeting, clearly nervous about the implications of anything that was said even though I assured the person that anything included in my writing would be unattributable.

In some cases, people offered additional information “off the record.” In a handful of revealing cases, former government officials were willing to speak more freely about their government experiences. In one case, a government official privately contacted me and shared personal impressions of their work at length over the course of several years. I have taken some liberties and shifted inconsequential details about people's identities to ensure that they will not be identified. Doing multi-sited research involving multiple organizations in three different countries over many years had advantages insofar as I sometimes heard part of a story in one organization or country and the rest of the story in others. In part because, as I explain in chapter 6, communication among organizations assisting trafficked persons is restricted, I often found myself patching together information gathered from people in different agencies or countries. Some preliminary conclusions were confirmed and embellished by US embassy cables in the Public Library of US Diplomacy, created by WikiLeaks. Available cables overlap with the years of my primary research when Japan's TIP program took shape and buttressed my findings.

When I began my project, the UN Trafficking Protocol had already been adopted, and most official UN activities related to my research are well documented and widely available online. I thus opted against conducting fieldwork at UN events. My focus is not on the UN as an organization that executes a global plan so much as on how a UN-sponsored global project is articulated through unequal everyday interactions between government officials, international organization staff, and grassroots NGOs in different local sites. For insight regarding everyday workings of the UN, I rely on work by Michael Barnett, Sylvanna Falcón, Sally Engle Merry, and Annelise Riles, as well as analyses by historians, international relations scholars, and political figures, including Mark Bradley, Judith Kelley, Margaret Keck and Kathryn Sikkink, Mark Mazower, Samuel Moyn, Jan Eckel, and Madeleine Rees.⁹⁴

My research with grassroots NGOs in Japan, the Philippines, and the United States was facilitated by my earlier involvement with organizations assisting Filipinx migrants in Japan, including previous research with Filipina migrants working in hostess bars. My access to these organizations was granted on the condition that I not write about their clients' cases or risk retraumatizing their clients by asking about their experiences. Survivors of violence are often reluctant to talk about their experiences. When trafficking survivors' voices do appear in this book (chapter 8), it is primarily regarding their experiences of assistance and empowerment programs.

The Chapters

This book is organized into two sections. The first three chapters of the book explore how the good of contemporary efforts to fight human trafficking came to be imagined and institutionalized as a global project, first in the UN and then in Japan. The following five chapters ethnographically examine the banalities of the Japanese government's official victim assistance and protection process as it has played out on the ground. Overseen by the IOM, the process is organized through a division of labor in which staff at different organizations perform discrete, specialized roles that are coordinated through a standardized protocol. These chapters highlight the work and perspectives of grassroots NGO caseworkers providing direct assistance to migrant workers in this assistance chain alongside the impasses that they confront.

I begin by considering how human trafficking came to be recognized as a global problem during the last decades of the twentieth century. Mobilizations to address many forms of exploitation and abuse currently identified as human trafficking began in the early 1970s among grassroots women's groups in Asia.

These groups developed anti-capitalist and anticolonial strategies to address the sexual and labor exploitation of women in the region by Japanese tourists and US military personnel. Chapter 1, “A Global Solution,” explores how feminists in the United States sidelined and encapsulated these efforts during the 1980s to frame human trafficking as a uniform global issue that warranted a single global response. The US-based feminist movement then adopted an institutional model to lobby national governments and international organizations to develop a global solution. As they did so, they evacuated many of the essential critiques and much of the promise of the earlier Asia-centered movement. Key contemporary migrants’ rights NGOs in Japan trace their roots to this earlier movement, and one objective of this book is to refocus attention on both their extension of it and its yet-unfulfilled promise.

Chapter 2, “The Protocol’s Compromises,” considers how US-based globalist feminists found their own visions sidelined as national governments and international organizations prioritized fighting transnational organized crime over protecting women’s rights when developing the UN Trafficking Protocol. Why did feminist activists continue to support the Trafficking Protocol’s adoption despite this reorientation of focus? This chapter considers the compromises that lay at the heart of the protocol for both UN member-state governments and differently positioned feminist supporters in the United States, Japan, and the Philippines.

The third chapter, “The Institutional Life of Suffering,” turns to how and why Japanese government officials came to support global counter-human trafficking efforts after doing little for decades to address even extreme abuse and exploitation of foreign labor migrants within the country’s borders. I focus on how caseworkers at grassroots NGOs and a foreign embassy in Japan circulated narratives of foreign migrants’ experiences of abuse and exploitation in the hopes of moving Japanese government officials to act. However, although the circulation of these accounts did affect government officials, it did not do so in the ways and to the ends that NGO caseworkers had hoped. This chapter shows how the institutional circulation of stories of suffering at once holds together a global counter-human trafficking project and creates rents and gaps within it.

The following five chapters turn to the everyday banalities of the victim assistance pipeline adopted in Japan, considering its basis in international guidelines promoted by the US State Department. Chapter 4, “‘To Promote the Universal Values of Human Dignity,’ a Roadmap,” examines the victim identification protocols presented to the Japanese government by the US government as part of what was identified as a “Roadmap to Tier 1” for meeting *TIP Report* standards. Drawn from an IOM handbook on trafficking victim assistance,

these victim identification guidelines are one example of the guidance culture that has come to define the global counter-human trafficking protocol. Focusing on the explicitly acknowledged inconsistencies and contradictions of these recommended guidelines, I illustrate how the global guidance culture that developed around the Trafficking Protocol has turned procedural conformity into cover for recognized procedural inadequacies.

Chapters 5 and 6 consider how strict adherence to official victim assistance and protection protocols results in the failure to protect migrants who have suffered extreme forms of abuse and exploitation. Chapter 5, “Banal Justice,” considers the unprotection of migrants who have suffered indenture, confinement, malnourishment, and sexual abuse but who do not receive official recognition, and thus protection, under Japan’s Action Plan on account of procedural technicalities. Chapter 6, “The Need to Know,” turns to how the official protocol compromises the ability of NGO caseworkers to assist migrants who qualify as trafficked persons. It focuses on the “need to know” protocols that govern information management among different agencies involved in the official assistance process, illustrating how they impair caseworkers’ ability to monitor and assist their clients.

Chapters 7 and 8 shift to the Philippines to examine reintegration projects for repatriated trafficking survivors from Japan. Trafficking survivors often return home to more precarious circumstances than those they initially left. In the interest of preventing retrafficking, the Japanese government has both directly and indirectly funded reintegration projects for repatriated survivors. “Funding Frustration,” chapter 7, explores the ambivalence and frustration of grassroots NGOs with the funding priorities of these efforts. Frustrated with their treatment as subcontractors by international organizations and national governments, some of these NGO caseworkers eventually quit, taking their insights, expertise, and experience with them. Finally, chapter 8, “Cruel Empowerment,” explores an official project aimed at empowering trafficking survivors that was funded by the Japanese government-sponsored UN Trust Fund for Human Security (UNTFHS) and administered by the ILO. I contrast this project’s strategies with those of the Women Empowerment Program (WEP), independently pioneered by a grassroots NGO in the Philippines that was also subcontracted by the UNTFHS-ILO program. The juxtaposition reveals the cruelty of the approach to empowerment taken by the UNTFHS-ILO Empowerment Project, which thoughtlessly ignored the structural vulnerabilities of migrants’ lives and thereby created “a relation of attachment to compromised conditions of possibility.”⁹⁵ I demonstrate that whereas the UNTFHS-ILO unthinkingly celebrated individual empowerment as an end unto itself, the WEP

self-consciously incorporated the limits of its personal empowerment project into a broader vision of political activism and community building ultimately aimed at necessary social transformation and structural change.

My interactions and conversations with NGO caseworkers drew my attention to the unthinking cruelty of the UN-sponsored counter-human trafficking project. They taught me the importance to their work not only of conviction and selfless commitment but also of self-critical reflection. Inspired by Foucault, scholars in the social sciences and humanities have paid much critical attention over the past several decades to how the politics of knowledge shape social and political life. Yet less attention has been paid to the roles of other human faculties, like thinking, in creating sustainable social change. For Arendt, thinking and knowing are very different activities.⁹⁶ Knowing is a “world-building” activity through which knowledge bearers construct rules and edifices; it is cumulative, instrumental, and practical.⁹⁷ Thinking, in contrast, does not produce “moral propositions or commandments,” nor does it result in a final code of conduct or definition of good and evil.⁹⁸ Rather, it is a humbling experience of being caught up in a moment of perplexity, an ethical struggle that works to “unfreeze” what has been rigidified by previously taken-for-granted definitions, doctrines, and concepts.⁹⁹ It involves weighing in the moment the contingencies at hand to interrupt the flow of programmatic action, take measure of it, and look after what has been left behind.¹⁰⁰

I learned about this kind of thinking from grassroots NGO caseworkers who strained against the rigidity of counter-trafficking protocols as they thought about how to best assist their clients. These caseworkers wrestled with the contingencies of their clients’ everyday lives as they struggled to do good by them. They often found themselves in an ethical quandary, weighing whether it was better to encourage migrants to submit to Japan’s Action Plan or to stay in grossly abusive work situations. This book explores how the technocratic protocols of the global counter-human trafficking project produce such ethical impasses for NGO caseworkers. It highlights how its globalized institutional practice forecloses possibilities for case-sensitive political action and sidelines locally grounded and culturally relevant approaches. It asks how we can begin to understand differently the violence now identified as human trafficking so that we can more responsibly address it. It pushes us to consider what banal programmatic action we need to interrupt to truly confront these “egregious violations of human rights.”¹⁰¹ Only by understanding these dynamics can we begin to develop strategies for promoting human rights that allow us to *think*.

Notes

PREFACE

1. In this book, I use the expression “NGO” to refer to a group of local organizations in the United States, Japan, and the Philippines that assist foreign migrant workers—in this case, particularly foreign migrant women—following these organizations’ self-practice of identification. These NGOs varied in terms of their history, size, and funding. However, in broad strokes, the NGOs that provide direct assistance to migrants in Japan and the Philippines were very small grassroots groups; in the United States, they were larger, better funded, and more bureaucratically organized but still relatively modest organizations. For more on NGOs as a diverse category of organizations with a range of political orientations and missions, see Bernal and Grewal, *Theorizing NGOs*.

2. See Agustin, *Sex at the Margins*; Bernstein and Shih, “Erotics of Authenticity”; Doezenia, “Loose Women or Lost Women?”; Mahdavi, *Gridlock*; Suchland, *Economies of Violence*; Yea, “Towards Critical Geographies of Anti-Human Trafficking.”

3. See Bernstein, *Brokered Subjects*; Chang and Kim, “Reconceptualizing Approaches to Human Trafficking”; Cheng, *On the Move for Love*; Chuang, “Beyond a Snapshot”; Feingold, “Playing the Numbers”; Kempadoo, Sanghera, and Pattanaik, *Trafficking and Prostitution Reconsidered*; Lloyd and Simmons, “Framing for a New Transnational Legal Order”; Mahdavi, *Gridlock*; McGrath and Watson, “Anti-slavery as Development”; Musto, *Control and Protect*; Suchland, *Economies of Violence*; Vanderhurst, *Unmaking Migrants*; Warren, “Troubling the Victim/Trafficker Dichotomy in Efforts to Combat Human Trafficking.”

4. By bare life, I mean, following Giorgio Agamben, the sheer fact of biological existence absent any consideration of the quality of that life. See Agamben, *Homo Sacer*. To understand the stakes for counter-human trafficking work of the discrepant sets of human rights covered in the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR), see Chuang, “Beyond a Snapshot.”

5. Seyla Benhabib argues that legal concepts and human rights discourse are juris-generative in the sense that their universe of meaning is transformed and enhanced as they are successively iterated by different people in ever new and contested deployments. See Benhabib, *Dignity in Adversity*. For further discussion see Osanloo, *The Politics of Women’s Rights in Iran*; Osanloo, “Redress”; Osanloo, *Forgiveness Work*.

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6. Pangalangan, "Human Rights Discourse in Post-Marcos Philippines." Marcos ratified the ICESCR in 1974 and the Convention on the Elimination of All Forms of Discrimination against Women in 1981 while also unapologetically suppressing civil and political rights by declaring martial law, dissolving Congress, adopting a constitution granting vast presidential powers, jailing and murdering political opponents, engaging in extrajudicial killings and disappearances, and completely suppressing free press and union organizing. After Marcos's overthrow in 1986, the new Aquino administration publicly re-established civil liberties and entrenched support for human rights, ratifying the ICCPR and mandating human rights education for students, government officials, and law enforcement. Nonetheless, under subsequent administrations, extrajudicial killings and disappearances, and the suppression of free press, government opposition, and union organizing have persisted. For further discussion, see Claude, "Human Rights Education."

7. Pangalangan, "Human Rights Discourse in Post-Marcos Philippines."

8. For discussion of how legal transparency opens governments to critique, see Osanloo, "Islamico-Civil 'Rights Talk'"; Osanloo, *Politics of Women's Rights in Iran*.

9. For discussion of a parallel process in Iran, see Osanloo, "Islamico-Civil 'Rights Talk'"; Osanloo, *Politics of Women's Rights in Iran*.

INTRODUCTION

1. Except for one, now deceased, public figure, I use pseudonyms to refer to all whom I interviewed and all organizations with which I worked, and I have altered or removed identifying details to protect peoples' identities. To this end, I have also created composite figures based on interviews with multiple people. No named person discussed in this text should be assumed to be a single, identifiable individual.

2. Chuang, "Beyond a Snapshot."

3. DeStefano, *War on Human Trafficking*.

4. UNODC, *International Framework for Action to Implement the Trafficking in Persons Protocol*, 3.

5. Lloyd and Simmons argue that during the 1990s, a "transnational legal order" focused on fighting human trafficking began to emerge through processes of norm convergence solidified by linking human trafficking to transnational crime. See Lloyd and Simmons, "Framing for a New Transnational Legal Order," 400. Related, Laura Gómez-Mera argues that over the past decade, governance of TIP has shifted from being a state-centered set of rules and institutions to a decentralized and increasingly fragmentary transnational regime complex. She points to the proliferation of public and private initiatives that promulgate new rules for state and nonstate actors. She attributes this proliferation of public-private initiatives to the issue's complicated and multidimensional nature. See Gómez-Mera, "Global Governance of Trafficking in Persons." For further discussion, see Foot, Toft, and Cesare, "Developments in Anti-trafficking Efforts."

6. See Dottridge, "How Is the Money to Combat Human Trafficking Spent?"; Hoff, "Where Is the Funding for Anti-trafficking Work?"; Napier-Moore, "Global Funding Information Sheet Anti-trafficking Review"; Ucnikova, "OECD and Modern Slavery."

7. For a discussion of the stakes of efforts to quantify human trafficking on a global scale, see Merry, *Seductions of Quantification*.

8. See, for example, ILO, *Human Trafficking and Forced Labour Exploitation*; IOM, *IOM Handbook on Direct Assistance for Victims of Trafficking*; UNICEF, *Guidelines on the Protection of Child Victims of Trafficking*; UNODC, *Toolkit to Combat Trafficking in Persons*; Zimmerman and Borland, *Caring for Trafficked Persons*; Zimmerman and Watts, *WHO Ethical and Safety Recommendations for Interviewing Trafficked Women*; UN Economic and Social Council, Report of the United Nations High Commissioner for Human Rights to the Economic and Social Council; UNHCR, *Guidelines on International Protection*, No. 7.”

9. See UN General Assembly, Resolution 53/114.

10. Shamir, “Anti-trafficking in Israel,” 152. Note, too, that between 2000 and 2013, the number of states that established domestic laws criminalizing sex and labor trafficking increased from 10 percent to about 73 percent (Lloyd and Simmons, “Framing for a New Transnational Legal Order”). By 2014, a minimum of 146 countries had introduced criminal legislation against human trafficking (UNODC, *Mid-Term Independent Project Evaluation for the Management of the Voluntary Trust Fund for Victims of Trafficking, Especially Women and Children*). Regional initiatives include the European Union’s Framework Decision on Combating Trafficking in Human Beings (2002); the Council of Europe’s Convention against Trafficking in Human Beings (2005); the Economic Community of West African States’ (ECOWAS) Plan of Action against Trafficking in Persons (2002); the South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (2002); the Association of South East Asian Nations’ (ASEAN) Declaration against Trafficking in Persons (2004); the Coordinated Mekong Ministerial Initiative against Trafficking Process (2004); and the Organization of American States’ (OAS) General Assembly Resolution on Trafficking in Persons (2003, 2005).

11. Cited in US Department of State, *Trafficking in Persons Report*, June 2007, 124.

12. See Parreñas, *Illicit Flirtations*; US Department of State, *Trafficking in Persons Report*, June 2001, 2002, 2003, 2004, and 2005. For in-depth discussion of the abuse and exploitation faced by migrant women in the Japanese sex industry, see JNATIP and F-GENS, “‘Nihon ni okeru jinshin baibai no higai ni kan suru chōsa kenkyū’ hōkokusho”; Migrant Women Worker’s Research and Action Committee, *NGOs’ Report on the Situation of Foreign Migrant Women in Japan*.

13. Repeated discussion of this program can be found in the Japan country narratives of the US Department of State’s *Trafficking in Persons Report* for every year between 2011 and 2022.

14. Kelley, *Scorecard Diplomacy*.

15. See Cameron and Newman, “Trafficking of Filipino Women to Japan”; Caouette and Saito, *To Japan and Back*; Dinan, *Owed Justice*; ILO, “Human Trafficking for Sexual Exploitation in Japan”; Lim, *Sex Sector*.

16. Kelley, *Scorecard Diplomacy*; Shamir, “Anti-trafficking in Israel.” The publication of the annual *Trafficking in Persons Report* is mandated under the US Trafficking Victims Protection Act of 2000 (hereafter TVPA; div. A of the Victims of Trafficking and Violence Protection Act of 2000, Pub. L. No. 106–386, 114 stat. 1466 [2000]). The US State Department’s Office to Monitor and Combat Trafficking in Persons website has described it as a “diplomatic tool to engage foreign governments on human trafficking”

(US Department of State, Office to Monitor and Combat Trafficking in Persons, “Trafficking in Persons Report,” last updated June 15, 2023, <https://www.state.gov/j/tip/rls/tiprpt/>). The reports summarize the status of efforts to fight human trafficking around the globe, including identifying progress made and new concerns that have developed in different parts of the world. They also include country summaries of these efforts, ranking countries on three tiers according to their government’s efforts to meet TVPA standards. Placement on the Watch List in the 2004 *Trafficking in Persons Report* threatened Japan with an automatic downgrade to Tier 3, the lowest tier, which meant possibilities of sanctions if more concentrated efforts were not made within two years. It also grouped Japan with countries such as Zimbabwe, the Philippines, Guatemala, Nigeria, and Thailand. Placing a close and strategic ally like Japan on the Watch List was controversial, as I discuss in chapter 2.

17. Cited in Embassy Tokyo, “Japan, the U.S., and TIP”; see also Kelley, *Scorecard Diplomacy*.

18. Cited in Embassy Tokyo, “Japan, the U.S., and TIP”; see also Kelley, *Scorecard Diplomacy*. The Task Force included representatives from the Cabinet Secretariat, the Cabinet Office, the National Police Agency, the Ministry of Justice, the Ministry of Foreign Affairs, and the Ministry of Health, Labour and Welfare. It was later enlarged to include representatives from the Gender Equality Bureau and the Human Rights Bureau.

19. US Department of State, *Trafficking in Persons Report, June 2004*, 14. Parreñas explains that according to the 2004 and 2005 reports, “Filipina hostesses in Japan constituted the largest group of sex-trafficked persons in the world, making up more than 10 percent of the 800,000 estimated victims of human trafficking worldwide.” See Parreñas, *Illicit Flirtations*, 4.

20. Embassy Manila, “Number of Filipino ‘Entertainers’ Going to Japan Declines”; Parreñas, *Illicit Flirtations*, 4. On a monthly basis, the number of Filipina women entering the country between 2004 and 2005 dropped from 7,000 in 2004 to 1,000 in 2006. The US embassy concluded that new visa restrictions had made workers more valuable, forcing employers to provide better salaries and working conditions. It also concluded that fewer Thai women were working in brothels and that clubs in Japan and the number of establishments selling sex under coercive conditions had declined in response to these efforts. See Embassy Tokyo, “Review of Japan’s Anti-TIP Policy.” By 2019, according to Immigration Services Agency of Japan statistics, the number of Filipina women entering Japan on *kōgyō* (entertainer) visas was 5,632; however, the number of Philippine nationals who entered as *haigūsha* (spouses or dependents of Japanese nationals) stood at 26,699. As I later discuss, this latter residency category has been identified as one that Filipina women have begun to use in order to find jobs in Japan; however, because the visa category is so broad, it is impossible simply based on the numbers to identify how many such individuals do so.

21. Over the past several years, this ranking has dropped back down to Tier 2. I discuss this further in the book’s conclusion.

22. See, for example, Aoyama, “Gurōbaru-ka to sekkusu wāku”; Tolentino, “Migrant Women in Japan”; JNATIP and F-GENS, “Nihon ni okeru jinshin baibai no higai ni kan suru chōsa kenkyū” hōkokusho.”

23. Nowhere is this clearer than in UNODC, *Global Report on Trafficking in Persons, 2020*.

24. IOM, *Tracer Survey*.
25. See Faier, *Intimate Encounters*; Faier, "Planetary Urban Involution in the Tokyo Suburbs"; Montañez, Nuqui, and Sicam, *Pains and Gains*; Parreñas, *Illicit Flirtations*; Piquero-Ballescas, "Philippine Migration to Japan"; Sassen, "Economic Internationalization."
26. Dauvergne, *Shadows in the Forest*; Tadiar, *Things Fall Away*; Trinidad, "Japan's Official Development Assistance (ODA) to the Philippines."
27. Bello et al., *Anti-development State*.
28. Dauvergne, *Shadows in the Forest*; Chanbonpin, "Holding the United States Accountable for Environmental Damages"; Gutierrez, "International Environmental Justice on Hold."
29. Dauvergne, *Shadows in the Forest*.
30. Neitzel, *The Life We Longed For*.
31. See Basel Action Network, "Building Toxic Waste Colonies." A full inventory can be found in Senate Economic Planning Office, Philippines, "Japan-Philippines Economic Partnership Agreement (JPEPA)," 16.
32. Bello et al., *Anti-development State*; Dauvergne, *Shadows in the Forest*; Tadiar, *Things Fall Away*.
33. For discussions of labor migration from the Philippines as a strategy by which Filipinx endeavor to manage the structural violence shaping their lives, see work by Asis, Huang, and Yeoh, "When the Light of the Home Is Abroad"; Cheng, *On the Move for Love*; Faier, *Intimate Encounters*; Faier, "Planetary Urban Involution in the Tokyo Suburbs"; Guevarra, *Marketing Dreams, Manufacturing Heroes*; Montañez, Nuqui, and Sicam, *Pains and Gains*; Parreñas, *Illicit Flirtations*; Piquero-Ballescas, "Philippine Migration to Japan"; Pratt, *Families Apart*; Rodriguez, *Migrants for Export*; Yea, *Trafficking Women in Korea*.
34. Rodriguez, *Migrants for Export*.
35. Adriano, "Agrarian Reform, Populism and Agrarian Debacle"; Hawes, *Philippine State and the Marcos Regime*; Chandran, "Philippine Peasants Fight for Land 30 Years after Reform."
36. Faier, *Intimate Encounters*.
37. Faier, "Planetary Urban Involution in the Tokyo Suburbs."
38. For how the reliance on middlemen and Japan's strict immigration policies negatively impacts the lives of Filipina migrants in Japan, see Parreñas, *Illicit Flirtations*.
39. For a discussion of the abuses these women face, see JNATIP and F-GENS, "'Nihon ni okeru jinshin baibai no higai ni kan suru chōsa kenkyū' hōkokusho"; Schmetzer, "Japan's Sex Industry Can Be Lethal for Asian Women."
40. JNATIP and F-GENS, "'Nihon ni okeru jinshin baibai no higai ni kan suru chōsa kenkyū' hōkokusho"; Southern Poverty Law Center, "Close to Slavery." As discussed in this book's conclusion, the Japanese government's Organization for Technical Intern Training has conducted inspections of TITP worksites since 2017; however, technical interns are just one group of foreign labor migrants in Japan, and these inspections occur sporadically at only a fraction of the sites where they are employed.
41. Guevarra, *Marketing Dreams, Manufacturing Heroes*; Rodriguez, *Migrants for Export*.

42. Biocentric ideas about race were introduced to Japan from Europe and the United States in the nineteenth century and then interpreted through discourses of Japanese nationalism. For a discussion of racism in Japan, including intra-Asian racisms, see Condry, *Hip-Hop Japan*; Dower, *War without Mercy*; Faier, *Intimate Encounters*; Fujitani, *Race for Empire*; Kang, *Traffic in Asian Women*.

43. UN, Protocol to Prevent, Suppress and Punish Trafficking in Persons, art. 9, item 4.

44. Waly, preface, 5.

45. "Human Trafficking—Our Response," UNODC, accessed January 2, 2023, <https://www.unodc.org/unodc/en/human-trafficking/our-response.html> (emphasis in original).

46. UNODC, *Global Report on Trafficking in Persons, 2020*, 5.

47. For example, under the current model, violations ranging from the forced labor of Mexican migrants in Florida's tomato fields; labor abuses faced by Filipina women in Japan's sex industry; and the labor exploitation of Togolese boys who, fed stimulants, work sixteen-hour days for a year on Nigerian farms in exchange for only a motorbike are all approached as analogous crimes in which private individuals have been subject to exploitation by other private individuals under specific conditions of migration defined as human trafficking. The specific histories, geographical and cultural factors, and geopolitical relationships shaping these migration trends fall out of the picture. For a discussion of these abuses as forms of human trafficking, see, respectively, Estabrook, *Tomatoland*; Parreñas, *Illicit Flirtations*; Piot, "'Right' to Be Trafficked."

48. During the Cold War, this bipolar dynamic was challenged by the Non-Aligned Movement's anticolonial push for equal rights. After the Cold War ended, the movement shifted its focus to developing multilateral ties and fostering unity among countries, particularly those in the Global South.

49. This notion of globality emerged in the 1960s and 1970s and is geographically and historically specific. For a discussion of how differently situated people and groups can articulate overlapping understandings of globality in geographically and culturally contingent ways, see Heise, *Sense of Place and Sense of Planet*.

50. See Heise, *Sense of Place and Sense of Planet*; Ingold, "Globes and Spheres"; Cosgrove, *Apollo's Eye*. In the 1960s and 1970s, the Gaia hypothesis suggested that all of the planet's life-forms were linked as a single, world-encompassing, self-sustaining feedback system. This new global sensibility also offered new ways for framing the intensification of transnational migration and political-economic relations as globalization. During the 1960s, allegories of the global village became popular in the United States, romanticizing global connectedness (Heise, *Sense of Place and Sense of Planet*). Ideas about global human rights developed in the context of these emerging narratives of planetary connectedness.

51. See Bradley, *World Reimagined*, 137.

52. Buergethal, "Evolving International Human Rights System"; Walzer, *Toward a Global Civil Society*.

53. See, for example, Commission on Global Governance, "Our Global Neighborhood"; Finkelstein, "What Is Global Governance"; Keck and Sikkink, *Activists beyond Borders*; Weiss and Wilkinson, "Rethinking Global Governance?"; Weiss and Gordenker, *NGOs, the UN, and Global Governance*; Weiss and Thakur, *Global Governance and the UN*. To capture the dynamics among private actors and subnational, governmental, and inter-

governmental organizations in international governance, international relations scholars have introduced concepts such as “regime complex” (Raustiala and Victor, “Regime Complex for Plant Genetic Resources,” 279), “transnational governance networks” (Andonova, Betsill, and Bulkeley, “Transnational Climate Governance,” 57), and “transnational regime complexes” (Gómez-Mera “Global Governance of Trafficking in Persons,” 305). Other scholars have also written about the possibilities of a “global civil society” (Keck and Sikkink, *Activists beyond Borders*, 33) and a “world polity” (Boli and Thomas “World Culture in the World Polity”; Ruggie, *Constructing the World Polity*).

54. Weiss and Thakur, *Global Governance and the UN*. Theories of global governance developed in part in response to understandings of the limitations of UN power. By the 1990s, establishing a single global government seemed increasingly improbable. Political scientist James Rosenau used the term “governance”—as opposed to “government”—in international relations to refer to “the regulation of interdependent relations in the absence of overarching political authority” (cited in Weiss and Thakur, *Global Governance and the UN*, 6). Global governance would involve the collective affairs of a range of stakeholders—not only state authorities but also intergovernmental organizations, civil society, and private sector entities—who both work together and independently strategize to maintain order and control. Proponents of global governance aspired to “provide international government-like services in the absence of a world government” (Weiss and Thakur, *Global Governance and the UN*, 3).

55. See UN General Assembly, Resolution 53/114. For further discussion, see Gómez-Mera, “Global Governance of Trafficking in Persons.”

56. “United Nations Launches Global Plan of Action against Human Trafficking,” UNODC, September 1, 2010, <https://www.unodc.org/unodc/en/frontpage/2010/September/un-launches-global-plan-of-action-against-human-trafficking.html>.

57. My understanding of “disentanglement” is indebted to Hannah Appel, who demonstrates how modular forms of expertise, labor organization, and infrastructure enable an aspirational disentanglement of capitalist practices from the specificities of place. See Appel, *Licit Life of Capitalism*, 5. For related discussions on the friction and gaps that enable capitalist practice to proceed, see Clarke, “Transnational Yoruba Revivalism and the Diasporic Politics of Heritage”; Tsing, *Friction*.

58. See Appel, *Licit Life of Capitalism*; I. Feldman, *Governing Gaza*; Gupta, *Red Tape*; Herzfeld, *Social Production of Indifference*; Hortman and Heyman, *Paper Trails*; M. S. Hull, *Government of Paper*; Hyndman, *Managing Displacement*; Mountz, *Seeking Asylum*; Navarro-Yashin, *Make-Believe Space*; Scott, *Seeing Like a State*; Weber, *Economy and Society*.

59. Strathern, *Audit Cultures*.

60. See Larsen, “Politics of Technicality,” 75.

61. My understanding of Arendt’s notion of banality follows Benhabib, “I. Judgment and the Moral Foundations of Politics in Arendt’s Thought”; Benhabib, “Identity, Perspective and Narrative in Hannah Arendt’s ‘Eichmann in Jerusalem’”; R. J. Bernstein, “Reflections on Radical Evil.”

62. Arendt, *Responsibility and Judgment*, 159. See also Arendt, *Eichmann in Jerusalem*.

63. Arendt, *Responsibility and Judgment*, 159.

64. Arendt, “Thinking and Moral Considerations,” 444.

65. See R. J. Bernstein, “Reflections on Radical Evil.”

66. Benhabib, "I. Judgment and the Moral Foundations of Politics in Arendt's Thought"; Benhabib, "Identity, Perspective and Narrative in Hannah Arendt's 'Eichmann in Jerusalem.'"

67. See Benhabib, "Identity, Perspective and Narrative in Hannah Arendt's 'Eichmann in Jerusalem,'" 44–46; R. J. Bernstein, "Reflections on Radical Evil." Arendt did not aim to characterize evil in a metaphysical sense so much as describe the banality of a specific form of evil that had emerged with the introduction of totalitarianism into the world. Her correspondence with Karl Jaspers highlights her specific focus on "*this* evil, not evil per se." See Arendt and Jaspers, *Correspondence, 1926–1969*, 542; Benhabib, "Identity, Perspective and Narrative in Hannah Arendt's 'Eichmann in Jerusalem,'" 46.

68. See Arendt, *Responsibility and Judgment*, 159.

69. See Mbembe, "Provisional Notes on the Postcolony"; Mbembe, "Banality of Power and the Aesthetics of Vulgarity in the Postcolony."

70. Many decades ago, sociologist Johan Galtung stressed the need to attend to the ways that durable harm in people's lives is caused by two interconnected forms of violence: personal and structural. He distinguished between these two types of violence by their source. "Personal" or "direct" violence can be attributed to individual agents, such as abusive employers or customers. In contrast, he described as "structural" or "indirect" those forms of violence that are caused by durable social structures: racisms, sexism, political-economic inequalities, legal structures, and colonial legacies, among others. Galtung argued that because these two forms of violence work in tandem—structural violence can result in increased vulnerability to personal forms of violence, and vice versa—both require our attention. See Galtung, "Violence, Peace, and Peace Research," 170. Scholars have since built on Galtung's framework. Sociologist Randall Collins described "bureaucratic violence" as that form of violence that eliminates "any personal sense of moral responsibility." See Collins, "Three Faces of Cruelty," 433. Sarah Milne and Sango Mahanty describe a form of "bureaucratic violence" in global environmental governance that is rooted in "the implementation of mundane technical rules that hide local contestation, sideline criticism, and deny justice." For them, bureaucratic violence is a form of "symbolic violence" that derives from governing bureaucracies' "persistent deployment of and adherence to bureaucratic constructs, which simplify and conceal what is going on." See Milne and Mahanty, "Value and Bureaucratic Violence in the Green Economy," 133, 141. Cecelia Menjivar and Leisy Abrego define legal violence as the harmful effects on migrants' lives of immigration laws, which obstruct and derail immigrants' paths to incorporation by creating a new axis of social stratification based on legality as a social position. With this notion, they include those forms of structural and symbolic violence that are legally codified and produce social suffering. See Menjivar and Abrego, "Legal Violence." Wendy Vogt illustrates how legal violence "funnels migrants into dangerous and clandestine routes." See Vogt, "Crossing Mexico," 765; Vogt, *Lives in Transit*.

71. See Collins, "Three Faces of Cruelty"; Herzfeld, *Social Production of Indifference*. Collins identified the "Eichmann syndrome" of Nazis—"the routinized following of orders"—as the "epitome" of what he referred to as "callousness: brutality routinized and bureaucratized, cruelty without passion." See Collins, "Three Faces of Cruelty," 419.

72. Herzfeld, *Social Production of Indifference*.

73. Weber, *Economy and Society*.

74. See Vaughn, *Challenger Launch Decision*.
75. See Ministry of Foreign Affairs, Japan, *Japan's Actions to Combat Trafficking in Persons*, 4.
76. Koh, "Why Do Nations Obey International Law?"
77. Müller, "Introduction: Lifting the Veil of Harmony," 2.
78. In contrast, in a domestic legal context, the expression "legal instrument" generally refers to legally binding documents, such as contracts, leases, and deeds, which can be guaranteed by law enforcement according to established bodies of law.
79. Agnew, *Globalization and Sovereignty*; Falcón, *Power Interrupted*; Mazower, *No Enchanted Palace*.
80. Agnew, *Globalization and Sovereignty*.
81. Chuang, "United States as Global Sheriff"; Clarke, *Fictions of Justice*.
82. See, for example, Allen, *Rise and Fall of Human Rights*; Clarke, *Fictions of Justice*; Clarke, *Affective Justice*; Ferguson, *The Anti-politics Machine*; Li, *Will to Improve*; Mosse, *Cultivating Development*; Merry, *Human Rights and Gender Violence*; Merry, *Seductions of Quantification*.
83. Consider Clarke, *Affective Justice*; Englund, *Prisoners of Freedom*; Ferguson, *Anti-politics Machine*; Mosse, *Cultivating Development*; Yea, "Mobilising the Child Victim."
84. Sally Engle Merry has theorized the vernacularization of human rights. See Merry, *Human Rights and Gender Violence*. Notable work on resistance to international legal and human rights regimes includes Allen, *Rise and Fall of Human Rights*; Clarke, *Fictions of Justice*; Englund, *Prisoners of Freedom*; Piot, "'Right' to Be Trafficked"; Tate, *Counting the Dead*.
85. See also Roces, "Prostitution, Women's Movements and the Victim Narrative in the Philippines."
86. This term is famously James Scott's. See Scott, *Domination and the Arts of Resistance*, 13–16.
87. As discussed in chapter 6, the UN Human Rights Commission has appointed a special rapporteur on trafficking in persons, especially women and children, who is tasked with undertaking country visits, producing an annual report, and taking action against complaints regarding the failure to protect trafficked persons' human rights. The UN also undertakes independent evaluations of the effectiveness of its projects. However, these reports, filed on annual or multiyear cycles through official UN or government channels, have limited, if any, immediate effect on the everyday realities of caseworkers' jobs and migrants' lives.
88. Sharma and Gupta, "Introduction—Rethinking Theories of the State in an Age of Globalization," 11. For further discussion, see Sharma, *Logics of Empowerment*; Gupta, *Red Tape*. Others have expanded their work through attention to the cultural logics that govern the everyday practice of state bureaucracies, such as M. S. Hull, *Government of Paper*; Mathews, "Power/Knowledge, Power/Ignorance"; Mathews, "State Making, Knowledge, and Ignorance"; Mountz, *Seeking Asylum*.
89. Riles, *The Network Inside Out*. Others have built on Riles in examining the daily routines through which human rights, humanitarian, and other international laws are articulated in disparate local settings. Sally Engle Merry and Arzoo Osanloo have considered how human rights laws are adopted and transformed as vernacular discursive

practices. For instance, Osanloo demonstrates how women in contemporary Iran negotiate both liberal and Islamic subjectivities as they make rights claims in family court. These Iranian courts are imbued with multiple ideologies, and women, as legal agents, negotiate multiple subjectivities—liberal, religious, and other—as they appeal for their civil and human rights. See Merry, *Human Rights and Gender Violence*; Osanloo, *Politics of Women's Rights in Iran*; Osanloo, *Forgiveness Work*. Additionally, studies by Jennifer Hyndman and Kamari Clarke have considered the contradictions underpinning international efforts to enact justice and humanitarianism in, respectively, the United Nations High Commission for Refugees' refugee camps and the International Criminal Court. See Hyndman, *Managing Displacement*; Clarke, *Fictions of Justice*.

90. See Bornstein, *Spirit of Development*; Hemment, *Empowering Women in Russia*; Scherz, *Having People, Having Heart*.

91. See Billo and Mountz, "For Institutional Ethnography."

92. Butler, *Bodies That Matter*, xii. Butler famously uses the expression "come to matter" to refer to how objects of knowledge, such as "the global," are performatively articulated as simultaneously material and semiotic processes.

93. Laura Nader famously introduced the notion of "studying up" as an ethnographic method. See Nader, "Up the Anthropologist," 284.

94. See Barnett, *Eyewitness to a Genocide*; Falcón, *Power Interrupted*; Merry, *Human Rights and Gender Violence*; Riles, *The Network Inside Out*; Bradley, *World Reimagined*; Kelley, *Scorecard Diplomacy*; Keck and Sikkink, *Activists beyond Borders*; Mazower, *No Enchanted Palace*; Moyn, *Last Utopia*; Eckel and Moyn, *Breakthrough*; Prügl et al., "Whistleblower."

95. Berlant, "Cruel Optimism," 21.

96. See Arendt, *Responsibility and Judgment*.

97. Arendt, *Responsibility and Judgment*, 163.

98. Arendt, *Responsibility and Judgment*, 167.

99. Arendt, *Responsibility and Judgment*, 175.

100. Arendt, *Responsibility and Judgment*.

101. Annan, "Address at the Opening of the Signing Conference for the United Nations Convention against Transnational Organized Crime."

I. A GLOBAL SOLUTION

1. A public statement of the financial struggles faced by NGOs in Japan that assist abused migrant workers can be found in Tamai, "Jinshin babai higai konzetsu, NGO to ittai de."

2. See Halley, "Rape at Rome"; Lobasz, *Constructing Human Trafficking*; Musto, *Control and Protect*; Suchland, *Economies of Violence*.

3. For a discussion of CATW and the global feminist movement against human trafficking, see Halley, "Rape at Rome"; Kang, *Traffic in Asian Women*; Lobasz, *Constructing Human Trafficking*. Note also that Barry's bio on the Women's Media Center website describes its publication as having "launched a new global movement against trafficking in human beings." See "Kathleen Barry Bio," Women's Media Center, accessed June 21, 2023, <https://www.womensmediacenter.com/profile/kathleen-barry>.