

“A HEADSCARF AMONG THE TURBANS”: HOW POLICY ENTREPRENEURS  
OPTIMIZE FOCUSING EVENTS

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## Introduction

In December 2000, 148 member countries of the United Nations convened in Palermo, Italy to discuss signature of the recently adopted United Nations Convention against Transnational Organized Crime. The convention is supplemented by three protocols, one of which is the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (hereafter referred to as the Trafficking Protocol), which defines human trafficking as “all acts related to the recruitment, transport, transfer, harboring, or receipt of persons through force, fraud or coercion for the purpose of exploitation” (United Nations 2000). Since the Palermo convention, 124 countries have ratified the Trafficking Protocol or have deposited an instrument of accession, signaling their consent to be bound by the protocol. Many of these countries have also enacted domestic human trafficking laws, as well.

As one of the first countries to enact a federal law specifically prohibiting human trafficking, the United States in the State Department’s Trafficking in Persons Report (TIP Report) began ranking other countries on their efforts to combat human trafficking on an annual basis, starting in 2001<sup>1</sup>. The TIP Reports from 2001 to 2010 have revealed a negative correlation between levels of perceived governmental corruption and the U.S. State Department’s rankings: countries with higher levels of perceived governmental corruption tend to receive lower rankings, and countries with lower levels of perceived corruption tend to receive higher rankings (U.S. State Department 2010).

Despite this trend, some countries with high levels of corruption do manage to receive the highest ranking, Tier 1, for their governments’ efforts to combat human trafficking. For instance, of the seven African nations that received a Tier 1 ranking in at least one year of ten

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<sup>1</sup> As of 2010, the United States includes itself in the rankings, as well.

(2001 to 2010), three – Benin, Mauritius, and Morocco – had relatively low levels of corruption; three – Ghana, Madagascar, and Malawi – had medium levels of corruption; and one – Nigeria – had a high level of corruption (Freedom House 2001; Transparency International 2000).

However, Nigeria is the only country in Africa to sustain an upward trajectory, maintaining its Tier 1 ranking for three consecutive years without moving down. As a special case, Nigeria stands to offer insight into how governments with high levels of perceived corruption can nevertheless make significant efforts toward combating human trafficking. Ghana, another West African country similar to Nigeria in perceived levels of corruption, economic circumstance, and human trafficking patterns, achieved a Tier 1 ranking in 2003 and 2004, yet declined in ranking in subsequent years. Thus, Ghana experienced a downward trajectory in ranking, while Nigeria maintained an upward ranking.

The similarities between Nigeria and Ghana make the countries useful comparative cases for explaining their different trajectories, as well as shedding light on the factors that enable or constrain the impact of focusing events on policy making. Conceptualizing the United Nations convention in Palermo, Italy in December 2000 as a focusing event that brought attention to the issue of human trafficking, the present study analyzes the role of national elite allies in exploiting these international focusing events. Specifically, the findings show that the Nigerian vice president's wife played a key role in translating the focusing event of the convention into the political will necessary to launch a sustained national effort to combat human trafficking.

## **Literature Review**

Economic development research approaches have generally centered on the impact of foreign investment and liberalizing economic policies on the incidence of human trafficking in developing economies, often ignoring the role of legal interventions. Those studies that do

consider the role of legislation are limited and have produced mixed findings. One recent study found a negative correlation between countries' ratification of an international convention against forced labor<sup>2</sup> and the use of forced labor, but a positive correlation between ratification of a similar convention and the use of forced labor (Neumayer and De Soysa 2007). These results point to a gap in our understanding of the intervening mechanisms between ratification of international conventions and implementation and enforcement at the national level. In addition, there is little existing research on how national anti-human trafficking legislation gets passed.

Policy studies literature posits that sudden, unplanned events can influence public policy making by bringing attention to the potential dangers of an issue and the limitations of current policy (e.g., Birkland 1997; Cobb and Elder 1983; Kingdon 1995). Birkland (1997: 132) further elaborates that "focusing events" can provide "a source of information to contenders in policy debates that they can use to press for policy change" or "evidence of policy failure," which can justify claims for additional resources. However, this research has primarily theorized these events as natural disasters or large-scale accidents, such as the Three-Mile Island nuclear power plant accident, the New Orleans floods after Hurricane Katrina, or the British Petroleum oil spill in the Gulf of Mexico. Recent studies (e.g., Shiffman 2003; Shiffman 2004; Shiffman, Stanton, and Salazar 2004) have included planned events such as conferences among possible types of focusing events, but few studies have critically examined conferences and their impact on policy making. In particular, there is a lacuna in the policy studies literature regarding international conferences' influence on policy making at the national level.

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<sup>2</sup> There is some debate in the field as to whether "forced labor" is an umbrella term that encompasses human trafficking, or whether it is a type of human trafficking. Conversely, some scholars and practitioners prefer the term "modern slavery." For the purposes of this analysis, forced labor shall be considered a type of human trafficking, in line with the terminology used by the U.S. Department of State's Trafficking in Persons Reports.

Further, Meyer identifies an area of omission in both social movements and public policy literatures: “Fundamentally, social movement scholars treat the policy process as a black box within the state, which movements may occasionally shake and upset into action...” (2005: 3). Banaszak (2005: 150) argues that, while much of the social movements and public policy literatures make a sharp distinction between the state and social movements, “the degree to which movements have activists or organizations located within the state varies, both at the emergence of the movement and over time.” On the human trafficking movement specifically, little existing research has examined the role of movement actors and allies located inside and outside of the state, and their relationship with non-governmental organizations (NGOs). As NGOs comprise a major element of the anti-human trafficking movement, understanding how elite allies in the state interact with NGOs to affect policy is particularly salient.

In addition, numerous studies have applied the political process model of social movements, which focuses on resources external to the movement and the development of changes that unfold slowly or incrementally over time, such as the drafting of bills and their passage into law. A key aspect of this theory is the political opportunity structure, which refers in a general sense to the openness of the political system to challenges. McAdam (1996) synthesizes dimensions of the political opportunity structure given by four authors (Brockett 1991; Kriesi et al. 1992; Rucht 1996; and Tarrow 1994) and produces the following list of elements of the political opportunity structure: the relative openness or closure of the institutionalized political system; the stability or instability of a broad set of elite alignments undergirding a political system; the presence or absence of elite allies; and the state’s capacity and propensity for repression. Further, Joachim (2007: 7) notes that “... *influential allies* are important because they generally possess institutional resources that NGOs themselves lack,

ranging from material power to institutional prerogatives and prestige [emphasis in the original].” While this literature has provided great insights into the political contexts that contribute to social movement success, we still know little about how elite allies within the state interact with international organizations to impact policy formulation or implementation.

One of the roles of international organizations recognized in the policy studies and political science literature is to function as instruments of state policy (Boardman 1994; Deacon 1997). Joachim (2007: 6) similarly describes the “legitimation function” international organizations perform by signaling to states which actions in global politics are considered appropriate and which ones are not. Further, Joachim notes that international agendas “can empower NGOs at the national level to exert pressure on their governments to take action to follow through on their international commitments or shame states by revealing the gap between practices and international agreements” (2007: 6). However, the mechanisms by which states effectively or ineffectively implement policy agendas set by international organizations remain unclear. Additional research is also needed to investigate the role of elites in this process, particularly in states with high levels of corruption.

Existing scholarship on political opportunity has been largely silent on corrupt political contexts. Those studies that do consider governmental targets with high levels of corruption or closed political regimes predict that movements will use more confrontational, disruptive tactics in closed regimes (e.g., Kitschelt 1986). However, these studies treat social movements as outside, non-state actors. This framework does not adequately theorize state-movement alliances, nor does it account for large international actors such as the United Nations and international NGOs, who would be unlikely to use disruptive tactics. Further investigation is needed to understand how international organizations and local political elites, who have access

to proper channels, influence policy formation and implementation in political contexts with relatively high levels of corruption.

This study addresses these gaps in the literature through an analysis of factors that promote the necessary political will among governments with high levels of perceived corruption to increase their efforts to combat human trafficking. The findings demonstrate how the presence of elite allies in national contexts increases the salience of focusing events like United Nations conferences, cultivating their potential to impact anti-human trafficking policy making at the national level. Drawing from political science and public policy research, Shiffman (2004: 6-7) identified four factors that increase the likelihood that an issue will receive the attention of political elites: “the existence of an **indicator** to mark the severity of the problem; the presence of effective national **political entrepreneurs** to push the cause; the organization of **attention-generating focusing events** that promote widespread concern for the issue; [and] the availability of **policy alternatives** that enable national leaders to understand that the problem is surmountable” (emphasis in original). Using this framework, this study analyzes the role of Nigeria’s Titi Abubakar, whose NGO helped push anti-human trafficking legislation through the Nigerian Senate (Kalu 2004; Okafor 2006).

## **Data and Methods**

This study employs a case-oriented, comparative analytic approach (e.g., Ragin 1987; Tilly 1984) to formulate an explanation for Nigeria’s status as a special case, maintaining a Tier 1 ranking on the TIP Reports. The unit of study is the state. By comparing two similar cases, Ghana and Nigeria, this study investigates the different outcomes of the two countries in terms of the trajectories of their governments’ efforts to combat human trafficking. Efforts of the

governments of Ghana and Nigeria to combat human trafficking are measured by U.S. State Department Trafficking in Persons Report (TIP Report) rankings from 2001 to 2011.

The Department produces the TIP Report on an annual basis, pursuant to the requirements of the Trafficking Victims Protection Act of 2000 (TVPA) and subsequent reauthorizations of this act, placing countries into one of three tiers according to their government's efforts to combat human trafficking. The incidence of human trafficking is also considered in the ranking, though the primary basis for ranking is "governments' efforts to reach compliance with the TVPA's minimum standards for the elimination of human trafficking" (U.S. Department of State 2010). The analysis of governments' efforts includes the enactment of laws prohibiting human trafficking that include appropriate penalties; the prosecution of traffickers; the protection and proactive identification of trafficking victims, without unnecessary detainment or psychological or physical hardships; provisions for the reintegration and rehabilitation of victims; and efforts to prevent human trafficking (U.S. State Department 2010). Broadly, these efforts fall under the categories of prevention, protection, and prosecution.

Tier 1 is the highest ranking and Tier 3 is the lowest ranking in the TIP Reports. Rather than an indication of a lack of an incidence of human trafficking, a Tier 1 ranking indicates that a country has acknowledged the existence of human trafficking within its borders and its efforts to combat the problem comply with the minimum standards set forth by the TVPA. The 2010 TIP Report (U.S. State Department 2010) explains the Tier rankings as follows:

**Table 1**

<p><b><i>Tier 1</i></b> Countries whose governments fully comply with the TVPA’s minimum standards for the elimination of trafficking [in persons].</p>
<p><b><i>Tier 2</i></b> Countries whose governments do not fully comply with the TVPA’s minimum standards but are making significant efforts to bring themselves into compliance with those standards.</p>
<p><b><i>Tier 2 Watch List</i></b> Countries whose governments do not fully comply with the TVPA’s minimum standards, but are making significant efforts to bring themselves into compliance with those standards AND:</p> <ul style="list-style-type: none"><li>a) the absolute number of victims of severe forms of trafficking is very significant or is significantly increasing;</li><li>b) there is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecution, and convictions of trafficking crimes, increased assistance to victims, and decreasing evidence of complicity in severe forms of trafficking by government officials; or,</li><li>c) the determination that a country is making significant efforts to bring themselves into compliance with minimum standards was based on commitments by the country to take additional steps over the next year.</li></ul>
<p><b><i>Tier 3</i></b> Countries whose governments do not fully comply with the minimum standards and are not making significant efforts to do so.</p>
<p>The TVPA lists three factors by which to determine whether a country should be on Tier 2 (or Tier 2 Watch List) versus Tier 3: (1) the extent to which the country is a country of origin, transit, or destination for severe forms of trafficking; (2) the extent to which the country’s government does not comply with the TVPA’s minimum standards and, in particular, the extent to which officials or government employees have been complicit in severe forms of trafficking; and (3) what measures are reasonable to bring the government into compliance with the minimum standards in light of the government’s resources and capabilities to address and eliminate severe forms of trafficking in persons.</p>

Countries are expected to make continual progress in their efforts; thus, a Tier 1 ranking one year does not guarantee a Tier 1 ranking the following year. Additionally, beginning with the 2009 TIP Report, countries that have been on the Tier 2 Watch List for two consecutive years that would otherwise receive a Tier 2 Watch List ranking in the third year will instead be ranked as Tier 3 the following year (U.S. State Department 2010). The distinction between the Tier 2 Watch List and Tier 3 is significant, as the U.S. government may impose certain sanctions on countries ranked as Tier 3, such as the withholding of non-humanitarian, non-trade-related

foreign assistance. Although sanctions can be waived in some instances, the threat of sanctions may be enough of an impetus for governments to try to avoid receiving a Tier 3 ranking.

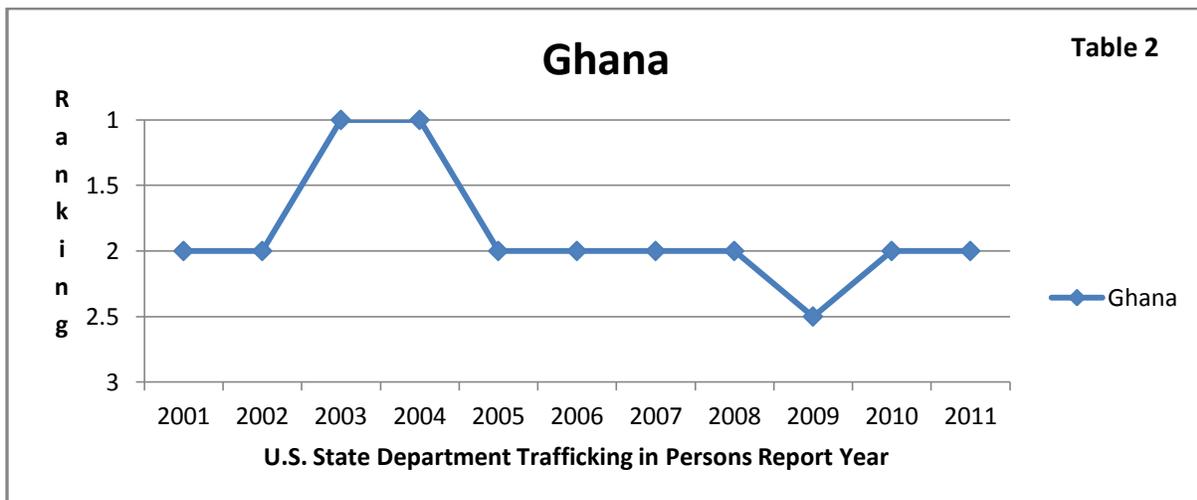
The cases in this study, Nigeria and Ghana, were selected to control for levels of corruption and economic circumstance, as case studies of countries with high levels of human trafficking have demonstrated that economic conditions and government corruption are critical to understanding the incidence of human trafficking (Bales 2004; 2007). Over the reporting period (2001-2011), both countries had similar per capita Gross Domestic Products and Human Development Index scores above the average for Sub-Saharan Africa (United Nations Development Programme 2011). Ghana and Nigeria are both Anglophone countries, as well.

Additionally, the cases were both selected from West Africa, to control for regional human trafficking patterns, as well as participation in regional initiatives to combat human trafficking, such as the Economic Community of West African States (ECOWAS) plan. Both Ghana and Nigeria are source, transit, and destination countries for trafficking in persons and are among “the main suppliers of child labour in the subregion” (Adepoju 2005: 77). The Special Action Programme to Combat Forced Labour (SAP-FL 2007-8) describes the similarities between Ghana and Nigeria with regard to human trafficking causes and patterns:

Both countries have large proportions of the population living in absolute poverty; a critical shortage of jobs, especially for young people; a general stagnation in much of the rural economy; long-standing traditions of fostering of children as part of the process of growing up; high rates of seasonal migration from many rural areas; and large demand for migration both within and outside the country. In the absence of safe and regular ways of migration, criminal networks abuse this situation and traffic victims - women, men and children - within Nigeria and Ghana as well as in the region and to Europe for forced labour and sexual exploitation.

Of the seven African countries whose governments received a Tier 1 ranking on the TIP Report at least one year during the 2001 to 2011 reporting period, Nigeria has the highest level of perceived corruption, with a Corruption Perceptions Index score of 1.2 on a scale of 0 to 10, where 0 indicates the highest level of corruption and 10 indicates the lowest (Transparency

International 2000). Ghana has the next highest level of perceived corruption, with a Corruption Perceptions Index score of 3.5. Despite having higher levels of corruption, Nigeria was one of only two African nations, along with Mauritius, to be ranked as Tier 1 in the 2009, 2010, and 2011 TIP Reports. Thus, one key dimension along which the countries differ is on the trajectories of their TIP Report ranking over the reporting period (2001 – 2011). Whereas Ghana went up from Tier 2 to Tier 1, then down to Tier 2 and Tier 2 Watch List, Nigeria went from Tier 2 and Tier 2 Watch List to Tier 1 in 2009, 2010, and 2011 (see Table 2 and Table 3 below)<sup>3</sup>.



<sup>3</sup> Note: In these tables, a Tier 2 Watch List ranking is graphed as 2.5.

The data on these two countries' rankings comes from the eleven available U.S. State Department TIP Reports to date. Levels of perceived corruption are based on Transparency International's Corruption Perceptions Index for 2000, which measures the degree to which corruption is perceived to exist in the public sector. The index uses a scale of 0 (High Level of Perceived Corruption) to 10 (Low Level of Perceived Corruption). Measures of the economic circumstances of Ghana and Nigeria are based upon per capita Gross Domestic Product (GDP) expressed in U.S. dollars per person for the year 2000. Estimates are derived by first converting GDP in local currencies to U.S. dollars and then dividing GDP by the total population. This study uses per capita GDP to control for population size, as Nigeria is the most populous nation in Africa. According the International Monetary Fund (IMF) World Economic Outlook Database (2001), Ghana's per capita GDP in U.S. dollars in 2000 was \$211.66, and Nigeria's was \$316.84<sup>4</sup>. The other data used in this study come from case studies, country and regional reports from international agencies, and other scholarship on human trafficking in these countries. Using this data, the present study seeks to explain the different trajectory in rankings by analyzing the role of elite policy entrepreneurs in parlaying the focusing event of the UN conference in Palermo into national policy formation and the political will to sustain efforts to combat human trafficking. Some researchers have used the term "political entrepreneur" (e.g., Shiffman 2004), while others (e.g., Kingdon 1995) have used the term "policy entrepreneur." This study opts for the latter, as the analysis focuses on actors without a formal political position who nevertheless gain sufficient access to the political sphere to advance policy formation.

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<sup>4</sup> To put these numbers in perspective, the per capita GDP for the United States in 2000 was \$36,182.01 (International Monetary Fund 2001).

## Data Analysis

Ghana and Nigeria have both experienced a phenomenon referred to by some as “first lady syndrome” (Ibrahim 2004) in which the wives of politicians – including governors, vice presidents, and presidents – have gained entrée to a closed political arena by creating their own quasi-political positions and organizations. Because women are marginalized in Nigerian political life (Ibrahim 2004), women lack access to legitimate routes to political power. As a result, for the wives of these Nigerian and Ghanaian politicians, their husbands’ positions represent a key means of gaining prominence and influence that is otherwise very difficult for women to obtain.

The few female politicians who are able to ascend to political office on their own merits face a political environment dominated by men and unfriendly to women in positions outside of traditional women’s roles. For instance, in 1997 and 2003, Habiba Sabo Gabarin was elected to the Bauchi State House of Assembly in Northern Nigeria, a state that practices shari'a law. As the sole woman among the 31 members of the assembly, she was perceived as deviant, a “headscarf among the turbans” (Salihu 2004). In exchange for her husband’s permission to pursue an elected position and thus “abdicate” her traditional wifely duties, she was obliged to allow her husband to take other wives and to agree to use the financial resources accrued from her political position to support any children resulting from her husband’s other marriages (Salihu 2004).

In contrast, the “first ladies” came to their positions through their roles as wives, rather than by formally entering the male-dominated political field. They then used their positions to create organizations for their pet projects. For instance, when the former Ghanaian President, Jerry Rawlings, came to power in 1981, his wife, Nana Agyeman-Rawlings created the 31

December Women's Movement (DWM), named for the date her husband took office (Ibrahim 2004). Although the National Council on Women and Development (NCWD) had been in place since 1975, the DWM soon overshadowed NCWD, encompassing 30 affiliate organizations and a large membership (Ibrahim 2004). The organization was used to campaign for Jerry Rawlings during the 1992, 1996 and 2000 presidential elections (Ibrahim 2004) and continues to be used as a campaign instrument: a recent message issued by the movement was "a call to all to campaign for our President Nana Konadu Agyeman-Rawlings to win the Flagbearership of the NDC Party on 9th July 2011" (31st December Women's Movement United Kingdom 2011).

The "first ladies" in Nigeria and Ghana derived their status through the positions of their husbands and did not occupy a formal political position. As such, they could not be described as institutional activists, who are "social movement participants who occupy formal statuses within the government and who pursue social movement goals through conventional bureaucratic channels" (Santoro and McGuire 1997: 503). The first ladies also did not belong to a social movement organization prior to their husbands' appointments, nor were their actions made on behalf of their ideological commitment to respective social movements.

On the contrary, some (e.g., Ibrahim 2004) contend that the motives of the "first ladies" were to self-aggrandize by furthering the influence of their husbands, from whom they derived their status. In the case of Titi Abubakar, the fact that her husband contested the 2007 election results is cited as evidence that her creation of the Women Trafficking and Child Labour Eradication Foundation (WOTCLEF) served to promote her husband's political aspirations (Ibrahim 2004). Nevertheless, the creation of WOTCLEF as a pet project of the vice president's wife served as an opportunity for anti-human trafficking NGOs. While the "first ladies" may not further the interest of gender equality, they nonetheless advance the causes they support.

Some claim (e.g., Ibrahim 2004), as noted above, that the underlying goal of establishing WOTCLEF and getting the human trafficking law passed may have been to increase the political power and prestige of her husband. Ajayi (2010: 46) states:

...the aggressive and determined dimension that the campaigns of the Second Lady, Mrs Titi Atiku-Abubakar, have taken regarding her pet project, WOTCLEF, shortly after the 2003 elections, points to the fact that she had been trying to penetrate and influence the women populace in support of her husband who later showed interest in contesting the presidency in 2007.

Additionally, the law established the National Agency for the Prohibition of Traffic in Persons (NAPTIP), which “has the responsibility to enforce laws against trafficking, investigate and prosecute persons suspected, and to take charge and coordinate the rehabilitation and counseling of trafficked persons” (ILO 2011). Beyond having a special police task force under her husband’s political influence, Abubakar, by involving the wives of state governors in WOTCLEF, created a network of political elites all over the country.

On the other hand, the involvement of elite women may have helped raise awareness, as Odigie and Patience (2008: 64-65) suggest: “Perhaps the nefarious activities of human traffickers in Nigeria would have remained hidden and uninhibited despite general concern but for the intervention of the office of the wife of the Vice-President of Nigeria with the collaboration of the wife of the Edo state (of Nigeria) governor in 1999.” The wife of the governor of Edo state had created her own NGO in 1999. Thus, although the first ladies phenomenon did not appear to raise the status of women in a concrete way, it may have at least brought awareness to women’s marginalization and the issue of human trafficking (Ajayi 2010). Further, by helping to raise awareness and disseminate ideas from the UN conference, at least among the elite who became involved in the organization, WOTCLEF enabled the conference to function as a focusing event. Shiffman (2003: 1199) contends that focusing events, such as crises, conferences, accidents, disasters and discoveries, can bring visibility to hidden issues.

However, although the conferences and protocols may have promoted awareness of the issue of human trafficking among policy-makers and political elites, “the general public in Nigeria lacks overall knowledge of the human trafficking phenomenon” (UNESCO 2006: 38).

Titi Abubakar’s role in raising awareness of the issue of human trafficking and her organization’s ability to set the legislative agenda, particularly getting the Anti-Human Trafficking Bill passed, points to her status as a specific type of elite ally for the movement: a “policy entrepreneur.” According to Shiffman (2004), they have certain characteristics that enable them to influence national public policy agendas, including persistence, coalition-building skills, and the ability to “generate commitment by appealing to important social values” (p. 8). Nigerian political culture still discriminates against women, portraying women who do run for office as immoral or contradicting their culture (Ibrahim 2004). Ibrahim (2004) argues that the role of “first lady” (wife of a governor or vice-president) enables these women to appropriate political space previously unavailable to them in order to advance their own political causes, without impugning their morality or formally contesting social norms that suggest holding a political office is inappropriate for women. Her moral character intact, Titi Abubakar was able to use her organization to put pressure on the Senate to pass the anti-trafficking legislation, while establishing a network of elite supporters throughout the country. The law’s passage represented a gain for her organization, WOTCLEF, and for other anti-human trafficking NGOs, as it spurred the government’s increased efforts and allocation of resources toward combating human trafficking and increased partnerships between these organizations and the Nigerian state.

Further, the establishment of WOTCLEF branches all over the country (Ibrahim 2004) helped to institutionalize a network of local and intranational activists that international activists could capitalize upon. Abubakar incorporated the wives of governors of each state of Nigeria.

Although many (e.g., Ajayi 2010; Ibrahim 2004; Salihu 2004) argue that the creation of WOTCLEF and the actions of first ladies in general has done little to advance women's equal status in Nigeria or Ghana, the creation of this network of women in every state helped expand awareness in Nigeria of the issue of human trafficking. Further, by putting prominent women in power, even if only symbolically, WOTCLEF helped to legitimize the issue as something that local women could and should concern themselves with.

This gradual shift and the accompanying resources enabled anti-human trafficking NGOs to make strides in the institutionalization of protection and prevention efforts (U.S. State Department 2009, 2010). Beyond protection and prevention, efforts toward the prosecution of human traffickers increased with the creation of WOTCLEF. The organization and Mrs. Abubakar helped push through an anti-human trafficking law in 2003, the Trafficking in Persons Law Enforcement and Administration Act (Olori 2003). Okafor (2006: 174) asserts that "while the chief moving spirit behind the bill was an NGO known as the Women Trafficking and Child Labor Eradication Foundation (WOTCLEF), many other NGOs also participated in the struggle to draft, publicize, and eventually pass this bill into law." Additionally, the Child Rights Act, which criminalizes child trafficking, was passed in 2003. WOTCLEF's participation with other anti-human trafficking NGOs seems to have opened the door for increased cooperation between the Nigerian government and these organizations, as Okafor (2006: 188) describes: "at least at the level of formal public discourse, the federal government now tends to address these NGOs more as partners than as adversaries. This is a marked change from the, hitherto, far more adversarial discursive attitude of the Nigerian government regarding these NGOs."

Because in Nigeria, emphasis is placed upon the sexual exploitation of women and child labor, protection and prevention efforts to a large extent involve awareness and sensitivity

campaigns involving women (U.S. Department of State 2004). For this reason, human trafficking may be regarded as an issue in which it is appropriate for women to take a leadership role, as the few positions of political leadership women are allowed often involve leading other women. For example, the People's Democratic Party in Nigeria reserved only one position for women in the party, women's leader, which has no decision-making power, but only serves as a liaison to female party members (Salihu 2004). Thus, the creation of WOTCLEF provided a means for these women to assume leadership roles in the anti-human trafficking efforts at the state level, roles that may have been tolerated because human trafficking is viewed as a women's issue. In fact, the 2004 TIP Report observes the involvement of women leaders "in and outside of the government" who coordinated awareness and sensitization campaigns (U.S. State Department 2004). Additionally, the legislative debate that led to the promulgation of the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act of 2003, in which WOTCLEF played a major part, was one of the "major government policy discussions and/or parliamentary debates where gender perspectives and the concerns of women have been taken systematically into account..." (Federal Ministry of Women Affairs, Nigeria. 2004: 4). Thus, the "first ladies syndrome" represented a gendered opportunity (McCammon et al. 2001) for international and local organizations in Nigeria working to combat human trafficking.

After the passage of the Human Trafficking law in Nigeria, progress toward combating human trafficking continued. On November 11, 2003, Italian Anti-mafia Chief Prosecutor, Pierluigi Vigna, and the Nigerian Minister of Justice, Akinlolu Olujinmi, signed a "Memorandum of Cooperation" between Italy and Nigeria to promote effective cooperation between the two countries (UN Information Service 2003). Additionally, the Nigerian Trafficking in Persons law was amended in 2005 to increase penalties for traffickers. From 2008

to 2009, the Nigerian government more than doubled the number of trafficking offenders convicted under the law (U.S. State Department 2009) and increased funding to its anti-human trafficking organization, the National Agency for the Prohibition of Trafficking in Persons (NAPTIP). Additionally, since the passage of the law, human trafficking awareness campaigns air regularly on television. Adepoju (2005: 75) describes the significance of these campaigns:

Indeed, in recent years, trafficking of women and children, as commercial sex workers or as exploited domestic servants, has assumed such an alarming proportion that African leaders, especially in Nigeria, are breaking the normal culture of silence to address the issue with the urgency it deserves. For example, the Nigeria Television Authority routinely carries prime news items, special features, and plays on human trafficking to educate the public and raise awareness of the plight of trafficked victims.

Consequently, the involvement of elite women, such as Titi Abubakar and the wives of state governors, in WOTCLEF may have helped to break the “culture of silence.”

In Ghana, the government’s efforts to combat human trafficking took a different path. First, unlike Nigeria, Ghana did not sign and ratify, nor submit an instrument of accession for<sup>5</sup>, United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children. Kafui Adjamagbo-Johnson (2004), Coordinator of Women in Law and Development in Africa (WiLDAF) for West Africa, notes that ratification of international protocols is an important step toward implementation that signals leaders’ formal support of the sentiments expressed by the protocols. Writing about the Protocol on the Rights of Women in Africa, she argues that the entry into force of international protocols offers a “legal framework of reference” for African populations and societies (Adjamagbo-Johnson 2004: 110). Ghana was a party to the United Nations conference in Palermo, Italy in 2000, to discuss signature of the Convention against Transnational Organized Crime, of which the Trafficking Protocol is a part, and, thus, had access to this “legal frame of reference.” However, their failure to ratify the

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<sup>5</sup> According to the United Nations, “a State becomes a party to the Convention and Optional Protocol by signing and ratifying either instrument or by acceding to them.” Accessed online at <http://www.un.org/disabilities/default.asp?id=231>

Trafficking Protocol was a lost opportunity for Ghanaian leaders to signal their support for the effort to combat human trafficking.

Further, beyond ratifying international protocols, countries must take the next step to enact national laws to bring the conventions into force on a national level. During a U.S. House subcommittee hearing on proposed anti-trafficking legislation, Laura Lederer, Research Director and Project Manager of the Protection Project in the Kennedy School of Government at Harvard University discussed this issue:

The United Nations conventions, such as the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women and the other conventions, can play an important role in setting international norms, but they do not have any enforcement capability by themselves, even when the countries adopt them into their Constitutions. The countries have to draft and pass penal code statutes that specifically address each of these commercial sexual exploitation issues if they want their law enforcement people to have tools to arrest, charge and prosecute traffickers. We have found that countries often tell us that they have adopted such and such convention, and so they have taken care of the problem, and they don't go the next step, which is to actually draft and pass those statutes. (Smith 1999: 39)

Although Ghana later began the process of drafting an anti-trafficking bill, their efforts stalled, as the government seemed to lack the necessary political will to drive the bill through the legislative process. In contrast, Nigeria's anti-trafficking law passed the Senate impressively fast by national standards (Kalu 2004). Ghana's failure to sign and ratify the UN Trafficking Protocol may have been the first step on a path toward a downward trajectory in TIP Report rankings.

Although the government started out strong in 2001 to 2004, its efforts waned. After hosting a regional meeting of the Economic Community of West African States (ECOWAS) in October 2001, Ghana along with other participating government representatives adopted a two-year Initial Plan of Action to Combat Trafficking in Persons. In March 2002, in fulfillment of one of the requirements of the ECOWAS plan, Ghana established the National Task Force on Trafficking in Persons (U.S. Department of State 2002). Also that year, Ghana participated in

and provided ten percent of the funding for an international program to combat trafficking in children (U.S. Department of State 2002; U.S. Department of State 2003).

It was after these efforts that Ghana received a Tier 1 ranking in 2003. In the 2003 TIP Report, it was noted that Ghana lacked a national law, but that the country was making progress in the prosecution of traffickers while a law made its way through the legislative system (U.S. Department of State 2003). Similarly, in 2004, the second year Ghana received a Tier 1 ranking, the TIP Report also notes that the government was working on drafting an anti-human trafficking bill (U.S. Department of State 2004). By June 2005, the anti-human trafficking legislation that had been planned since 2002 had still not been enacted; for this reason, Ghana's ranking dropped to Tier 2 (U.S. Department of State 2005). In December 2005, Ghana passed a Human Trafficking Act, which prohibited trafficking and related offenses, provided for rescue and rehabilitation of victims, and created a Human Trafficking Fund and Management Board (ILO 2011; U.S. Department of State 2006). However, its ranking remained at Tier 2 for three more years and even dropped to Tier 2 Watch List in 2009.

## **Discussion**

While both Ghana and Nigeria enacted national anti-human trafficking laws during the time since the U.S. State Department has been producing the TIP Report (2001-2011), there are key differences that point to a greater degree of political will in Nigeria to combat human trafficking. First, Nigeria ratified the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, whereas Ghana did not. Second, Ghana lacked the kind of network put in place in Nigerian states by WOTCLEF. The organization created by the Ghanaian first lady, Nana Agyeman-Rawlings, was on the surface a women's rights organization, although in reality it did little to advance women's status and served as a

political campaigning mechanism (Ibrahim 2004). Although Nigeria's WOTCLEF also did little to advance women's status, the organization nevertheless helped raise awareness about human trafficking and was instrumental in pushing through the country's anti-trafficking legislation quickly. Unlike Nigeria's "first lady", the eldest wife of vice president Abubakar, the Ghanaian first lady did not adopt human trafficking as her pet project. As a result, anti-human trafficking NGOs in Ghana did not have access to the extensive network of political elites that those in Nigeria did through WOTCLEF. Had DWM been an anti-human trafficking organization like WOTCLEF, anti-human trafficking NGOs may have been able to leverage DWM's national network for anti-human trafficking activities. Instead, DWM and its members were oriented toward campaign efforts for Jerry Rawlings and later for Nana Rawlings.

In Nigeria, the first ladies phenomenon was taken to another level, with the wives of state governors, vice presidents, and presidents all starting their own organizations for women's causes. Although, as in Ghana, these organizations realized few tangible gains for women in Nigeria, Titi Abubakar's establishment of WOTCLEF enabled her to influence policy, resulting in the enactment of Nigeria's Human Trafficking law and the focus of national attention toward the problem of human trafficking. This created a gendered political opportunity for anti-human trafficking NGOs in Nigeria, which may in part explain the difference between the outcomes of the two nations in terms of government efforts to combat human trafficking.

Thus, Ghana represents a case in which the event of the UN anti-trafficking protocol did not lead to a quick policy change. In Ghana, legislation stalled for several years (U.S. Department of State 2005). In contrast, in Nigeria, policy entrepreneur Titi Abubakar leveraged the focusing event of the United Nations conference into national political will by founding an NGO, WOTCLEF, dedicated to the fight against human trafficking. Her NGO worked with

existing anti-human trafficking NGOs to push a national anti-human trafficking law quickly through the Senate. Abubakar's presence and creation of WOTCLEF seem to have not only been instrumental in the passage of anti-trafficking legislation, but played a key role in fostering cooperation between anti-trafficking NGOs, the state, and a network of elite allies across the country. The networks and political will created by this policy entrepreneur, thus, appear to have been the primary difference for Nigeria's maintaining an upward trajectory in the State Department rankings.

Although Nigeria may represent a special case, the analysis of how events unfolded in Nigeria provides insight into the nature of political opportunities in corrupt political contexts. Whether or not first ladies' organizations are created for political campaigning or the self-aggrandizement of the first lady and her spouse, these organizations can represent real political opportunities for non-governmental organizations working to combat human trafficking in countries whose governments have high levels of perceived corruption. The Nigerian "first ladies" may not have advanced women's equal participation in political life, but they nevertheless created opportunities for NGOs to advance the anti-human trafficking cause in Nigeria.

## **Conclusion**

The above findings point to the role of elites in policy formation in countries with high levels of corruption. In the case of anti-human trafficking legislation, it appears that the presence of national political entrepreneurs to push the cause helps foster and maintain the necessary political will to mount effective and sustained campaigns to prevent human trafficking, protect victims, and prosecute traffickers. This has important implications for international organizations interested in promoting the implementation of international protocols at the

national level, as incorporating these elites could represent an effective strategy for international organizations to realize key policy goals.

Additionally, the findings reveal important aspects of the networks between NGOs, international organizations, and state actors. Whereas many studies of social movements in Western, industrialized countries view the goals of social movements as separate from those of the state and international organizations, studies of human trafficking in particular could benefit from closer attention to these partnerships. As a movement that has an international protocol in force, investigating how countries commit to the agendas set by international organizations and how they work with NGOs to implement these agendas on a national level could have important theoretical implications for social movement research in a political arena dominated by international organizations.

There are several limitations of this study. First, the results may not be generalizable beyond West Africa or even beyond these two cases. Future studies might extend this type of analysis to additional countries within West Africa or to similar countries in another region to test the generalizability of this study's conclusions. Second, the three-tiered rating system in the U.S. State Department TIP Report is evaluative and not a perfect measure of the efforts of a government to combat human trafficking. Similarly, as the ratings are based upon the judgments of employees of the U.S. government, they may reflect diplomatic priorities or national biases.

Overall, there remains much to be learned about implementing human rights-related agendas in countries with high levels of corruption, particularly with regard to human trafficking. Local service providers and international non-governmental organizations could benefit immensely from further insights into how to make continual progress with government efforts and cooperation. Time will tell whether the Nigerian government's political will and efforts to

combat human trafficking will remain strong, but whatever may lie ahead, the course of anti-human trafficking efforts in Nigeria remains informative.

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