

# **Norm Transference: Understanding Patron-Client Norm Diffusion in the Emergence of International Sexual Orientation and Gender Identity Human Rights**

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## **Author Biography**

R. Tanner Bivens is a doctoral student in the Department of Political Science at Northern Illinois University. He has received his Master's Degree in Political Science from Ohio University. His research interests center around IR Theory, norm theory, constructivist thought, human rights, and sexual orientation and gender identity (SOGI) norms.

## **Abstract**

What explains variation in state adoption, localization, and resistance to new norms? While scholarship on norm theory has primarily focused its research on how norms are localized within states, there has been less research on how norms pass from state to state when they are being debated at the international level. In this paper, I argue that norms transfer from state to state within the context of established patron client relationships. I argue that patrons signal to client states within their sphere of influence, either passively or actively, norms and values that the client state ought to adopt. The client state has the option to displace, resist, or localize the norm dependent on the patron as well as their own local cognitive priors. In order to shed light on this subject, I examine this relationship in regards to the emergent norm of international human rights surrounding sexual orientation and gender identity. This paper contributes to the growing literature on norm diffusion and contestation by drawing attention to as of yet under-theorized diffusion dynamics within and between states. More narrowly, I advance a new typology for examining norm transference through patron client relationships that has applicability beyond the cases examined.

## **Keywords**

Norm Transference, Human Rights, Sexual Orientation and Gender Identity, Patron-Client Relationships, Norm Diffusion, LGBT

## **Introduction**

What explains variation in a state's decision to adopt, resist, or localize a new norm? Despite their being a plethora of research on the subject of what a norm is, how it disseminates into local populations, and how regional organizations may affect norms for states within its constituents, there has been less research on the subject of norm transference between states. While researches like Acharya (2004; 2011) display how a norm is localized within a state, how that norm can differ dependent on a number of factors, and even influence from states and regional actors, norm discussion and value sharing occur between state actors on the international level in various forms of relationships expanding beyond regional action. While this serves as a salient cog of the international norm creating machine, little has been written discussing these relationships and in which way states decide how to adopt them. These discussions and interpretations by world actors can have an impact on states and how they adopt norms when interacting with one another. When this is combined with the structural power dynamics at play in the international system, passive and active power dynamics between stronger and weaker states can have an effect on which norms a weaker state sees as worthwhile to adopt<sup>1</sup>.

To shed further light on another under researched field, despite its emergence as a new norm in international politics, international human rights concerning sexual orientation & gender identity (SOGI)<sup>2</sup> remain a less researched field in international relations (IR). Studying the emergence of SOGI human rights can offer insight into the subjects of human rights, norm diffusion, and norm localization within states. For instance, SOGI human rights are a polarized norm (Symons & Altman 2015). There are ninety-six states that are signatories on a United Nations (UN) joint sponsorship of support of SOGI rights in the General Assembly and the

United Nations Human Rights Council (UNHRC) and the decriminalization of non-heteronormative relationships. However, there is also fifty-four (formerly fifty-seven) signatories on the opposition statement challenging the stance that SOGI rights should be promoted by the UN. States are split between accepting SOGI human rights, resisting the emergent human right, and all manner in between in terms of localization of this emergent norm.

This paper seeks to shed light on the subject of state-to-state norm transference that leads to the localization and regionalization covered in contemporary norm theory scholars (Glas & Balgoun 2020; Jurkovich 2019; Lenz 2018). The primary thesis of my argument lies in the power dynamics surrounding state interaction and their transference of norms between one another. In order to potentially showcase how this functions, I will use a novel approach to the comparative politics topic of patron-client relationships. Focusing more on the dynamics of legitimacy and leadership in patron-client relationships I discuss ways in which relationships between state actors can affect whether a state chooses to adopt, resist, or localize since this relationship already establishes an agreed upon relationship between two states (Eisenstadt & Roniger 1980; Scott 1972).

I argue that norm transference between states occurs within the context of patron-client state relationships. Powerful patron states or multi-state actors with a high level of socioeconomic and cultural power signal to weaker states within their sphere of influence, whether through active or passive means, a set of norms and values that ought to be adopted by the client state. The client state then has a choice to either accept the will of the patron, either for or against the emergent norm, or to localize them as to not completely displace the previous norm, but not wholesale reject it either as a means of appeasement between international and domestic cognitive priors.

In order to help unpack these queries, I will offer a definition of patron-client relationships built on previous research as well as some additions from international practice theory (Adler & Pouliot 2011; Adler-Nissen & Pouliot 2014; Ralph & Gifkins 2017) as well as a theoretical typology for understanding norm transference through patron-client relationships and what ways a relationship between patron actors and client actors can affect norm diffusion. I will offer some descriptive qualitative data on SOGI human rights and where states stand on their acceptance of the new norm using data collected from the International Lesbian, Gay, Bisexual, Trans, and Intersex Association (ILGA) that includes examinations on region, ideology, and the use of the Group of 20 (G20) as a proxy for potential patron states. I will finally then offer a singular case study on the subject of Ukraine and Belarus and their relationships with the European Union and Russia as a means of showcasing how this relationship can affect state decision making.

## **Understanding Norms, SOGI Human Rights Emergence, and Patron Client Relationships**

### *Norm Theory and Norm Adoption*

The study of norms and ideas in international relations has been a hallmark field of research for social constructivists dialogue (Checkel 1999; Checkel 2001; Finnemore & Sikkink 1998; Wendt 1999). If social interaction shapes how states perceive their system then the understanding of norms, ideas, and identity become paramount in understanding how states operate. The study of norms has run the gamut as researchers attempt to better understand how these norms come into existence and how they are able to displace and evolve old norms within populations. There has been research on the life cycle of a norm's life cycle and trajectory it takes to become codified as an accepted norm of society (Finnemore & Sikkink 1998); there has been research on norm compliance (Checkel 2001); norm diffusion within a state (Acharya

2004); norm subsidiarity and how it relates to regionalism (Acharya 2011; Glas & Balgoun 2020); how norms are diffused through the context of elections (Hyde 2011); the legality of norms internalization in states (Kim 2021); the complexity of norms (Fehl 2019); norm contestation and the challenges caused by the digital age (Hall 2019); Intergovernmental organizations (IGO) and how it effects the socialization of norm diffusion (Greenhill 2010); and research that examines and better understands what qualifies and what does not qualify as a norm by setting three criteria of a clearly definable actor, action, and oughtness (Jurkovich 2019).

It should be noted that a general critique focuses on a general lack of state-to-state analysis. However, that is not to say there is not research on the subject of norm relations between weak states and strong states. At the end of an article by David Martin Jones and Michael L. R. Smith, the two authors hit on a prominent point in the understanding of norms in international relations: “Norms advanced by an association of weak states in such circumstances can only be what stronger states make of them” (Jones & Smith 2007). This line speaks to a wider understanding of norm transference and how norms are shaped in international relations. There is a distinct flow to how norms transfer. Weaker states do not influence stronger states and, if they did, it would be minimal at best. Stronger states can, and most often do, shape the norms of weaker states. However, there is little study on the exact process that this takes.

### *Contemporary Human Rights and the Emergence of International SOGI Human Rights*

Even with international human rights in a state of turmoil with recent populist right wing sentiment as well as academic challenges to its conceptual validity (Hannum 2019; Moyn 2019, Sikkink 2018; Waring 2019)<sup>3</sup>, within the years of the first UN signing of 2011-2020 there has been a considerable push by states to reform their policies and decriminalize same sex relationships, adopt laws on gender identity protections, recognizing gay relationships in the

form of civil unions or marriage, and allowing gays to adopt (ILGA World 2019) as well as a push by scholars to better understand SOGI human rights and its connection to norm adoption.

Cynthia Weber (2016) is one of the leading researchers attempting to bring queer intellectual curiosity and queer studies into international relations as a means to unpack these conundrums. To further relate to the prevalence of SOGI human rights, Baisley (2016) discusses the history of the emerging norm of sexual orientation and gender identity the progress that has been made and the failings of some social movement actors while states, contrary to popular belief, have made strides on the subject of orientation and identity. Dreier (2018) discusses norm diffusion in East African churches in resisting LGBTQ inclusion after American Anglican and Lutheran churches decided to allow SOGI representatives. To relate to this point on the potential negative effect that global transnational advocacy has on norm diffusion, Nuñez-Mietz & Iommi (2017) discuss the concept of a norm backlash in which states wishing to resist global norms attempt to reify and strengthen state structures to block local advocacy as a means to immunize themselves from having to reform. Velasco (2019), channeling work from Keck & Sikkink (1998) discourse on transnational advocacy networks (TAN), discusses a bridging off point between the subject of transnational rights advocacy and state to state relationships. Swimelar (2017) between the four, discusses the role that other states might have on effecting a change in how norms are understood and diffused through other states. In her piece she uses Bosnia & Herzegovina and Serbia as case studies to show the role Europeanization plays in empowering norm entrepreneurs and states to adopt more SOGI friendly rights. This would also be more in line with discourse on the subject of normative power of Europe and its role in shaping the norms of its current and potential member states to the European Union (EU) (Diez 2005; Manners 2002; Scheipers & Sicurelli 2007)<sup>4</sup>.

Authors such as Swimelar, Velasco, Dreier and Nuñez-Mietz & Iommi find themselves in a similar literature as this article discussing the subject of norm adoption or resistance and international SOGI human rights. However, while each of them offers a needed piece of the puzzle in understanding state to state norm relationships, each dance around the interlinking discussion on state-to-state norm transference.

### *Patron-Client Relationships*

The subject of patron-client relationships in IR theory remains a salient topic today as a means of describing asymmetrical relationships either between powerful states and weaker states or power dynamics within a state itself between powerful and relatively less powerful actors. Early research in the field of patron-client relationships focused on the general perceptive definition of what it means to be a patron and what it means to be a client. Scholars like James Scott (1972) identified three key characteristics to what it means to be a patron-client relationship including a distinct power imbalance, a face-to-face relationship, and deeply diffuse and complex relationship based on tit for tat exchanges of benefits. Other authors wishing for a more narrowed definition, such as Eisenstadt and Roniger (1980) based their definition of patron-client relationships on a particular nine-set criteria. They expand upon this in a number of key areas discussing the further economic relationship and unpacking the more general diffuse nature of these relationships while also expanding on the normative elements of the patron-client relationship in that the client accepts this relationship and its unequal elements. This speaks to more recent research on the subject of practice theory in that these relationships are patterned behavior between patron and client that both parties see as legitimate (Adler & Pouliot 2011; Adler-Nissen & Pouliot 2014; Ralph & Gifkins 2017). More recent research in the field of patron-client relationships has either focused on more noticeable patterns of patron-client

relationships within the state such as agrarian politics within Nepal (Joshi & Mason 2011) or on the state-to-state relations of insurgencies and the relationship that external actors have on state governments that are facing potential removal by a committed adversary (Ladwig 2017).

However, the more noted patron-client discourse falls on the subject of China and China's relationship with states within its sphere of influence (Allan, Vucetic, & Hopf 2018; Bader 2015; Ciociari 2013; Zhang 2016).

Previous research in a similar field has shed some light on these dynamics without discussing the full scope of how these relationships work. Authors such as Ian Manners (2002) and Thomas Diez (2005) have written on the subject of the normative power of Europe. This includes discussions on what the European Union considers "civilization" as well as what standards it holds states to that wish to engage or even join the EU ranks (Cebeci 2012; Nicolaidis, Vergerio, & Viehoff 2014). The normative power of Europe comes close to understanding the relationship of patron-client relationships. However, where it falls short is its focus and scope. While focused on the subject of the power of European Union, they do not extend their discourse to the overarching relationship a powerful state can have over a weaker state that may be more susceptible to policy changes that would appease the powerful state in question. What the work shows is a state's willingness to alter their policy to fit within the lines of what a powerful state may deem acceptable in order to gain the benefits of either admittance into an economic "club" like the European Union or to gain from the benefits of being close allies with said entity.

## **Patron-Client Relationships of Legitimacy & Norm Transference Typology**

### *Defining the Patron-Client Relationship*



In order to reach a concise definition of a patron-client relationship, it is prudent to look at previous authors and assess some levels of commonality between them while adding my own assessment on the definitions. Early authors like Eisenstadt & Roniger (1980) and James Scott (1972) create a foundational take on patron client relationships that follows through with future authors on the subject such as Bader (2015), Ciociari (2013), Joshi & Mason (2011), Ladwig III (2017), and Zhang (2016). While opinions may differ on the source of the patron-client relationship or the benefits at stake which could include social ties and economic dependence, the general agreed upon points remain thus: that a patron-client relationship is an asymmetrical relationship between two actors. The first being one in a position of power and the other being relatively weaker comparatively speaking. The patron promises to the client protection and assistance in exchange for the client's support in reference to the patron's goals. This relationship is also viewed as reciprocal and generally desirable between both parties. In terms of state-to-state relationships, this would extend to relationships including a powerful state and a weak state. A powerful state would offer a weaker state within its sphere of influence economic benefits and protection from external influences in exchange for their support of their agenda on the world stage whether it be through support in an IGO like the UN or simply a beneficial alliance against an enemy of the patron.

One area, however, that seems missed in the discussion of patron-client relationships remains the subject of appropriateness, legitimacy, or a general "oughtness." Early authors like Eisenstadt & Roniger (1980) do touch upon this relationship in a general extent through their nine criteria in establishing a patron-client relationship. However, they do not expand upon it to a greater deal. In their article they state that patron-client relationships have a strong sense of solidarity and interpersonal loyalty between the states and that they tend to be created by

individuals or networks of individuals within the state. However, the more normative aspects of solidarity and comradery tend to become overshadowed by discourse on economic interdependence and its impact on the state or to other states dependent upon which level of analysis the scholar is attempting to study.

As such, the constructivist research on practice theory and legitimacy can offer insight into the subject of patron client relationships (Adler & Pouliot 2011). To give a concise example, practice theory looks at the minutiae of international behavior and understands concise practices undertaken by elites that work within states. Through these relationships there are establishments of competency and generally conceived ideas of an actor being seen as a “legitimate” force. Applying this concept to patron-client relationships broadens the scope of patronage and clientelism while also exploring some of the less explored concepts of patron-client relationship, that being the interpersonal relationships that two states within this relationship might share. As such, my definition of patron client relationships includes two steps that incorporates the more mechanical economic relationship and the more normative relationship of legitimacy:

1. A Patron-client relationship is an asymmetrical relationship between a socioeconomically powerful actor and a comparatively weaker actor. The purpose of this relationship is for the patron to provide protection and assistance, through whatever means defined by the relationship, and in exchange the client offers their political support and assistance to their patron.
2. There is a perceptive solidarity and acceptance between the actors. The client sees the patron, not only as a source of assistance, but as the competent, legitimate, and appropriate leader in the relationship between the two.

This two-fold definition of the patron-client relationship helps frame the discourse surrounding how norms can be transferred from one state to another. The first of which describes a traditional patron-client relationship as it is discussed and primarily used in previous discourse. The second half expands it to help better illuminate how a patron state can pressure its clients into being more in line with the patron's wishes in terms of norm adoption. The relationship with only the first part of the definition is a purely rational alliance of give and take. The patron gains support for its goals while the client gains protection and a share of the prosperity that the patron has to offer. However, through the second part of the definition, the perception that the patron is a legitimate leader that is competent in its leadership and the state that ought to lead both their and the patron's goals, the client will be more likely to emulate cultural practices such as norms and values because it is appropriate for them to do so.

#### *Theory of Norm Transference Typology*

The theory of norm transference takes the novel approach to patron-client relationships and uses it to create a typology based on a patron and client state's preferences. This typology between patron-client relationships falls on two axes as Table 1 shows. Taking aspects of Acharya's (2004) article on norm diffusion of displacement, localization, and resistance the typology showcases the decisions made by the patron and the client state both of which either seeking to adopt or resist a new potential norm. This is meant to display how exactly a state is influenced to either displace their old norms, resist the new international norm, or localize to better fit within their own cognitive priors. In a parsimonious sense, the relationship between patron-client states and norm transference is separated into two dichotomous decisions dependent upon the patron state and the client states preference. Simply put, is the patron state in favor or opposed to the new international norm and is the client state in favor or opposed to the

new international norm? The preferences between the two states dictates where the weaker client state will fall on its decision to displace, localize, or resist a new international norm.

The relationship of norm transference between patron and client states follows a one-way flow of patrons putting pressure on clients to adopt or resist norms. Similar to research by Jones & Smith (2007) norms are what stronger states, in this case patron states, make of it. As such, powerful patron states signal to the weaker client state within their sphere of influence a set of norms and values that the client state ought to adopt.

This can be done in one of two ways. The first of which is active and deliberate pressure from a patron state on the client state. This is accomplished through traditional diplomatic practices in which elites from the patron state lobbies the client state that they should stand in solidarity either accepting a new international norm or rejecting it for whatever political or cultural gains of the patron state. The active version of norm transference is the more easily identifiable in that it is a set practice of diplomacy in which a patron state uses their influence and clout to put pressure on a client state to adopt or resist.

The second means of influence by the patron to the client regards the earlier discussed topic of legitimacy and appropriateness. While state representatives may use their power and diplomatic elites to apply pressure for a state to comply with the patron's wishes, the view of a patron being seen as an appropriate, competent, and legitimate leader between the patron and its client states can also wield significant influence. Similar to discourse on the use of power in practices by Adler-Nissen & Pouliot (2014) patron states wield the power of appropriate and competent leadership. By making claims of a cultural stance being the correct and appropriate conclusion, actual force may not be needed in order to affect a state's decision to adopt or to resist

To use an anecdotal example to showcase how a patron might influence its client, a patron state such as China may have their elites lobby for the approval or disapproval of a new norm to states in Southeast Asia where the state holds some degree of influence. However, the Chinese diplomat may not be necessary if those clients have already accepted China as the appropriate cultural leader and acted in some way that mimics the patron's actions, thus a distinction between active pressure and passive legitimacy.

With this in mind, the typology shown in Table 1 is the theoretical means in which this relationship between the patron and client as well as the tools of coercion play. In particular, the coercion of the relationships is more apparent when the wishes of the patron and client are out of alignment. It stands to reason that if a patron state and a client state are in agreement on whether or not to displace a norm or resist a norm that they will do so accordingly and this relationship is less relevant comparatively speaking.

However, when a patron and client state are out of alignment in terms of whether or not to displace a norm, then the influence of the patron plays a role in the actions of the client state. If a patron is for norm displacement and a client state is resistant to norm displacement, client states are caught between the will of their patron, and potentially the international community, and the cultural will based on the cognitive priors of their populace that may not accept a new norm being introduced to their society. As such, the client state now has two audiences that it must appease, the patron state and the cognitive priors of its society. As such, a client state's elites will attempt to appease both parties by localizing norms, accepting some norms to appease those who wish for it but resisting in other aspects as a means of ensuring their populace does not wholesale reject their decision.

Finally, there is the reverse of this relationship in which the patron state wishes to resist a new norm and a client state wishes to displace. Unlike the other situation in which a client state is compelled to localize due to disparate interests between their two constituents at the international and local level, a client state has two options that they can implement which is dependent upon the pressure placed upon them. It can be assumed if there is a new international norm that you have norm entrepreneurs either as state entities or nonstate entities putting pressure on a state to adopt. There is also a potential domestic populace that also wishes for displacement. However, as noted, there is pressure from the more prevalent patron to resist. Thus, it becomes a prevalence of pressure. If there is little pressure from norm entrepreneurs championing displacement and the patron is championing resistance, then the state will simply choose the path of least resistance and resist along with the patron. However, if there is significant pressure from norm entrepreneurs, either at the international level, domestic level, or both, then a state will thus localize as a means of appeasing their patron as well as the pressure placed upon them by said entrepreneurs.

## **SOGI Rights Qualitative Data & Case Study**

### *SOGI Rights Qualitative Data Analysis*

In order to better understand and showcase the position of SOGI human rights norms on the international stage and to offer validity to the notion of patron-client influence, I collected data on all UN member states based on a seven criteria question that was coded using a parsimonious bivariate distinction with each state either receiving a one (1) in that the state showed evidence of SOGI rights support or zero (0) meaning the state did not display evidence of support for the said SOGI Rights. The questions posed can be viewed in Table 2. The vast majority of the data was collected from the ILGA 2019 State-Sponsored Homophobia Global

Legislation Overview (ILGA World Mendos 2019) that gives information on the legality of queer rights across all states in the world. Other subsequent research was collected from reputable news outlets or state constitutions to establish a precedent in the cases where more recent information needed to be provided<sup>5</sup>. The seven questions asked were meant to showcase various levels in which a state can show signs of support for a particular form of SOGI human right. This includes whether or not sexual relations of someone of the same sex is legal to show a general acceptance of SOGI individuals<sup>6</sup>. It also includes expansion of SOGI rights that extends beyond a state being tolerable of SOGI relationships to allowing nonheteronormative couples to marry and adopt, laws in place to stop discrimination based on sexual preference or gender identity, whether or not a state championed the norm at the international level, and finally a category that gauged whether or not a state legally allowed someone to change gender assigned to them at birth as a question to gauge acceptance of non-cisgender individuals<sup>7</sup>. With that said, the scores for each state were given a point value of zero (0) to seven (7). If a state had a score of zero, they were a SOGI norm resistant state and if they scored a seven, they had accepted SOGI norms and displaced old norms on the subject. All other points in between were at some form of localization.

The purpose for this data is to give a snapshot of SOGI norms at the global level. This is to showcase where SOGI norms are in terms of the norm life cycle (Finnemore & Sikkink 1998), to show how the norm is still in a state of polarization and contestation (Symons & Altman 2015), and to offer a means of tying it into the aforementioned patron client relationships to provide a theory for norm transference.

Table 3 showcases the synthesis of this data collection as well as offers some dissection into where states stood based on the overall global score, ideology, continental acceptance, and

finally regional acceptance. As mentioned, if states scored seven it was considered that they fully displaced their previous norms, zero meant full resistance of SOGI norms, and the other groups were pooled into scores ranging from 1-3 having a localization of SOGI norms that leans towards resistance and a score of 4-6 having a localization of SOGI norms that leans toward displacement.

In addition, there is also inclusion of the Group of 20 (G20) membership and where members of the G20 stand on SOGI human rights. This is meant to work as a proxy for potential international patrons. This was done for a number of reasons. The first of which is due to the prevailing literature on patron-client relationships being one based on monetary or economic gains regardless of level of analysis (Aspinall 2014; Kitschelt & Wilkinson 2007; Scott 1972). Second, in certain circumstances, a member of the G20 can become a representative for a particular region offering the aforementioned sense of legitimacy and leadership (Sundararaman 2020). Finally, this can also extend to states that have strong economic and cultural strengths like Saudi Arabia that can represent a legitimate cultural leader for other Islamic dominant states as well (Gallarotti & al-Filali 2012)<sup>8</sup>.

The descriptors of the data show that SOGI norms are still in a state of polarization with the general trend leaning more towards resistance than acceptance. While there is evidence of states displacing old norms as evidence from states localizing and leaning resistant, it is still a far stretch away from global acceptance of SOGI norms. Each of the following subsections after the initial global score is meant to showcase where SOGI norms stand in terms of ideology, continental, and regional factors that can also point to ideology<sup>9</sup>, culture, or development as potential alternative explanations to the theory of norm transference through patron client relationships.



In terms of the data, there is a significant representation of parity on both ideology of a state as well as regional differences which can potentially point to cultural factors as well. In terms of ideology, authoritarian and anocratic states are more resistant to SOGI norms than that of democracies with democracies being the only states that were able to achieve a perfect seven score. While a majority of anocracies have some level of acceptance, it is only slightly outweighed by full levels of resistance. This also holds true for authoritarian states, however, with the majority of them being resistant to SOGI norms and a higher minority being acceptant to some extent.

In terms of regional areas, those in Europe, Western Europe, and South America were generally the most acceptant of SOGI rights with the vast majority of displacement coming from Western Europe and the Anglosphere states of Canada, USA, Australia, and New Zealand and three coming from South America. The most resistant, however, came from Africa and Asia with Middle East and Northern African (MENA) states, Sub-Saharan African (SSA) states, and the Caribbean being the most resistant to SOGI norms.

Potential explanations can certainly point to a number of locations. Democracies are generally shown to be more acceptant of SOGI norms than nondemocratic states which can also hold true to populist leaders in democratic states that are more friendly to authoritarian practices being resistant to SOGI norms (Waring 2019). There is also a cultural and development tilt argument to be made that certain regions are more resistant to SOGI norms in SSA, MENA, and so forth and high levels of backlash can be felt in these communities when challenged by states from the west (Dreier 2018; Nuñez-Mietz & Iommi 2017). However, these explanations can also have their score of challenges.

While there are certainly a high number of anocratic and authoritarian states resistant to SOGI norms, there is also a high level of parity within democratic states with almost half of democratic states still falling into categories of resistance or localization that is leaning towards resistance. Considering significant pushes for SOGI norms can come from democracies that do allow for higher rights to protest and freedoms of expression this may give democracies a significant advantage. However, the presence of democracy alone is far from an actuality. Development and cultural factors can potentially play a factor as shown by certain regions being more likely to resist than others. However, in most regions there are signs of displacement with states within this score of leaning resistant recently choosing to adopt new laws and push more for displacement.

While this is not meant to be a complete rebuttal of alternative explanations, it is also meant to offer insight into the less discussed role of patron-client relationships and their influence on their client states. It is worth noting that most regions that score low on this chart are in regions that are more susceptible to engaging in a patron-client relationship with larger states. By examining the states in the G20 (minus the EU as it is a collective of states), there are eight states that have scored a seven and displaced previous norms on SOGI rights: Australia, Brazil, Canada, France, Germany, South Africa, United Kingdom, and Uruguay and eight that are localized leaning towards resistance: China, India, Japan, Mexico, South Korea, Indonesia, Turkey, and Russia. The three that fall in the middle include Italy, USA, and Argentina. While those in displacement are mostly Western World states with some exception, those that are localized towards resistance include developed democracies as well as a wide range of states in various forms of development. While this is more discrediting of the notion that democracy leads to more SOGI norms than it does the argument of cultural factors, it does showcase a potential

relationship of patron influence on client states as states within the sphere of influence with these patrons do exhibit similar scores to the scores of those in the G20.

### *Belarus & Ukraine*

Belarus and Ukraine are commonly pairable cases in that they both are Eastern European states with similar economic and cultural factors that came from a shared history of Soviet influence. From the time of the collapse of the Soviet Union to today, Eastern European states have been in a quasi-tug-of-war between two potential patrons being alliance and/or membership into the European Union as well as alliances and deals with their former Soviet relations with Russia. Belarus and Ukraine continue to be pulled in two directions with one, in Ukraine, being more friendly to the European Union and the other being more friendly towards the Russian state. This provides an opportunity to examine and understand states with similar backstories and statistics to a stronger extent.

In the case of qualitative data, as shown in Table 4, Belarus and Ukraine find themselves at opposite ends with Belarus leaning towards resistance and Ukraine leaning towards displacement. In the case of Ukraine, Same sex relationships have been legal in Ukraine since 1991 and they are a signatory on the UN document for gay rights. Individuals who identify as gay have some protections against discrimination and legal gender change can occur without the need for surgery or judicial overview. However, same sex relationship recognition remains missing with a constitutional ban on same sex marriage as of 1996. In the case of Belarus, Belarus has legalized same sex relationships since 1994. However, the state has constitutionally set marriage as exclusionary to queer partners. They do have some recognition of rights for changes in gender identity. Though this is set at a considerable high bar. With the exception of

some gender identity allowance and the allowance of same sex relationships, there is no other forms of rights given to queer individuals living within the state.

This relationship can speak to the localization of SOGI rights and the process of adoption over long periods of time as Belarus and Ukraine, while being similar in size, economics, and culture, are separated by the patrons of the European Union and Russia. It should also be noted that Ukraine is also not a paragon of SOGI rights in Eastern Europe. Work by Tamara Martsenyuk (2004; 2012)<sup>10</sup> has explored SOGI rights within the state and have found a strong resistance to rights by the populace. Her work in 2012 even points to SOGI rights backsliding from where it was at the start of Ukraine's independence from the former Soviet Union. She also examines LGBT protesters during the Euromaidan protests as being invisible participants, assisting in Euromaidan but not championing queer rights. However, as it has been discussed, the Euromaidan protests and the subsequent Crimean Crisis certainly changed relationships for the Ukrainian state, pushing Ukraine further away from Russia and more towards a friendlier relationship with the European Union (Diuk 2014). Since then, as of 2016, Ukraine has made progress towards being more inclusive to SOGI individuals passing anti-discrimination amendments to the Labour Code of Ukraine in 2016 as well as removing the need for sterilization in order to change one's legal gender.

While Ukraine has been caught in a tenuous relationship between the European Union and Russia, as evidenced by the Euromaidan movement as well as the subsequent Crimea Crisis in which Russia invaded and claimed the Crimean Peninsula, the relationship between the European Union has been less volatile and more beneficial for the Ukrainian state (Diuk 2014). Belarus, on the other hand, has remained firmly a Russian ally siding with them in UN charters and allying with them economically and militaristically which has also contributed to Belarus's

resistance to democratization (Ambrosio 2006; Deyermond 2004). While at one-point debating Belarus reintegrating into Russia has fallen by the wayside and the relationship between the two has been tenuous at points, Russia and Belarus have maintained a consistent patron-client relationship by its definition and benefited militarily and politically from this relationship.

In terms of displacement and resistance, almost all members of the European Union have had full acceptance of SOGI norms or have at least localized leaning towards full displacement. In addition, almost all of them were signatories on the UN sponsorship discussing same sex rights around the world. However, Russia on the opposite end has complete resistance of any and all SOGI norms. Members of the SOGI have been consistently persecuted and targeted by the Vladimir Putin regime in both propaganda as well as arresting of demonstrators challenging him, he has also rolled back what few rights queer individuals had prior to his rise to power by constitutionally banning same sex marriage<sup>11</sup>. As such, Ukraine and Belarus both mimic their patron with Ukraine leaning more towards adoption of new norms and displacing old ones as well as Belarus localizing their norms to include some rights to queer individuals, or at least not rolling back rights that were already given, but also standing in solidarity with Russia on the subject of queer rights. This has given more evidence as Ukraine has become more acceptant of SOGI rights after the Euromaidan protests in which the state became more friendly toward the European Union as opposed to Russia.

## **Conclusion**

This article has offered a qualitative overview of the relationship between patron-client state relations that attempts to shed light on a relationship in which patrons signal to client states what emergent norms ought to be adopted and what ought to be resisted. The claim is not necessarily that every relationship passes through this patron-client dynamic. However, it is

certain that if a patron has a clearly defined agenda that they will use all powers that be to mobilize either for or against the new norm. Client states, in this regard, are a considerable resource for the patron to gain more leverage on the international stage and will use that either actively or passively to enact change.

While this research has displayed a pattern, there is still a great deal that remains left untouched. This article potentially opens up new avenues to explore for both norm theory as well as SOGI human rights. Future research could delve into the subject of time horizons, interviews with prominent elite on decision making processes when creating policy on emergent norms and the factors they discuss, as well as looking into the relationship with states and microstates that may be dependent on larger states to function. Work by scholars like Tyler Girard (2020) have also shed light on the importance of Item Response Theory (IRT) and how it can be used to better research human rights norms such as SOGI rights.

Overall, by understanding SOGI human rights as an emergent human rights norm in international politics, we open new potential paths to understanding how states diffuse new norms through its populace as well as how they are transferred between states. Knowing this, scholar, policy makers, and activists have new tools for understanding relationships between states as well as how to affect needed change in regards to displacing previous norms. With that said, hopefully this will be the first step in uncovering new knowledge in the fields of comparative patron-client relationships, SOGI inclusion in IR Theory, and norm diffusion theory.

## Notes

1. For more on structural power and various types of power see Barnett, Michael & Raymond Duvall. (2005). "Power in International Politics." *International Organization*. 59. 39-75.
2. This article recognizes that there is contention in the type of labeling to use various organizations that would fall under the SOGI umbrella. Other terms include LGBT, LGBT+, LGBTQ, LGBTQIA+, LGB, queer community, and so forth. Each of these different titles and codifiers has some level of contention within the communities that represent them including use of pejorative terms as well as discourse on inclusivity and exclusion. This paper chose to use the United Nation's official designation of SOGI as a means of mitigating any contention attached to this subject while acknowledging that other signifiers exist.
3. Recent human rights discourse has discussed the concept of human rights in crisis in particular thanks to the uprising of right-wing populist regimes. This is of particular salience to the subject of SOGI rights due to its prevalence occurring as human rights are under attack and because SOGI rights are frequently targeted by populist regimes that frame them as aberrant behavior.
4. The discourse on the normative power of Europe was first discussed in the early 2000's by Thomas Diez and Ian Manners discussing the role Europe has in shaping states behavior that wish to emulate them. This research would later be expanded by other authors such as Sibylle Scheipers and Daniela Sicurelli's work expanding the possibility of its application.
5. As a note, this includes a number of various sources primarily from reputable newspaper and journalist outlets as well as prominent sources from Gay led newspapers as well as state constitutions which can offer legal precedent to the discussion. The list remains too numerous to individually cite on the paper, however, I will include a list of sources as an appendix.
6. Data provided by the ILGA also displays a difference between male and female same sex relationships. While in some states male same sex relationships is illegal, same sex relationships between women is not explicitly illegal. However, for the sake of simplicity I chose to simply code these nuances as zero as the right was only granted to some members of a polity.
7. This is also an acknowledgement that this data collected does not offer an assessment of discrimination within cases or a general acceptance of a polity. Even for states that scored high on this scale, members of SOGI communities still face discrimination from the populace. However, since this paper is meant to discuss international norms, the focus lies at the international level while also acknowledging that there is need for further nuance at the domestic level.
8. While the G20 is used as a proxy for potential international patron states, this may not examine potential nuance in the term. For instance, the G20 as a proxy does not account for the relationship between New Zealand and a microstate like Nauru that shares high levels of commerce and trade or the relationship Italy has with microstates within its borders like San Marino and Vatican City. However, for the sake of parsimony, this nuance is acknowledged but not explored further for the means of this paper.
9. Data to determine the ideology of a state was collected from the Polity IV Data Program.

10. Early work in on LGBT rights in the Ukraine was performed by Tamara Martsenyuk in two particular articles of note. The first of which from 2012 discusses the persistent cases of homophobia in the Ukraine and the marginalization of LGBT community members. Her statistical analysis, as of 2012, displays a regression from early acceptance of LGBT community members to further resistance of these norms. Her 2014 article discusses LGBT members in the Euromaidan riots which is state that they acted as “invisible activists” protesting more for pro-EU anti-Russian sentiment without protesting as LGBT members. It should also be noted that since these articles, Ukraine has made progress on LGBT issues post-Euromaidan. See <https://www.ukrinform.net/rubric-politics/1912891-ukraines-parliament-passes-anti-discrimination-law.html>.
11. See Zack Budryk’s “Putin Proposes Gay Marriage Constitutional Ban.” *The Hill*. <https://thehill.com/policy/international/russia/485745-putin-proposes-constitutional-ban-gay-marriage-in-russia>

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## Tables

<b>Table 1</b>	<b>Patron State in Favor of Norm Adoption</b>	<b>Patron State Opposes Norm Adoption</b>
<b>Client State in Favor of Norm Adoption</b>	New Norm Displacement	Norm Resistance or Localization
<b>Client State Opposes Norm Adoption</b>	Norm Localization	Norm Resistance

<b>Table 2 Questions Posed to Create Qualitative Data</b>	<b>1</b>	<b>0</b>
Is engaging in same sex relationships legal?	Yes	No
Is the state a signatory on the joint statement of support for SOGI rights?	Yes	No
Are same sex relationships legally recognized by the state?	Yes	No
Is same sex marriage legally recognized?	Yes	No
Are same sex partners allowed to adopt?	Yes	No
Are there laws in place protecting nonheteronormative community members from discrimination?	Yes	No
Are there laws in place allowing people to legally change their gender?	Yes	No

<b><u>SOGI Norm Representatio n</u></b>	<b><u>Resistance (0)</u></b>	<b><u>Leaning Resistance (1- 3)</u></b>	<b><u>Leaning Displacement (4-6)</u></b>	<b><u>Displacement (7)</u></b>
<i>Overall</i>				
Total (N=196)	29.59%	39.29%	18.88%	12.24%
G20 Members (N=19)*	0.00%	42.11%	15.78%	42.11%
<i>Polity IV Ideology</i>				
Anocracy (N=52)	44.23%	51.92%	3.85%	0.00%
Authoritarian (N=20)	50%	45%	5%	0.00%
Democracy (N=95)	14.74%	30.53%	31.57%	23.16%
<i>Continental</i>				
Africa	29	24	0	1
Asia	16	22	4	0
Europe	0	9	25	16
North America	7	11	3	2
Oceania	5	8	0	2
South America	1	3	5	3
<i>Regional</i>				
Caribbean	7	5	1	0
Central America	0	6	1	1
East Asia	1	4	1	1
Eastern Europe	0	8	19	0
Middle East/North Africa (MENA)	16	4	1	0
Pacific Microstates	5	8	0	0
South Asia	1	3	5	3
Southeast Asia	3	7	0	0
Sub-Saharan Africa (SSA)	21	24	0	1
Western Europe & Anglosphere	1	0	7	19
*G20 Membership does not include EU				

	Same Sex Legality	UN signee	Formal Recogniti on	Marry	Adoption	Discrmini nation Law	Gender Identity Allowanc e	Polity IV Classificatio n
Table 4	YES	NO	NO	NO	NO	NO	YES	Autocrat
Ukraine	YES	YES	NO	NO	NO	YES	YES	Democracy