MODERN SLAVERY: THE ROLE OF PROTOTYPES IN CATEGORIZING EXTREME LABOUR EXPLOITATION

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ABSTRACT

Prototypes have long been acknowledged as playing a critical role in the emergence and consolidation of new organizational and market categories. However, the precise forms, characteristics, and effects of prototypes in the categorization process remain unclear. We address this gap by conducting a discourse analysis of different stakeholder contributions to the emergence of the new legal category of 'modern slavery' in the context of the UK's Modern Slavery Act, 2015. Drawing on a political agency view of categorization, our findings reveal that contrary to existing research, the role of prototypes in categorization is heterogeneous. Our analysis identifies four different general forms of prototype, namely typifying, mobilizing, familiarizing, and scoping prototypes, each of which are deployed by different actors to achieve specific goals in the emergence and consolidation of the new category.

INTRODUCTION

In organizational research, scholars have been interested in how organizations (Ashforth & Humphrey, 1997; Elsbach & Kramer, 1996), industries (Grodal, Gotsopoulos & Suarez, 2015; Reuf & Patterson, 2009), markets (Hsu & Grodal 2015; Navis & Glynn, 2010), products (Rosa, Porac, Runser-Spanjol & Saxon, 1999), entrepreneurs (Navis & Glynn, 2011; Zott & Huy, 2007) and employees (Kulik, Robertson & Perry, 2007) fall into distinct categories, and how this influences the response of key organizational constituents such as consumers and investors (Zuckerman, 1999). Questions about whether a drink product can be categorized as "soft" or "alcoholic"; an organization as "public", "private", or "hybrid"; or a market as an "established", "extended" or entirely "new" one, matter. This is because organizations that are readily identifiable as central members of a category are more likely to yield resources from their primary audiences. Prototypes play a critical role in the emergence and consolidation of new organizational and market categories, structuring the contours of a category and determining what gets included or excluded from it.

We explore the role of prototypes in categorization in the context of the emergence of a new legal category of modern slavery during the passage of the UK's 2015 Modern Slavery Act.

Legal categories operate in similar ways to market and product categories in that they delineate between different classes of things or behaviors, with concomitant consequences in terms of how key audiences respond. For example, the act of killing someone can be categorized into murder, manslaughter or justifiable homicide, each with very different associated outcomes for actions or actors categorized within them. With respect to organizations, legal categories are similarly relevant. Rawhouser, Cummings and Crane (2015) for example show how the emergence of a new legal category for hybrid organizations creates opportunities as well as tensions with existing legal categories of for-profit and nonprofit organizations.

Our study helps advance our understanding of the role of prototypes in categorization around organizations in several key ways. First, it provides insight into the crucial role prototypes play in situations where categorical classifications and boundaries are unclear and so "prototype based processing may be even more critical in classification because it offers a benchmark for comparisons" (Glynn & Navis, 2013: 1126).

Second, the existing exemplar-based view of prototypes assumes a single prevailing prototype as an informational basis of an audience's comparative judgment, yet this obscures the potential for multiple prototypes to accompany the establishment of new categories. The question then of how different forms of prototypes make alternate ways of interpreting an emerging category available to audiences therefore becomes relevant.

Third, attending to the multiple dimensions of prototypes allows researchers to understand the implications for the different actors who engage in prototyping, in terms of what prototypical meanings, identities and behaviors it allows them to legitimately include within the new category. This is not least because the categorization process routinely involves different actors with vested interests, agendas and strategies both in their production and interpretation (Pontikes & Kim, 2017).

THEORIZING CATEGORY PROTOTYPES

To date, the categories literature has exemplified two main approaches to agency: a dominant "controlled agency view" from cognitive science that assumes categories naturally arise from the convergence of shared meaning systems among audiences (Durand & Khaire, 2017; Hsu, 2006; Zuckerman, 1999); and a "political agency view" from organizational sociology that emphasizes contestation among different parties to construct and disseminate specific favored categories (Quinn & Munir, 2017; Negro, Koçak & Hsu, 2010; Zhao, 2005). The former views categories as a "cognitive process of calculating distance between known prototypes stored in memory," (Durand, Granqvist & Tyllström, 2017: 6). In this view, prototypes serve as signals for audience comparison (e.g. between products /markets), and where "all audience members would homogeneously mobilize family resemblance to assess products" (Durand et al., 2017: 6). The latter, "political agency view", sees category emergence as a socially constructed and contested process involving political and strategic interactions between heterogeneous actors with alternate, vested interests in the category that forms. As Zhao (2005: 191) states: "because a classification exerts social control of identities of social actors (or objects), presents a specific social order, and affects one's social standing, it embodies an important political power." This sensitizes us to the idea that prototypes, rather than being solely interpretive mechanisms for audience cognition, may well serve as "political devices" (Quinn & Munir, 2017) in the categorization process.

The latter approach, which we adopt in this paper, represents an important turn away

from analyses that assume categories simply exist *ex ante* and heeds the call for more research into the "black-boxes" of categorization (The Editors, 2013: 1097). As Khaire and Wadhani (2010: 1281) state: "few studies have examined how shared meanings of new market categories are established, or how such meanings come to shape collective perceptions of value." This theoretical trajectory acknowledges that there is far more at stake in categorizing than conveying information about, for example, what characteristics members of the category possess and where accordingly the category boundaries lie. We argue that categories are strategic, political and ultimately consequential for organizations, encouraging different organizational actors to deploy prototypes to 'fight' about category boundaries and membership (Bowker & Star, 2000).

METHOD

We adopted a case study approach focused on the emergence of the legal category of modern slavery in the UK. We primarily focus on the period 2010-2015, during which the case for modern slavery legislation was debated in UK policy circles, ultimately leading to the passing of the 2015 UK Modern Slavery Act. First, we sought to build a picture of the media landscape surrounding the emergence and passing of the 2015 UK Modern Slavery Act and the prototypes of modern slavery utilized by the media. To do so, we conducted a systematic review of media accounts of the Bill by collating the 65 most relevant articles from 4 mainstream national UK newspapers (*The Telegraph*, *The Independent*, *The Guardian* and *The Daily Mail*) during the process leading up to the passing of the legislation (2010-2015). Second, we collected all written and oral submissions to the two consultation periods of the 2015 UK Modern Slavery Act. These consisted of a mixture of business, civil society, academic and other expert contributions specifically intended to shape the scope and potential impact and effectiveness of the draft legislation. Third, in order to identify more clearly the interests of key actors and how these interests influenced the use of prototypes as political devices in shaping the modern slavery category, we sought the insight of key informants. Finally, a fourth component involved collating and analyzing a range of relevant secondary documents, including the various drafts of the Act, influential reports, and policy briefs, as well as internal documentation from one of the key organizations involved in precipitating the Act.

FINDINGS

Our analysis revealed four different general forms of prototype, namely mobilizing, familiarizing, typifying and scoping prototypes. Organized sequentially in the process of category emergence, these prototypes conceptualize modern slavery as novel and extreme (mobilizing), as similar to other related practices (familiarizing), as a point on a continuum of exploitation (typifying), and as having unsettled boundaries (scoping). Consistent with a political agency view, these point not to objective, 'concrete' prototypes *per se*, but serve as attempts by key organizational actors to provide a particular prototype in the wider contested categorization process. We therefore pay particular attention to the content of each prototype, and its specific interpretive effects for organizational actors as a category for modern slavery. Forming around discursive subjects (e.g. perpetrators / victims) and practices (e.g. violence / incarceration / extortion), we show how each prototype draws on different linguistic mechanics and gives rise to distinct cognitive schemas that frame alternate conceptions of modern slavery, that accord to specific actor interests.

Different forms of prototypes were used at different times in the process of category formation around the Modern Slavery Act. The first prototypes to appear during our sampling period were *mobilizing* prototypes. The fact that these prototypes were the earliest to emerge in our dataset highlights their importance in catalyzing the categorization process. Mobilizing prototypes tend to emphasize subjects and practices more associated with the extremity of the category, apparently in an attempt to escalate attention to the phenomenon and activate the categorization process. More atypical category subjects and practices are emphasized using hyperbole and normative language. Mobilizing prototypes tended to be used mostly by government and media actors.

Given the novelty of modern slavery, it was also common practice in the early stages of the categorization process for actors to frame the new category in terms of prototypes drawn from subjects and practices already familiar to their audiences. That is, when using *familiarizing* prototypes, the exemplars used for demarcating modern slavery often appeared to be those deemed to be most readily interpretable by the audience rather than necessarily most characteristic of the category. It was notable that business was a prominent familiarizer and, moreover, that this was the only form of prototype that business organizations tended to use.

Typifying prototypes focus on the average practice or subject in modern slavery, as in those that exemplify the most typical attributes at the center of the category. In the category formation process there are moments when particular actors are attempting to more formally establish the category and so typifying prototypes get more extensively utilized at these times. Outside of these peaks the use of such prototypes is relatively rare, indicating that the category has not yet been formalized and the prototype is not yet widely shared. For the most part, the data suggested that government and civil society actors were the most prominent typifiers.

Scoping prototypes represent another different kind of prototype, but this time one that incorporates 'outlier' subjects and practices into relatively more-established, 'typical' attributes of the category. In this sense they are prototypes situated at the edges of the category, whose function is to re-set the scope of the category boundaries, so that additional attributes might be included. Scoping prototypes occur in a punctuated manner within the data set, emerging at discrete moments where there were apparently opportunities for active consideration of category boundaries. Scoping prototypes were exclusively offered by civil society actors.

CONCLUSION

The organization theory literature has to date largely overlooked the role of prototypes within a political agency view of categorization. Our study addresses this lacuna by developing a political agency theory of prototypes that identifies four distinct forms of prototype that are constructed in the categorization process based on specific micro-linguistic textual practices. These different prototype forms, we propose, are likely to activate different cognitive schemas on the part of the audience and may ultimately have distinctive organizational and societal implications. These findings have significant implications for how categories, and especially category emergence, change and institutionalization, are theorized. That is, although we do not refute the dominant position in the categories literature that, from a cognitive point of view, there are better and worse prototypes for any given category (based of whether the prototype has the best 'fit' in terms of unique attributes of category members) (Durand and Paolella, 2013), we do extend and refine this position to take account of political agency.

These contributions to the categorization literature have been developed in the context of

the specific legal category modern slavery. While there is no reason to suggest that non-legal categories relevant to organizations should emerge in a fundamentally different way, it remains to be seen whether our findings are replicable in other contexts. Certainly, our tentative insights regarding the actor-specificity of certain prototypes of modern slavery (e.g. that corporations do not tend to advance typifying prototypes, that governments and the media tend to advance mobilizing prototypes, and that civil society organizations tend to advance scoping prototypes) may hold only in the context of modern slavery, or at most in the class of legal categories, but probably not in organizational categories more generally. Notwithstanding this, the key insight that prototype forms may be actor-specific, and that this specificity may be context-dependent, represents a more general finding that should be subjected to empirical testing.

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