

## *Index*

access to information norms 12-13 boomerang model 4, 24, see also norm development of 121 socialization dialogue on 139-40 business organizations, Guatemalan 72, discourse on 124, 128-9, 131, 133-5, 95, 185 145-6 discussion of draft law for Canada 161 136, 140 case selection 7-14 external promotion of 126-7, 129, Castresana, Carlos 179, 180, 217 130, 143, 146-7 Catholic Church 77, 95 governmental decree on 138 Central American Regional Security implementation of 143-5 Initiative 147 Children and Youth Code 90-1, 92, see leeway for 142 Mexican law on 123 also UNCRC patterns of diffusion of 124 children's rights 11-12, see also precision of 122 **UNCRC** South African law on 123 development of 84 Acción Ciudadana 130, 133, 136, in Latin America 87 138, 139, 140, 141, 144, CIACS see Illegal Groups and 145, 147 Clandestine Security Structures Acharya, Amitav 5, 42, 43, CICIACS 53, 212 decision by Constitutional Court adoption lawyers, Guatemalan 95, 101, on 167 109, see also UNCRC discourse on 165-6 American Convention on Human external promotion of 162, 163, 167 Rights 86 human rights groups version of 161 appropriation see norm appropriation UN version of 162, 163 CICIG 14, 171, 172-3 Arab spring 208 Árbenz, Jacobo 10, 64 dialogue on 171 arguing see interaction mode discourse on 174-6, 184-6 Article 19 12, 118, 119, drafting of 154 123, 129 external promotion of 178 Arzú, Álvaro 71, 135 implementation of 172, 181-4 authoritarian regime 35, 64, 222 leeway for 178 circulation see norm circulation backlash debate see democracy civil society 72, 79, 138 promotion human rights groups 127, 133, 158, bargaining see interaction 168, 170 Benhabib, Seyla 16, 214 transparency-oriented groups 130, Berger, Óscar 76, 133, 170 132, 133 Bolivia 79, 220 civil war, Guatemalan 64-6

284



Index 285

Colom, Álvaro 138, 177, 184 Commission for the Investigation of Illegal Groups and Clandestine Security Structures see CICIACS Committee on the Rights of the Child 84, 87, 99, 106, 108 communicative action 25, 33 Comprehensive Child and Adolescent Protection Code see Ley PINA conditionality see interaction mode Congress, Guatemalan 74, 83, 90, 95, 102, 110, 111, 128, 130, 132, 141, 144, 167, 170, 177, constitution, Guatemalan 125 Constitutional Court, Guatemalan 77, 102, 167, 177 constructivism 24 consultative group 73, 99, 127, 131, 136 contestation see norm contestation context sensitivity 1-2, 197, 209 critique of 46-7 corruption 171, 181 cultural match 30, 55 culture 4, 41, 55

Dall'Anese, Francisco 179 decoupling 27-8, 149, 202-4 democracy promotion 44-8, see also rule-of-law promotion backlash against 208, 209 closing space for 45 contestedness of 47 strategies of 44-5 technocratic approaches to 46 democratic appropriation 16, 219-20 democratic iterations 16, 214-15 democratic theory 16, 213-19 agonist 16, 215-16 deliberative 6, 16, 214-15 democratization 10, 219, 220-1 in Central America 68 in Guatemala 66, 69-70 wave of 66 dialogue 18, 47, 51, 60, 62, 220, see also interaction mode donor harmonization 180 **DOSES 135** 

DR-CAFTA free-trade agreement 78, 130 drug trafficking 80, 160, 172

Ecuador 79, 220
El Salvador 67, 68, 186
Joint Group 158
peace negotiations in 71
Elgström, Ole 54
elites 64, 66, 73–4, 77, 94, 167, 170, 182
Esquipulas II Accords 68
European Union 4, 34, 54, 209
association agreement 78
in Guatemalan civil war 67–8
Evangelical Alliance 101, 115

feedback loop 5, 61, 192, 197, 206 for access to information norms 150 for children's rights 112 for rule-of-law commission 188 Finnemore, Martha 4, 11, 204 formality see norm precision frames 19, 31-2, 54-7, 196 for access to information norms 152 for children's rights 115 for rule-of-law commission 190 framing see frames freedom of information see access to information norms Frente Republicano Guatemalteco (FRG) 73, 74, 98, 101, 102, 128, 131, 161, 164, 167 Fundación Myrna Mack 169 Fundación Sobrevivientes 110

generalizability 7, 15–16, 206–7 genocide 66, 77, 180 Gesellschaft für Internationale Zusammenarbeit (GIZ) 147 global governance 208 glocalization 5, 41 Grupo de Apoyo Mutuo 144 Guatemalan National Revolutionary Unity (Unidad Revolucionaria Nacional Guatemalteca – URNG) 9, 70 Gutiérrez, Edgar 128



286 Index

Habermas, Jürgen see communicative action habitualization 4, 26 Hague Convention on the Protection of Children and Co-operation in Respect of Inter-country Adoption 110 Holland 161 Honduras 68, 186 Human Rights Ombudsman 89, 139, 144, 145, 163 hybrid regime 10, 79 hybridity 49, 213 IFAI 140, 146 Illegal Groups and Clandestine Security Structures 158, 160, 163, 171, 176, 181 implementation see norm translation impunity 81, 203 indigenous movement 79 indigenous population 65, 75, 196 indigenous rights 74 inequality in Guatemala 63 informalization 15, 100, 139, 178, 201 - 2interaction 5-6, 52-4, 62, 194, 197, 219 bargaining 6, 52-3, 199, 200 asymmetric 3 effects of 33-5 interaction mode 5, 17-18, 24, 32-3, 60-1, 113, 150, 188 conditionality-oriented 34-5, 99, 126, 127, 167 conditionality 18, 33, 34, 197 praising and shaming 18, 33 persuasion-oriented 34-5, 53, 112, 140, 148, 178, 198 arguing 18, 25, 33, 102, 198 teaching 18, 33, 34, 101, 148, 198 Inter-American Commission on Human Rights 77 Rapporteur on Children 87 Inter-American Convention against Corruption 122, 130, 133, 138 Inter-American Court of Human Rights

internalization 4, 26–7 International Commission against Impunity in Guatemala see CICIG international donor community 7, see also interaction mode international liberal order 208 International Republican Institute 147 international tribunals 155 Joint Group see El Salvador jurisgenerative politics 214 Keck, Margaret 4, 24 Kurki, Milja 47 land distribution, Guatemalan 65, 78 land reform, Guatemalan 64 law see norm translation law and development movement 8 León, Ramiro 70 Ley PINA 102-5, 106, 111 logic of appropriateness 32 logic of consequentiality 32 loop see feedback loop maras 80 meanings of norms 39, 40 Merry, Sally 42, 213 mesa de diálogo 101 methodology 17-21 methods elite interviews 18, 19 qualitative content analysis 20 Mexican Federal Institute for Access to Information and Data Protection see IFAI Middle East 221 migration 79 military, Guatemalan 10, 64, 67, 75, 125, 128, 145, see also Ministry of Defence reform of 76 Ministry of Defence, Guatemalan 147, MINUGUA 10, 72, 89, 126, 127, 136, 158, 175 Misión de Apoyo contra la Corrupción y la Impunidad en Honduras (MIACCIH) 186

77, 87, 119

inter-country adoption 86, 108 discourse on 108–9



Index 287

modernity 41 Morales, Jimmy 185 Mouffe, Chantal 215 multiple modernities 41 municipalities, Guatemalan 143, 146, 148

National Association of Guatemalan Municipalities 146 National Commission on Children and Adolescents 111 newspapers, Guatemalan 17, 19 Nicaragua 67, 68 norm appropriation 16, 41, 209, 215, 218, see also norm translation norm change see norm contestation norm circulation 16, 53, 204-5 norm contestation 39-41, 44, 56, 198, 208, see also norm translation norm cycle see norm circulation norm emergence 24-5 norm entrepreneurs 25, 194, 217 norm localization 5, 23, 41-4 normative implications of 50-1 outcomes of 43-4 norm precision 6, 11, 35-6, 62, 200 - 1of access to information norms 122 of children's rights 87 of rule-of-law commission scripts 157 norm socialization 4, 5, 23, 25-9, 35 domestic constraints to 29-31 explanations of 29-35 normative implications of 37-8, 209, 211 outcomes of 26-8 norm translation 5-6, 18-19, 54-9 into discourse 19, 54-7, 194, 195 into implementation 19, 58-9, 203 - 4into law 19, 57-8 limits of 212-13 outcomes of 115, 153, 191, 206 normative argument 16 norms, see also norm translation; rule-of-law promotion definition of 7 watering down of 38, 142, 209, 211

Organization of American States (OAS) 86, 123, 160, 186 General Assembly 121 Special Rapporteur for Freedom of Expression 117, 126-7, 135, 143 organized crime 14, 74, 78, 80, 81, 162, 163, 169, 171, 176, 181, 187 ownership 1-2, 48, 73 in Guatemala 75, 201, 209 Partido de Avanzada Nacional (PAN) 98 Partido Patriota (PP) 177 Pavon prison case 181 Peace Accords see peace agreement peace agreement, Guatemalan 63 Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society 125 implementation of 72-8 negotiation of 69-71 role of United Nations in 70 peacebuilding 5, 46, 48-50, 155 post-liberal 48-9, 213 Pérez Molina, Otto 177, 182, 186 persuasion see interaction mode police reform, Guatemalan 9, 76 political system, Guatemalan 79 politicization 204 Portillo, Alfonso 74, 99, 161, 182 Postcolonialism 17, 218 critique of hybridity by 41 post-conflict states democratization of 46 violence in 46 power 15, 17, 33, 41, 42, 51, 67, 172, 218 praising and shaming see interaction mode precision see norm precision press, Guatemalan 148 Public Prosecutor's Office 154, 179, 183

Open Society Institute 123, 127, 147

referendum 73, 74–5 religious organizations, Guatemalan 95, 101, 102



> 288 Index

resistance 49, 146, 198 transitional justice 124, 155 resonance 30, 213 transnational advocacy networks 25, right to know see access to 31 - 2Transparency International 119, information norms Ríos Montt, Efraín 65, 74, 77, 123, 143 98, 180 Risse, Thomas 4, 5, 24, 29 76, 125, 159 romanticization of the local 51 Tully, James 16, 216, 218 Rosenberg affair 181 rule of law, definition of 8-9 Ubico, Jorge 64 rule-of-law commission models 13-14 16, 121 development of 155-7 hybrid 163, 171 Child see UNCRC precision of 157 UN Special Rapporteur on the rule-of-law promotion, see also democracy promotion; feedback loops and Expression 119, 143 actors of 2 development of 8 dialogue on 100-2 dimensions of 10 discourse on 91-4, 95-8 effects of, in the case of: 2 drafting of 84-6 access to information norms 149 external promotion of 99, children's rights 112 110, 111 rule-of-law commission scripts 188 implementation of 112 in Guatemala 9-10 leeway on 106-7 peacebuilding and 9 precision of 87 strategies see interaction mode UNDP 143, 147 UNICEF 12, 88, 90, 108, 109, San José Dialogue 68 110, 111 Sandholtz, Wayne 5, 39 critiques of 99-100 Save the Children 12, 85, 95 Unidad Nacional de la Esperanza Secretariat for Social Welfare 111 (UNE) 177 security sector reform, Guatemalan 75 United Fruit Company 64 shaming see interaction mode Sikkink, Kathryn 4, 11, 24, 209, see also MINUGUA 31-2,204in Central America 69 socialization see norm socialization UNICEF sociological institutionalism 26 specificity see norm precision spiral model 24 Crime 80 Stein, Eduardo 170 stigmatization 39 Guatemala see MINUGUA Stiles, Kendall W. 5, 39, 50

TANs see transnational advocacy network tax ratio, Guatemalan 78 teaching see interaction mode torture ban 16

truth commission, Guatemalan 13, 66, UN Convention against Corruption UN Convention on the Rights of the Promotion and Protection of the Right to Freedom of Opinion UNCRC 12, see also children's rights United Nations 1, 70, 163, 169, 180, United Nations Children's Fund see United Nations Office on Drugs and United Nations Verification Mission in United States 8, 10, 13, 70, 84, 109, 117, 130, 143, 147, 150, 154, 161, 163, 174, 186, 188, 201 Congress 147, 177 Freedom of Information Act 118 in Guatemalan civil war 66-7



Index 289

**WOLA 159** 

Universal Declaration of Human Rights 12, 118 UNRG see Guatemalan National Revolutionary Unity USA see United States USAID 13, 124, 130, 138, 140, 142, 147 Velásquez Gómez, Ivan 179 vernacularization 41, 43, *see also* norm translation violence 71, 80–1 Wiener, Antje 5, 40, 53

World Bank 8, 73, 123, 124