Same Same or Different?

Local Reactions to Democracy Promotion

between Take-over and Appropriation

Lisbeth Zimmermann

July 2010

Same Same or Different?

Local Reactions to Democracy Promotion between Take-over and Appropriation

Lisbeth Zimmermann

1. Introduction[1]

The international community uses democracy promotion strategies[2] to support and stabilize young democracies and post-conflict states. While such strategies are well-mapped regarding the activities of the democracy promoters and for the direct neighborhood of the European Union, systematic empirical knowledge about the outcomes of democracy promotion in other regions of the world is missing.[3] Local[4] reactions in fragile post-conflict states are rarely analyzed in detail. Empirical work in International Relations (IR) either conducts evaluations of single projects and programs, studies of compliance and non-compliance or focuses on the overall "effectiveness" of democracy promotion in the sense of norm take-over. The more complicated processes of "localization" and the "making sense" of certain norm sets within local normative orders are not sufficiently taken into account and a categorization of such localization is missing. This focus on norm take-over underestimates the complexity of local interpretation and political processes. It also creates the false impression of "failure" of democracy promotion in such states by Western standards, while modifications and appropriation of promoted norm sets might in fact be observed. The parliamentary system in the Democratic Republic of Congo, for example, works very differently from the Western model because of a mixture of multi-party democracy and *vagabondage politique*, the strategic use of fragmentation in the national assembly. This mixture is described as "deficient" by the donor community. But little is known about how the local community depicts this version of parliamentarism, how it came about and how it actually works out on the ground (De Goede 2010).

This paper will address the question of how processes of norm localization, i.e. the translation of norms into local contexts, can be analyzed. It reaches beyond the existing literature of International Relations and tries to include the insights derived from neighboring disciplines, such as Democratization Studies, Anthropology and Postcolonial Studies, to overcome the often static and essentialist picture of the "local" presented in International Relations. Which concepts of localization and of local culture (a term often used but hardly studied in any detail) can the different approaches to localization (*mechanisms*) actually offer and to what extent do they provide helpful categorizations for the study of local reactions (*outcomes*) to democracy promotion? I will broaden

---

1 This paper has benefited from insightful comments on various drafts from Nicole Deitelhoff, Thomas Risse, Luis Roniger, Klaus Dieter Wolf, Jonas Wolff, the KFG Conference "Transformative Power of Europe" 2009 and the TU Darmstadt research group of the Exc 243 "Formation of Normative Orders".

2 In a broad definition I refer to political aid aimed at strengthening democratic procedures, but also at strengthening human rights and good governance.

3 Scholars normally distinguish strategies of coercion, conditionality, socialization or persuasion (Börzel/Risse 2009: 9) and assistance, i.e. capacity building and institution building activities (Börzel et al. 2008: 11). At a headquarter strategy level the United States are described as emphasizing instruments of conditionality and pressure, the EU as emphasizing positive conditionality and instruments of persuasion outside its direct neighborhood. Yet, it is far less clear to what extent such strategies actually differ in practice and on the ground. On conditionality and persuasion and their effectiveness see Schimmelfennig (2003), Checkel (1999), Kelley (2004), Magen/Morlino (2009a), Magen/Risse/McFaul (2009), Risse/Ropp/Sikkink (1999), Schmitz (2009). Regarding the debate about different strategies of democracy promotion see Carothers (2009), Gerrits (2007), Kopstein (2006), Magen et al. (2009), Schimmelfennig (2007), Spanger/Wolff (2007), Youngs (2001).

4 Of course there is no clear-cut "local". In this paper I mostly refer to the national level in contrast to the "international" or "transnational" level.

the one-dimensional focus on norm take-over that is dominating International Relations by adding a new dimension of appropriation including evolving local practices and meanings. Based on such an extension two categories of norm *appropriation* will be distinguished: a category of *reshaping* and one of *embedding of promoted norm sets*. These will help to shed light on local reactions to democracy promotion beyond rejection and full take-over.

The significance of these new categories will be demonstrated by analyzing three cases of contested democracy promotion in post-conflict Guatemala: the promotion of political and civil human rights, the promotion of children rights, and the promotion of an International Commission against Impunity. Post-conflict states, such as Guatemala, Cambodia, Bosnia or East Timor, pose special problems to democracy promotion, it is often argued in the existing literature. After years of high spending on political aid and state reform, results are portrayed as being rather disappointing regarding local norm take-over.[5] Clientelism, corruption, and impressive crime rates dominate the picture. The cases show that localization in such states is a long-term process. Its outcomes can often not be charted on a one-dimensional scale between rejection and norm take-over.

In the next chapter the different bodies of literature on localization will be discussed and the dominant IR model of norm take-over will be expanded. In the third chapter the surplus of a more precise categorization of localization outcomes between rejection and full take-over will be illustrated with cases from post-conflict Guatemala.

2. Local Reactions to Norm Diffusion

While we learn much about the early stages of the norm cycle (Finnemore/Sikkink 1998) from International Relations, descriptions of the local reactions to new or controversial norms *inside* of states are still scarce.[6] Especially the first generation of (constructivist) norm research focused on the international level.[7] The reaction of norm takers was presented as either an acceptance of norms or a refusal to internalize them. Taking the norm cycle model of Finnemore and Sikkink as an example, such an internalization becomes likely after a norm cascade already has taken place and a norm is internationally taken for granted (1998: 904-905). Finnemore and Sikkink (1998: 897) argue that "new norms never enter a normative vacuum but instead emerge in a highly contested normative space where they must compete with other norms and perceptions of interest" at the international level. Such insight, however, was seldom translated into an inquiry of the often contested normative spaces at the national or local levels.

This focus on the international level creates several problems: First, it ignores that implementation processes can yield quite different results and reactions in different countries, even if the same international text was ratified (Biukovic 2008; Checkel 1999). Likewise, this type of focus may result in overlooking that new norms might be contested (Wiener 2004, 2008) or erode under local circumstances (Rosert/Schirmbeck 2007). Second, in this literature normally single norms (such as single human rights norms etc.) are studied that are laid down in some international (or regional) contract. The promotion of whole (often rather unspecific) norm sets connected to democracy and the rule of law often does not produce results that can easily be interpreted as full or failed compliance. Discord exists between different international actors and experts scoring the "quality" of democratization or state building. Furthermore, no international accord exists for specifying the meaning of such "umbrella terms" (Grugel 2005: 38-39).

Not surprisingly this view, which ignored the political processes inside the "black box" of the state, has faced much criticism in recent years. Observers demanded that outcomes of norm diffusion should be studied in more detail, rather than just looking at compliance or non-compliance (Morlino/Magen 2009a: 39). IR students became interested in the micro-processes of localization (see Capie 2008: 638) and the processes of "conflict, resistance and politics" (Börzel/Risse 2009: 5) sur-

---

5   For a discussion see Richmond (2009), Roberts (2008), De Zeeuw (2005), De Goede (2010).

6   For a detailed discussion see ch. 2.1 and 2.3.

7   Taking into account the moment of „world time" (Risse et al. 1999) at the beginning of the 1990s, this lack of emphasis on local contestation and resistance is perhaps understandable.

rounding the processes of norm diffusion.[8] After all, it is the "*domestic structure* of the target state, that is, the nature of its political institutions, state-society relations, and the values and norms embedded in its political culture" (1994: 188, his emphasis) as Risse-Kappen concludes already in 1994, that explains why certain ideas are taken over whereas others are not.

In spite of such increasing criticisms, systematic analyses of such localization processes are still missing. The interpretations of localization processes are manifold and an operationalization is difficult to achieve. A first step in that direction will be to assess the different concepts of localization used in International Relations, Democratization Studies, Anthropology, Post-Colonial Studies and International Law. Based on their conformities or non-conformities regarding the mechanisms and outcomes of localization I will distinguish four bodies of literature to study localization:[9] the filter literature, the local interpretation literature, the local struggle literature and the appropriation literature. All of them touch upon the notion of "local culture" as a central aspect of localization, yet especially the first does so in a rather essentialist and static way. While also the local interpretation literature and the struggle literature have their limits, especially the last approach of appropriation opens possibilities for a better categorization of localization. I will use the insights from this literature review to develop a more specific framework of localization outcomes. The norm take-over framework will be extended by a dimension of appropriation, creating categories of embedding and of reshaping of promoted norm sets in local contexts.

2.1 The Filter Literature

A first set of IR scholars aims at identifying conditions for the success of localization. Common to this literature is the portrayal of conditions for the reception of internationally promoted norm sets as local filters. Authors in this group mostly focus on the promotion of human rights, democracy, and rule of law.

Filter 1: The political system and opportunity structures

According to a rational-institutionalist argument, conditions favoring the local take-over of promoted norms include a certain openness of society (possibilities to maneuver and find access to the political system), the absence of blocking factors such as strong elites or veto players and the control of the policy-making process by state actors (Deitelhoff 2006: 71; Flockhart 2005a; Risse-Kappen 1994: 188; Risse 2002; Schimmelfennig 2002).[10]

Filter 2: Perceptions

The second, constructivist filter is the local actors' perception of external actors. Is the external actor accepted and regarded as a legitimate norm promoter (Noutcheva 2009)? And are the norms such external actors promote perceived as linked to local problems (Kneuer 2007: 379)? Does the historical link between the norm sender and recipient influence the perceptions of the external actor's role? Alas, detailed literature on this filter is lacking and the historically shaped relations between internal and external actors are rarely systematically included in empirical studies; nor are the norm promotion strategies used by external actors analyzed in the context of such perceptions.

Filter 3: Culture

In addition, "culture" is depicted as a filter for externally promoted norms in the (liberal constructivist) literature on socialization. In its extreme version, such local culture either provides resonance for norms or no resonance. Without such resonance the probability of local adoption is falling: "The less [the] international norm matches with the pre-existing domestic values, norms

---

8   See also Acharya (2004, 2009), Checkel (2001), Cortell/Davis (2005), Kneuer (2009: 26).

9   Discipline-wise and author-wise they are not mutually exclusive.

10 Scholars often distinguish situations of stalemate in which a reformist government has to promote a new norm inside a reluctant society with veto players and little change agents from situations in which external actors can link up to a reformist civil society that pushes a government to change (Checkel 1999; Magen/Morlino 2009b; Risse et al. 1999).

and practices the less easily it is diffused to the domestic sphere because the less likely it is accepted as a cognitive script […]" (Elbasani 2004: 29).[11]

Regarding the importance of the single filters, scholars come to different conclusions: Schimmelfennig et al. (2003) argue that the first filter is pivotal in a study about the take-over of human rights and democracy in Eastern Europe. Even resonance will not bring about changes if local costs for implementing reform are high, they claim.[12] Yet, even without resonance low costs of replacement will lead to norm changes (2003). The resonance filter only impacts on how governments rhetorically react to norm promotion or justify certain measures, it does not influence government behavior. Checkel's results do not follow the same line: It is the "cultural match" that determines the reception of a global norm and represents a necessary condition for take-over, while the success of norm implementation, indeed, is dependent on the institutional set up. He bases his argument on a case study on the reception of changing European citizenship norms in Germany (1999). Sundstrom also argues in favor of the importance of the cultural resonance filter. She presents a study on gender issues and the situation of draft soldiers in Russia. Only externally promoted issues connected to universal norms of "no bodily harm" were successful in civil society campaigns in Russia. Norms perceived as "Western" (here equal pay and pacifism) did not resonate despite the broad funding by donors (2005).

The variable of cultural match is not very helpful analytically, however, as it holds that norms are only accepted if they match already observed norms anyway.[13] Hence, no change in preferences and perceptions is really required. Or phrased differently: norms that resonate too much, have lost their preference changing impetus (Merry 2006b). If such a resonance with local norms actually exists, it is rarely convincingly assessed ex ante. Rather, missing resonance is used ex post factum as an argument for unsuccessful norm promotion (Deitelhoff 2006: 74). The importance of the cultural filter and the perception filter remains unclear, while furthermore "ideational (in)compatibility is still underspecified in the literature" (Risse 2002: 267). Overall, the filter approach paints a rather static picture of local structures and cultures (Acharya 2004: 243, 2009; Cortell/Davis 2005, Risse/Ropp 1999: 271-272). A general concept or definition of "local culture" is missing. Regarding the expected outcome of norm promotion, the image of filters resembles an on/off mechanism: either the external norm is filtered out or it is taken over.

2.2 The Local Interpretation Literature

A slightly different approach is applied the literature on "selective adaptation" in International Law in (Biukovic 2008; Jacobs/Potter 2006). It focuses less on democracy and human rights but on the local implementation of WTO standards. In this literature it is argued "that international law can acquire a variety of local meanings that require an understanding of local history and culture in addition to knowledge of the domestic economy and laws" (Biukovic 2008: 2). Thus, an internationally accepted norm will be perceived and interpreted from a local perspective: "local legal culture, concepts, and vocabulary are powerful filters." (Biukovic 2008: 3). Although norm adoption and implementation takes place, they might not necessarily resemble the model of "Western" states.

Although the authors refer to filters, this approach aims at analyzing how certain international norms are interpreted and implemented (rather than simply taken over - as in the filter approach). Various local interpretations and institutionalizations of international norms (not necessarily following a scale of "more" or "less" take-over) are the outcome of norm promotion. Even though this perspective is not as static as the first approach, the cultural filter that serves as a base for fur-

---

11   See also Busby (2007), Flockhart (2005b), Kneuer (2007: 379), Risse-Kappen (1994: 188), Cortell/Davis Jr (2000), Checkel (1999).

12   In their study resonance varies with government changes and depends on the current administration, not on wider culture (Schimmelfennig et al. 2003).

13   See also Schmitz (2004: 411-412).

ther interpretation is perceived as fixed and the concept of local culture and local norms is not further discussed.

2.3 The Local Struggle Literature

In contrast to such a static picture of domestic conditions for norm diffusion, another cluster of literature on Democratization Studies, International Relations and Anthropology emphasizes the struggles and dynamics taking place at a local level. Resistance, contestation and strategic use of ideas are at center stage in this body of literature and the image of an "isolated" local community dismissed. Different scholars identify various struggle sites. They are conceptualized here as struggles over norms, struggles over public attention and struggles over meanings of norms:

The struggle over norms

Jean Grugel criticizes the external perspective on norm diffusion in International Relations. IR ignores the in-depth norm transformations that have to take place in democratizing states at an elite and a mass level, she argues. The on-going struggle over norms during often long democratization processes cannot easily be subsumed under a technical model of cultural match and opportunity costs (Grugel 2005). Thus, in particular the promotion of democratic norms and rule of law are linked to far-reaching changes of power constellations, of identities and political processes. It can therefore not easily be compared to the promotion of technical standards and procedures, but is highly politicized. Although the political space is porous to external ideas and norms (Grugel 2005: 38),

> "[d]emocratization should be understood as a complex and conflictual site of struggle, in which the kinds of democracy that are thought to be desirable and the degrees of democracy that are thought to be possible are continually negotiated and renegotiated between differently motivated and differently situated actors internal and external to states" (Grugel 2005: 42).

This approach deviates from the static technical picture of filters, as especially processes of regime change are described as situations of political change and struggle in which external activities are politicized and external actors become part of the local political scene, actively pushing and persuading political actors and the public. It also moves away from the local interpretation approach, as it represents not so much a certain *given cultural set* conditioning the local interpretation but rather an ongoing local struggle about certain norms between both external and internal actors without definite results. This version of understanding localization is also supported by Anthropological research investigating the micro-processes related to norm diffusion. What might be depicted from the outside as rather technical awareness raising and norm diffusion campaigns appears at the local level as complicated maneuvering inside a complex field of personal networks, individual ambitions and moral convictions in which external donors are one further actor (Bierschenk 2008; Fichtner 2005).

Struggle over attention

The literature on framing and grafting techniques used in norm diffusion processes re-evaluates the resonance argument put forward by supporters of the *filter* approach. Here, framing techniques[14] describe dynamic activities that help connect an issue to the local public discourse and create attention and awareness for an issue and thereby resonance or salience (Payne 2001). In the early norm diffusion literature such framing activities by transnational actors were mostly analyzed at the international level. Later literature on human rights investigated how transnational norm entrepreneurs linked up with local civil society organizations to pressure authoritarian governments into concessions from above and from below and to frame the human right norms in a local debate. Influential in this regard were the "boomerang effect" (Keck/Sikkink 1998) and the "spiral model" (Risse et al. 1999): "They [norm entrepreneurs] deliberately make new ideas and principled

---

14   The term is borrowed from the social movement literature (see for example Tarrow 2001).

beliefs 'resonate' with pre-existing and embedded norms and collective understandings" (Risse 2002: 267).[15]

Some authors emphasize the salience of norms instead of the resonance of norms in such processes. Thus, it is important that there exists a public interest in the topic and a certain politicization of the promoted issue to help its local adaptation. The public attention and the campaigning help to promote the success of norm diffusion, not necessarily the creation of cultural resonance (El-basani 2004; Flockhart 2005a).[16]

Meanings of norms and contestation

One branch of constructivist norm research spotlights the struggle, reconstruction and redefinition of the meaning of norms (Reus-Smit 2001; Sandholtz 2008; Van Kersbergen/Verbeek 2007; Wiener 2004, 2008). Even after the adoption of certain norms, a struggle over the meaning of these continues in recipient states. Certain international norms, like human right norms, might be a consensus at an international level on paper, but filled with different meanings locally (Harris-Short 2003; Liese 2009; Wiener 2009: 181). This literature criticizes common constructivist IR research in which norms are described as something definite with clear consequences (Van Kersbergen/Verbeek 2007: 221). Furthermore, the idea that a norm take-over is permanent is seriously questioned (Rosert/Schirmbeck 2007).

In addition, there exists no simple binary cultural "match"/"no match" of promoted norms. Instead a local process of interpretation takes place attaching meanings to a norm. For Wiener, such local meanings are conditioned by cultural practices: "Cultural practices play a key role for the project of uncovering hidden meanings of norms which deviate from the texts of legal documents and expected shared recognition stipulated by modern constitutionalism" (2009). While persuasion of norm takers by norm makers might generate acceptance and a shared understanding of norms in a certain situation, such understanding is normally confined to a very limited forum (Wiener 2008). Every local implementation process can therefore be understood as the "interactive process of cultural validation" (Wiener/Puetter 2009: 5-6) based on the individual's "normative baggage" (Wiener 2009: 185).

This approach does indeed turn the perspective. Instead of referring to filters between international norm sets and local take-over the norm "transfer" is described as a process of norm interpretation and contestation. In such interpretation processes international norms take on different meanings in different contexts. Yet, what Wiener actually means with cultural practices remains insufficiently specified. "[…] cultural practices refer to day-to-day interaction about what is 'customary' in multiple spaces of a community" (Wiener 2008: 28), we are told. But how do we assess and differentiate such cultural practices? What is actually contested is sometimes blurred in the empirical investigations; we have to distinguish carefully the contestation of the validity and the contestation of the meaning of norms. Additionally, the results of such local contestations are not further analyzed.

All three sites of struggle (over norms, over public attention and over norms' meanings) to some degree challenge the image of static filters and locally fixed interpretation schemes. Ongoing democracy promotion is far off neutral or technical norm diffusion processes, but takes place on a political battle field. Furthermore, what can be depicted as "local" gets more complicated. External actors become part of the local political play and the domestic-international divide questionable. While the first and the third versions focus on the political struggle shaped by cultural practices or local beliefs and constant reinterpretation, the second version analyzes framing activities and attention shifts to explain the success or failure of norm diffusion. The term "local culture" and the

---

15 See also Risse/Ropp (1999: 271-272). Creating resonance is not necessarily a one-way process. Transnational movements or local networks can frame local problems to make them resonate at an international level (think of the Chiapas conflict in Mexico) (Deitelhoff 2006: 71).

16 According to Acharya, "both framing and grafting are largely acts of reinterpretation or representation rather than reconstruction" (2009: 13). Following Busby it is more a matter of a shift of attention to certain issues not of preference change and norm internalization (2007).

outcomes of localization are still not further specified, however. The notion of norm diffusion or norm transfer as contested in every situation might also be an exaggeration.

2.4 The Appropriation Literature

Inspired by historical research on South-East Asia Acharya formulates several points of criticism regarding the different bodies of IR research on norm diffusion: It focuses on the supply-side while depicting norm takers as passive actors. There are cases were international norms are actively connected to local normative orders by local actors[17] (Acharya 2004: 254; see also Capie 2008). In this process they can undergo modifications both in meaning and scope. A successful localization does not "extinguish local beliefs and practices", but in some cases "may instead universalize and amplify the latter" (Acharya 2009: 5). For Acharya localization represents an alternative to both takeover or resistance to promoted norms (Acharya 2009: 5).[18]

In a case study on Asian regionalism Acharya discusses an example of such a localization process. During the 1950s an Asian version of the non-intervention norm was internalized in the South-Asian region that in the 1990s conditioned the debate on an "Asian way" and the localization of a Western concept of "common security" (Acharya 2009). What is presented as local is therefore not connected to some essential idea of culture. The local always is pre-shaped by earlier localizations (Galvan/Sil 2007: 7).

While the importance of local, transnational, or external actors and their promotion strategies might vary from case to case and from topic to topic, one aspect of this approach needs highlighting: Only in rare cases norm diffusion activities lead to full take-over of norm sets. Instead, promoted concepts are mostly woven into a local discourse where they are modified and adapted to local beliefs and ideas. This approach emphasizes the creation of new meanings and practices by a connection of external and local norm sets and discourses.

Such a localization process comes very close to the concept of appropriation that is used to study phenomena of "hybridity" and "hybrid culture" including both external and local elements. Anthropological research, History and Postcolonial Studies have for quite some time been analyzing the transfer of cultural concepts, ideas and norms from the Global West to the Global South, from the Global South to the Global West or inside of these.[19] Appropriation describes the creative modification and localization processes in groups confronted with diffusion of norms or ideas.[20] Eisenstadt, in this regard, coined the term "multiple modernities" (2000; Schwinn 2006). He depicts modernization processes as universal. But we cannot indentify an essential local culture that is replaced by "Western modernity". Instead multiple modernities shaped by appropriation and hybridity can be observed. In summary, local world views, ideas, norms and practices are the product of former construction, redefinition and appropriation. A certain cultural hybridity or "glocalization" (Robertson 1995) shapes all local spaces. From this point of view, culture is neither equivalent with tradition nor with some kind of national essence. In her study on the diffusion of human right norms Sally Merry states: "Culture in this sense does not serve as a barrier to human rights obligation, but as a context that defines relationships and meanings and constructs the possibilities of action" (2006b: 9).

For this type of interaction of global and local norms many examples have been provided. Randeria describes Indian concepts of civil society where the (Western) idea of advocacy-based civil society is combined with strong social hierarchies (Randeria 2004, 2007a). Another example

---

17 From his point of view because of strategic reasons and to boost the legitimacy and stability of a local institutional set; he distinguishes such localization from short-term strategic adaptations in the face of external pressure (Acharya 2004).

18 His understanding of a demand-driven localization reveals many parallels to processes of emulation or indirect norm diffusion; for a discussion of emulation see Börzel and Risse (2009).

19 For a first overview of historical research and conceptual considerations see Kaelble (2005, 2006). For Anthropological approaches see Beck (2006).

20 Such appropriations do not have to be strategic or imperialist, but can also just emerge from cultural encounters and interaction (Kaelble 2005). For a Post-Colonial approach interpreting such hybridity as "creative deviation that resists the hegemonic discourse" (De Goede 2010: 17) see Bhabha (1994).

concerns the plurality of norms that can be found in many Non-OECD and OECD states. The concept of legal pluralism (Benda-Beckmann/Benda-Beckmann 2006; Merry 1988, 2006a) describes situations in which different norm sets concerning the same subject (for example dispute resolution mechanisms) are not mutually exclusive but exist in parallel. This can include the division of certain tasks and responsibilities between "traditional" or indigenous authorities and state authorities, formal or informal arrangements.

The nomenclature of such phenomena is rather controversial. Terms such as "hybridization", "creolization" or "bricolage" have many critics.[21] Having a dynamic model of "glocalization" in mind and being aware of the problems of power and asymmetry created by norm diffusion, I will use the term appropriation to refer to the creation of new interpretations, practices and meanings around norms. Overall, this approach highlights an alternative to an easy binary description of norm take-over by adding a new dimension of appropriation. Yet, this category is context-sensitive and not easily used for "parsimonious models, elegant general explanations, or definitive predictions" (Galvan/Sil 2007: 11). But De la Rosa criticizes that for all these incidents of appropriation an explanation is missing why and how such an appropriation took place and which kind of interaction processes actually determined a certain outcome of appropriation (De La Rosa 2008). Here, an important gap is still open in existing research.

In empirical studies some authors argue that processes of appropriation give more stability to diffused norms or institutions: they have to be "remade in the vernacular" (Merry 2006b: 1). Galvan states that appropriated forms of rural councils in Senegal are both more effective and more legitimate in their communities than the institutional transplant of communal councils (Galvan 2007). Richmond and Franks (2009) and Roberts (2008) look at peace-building activities in fragile states: Roberts puts forward that even far-reaching and strong peace-building missions seldom had any other outcomes than hybridity. Instead of unsuccessfully relying on pushing through democracy and rule of law "a more minimal approach, which could be based upon limited externally-supported electoral support encouraging indigenous organization, however, offers to reverse the imperious and democracy-orientated trend, and to promote internally legitimate plural-indigenous systems with long-term sustainability" (Roberts 2008: 63). Similarly, Richmond and Franks present an approach of locally-based dialogue that rather tries to understand local needs than to build up urban-based state-structures and formal institutions of representation that do not connect to the "local-local".[22] Again a locally inspired hybridity would be a more successful outcome than the current disappointing results of and the resistance to most liberal peace-building missions (Richmond 2009; Richmond/Franks 2009). For fragile environments like that, the authors suggest that appropriation is a desirable goal: it can produce a certain legitimacy and stability that the legal transplants cannot.

Such a point of view is prone, though, to "romanticize" the local (Richmond 2009: 331). Of course, power and interest are just as important in appropriation processes: "[…] the politics of contestation over culture and historical memory – who is able to define authentic local tradition in terms that are socially acceptable and emotionally compelling – can set the terms for adaptation, rejections, or acceptance of new institutional forms" (Galvan/Sil 2007: 17). Elites have special advan-

---

21 It is argued that they are starting from "pure" Westerness and colonialism, assuming "un-hybridized" Western and Non-Western institutional and cultural priors (Randeria 2007b: 100-102; Stewart 1999: 44-45). Syncretism (Galvan/Sil 2007) is presented as an alternative, defined as "a set of interpretive processes through which actors in local settings selectively transform newly imposed or transplanted institutional features (norms, rules – formal and informal – organizational principles, and operational procedures) while adapting portable elements of preexisting social institutions to produce innovative institutional configurations" (Galvan/Sil 2007: 7). Yet, with a base in missionary history and history of religion it also has its enemies (Stewart 1999: 47-48). I do not think that any un-biased term for such processes can be found. Other authors from Post-Colonial Studies or History challenge the understanding of norm takers and norm makers and independent cultural, political and economic spheres altogether. They propose concepts such as "entangled history" (Conrad/Randeria 2002) or "histoire croisée" (Werner/Zimmermann 2006) to overcome dichotomous views of senders and recipients of institutions, norms, ideas; see also Beck (2006) and Kaelble (2005). Interaction processes, and flows of ideas in both direction definitely need more attention when studying democracy promotion. This cannot be the focus of this paper, however.

22 Which they locate outside the circle of urban-based elites.

tages in influencing such processes (Galvan/Sil 2007: 11) based on different forms of economic, cultural, or social capital they can use. Hybrid, post-conflict spaces are also far from homogeneous. Politics are polarized, power, institutions, resources, and public discourse contested. Something like a consensual "appropriated" institutional set does not exist and appropriation can have stabilizing or de-stabilizing effects (see ch. 3.3).

In summary, the appropriation literature provides a concept of culture and "local vs. global" that is less essentialist and more dynamic. It also aims at describing the encounter between "local" and "global" by taking a look at hybrid or appropriated outcomes of norm promotion. It thereby adds a new dimension to the possible outcomes of localization. Some differences exist regarding the motivations of local actors: Some scholars depict appropriation as a strategic move to re-gain local legitimacy (Acharya 2004). For Bhabha appropriation is a creative strategy of resistance (1994). In Transfer Studies appropriation can also result from open interaction and learning processes (Kaelble 2005: 2). Several authors advance the thesis that appropriation is a more desirable goal of norm diffusion than norm take-over.

Tab. 1: Literature on localization

Bodies of Literature	Mechanisms	Outcomes of Norm Promotion	Concept of the "local"
Filter	(1) Institutional setting, opportunity structures (2) Perceptions (3) Cultural resonance act as filters	Replacement/rejection	Static
Interpretation	Local cultural filters	Variety of take-overs (not further specified)	Static
Struggle	Struggles over (1) norms (2) attention (3) meanings of norms	Variety of take-overs (not further specified)	Dynamic
Appropriation	Encounter between "global" and "local" (not further specified)	((1) Replacement)[23] (2) Appropriation (3) Rejection	Dynamic

2.5 Categorizations

How can these insights on norm localization be used for empirical research on outcomes of localization? To analyze local reactions to democracy promotion in a more precise manner than simply diagnosing a failure or take-over, a more complex model has to be developed and the black box between rejection and take-over needs to be opened up. The following sub-chapter will discuss the common IR model of localization outcomes based on norm take-over and add a new dimension of appropriation.

Study norm take-over

The majority of IR authors of norm diffusion focus on the replacement of norms as a result of norm promotion. They look at local processes from an external perspective and are interested in the compliance with certain norm sets (and therefore in the effectiveness of certain promotion strategies by external actors).[24] A successful norm promotion would represent a displacement of local norms by the promoted norm sets.[25]

---

23 "Replacement" is rarely the case in this model and mostly connected to strategies of external imposition or long-term developments (Acharya 2004).

24 See also Wiener/Puetter (2009: 4).

25 For criticism see Acharya (2004).

Fruitful attempts were carried out, however, trying to overcome the simple picture of take-over or resistance. Broadening the focus from norm adoption (their translation into laws and regulations), Risse and Sikkink in their norm spiral model would suggest a sequence of adoption, implementation (mostly concerned with institutional capacity) and internalization following a discursive entrapment of the norm taker. They argue that normally a process of habitualization leads more or less automatically to internalization after the first two steps (1999: 20). Similarly, domestication is described as successful, if a norm is rhetorically/discursively embraced (weakest form), if formal institutions in accordance with such norms are in place and if, finally, we find a change in behavior (strongest form) according to Schimmelfennig (2002: 9-10).[26] The connection between these three levels (rhetorical take-over, formal adoption and implementation, behavioral change) remains, again, somewhat unclear: Schimmelfennig (2002: 10) again proposes a sequential model.

Along a similar line of research Morlino and Magen highlight the depth of reform processes in target countries regarding rule of law promotion (2009a). Like Risse et al. (1999) they propose to analyze not only the adoption of certain norm sets but also to follow up their implementation and (elite) internalization[27]. The argue that rule internalization is a long-term process that mostly take place after rule adoption and implementation, but is a necessary step for sustainable and successful norm take-over. "Successful" mechanisms and instruments of international actors to support adoption, implementation or internalization, however, are not necessarily the same; internalization is not an automatic result of earlier adoption. Factors quite independent of those influencing norm adoption lead to norm implementation and internalization. Thus, we should analyze three different, yet interconnected processes (Morlino/Magen 2009a: 41, 2009b). Alldén also rejects the direct connection of adoption and implementation with internalization, especially if internalization not only refers to an elite level. She studies women's political rights in post-conflict Cambodia and Timor-Leste. If "there are institutional impediments, discriminating traditions and stereotypic behavior that constrain women's capability to politically function (i.e. political representation and participation), then internalization of the norm itself is constrained" (Alldén 2009: 31-32). Having a political elite implement certain norms and rights does not result in capabilities to actually use them for the broader population. Internalization has, in her view, to be connected to a study of capabilities of the "local-local".

Besides these disagreements about the sequences leading to norm take-over and the connection of the different categories, the stages of norm take over are often presented as a qualitative continuum between no take-over and take-over, where full take-over is reached after rhetorical take-over, adoption, implementation and internalization of a norm are achieved.

Stages of norm take-over

Rejection	Rhetorical take-over by government	Adoption	Implementation	Internalization (broader public[28])

No take-over   **take-over**
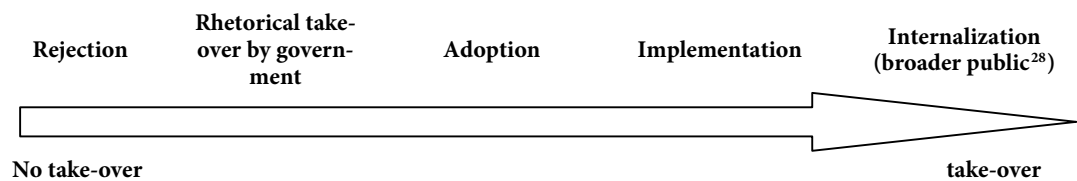
A central problem with this focus on norm take-over arises from the fact that it favors a complete replacement of norms. If only some small advance in adoption and implementation of certain norm sets is achieved, scholars would speak of a *partial take-over* (partial adoption and partial implementation). Certain intermediate arrangements or modifications of meanings and practices attached to

---

26   See also Cortell Davis (2000; Elbasani 2004), Elbasani (2004).

27   Which they define as acceptance among bureaucracy, political elites, relevant groups and the wider public (Morlino/Magen 2009a: 41).

28   Some authors focus on the elite level of internalization, arguing that this level is central for the further socialization of the population (Risse/Sikkink 1999), others note strong breaches between elites and the broader population (Alldén 2009; Richmond/Franks 2009).

newly adopted and implemented norms and institutions are left out. The categories analyze formal institutions, not on informal institutions surrounding them. Norm localization in post-conflict states can, using this lens, only be described as deficient, never as different.

In addition, the last category of internalization, bringing about full norm take-over, actually includes local ideas and norms and the meanings of such norms. The pre-internalization stage of "bad" local norms and practices - that "have to be changed"[29] by the internalization process -, is exactly one of the filters supposed to create halts and limits to the implementation and adoption of promoted norm sets. This last category actually influences the outcomes in the previous categories.

Appropriation

The appropriation approach adds a new dimension to the study of norm localization. In the existing literature this approach remains rather broad and vague. How to use it analytically remains an open question. A strategy to adapt the concept to empirical IR research is to add it as a new dimension to the category system of norm take-over. Expanding the category on norm take-over at the level of practices and meanings, we can add intermediate outcomes between full rejection or take-over to the category of partial take-over.

In a first version of appropriation, local understandings and informal practices shape the adopted and implemented formal institutional changes (e.g. a localized version of transitional justice in the Ruandan Gacaca community courts). In this case the category of practices and meanings actually influences the formal institutional set-up. In a second version a formal (partial) norm take-over takes place (regarding adoption and implementation), yet the adopted norm set is connected to very different emerging local understandings and informal practices (e.g. decentralization leads to the establishment of municipal councils, yet these interact closely with informal indigenous structures of auxiliary mayors and city councils). In other words, we can describe a case of reshaping of formal norms (appropriation 1), if local meanings and practices influence the outcome of adoption and implementation of the promoted norm set. We can describe a case of embedding of formal norms (appropriation 2), if certain norms are adopted and implemented, yet connected to new meanings and informal practices.

Appropriation 2 has to be distinguished from less substantial forms of embedding. Every promoted norm or institution is of course embedded in a local system. Even if the adopted law is a 100% legal transplant, its implementation process is accompanied by guidelines and standard procedures, by judges that interpret the legal text through legal practice. We can speak of a substantial embedding, if it refers to the connection to new societal practices and meanings that actually change the behavioral expectations linked to the norm set, although its formal text stays the same.

The case of the existing international torture ban can exemplify these differences: No appropriation, but full take-over would be the case, if the adopted laws and the implementation were in line with the international treaty text and the local practice and interpretation in line with the interpretation of the transnational community (the international treaty organizations and the norm entrepreneurs). Of course the laws and the implementation (translation in local regulations, agencies and action plans) in one country would look a little different from the text and implementation in another country. Embedding would have taken place if the adopted law text and the implementation were in line with the international treaty text, yet the local informal practice and interpretation were not in line with the interpretation of the transnational community, for example by distinguishing ill-treatment and torture. The validity of the torture ban would not be contested, however.[30] Reshaping would have taken place if the adopted law text and the implementation departed from the international treaty text, for example by introducing a distinction of torture and ill-treatment in line with local informal practices and interpretations. No appropriation, but partial take-over would have taken place, if some provisions of the international treaty on the prohibition

---

29   From the norm promoters' point of view.
30   This case is discussed in Liese (2009).

of torture were adopted and implemented,[31] yet the local informal practices and interpretations would contest the validity of the international prohibition of torture altogether.

Intermediate outcomes of norm diffusion

Adoption	Implementation	Internalization	
Partial	Partial	No link of formal norm to local practices, con-testation of validity	**No appropriation**
Partial or full	Partial or full	Link of formal institu-tions to local meanings and practices, no con-testation of validity	**Embedding**
Reshaping of adopted norm sets	Reshaping of norm sets during implementation	Internalization of re-shaped norm set, no contestation of validity	**Reshaping**

Norm Appropriation

Whether these different intermediate outcomes of localization can indeed be identified empirically will be analyzed in the following short case studies.

3. Norm promotion and appropriation in hybrid political regimes

By analyzing the local political processes around democracy promotion, we should be able to classify the outcomes according to the developed categories and fill in the black box of localization. This can be elucidated only in an illustrative way here. Short cases of local reactions to democracy promotion in Guatemala, a rather stable hybrid political regime[32], will be presented. It seems that such post-conflict countries in the grey zone between autocracy and democracy are especially prone to outcomes of norm promotion that not necessarily fit full norm take-over or full resistance. They offer rich material of intermediate outcomes and possible appropriation processes. I will first provide a short overview of the democratization and peace process, Guatemala's regime hybridity and post-conflict character.

3.1 A Parallel Peace and Democratization Process

Guatemala's democratic opening and the peace process can be understood as a parallel development (Jonas 2000a, 2000b). The military allowed for a certain degree of democratic opening and civil rule in the middle of the 1980s and first democratic elections took place in 1986.[33] At this point of time Guatemala was torn by nearly thirty years of civil war. While the civil war resurged in several phases in different areas of the country, the beginning of the 1980s witnessed the climax of

---

31 For example only a ban of certain kinds of torture.

32 Countries in the grey zone between democracy and autocracy (Diamond 2002; Karl 1995; Morlino 2009; Zinecker 2007).

33 For a detailed description of these processes see Blanco/Zapata (2007).

a bloody military campaign against the guerilla and the Maya population with genocidal dimensions (CEH 1999).[34] Although the civil war started as an ideological struggle, it gained a strong ethnic dimension towards the indigenous population linked to the historic legacy of the post-colonial and racist state (Azpuru et al. 2004: 3).[35]

The peace process was heavily influenced by the Central American Esquipulas peace process initiated by the Costa Rican president Óscar Arias and the international community (Azpuru et al. 2004: 4; Montobbio 2008: 166-167). At the beginning of the 1990s the Christian Democratic civil government of Marco Cerezo and later president Jorge Serrano were willing to start negotiations with the already weakened guerilla organization *Unidad Revolucionaria Nacional Guatemalteca* (URNG) (Azpuru et al. 2004: 2-3). Under the mediation of the UN and with strong pressure of the international community the process gained momentum in 1994 and in 1996 the government of Álvaro Arzú (1996-2000) and the URNG signed a final Peace Accord summing up six different agreements from 1994 to 1996 (Azpuru et al. 2004: 4).

Despite strong resistance of certain parts of the Guatemalan society and the military, the Peace Accords not only brought an end to violent conflict, and made plans for the demobilization and integration of former combatants; they also enclosed an encompassing set of provisions about human rights, democracy, indigenous rights as well as of social and economic policies. They were not only an attempt to establish negative peace, but to change the root causes of conflict. The Guatemalan Peace Accords are therefore regarded as one of the first cases with extensive peace-building activities by international actors (Brauch 2003: 160).[36]

3.2 A Stable Hybrid?

An electoral democracy was established in Guatemala in 1986. Ever since the Peace Accords from 1996 left wing parties and the former guerilla group URNG can openly campaign and run for election. The Polity IV data, focusing on participation and contestation, rates Guatemala as a +3 since the transition in 1986 and since 1996 as a +8; thus, since 1996 as a fairly democratic country.[37] The elections themselves have been declared to be free and fair over the years,[38] although the election processes in Guatemala are still very polarized, and fraught with violence and threats. The electoral campaigns in Guatemala are counted to be among the most violent in Latin America.[39]

Severe problems prevail concerning the rule of law. The judiciary and the police are plagued by the problem of impunity, corruption, inefficiency and massive threats against judges (Freedom House 2009). Criminal violence and criminal infiltration of state structures (drug-trafficking, neighborhood-based gang violence especially in urban regions and the so-called "hidden powers"[40]) are troubling since the signing of the Peace Accords. Although threats and violence against political activist and human rights groups are no longer state-led, they can often be linked to interconnected corrupt state structures and criminal groups in Guatemala.

---

34 For an overview of the civil war in Guatemala see Jonas (1991).

35 The subsequent investigations of war crimes and human rights crimes by the established Commission for Historical Clarification (CEH) stated that over 200,000 people had died in the civil war between 1960 and 1996. 93% of the human rights crimes committed can be attributed to the military, and 83% of the victims were indigenous (CEH 1999).

36 For Guatemala, the root causes of conflict are closely linked to the socio-economic inequalities and the complete closure of political space during military rule. The socio-economic differences between the urban middle and upper class and the rural population are massive and worsened since the Peace Accords. Over 50% of the Guatemalan population are non-ladino, but indigenous. Yet this population is rather fragmented, consisting of several Mayan groups (among others the K'iche', Mam, Q'echi'), Xinca and an African descendant group called Garifuna. 74% of this population lives in poverty (World Bank 2005). Its political representation is especially low. A coherent land reform never took place. An attempt for a moderate land reform in favor of the landless was the trigger for a coup against the democratic government of Jacobo Arbenz in 1954 (Handy 1994).

37 See Polity IV data (http://www.systemicpeace.org/polity/Guatemala2007.pdf: accessed June 20, 2010). For critique see Lauth (2004).

38 As discussed in the electoral mission reports (EU EOM 2007; OAS 1999; OEA 2003, 2007).

39 During the campaign for the election in 2007 over 50 candidates, activists or family members of activists were murdered. Yet, this violence is not state-based and the criminal connections behind these murders remain mostly unclear (EU EOM 2007; OEA 2007).

40 See Peacock/Beltrán (2003).

As a result, the Freedom House rating of political rights and civil liberties comes up with a more negative rating than Polity: In 2009 Guatemala still has the status of only "partly free".[41] Since the opening in 1986 this scoring has not changed. Guatemala is indeed an example of the new stability of hybrid regime structures (Morlino 2009) and the end of the transition paradigm (Carothers 2002). Guatemala is not in an ongoing transition process to consolidated democracy but belongs to the new "grey zone" between autocracy and democracy that became well populated after the third wave of democratization.

Discussing, furthermore, the areas of welfare and security attributed to stateness by most IR scholars (Rotberg 2004; Rüb 2007; Schneckener 2004)[42] Guatemala's achievements are also limited. Regarding welfare this is mostly due to a very low tax base of only 11%.[43] The security sector has rather been deteriorating then improving following the Peace Accords and state structures are getting more fragile. The (internationally financed and implemented) reform of the Police force was of limited success and criminal rates are high (Pellecer 2009: 2). Combining assessments of stateness, political participation, rule of law, stability and social integration, Guatemala ranks in the ratings of the Bertelsmann Transformation Index as a "strongly defect democracy".[44]

Overall, the categorizations do not make transparent the internal changes of the political situation in the country. While the central problem persisting in the hybrid political system in the 1990s was the role of the military, state-led human rights violations and an ongoing civil war, the central problems since the Peace Accords concern the deterioration of the public security and an infiltration of the state by criminal networks.[45] Enormous changes actually took place in the institutional set-up, and civilian oversight of the state at a level thought impossible in the 1990s was actually achieved.

Guatemala shares many of its characteristics regarding electoral institutions, security problems and flaws in the functioning of the rule of law (besides all specifics of the Guatemalan case and the problem of becoming a central corridor for drug trafficking) with a considerable number of post-conflict countries with strong presence of the international community, including Cambodia, East Timor and El Salvador.[46] The case can be understood as rather paradigmatic; even more so for a certain degree of frustration of international actors regarding the progress of democratization in post-conflict countries: after years of police training, political party work, and development aid, the rural socio-economic situation actually worsened and institutions seem even more fragile and corrupt (Morales López 2007, 2009). The aim of the case analysis is not to give an evaluation of the quality of democracy and the effectiveness of democracy promotion in Guatemala. Instead of painting a too pessimist or optimist picture of overall norm take-over, I stress outcomes that fall outside of this dimension.

3.3 Localization Processes

The following cases illustrate the usefulness of the categories developed above and show that they can be an appropriate tool for obtaining a more multi-faceted picture of localization processes. The cases discussed are the main contested cases of norm promotion since the Peace Accords - as identified by local interviewees.[47] All three cases did not end with rejection, but with partial take-over,

---

41 The political rights Score is +3, the civil liberties score +4.

42 For critical view see Risse/Lehmkuhl (2007: 153).

43 One of the provisions of the Peace Accords was a rise of the tax base from 8 up to 12 % of the PIB.

44 http://www.bertelsmann-transformation-index.de/ (accessed: March 15, 2009).

45 Such failure of democratic consolidation is also attributed to the post-war situation: The special tasks of the peace process of transitional justice, demobilization and reintegration of refugees are hard to fulfil and the failure easily leads to frustration in the population. Additionally, a certain societal polarization and a persisting culture of violence are often linked to the high rates of criminality in Guatemala (Azpuru 2007: 15-18). Moreover, authors put forward that former influential parts of the military changed their networks into more clandestine Mafia structure and that especially the development into a drug-trafficking corridor worsened the situation in the last years bringing with it Mexican cartels and intra-cartel violence (Peacock/Beltrán 2003).

46 For a similar discussion see Richmond and Franks (2009) and De Goede (2010).

47 Expert interviews with local offices of international organizations and local political actors.

reshaping or embedding: I will shortly discuss the localization of human rights, of UNICEF's children's rights agenda, and of the International Commission against Impunity in Guatemala (CICIG).

3.3.1 Furthering Human Rights – Compliance, yet "Illegal Pluralism"

Although representing a local agreement, the whole peace process was closely attributed to and heavily influenced by the international community (Carmack 2008: 62). After 1996, international actors made the Accords a central topic of their agenda – especially with regard to the norms related to human rights and indigenous rights – and heavily financed the implementation process (Sieder 2008).

The dimension of norm take-over

The series of Peace Accords between the government and the UNRG, among them one on human rights, were signed between 1994 and 1996 by President De León (1993-1996). He was the former Human Rights Ombudsman and together with the international community achieved extraordinary accords regarding the existing background of Guatemalan power distribution. Accompanied by diplomatic pressure and strong material conditionality the subsequently elected president Arzú (1996-2000) signed the last sector agreement and the final peace agreement (Holiday 2000; Salvesen 2002: 29).[48] Since the signing of the sub-accord on human rights in 1994 in addition a UN Human Rights Mission (MINUGUA) was in the country, monitoring the human rights situation and later the implementation of the Peace Accords, and informing the public about the process. Originally planned as a short-term mission, it finally stayed in the country for over 10 years (1994-2004) (Salvesen 2002: 27-28). While severe problems concerning the rule of law and dangers for human rights activists remained, the overall development of the human rights situation and the implementation of human rights law in the 1990s were judged as going into the right direction (Carmack 2008: 61-62; Ropp/Sikkink 1999).[49]

While the Peace Accords indeed were all-encompassing, the plans for their implementation were rather vague (Salvesen 2002). Instead of ending in a swift adoption in laws as envisioned by the different international actors in this process, the implementation of the Peace Accords dragged on in the government and in Congress (Azpuru et al. 2004: 5). In 1999, the central parts of the Peace Accords with constitutional changing characteristics concerning human rights were presented to the population in a referendum (Carmack 2008: 60-61). With a turn-out of only 19% the referendum was declined by 55% of the participating voters (Jonas 2000b). We can therefore only speak of partial adoption and implementation of the human rights catalogue.

Internalization/Appropriation

Some reservations against the UN Human Rights Mission MINUGUA existed (Salvesen 2002: 27-28). Rightist parties started a public campaign against the referendum on constitutional changes using the threat from the Left, the threat from indigenous power and international intervention to persuade an urban middle and upper class to reject it. But also a large part of the indigenous population that would have had the biggest gain from the adoption and implementation of the Peace Accords abstained from voting or voted "no" during the referendum in 1999 (Carey 2004). This can partly be explained by a lack of information and missing access to the poll stations, yet, as Carney argues, it was also linked to a missing ownership of indigenous groups. Many indigenous people regarded the Peace Process and the formal human rights agenda as an external project, not necessarily helping their cause (Carey 2004).[50]

---

48 On the donations given see Azpuru (2004: 10-11)

49 For the multitude of reforms in this sector see Sieder (2008: 72-74), for the persisting problems in the human right system see Sieder (2008: 79-81).

50 Potential change agents from the urban middle class as well as from the indigenous populations were not addressed by the referendum (Salvesen 2002: 22; Thoresen 2004: 10), nor did framing activities by national and transnational NGOs succeed in making the Peace Accords a national project (Morales López 2007: 93).

The international community was indeed considered as an important factor in supporting the state. But in the eyes of the local population it did not deliver. The political and civil human rights and transitional justice focus of the international community and the urban human rights movement was seen as unconnected to the problems of normal citizens that struggled with a quick deterioration of the security situation (regarding criminal, not political violence) in Guatemala (Snodgrass Godoy 2006b). The population perceived the international community as giving attention mostly to (past) political crimes, while ignoring common crime. Simultaneously, the international community supported the fight for rights of suspects and fair process (Snodgrass Godoy 2006a). This provoked the general impression that human rights were rather used to help protect criminals than to produce stability and security (Sieder 2003). This also helps explain the strong support for a "mano dura" (law-and-order) approach in Guatemala, that played into the hands of former authoritarian politicians and led to the success of the rightist FRG[51] in the 1999 elections (Snodgrass Godoy 2006b). Thus, to a certain degree a contestation concerning the validity of human rights emerged. However, a strong re-interpretation took also place: The Human Rights Ombudsman is the institution with the highest trust levels (Azpuru 2006: 18-20). Yet the concerns and problems the population carries to the Ombudsman offices (and earlier to MINUGUA) and connects to human rights, are much broader than the political and the civil rights at the center of transnational campaigning.[52] Other state institutions were connected to distrust and not viewed as institutions from which security and stability could evolve.[53] While the urban upper and middle class turned to private security, the rural areas turned to indigenous dispute resolution and vigilant justice[54] instead of relying on state structures (Sieder 2003).[55]

At the same time, especially in the rural areas and in indigenous communities the human rights framework set by the state and the human rights discourse promoted by the human rights movement were slowly appropriated following the Peace Accords up to the point where it had "dramatically replaced other potential discourses of resistance for indigenous peoples" (Speed/Leyva Solano 2008: 11). These appropriations led to a multitude of negotiations between Western and Mayan concepts, misinterpretations and incompatibilities (Ekern 2008; López Garcia 2008; Pitarch et al. 2008).[56] This human rights discourse was also used by the indigenous population to actually question the (neo) liberal democratic project of the international community (Carmack 2008: 64). Thus, the indigenous population used the human rights norms trying to reshape connected norm sets of democracy and market economy. In contrast to other South American indigenous movements in Ecuador or Peru, they were not successful with this strategy so far.

In summary, the adoption and implementation of human rights law can be regarded as partially successful following the Peace Accords (partial take-over). Law texts are mostly in line with international human right treaties. Serious problems with the functioning of the rule of law system as well as the existence of parallel powers constrained the success of implementation, however. Internalization of the promoted norms resulted in a diverse picture in the 1990s. While a very vocal human rights movement formed a strong coalition with the international community (Ropp/Sikkink 1999), its focus on (past) political crimes irritated the broader population favoring a different understanding of what human rights "ought to do" and (combined with strong mistrust in state structures) led to the strengthening of parallel informal security institutions and practices. This mixture of appropriation and new interpretation of human rights norms by different groups of society led, according to Rachel Sieder (2008: 84), to "a kind of illegal pluralism – the overlapping of different legal and regulatory

---

51 While the presidential candidate was Alfonso Portillo, the party leader was Efrain Rios Montt who formerly headed the military regime during its most notorious times (1982-83).

52 Interview Tjark Eggenhof, KAS Guatemala, March 3, 2010.

53 See overall low levels of trust – compared to other Latin-American countries – for the national police and for the rule of law system and the high perception of insecurity (Azpuru 2006: 18-20).

54 A significant rise in the number of rural lynchings created broad international attention (Snodgrass Godoy 2002). Concerning the fight for control over local justice systems see Handy (2004) and Snodgrass Godoy (2006b).

55 See also Little and Smith (2009) and Amry (1999).

56 These appropriation processes are very local processes - also given the high diversity of indigenous people in Guatemala.

orders – where the line dividing the legal from the illegal becomes increasingly difficult to discern". The formal human rights norms were – in the evolving post-conflict situation – embedded in a very pluralist system of practices and meanings and of newly evolving informal institutions of security. Attempts of using the human rights discourse to reshape the broader norm set of liberal democracy by the indigenous movement were unsuccessful. This case resembles an embedding of promoted norms (appropriation 2).

3.3.2 The UNICEF's Children Code filtered out?

One central case of local contestation concerns the UNICEF promotion of children rights in Guatemala.

The dimension of norm take-over

The Guatemalan government signed the *International Convention on the Rights of Children* in 1990. Hoping for fast ratification UNICEF and several international actors started a campaign for a swift acceptance in the Guatemalan Congress in 1995. In 1996 the Congress passed a "Code for Children and Youth" based on the international convention replacing the former "Minors Code" that was not linked to a rights approach and also missing special punitive treatments for juveniles. The implementation turned out to be a big failure. Only after the adoption of the law a very critical public discourse started[57] and the implementation dragged on. Years of heated public debate and postponements[58] by the government followed (Díaz 1998; Snodgrass Godoy 2006a: 73). Only in 2002 the non-enactment of the law was declared unconstitutional by the Supreme Court and a reformulated law was put into effect (Ley de Proteccion Integral de la Niñez y Adolescencia), yet removing the central conflictive issues of adoption and of sexual education. A law on adoption, thought to stop the very lucrative international adoption business, has been recently passed under heavy international pressure; the law on sexual education is still pending. Adequate funding for the implementation of the passed law seems to be scarce. Altogether implementation is significantly lacking behind.[59] We can observe partial adoption and little implementation.

Internalization/Appropriation

La Rue et al. (1998) argue that the peace process heavily influenced the discourse about the promotion of children rights. Especially the role of UNICEF was contested, mostly invoking sovereignty and cultural arguments. The public campaign that took off after the adoption of the law was mostly based in conservative sectors of society. It caught on in the Catholic Church, Protestant groups, private schools etc. Local editorialists contesting the new code stated that such a law would subvert local family values and that no cultural link would exist between non-religious "Scandinavians" running UNICEF and Guatemalan values, norms and religion. The code was portrayed as undermining Guatemalan families, destroying authority and social structures (La Rue et al. 1998: 10).[60] This outburst of resistance came as a big surprise to the international community and overshadowed the ongoing implementation of the Peace Accords as it questioned the overall activities of international actors in the country. It also hampered the political opening process to the Left[61] (La Rue et al. 1998; Snodgrass Godoy 2006a: 73-74). While connected to better safeguards against illegal adoptions, support for families and overall well-being of children by the coalition for a new Code, it was linked to imposition, anti-religion and anti-authority by its opponents.

---

57 La Rue et al. (1998: 9) state it was "one of the strongest public controversies in the history of Guatemala".

58 http://www.unicef-irc.org/portfolios/documents/603_ia_ngorep_guatemala.htm (accessed: June 6, 2010).

59 http://www.juvenilejusticepanel.org/resource/items/G/u/GuatemalaBrendanKolbayReportJan05.pdf (accessed: June 6, 2010).

60 It touched "sensitive chords within Guatemalan citizens and points directly to the current social fabric with its deeply authoritative strands" (La Rue et al. 1998: 14).

61 Although many groups of the political Left did not support the childrens' code, conservative sectors used the assumption of unanimous support of the Left to devalue the reform project in the public's view.

The coalition of international actors and local NGOs and politicians working on the topic of children's right was neither successful in framing activities, nor in connecting the issue to the broader peace agenda of human rights and democratization. The process revealed the small base of support of the Movement for Children in Guatemala (La Rue et al. 1998). While in 2002 a way was found to put parts of the law into action legally, full implementation and internalization are still out of reach. By excluding the hotly debated topics (sexual education, sexual orientation), the serious contestation was postponed.

Thus, the promotion of children rights in Guatemala can be identified as a case of only partial norm take-over concerning legislation and implementation. Yet, at the level of appropriation/internalization the meanings and discourse connected to the new law were very negative for the supporting international community. Practices connected to child upbringing and education have changed very little in Guatemalan society and the validity of the norm set, especially regarding sexual education, is heavily contested. This contestation has definitely hampered further legislation and implementation. In this case interests of people profiting from child labor and easy international adoption and a very conservative local discourse about education and child upbringing indeed worked as filters. In the end the interest-based filter was not as strong as the second norm-based filter. The interest-sensitive issue of child adoption[62] was pressured through by the international community and finally adopted. The culture-sensitive issues of sexual education and liberty of children and teenagers are still hotly contested, yet the current president has put it onto the agenda. We do not find substantial new discourses and practices surrounding the promoted norm set neither do we observe a reshaping. While some aspects were adopted, yet with little advances regarding implementation, the strongly contested parts were left out. This case represents an example of partial norm take-over without appropriation and ongoing strong contestation of the validity of parts of the norm set.

3.3.3 CICIG, from the inside out and from the outside back in?

The installation of the International Commission against Impunity in Guatemala can serve as an example of a reshaping (appropriation 1) and an embedding of promoted norm sets (appropriation 2) after a first stage of rejection.

The dimension of norm take-over

The idea of the installation of a UN Mission on Justice was triggered by and based on a transnational civil society campaign. The idea of a special civil UN mission to fight the "parallel powers" in Guatemala came up in the transnational network of Guatemalan NGOs in the security sector[63] and American-based NGOs (such as WOLA).[64] It was lobbied for in the international community and in Guatemalan government circles and the concept of a "CICIACS" (*Commission for the Investigation of Illegal Armed Groups and Clandestine Security Apparatuses*) was developed (WOLA 2008: 6). This first version of CICIACS envisioned a commission in charge of defense of human rights promoters in Guatemala threatened by the "parallel powers" in the state. It was supposed to have an independent prosecutor status in Guatemala. This and certain other provisions of CICIACS, however, were declared unconstitutional by the Constitutional Court in 2004 and strongly criticized by Congress (WOLA 2008: 7).[65] At first the local reaction was therefore one of rejection.

The transnational civil society mostly concluded from the failure that a broader audience and a societal coalition for such a commission had been missing. Certain parts of civil society were interested in creating an institution that would better resonate with the broader population, envisioning

---

62 Very lucrative for lawyers and facilitators.

63 The initial idea is claimed by different actors.

64 It is therefore no international norm set a country has to comply with, but a norm set created in transnational networks that was then pressured through with strong international backing.

65 See also http://www.nisgua.org/themes_campaigns/index.asp?id=2574 (November 20, 2009).

a broader mandate against "impunity"[66]. In a second campaign the transnational coalition of civil society actors successfully drew more local groups into its coalition and started a strong persuasion and lobbying campaign in congress and in the media. The new design of CICIG (International Commission against Impunity), this time drafted by the UN, included it into the Guatemalan justice system. In this proposal CICIG was allowed investigation, but no prosecution. It was designed as having a broader mandate and a focus of fighting current state fragility by supporting and capacitating local structures. In this version it received strong support from the U.S. government concerned with narco-trafficking and from other international actors.[67] It also passed the Constitutional Court. However, dramatic scenes preceded the approval of CICIG in Congress.[68] In this version CICIG finally became a "complement to the State of Guatemala rather than an independent tribunal" (Carvill 2009; see also WOLA 2008: 7-13).

From an overall parallel independent prosecutor protecting human rights workers against the "parallel powers" in the state - as envisioned by the transnational civil society - CICIG was modified to form a complementary institution to the local justice system with a broader mandate drawing bilateral donors into the coalition and getting support from political elites in Guatemala. The aim was still to "investigate the existence of illicit security forces and clandestine security organizations that commit crimes that affect the fundamental human rights of the citizens of Guatemala"[69], however with a much stronger focus on institutional strengthening and support to existing, yet very fragile state structures. Adopted in 2007 with a two-year mandate, it was prolonged for another two years in 2009.

Internalization/Appropriation

As a reaction to the campaign of the transnational coalition, a right-wing based contra-campaign referred to illegitimate intervention of international actors in local politics to justify its rejection of the idea. At first it was quite successful with this framing and indeed the failure of CICIACS in 2005 did look like the end of the idea (BBC Mundo 2007). As a response, the local NGO activists framed the new concept of CICIG as to fit into the very negative public discourse about "corrupt and inefficient" state structures, insecurity and criminality to win over the broader Guatemalan public, thereby building on the overall mistrust in state structures. No longer only protecting human rights defenders, CICIG was supposed to bring security for all.[70] While this version of CICIG was now actually designed as an internal mechanism of institutional strengthening and state support, the broader public conceived CICIG as an entity that would dismantle and denounce existing state structures and supported the campaign.[71]

The role of CICIG today is one of difficult maneuvering. Carlos Castresana, the former head of CICIG,[72] took on a very strong critical role as a public accusant. CICIG is in the press daily with public critiques of Congress, government institutions or government processes. It also is seen as the only reliable institution for public investigation by many and played a central role in calming the public after the "Rosenberg case" that seriously shook the government and perhaps even the

---

66 Interview American NGO staff, Washington, D.C., January 26, 2010; interview Lizet Vasquez/ Luis Castellán, Fundación Myrna Mack, Guatemala City, February 26, 2010.

67 Some local human rights organizations are quite critical of that turn, interview American NGO staff, January 26, 2010. Interview staff American foreign policy agency, March 1, 2010.

68 In joint last minute actions, U.S. congressmen issued shaming statements and threatened aid cuts. The European Parliament sent a last-minute delegation. Further statements were issued by the Inter-American Commission on Human Rights and the NGO coalition. A critical New York Times article dominated editorials in all major Guatemalan newspapers a day before the vote. Perez Molino (the PP candidate for presidency) and Colom (the UNE candidate for presidency) made their fractions enter and vote in block for the CICIG mission, while the congress building received a bomb threat.

69 CICIG mandate, see http://cicig.org/index.php?page=mandate (November 20, 2009).

70 Interview American NGO staff, Washington D.C., January 26, 2010.

71 Good survey data on this topic is missing, but this position is reflected in newspaper commentaries such as Gutiérrez (El Periódico, October 18, 2007, http://www.elperiodico.com.gt/es/20071018/opinion/44709, accessed April 5, 2010) or newspaper articles (El Periódico, July 29, 2007, http://www.elperiodico.com.gt/es/20070729/actualidad/42033/, accessed: April 5, 2010).

72 He just stepped down on June 7, 2010.

regime in May 2009, by taking over the investigations.[73] Yet, it needs to be seen if it implements improvements of existing state institutions as mandated. Whether it can bring about trust in state institutions is even more doubtful.

In this particular example the promoted norm set was modified several times and reshaped according to different group interests and perceptions. Broadening the mandate from CIACIS to CICIG brought on board the bilateral donors with an anti-drugs and institutional strengthening agenda. Making it part of national state structures with "capacity-building" tasks calmed anti-interventionist voices in the government and in political parties. The reshaped version was indeed adopted and implemented and conformed to interpretations of the national elite. The public has a different conception of the mission of CICIG. It expects strong intervention and critique by CICIG of existing state structures, something Castresana was satisfying, thereby prompting critique from inside his original support coalition.[74]

This represents a case of reshaping of a promoted norm sets (appropriation 1). Institutions were framed as to accommodate different agendas and perspectives of both international and national actors. Yet, the finally set-down formal institutional role does not coincide with the actual role played by CICIG as shaped by its former representative Castresana and as expected and demanded by the broader public. The reshaped norm set was again embedded (appropriation 2).

4. Conclusion

This paper focused on the question of how processes of localization linked to norm promotion can best be analyzed. Four bodies of literature were considered: The *filter literature* focusing on norm take-over; the *local interpretation literature*, in which a variety of results could be produced by norm promotion, yet without full take-over of the promoted norm sets; the *struggle literature,* in which either the struggle over norms, over public attention or over meanings of norms are emphasized; and finally the *appropriation literature*, in which modification and appropriation can result from localization. Especially the fourth approach developed a more flexible concept of the local and localization: neither is a static conception of filters helpful in the analysis of localization nor is take-over or rejection the only dimension of localization.

To achieve a better grasp of localization *outcomes* the dimension of full norm take-over (distinguishing rejection, rhetorical take-over, adoption, implementation and internalization) was expanded by a dimension of practices and meanings, thus overcoming the first model's focus on formal norms and institutions. We can assess a case of reshaping of promoted norm sets (appropriation 1), if local meanings and practices also influence the adopted and implemented version of the norm set. We can assess a case of embedding of promoted norm sets (appropriation 2), if certain norms are (partially) adopted and implemented, yet connected to new meanings and informal practices. We can assess partial take-over without appropriation, if partial adoption and implementation took place, but the validity of the norm set remains contested. In the black box between rejection and full take-over we not only encounter partial norm take-over but also two versions of appropriation.

Three cases of contested democracy promotion in Guatemala illustrated that the intermediate outcomes of norm diffusion need a more fine-tuned categorization indeed. Guatemala is a post-conflict country with a hybrid political regime and poses a special challenge to external democracy promotion. It seems that such promotion processes very often neither result in full rejection nor in full take-over. Rather instances of partial take-over, appropriation 1 or appropriation 2 can be identified (yet always keeping in mind, that no end point of a norm promotion process exists) as exemplified by the promotion of human rights, the promotion of a children's code, and the promotion of the International Commission against Impunity in Guatemala. While partial adoption and implementation can be assessed in the case of human rights after the Peace Accords,

---

73   The May 2009 murder of the Guatemalan lawyer Rodrigo Rosenberg plunged Guatemala in a political crisis. A video-tape he made prior to his death was released accusing the president of death threats.

74   Interview Gustavo Porras, Guatemala City, March 1, 2010; Interview Roberto Alvarado Coy, ADP, Coban, March 8, 2010.

and implementation can be assessed in the case of human rights after the Peace Accords, these formal norms are embedded in a multitude of practices, meanings and new informal institutions by different societal groups (appropriation 2). This embedding in some cases weakens the human rights norms (turn away from the state), in other cases strengthens them (empowerment of indigenous groups). The second case illustrates partial norm take-over, yet without any appropriation. In this case, local culture indeed worked as a filter and framing activities of norm entrepreneurs were unsuccessful. The last case is an example of reshaping followed by embedding of norm sets and illustrates the differences in interests, ideas and discourse between the elite and the public level. While modifying the overall mandate and implementation to the wants and needs of the international and national elites (reshaping), it is connected to different meanings and expectations by the broader population, which CICIG satisfies to a certain degree in its practices (embedding).

The three cases strongly support the notion that full norm take-over rarely takes place, instead appropriations evolve that cannot be described at the dimension of take-over. They furthermore illustrate that even cases of strong rejection and contestation often lead at least to partial norm take-over. Local negotiation and persuasion processes develop that connect promoted norms to other local debates and political processes. Framing activities and transnational networks and coalitions play a central role in all three examples they are not always successful (children's rights) or might support alternative appropriations (human rights, CICIG). Criteria for the frames' success seem to outreach simple attention shifts (children rights, political and civil human rights). Overall, the filter model and the category of partial norm take-over are not to be set aside completely, as shown for the case of children rights. Rather, the intermediate results of democracy promotion require a more careful analysis and better categorization. Existing Anthropological, Historical, and Post-Colonial literature can help IR research to open its eyes for new perspectives in this regard.

Additional theoretical and empirical work is necessary to achieve not only a description but also an explanation of such localization outcomes in a more refined way - that reaches beyond the categories of failure or take-over. The case studies suggest that the precision of the promoted norm sets is of central importance. While the unfixed idea of an International Commission in Guatemala left many opportunities for reshaping, the very precise UNICEF convention left little room for modification and appropriation. The human right norms can be ranked in the middle. While they are laid down internationally, there is some room for interpretation, priority setting and appropriation. This led indeed to a translation and reinterpretation of the human right norms in the Guatemalan context. If and to what extent such appropriated norm sets are more stable and have a higher acceptance is another question that needs further investigation.

Literature

Acharya, Amitav 2004: How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism, in: International Organization 58: 2, 239-275.

Acharya, Amitav 2009: Whose Ideas Matter? Agency and Power in Asian Regionalism, Ithaca/London.

Alldén, Susanne 2009: How Do International Norms Travel? Women's Political Rights in Cambodia and Timor-Leste (Umea University: Thesis), Umea.

Amry, René Paul 1999: Indigenous Peoples, Customary Law and the Peace-Process in Guatemala, in: Kuppe, René/Potz, Richard (Eds.): Law and Anthropology, International Yearbook for Legal Anthropology, The Hague, 52-79.

Azpuru, Dinorah 2006: La opinión pública y el estado de derecho en Guatemala, in: Revista ASIES 1.

Azpuru, Dinorah 2007: Marco teórico y metodológico, in: Azpuru, Dinorah/Blanco, Ligia/Córdova Macías, Ricardo/Loya Marín, Nayelly/Ramos, Carlo G./Zapata, Adrián (Eds.): Construyendo la democracia en sociedades posconflicto. Guatemala y El Salvador, un efoque comparado, Guatemala Cuidad, 1-52.

Azpuru, Dinorah/Mendoza, Carlos/Blanck, Evelyn/Blanco, Ligia 2004: Democracy Assistance to Post-Conflict Guatemala. Finding a Balance between Details and Determinants, The Hague.

BBC Mundo 2007: Guatemala: la CICIG comienza en enero, in: http://news.bbc.co.uk/hi/spanish/latin_america/newsid_7165000/7165696.stm; 20.11.2009.

Beck, Stefan 2006: Praktiken der Loaklisierung. Transfer, Hybridisierung und Interdependenz als Herausforderungen ethnologischer Beobachtung, in: Comparativ 16: 3, 13-29.

Benda-Beckmann, Franz von/Benda-Beckmann, Keebet von (Eds.) 2006: Dynamics of Plural Legal Orders, Berlin.

Bhabha, Homi 1994: Of Mimikry and Man: The Ambivalence of Colonial Discourse, in: Bhabha, Homi (Ed.): The Location of Culture, New York, 85-92.

Bierschenk, Thomas 2008: Anthropology and Development. A Historicizing and Localizing Approach, (Working Paper Nr. 87a, Institut für Ethnologie und Afrikastudien, Johannes Gutenberg Universität Mainz, Mainz).

Biukovic, Ljiljana 2008: Selective Adaptation of WTO Transparency Norms and Local Practices in China and Japan, in: Journal of International Economic Law 11: 4, 803-825.

Blanco, Ligia/Zapata, Adrián 2007: La contribución del proceso de paz a la construcción de la democracia en Guatemala, in: Azpuru, Dinorah/Blanco, Ligia/Córdova Macías, Ricardo/Loya Marín, Nayelly/Ramos, Carlo G./Zapata, Adrián (Eds.): Construyendo la democracia en sociedades posconflictos. Guatemala y El Salvador, un enfoque comparada, Guatemala Cuidad, 289-509.

Börzel, Tanja/Pamuk, Yasemin/Stahn, Andreas 2008: The European Union and the Promotion of Good Governance in its Near Abroad: One Size Fits All?, (SFB-Governance Working Paper Series, No. 18, FU Berlin, December 2008).

Börzel, Tanja/Risse, Thomas 2009: The Transformative Power of Europe. The European Union and the Diffusion of Ideas, (KFG The Transformative Power of Europe Working Paper Nr. 1, FU Berlin, May 2009).

Brauch, Hans Günter 2003: Security and Environment in the Mediterranean: Conceptualising Security and Environmental Conflicts, Berlin.

Busby, Joshua William 2007: Bono Made Jesse Helms Cry: Jubilee 2000, Debt Relief, and Moral Action in International Politics, in: International Studies Quarterly 51: 2, 247-275.

Capie, David 2008: Localization as Resistance: The Contested Diffusion of Small Arms Norms in Southeast Asia, in: Security Dialogue 39: 6, 637-658.

Carey, David, Jr. 2004: Maya Perspectives on the 1999 Referendum in Guatemala: Ethnic Equality Rejected?, in: Latin American Perspectives 31: 6, 69-95.

Carmack 2008: Perspectives on the Politics of Human Rights in Guatemala, in: Pitarch, Pedro/Speed, Shannon/Leyva Solano, Xochitl (Eds.): Human Rights in the Maya Region: Global Politics, Cultural Contentions, and Moral Engagements, London, 51-66.

Carothers, Thomas 2002: The End of the Transition Paradigm, in: Journal of Democracy 13: 1, 6-21.

Carothers, Thomas 2009: Democracy Assistance: Political vs. Developmental?, in: Journal of Democracy 20: 1, 5-19.

Carvill, Courtney 2009: Guatemala: Another Democracy Hangs in the Balance, in: http://www.speroforum.com/a/19770/Guatemala-another-democracy-hangs-in-the-balance; 21.11.2009.

CEH, Comisión para el Esclarecimiento Histórico 1999: Guatemala: Memoria del Silencio, Guatemala Cuidad.

Checkel, Jeffrey T. 1999: Norms, Institutions, and National Identity in Contemporary Europe, in: International Studies Quarterly 43: 1, 83-114.

Checkel, Jeffrey T. 2001: Why Comply? Social Learning and European Identity Change, in: International Organization 55: 03, 553-588.

Conrad, Sebastian/Randeria, Shalini 2002: Jenseits des Eurozentrismus: postkoloniale Perspektiven in den Geschichts- und Kulturwissenschaften, Frankfurt/Main et al.

Cortell, Andrew P./Davis, James W. 2000: Understanding the Domestic Impact of International Norms: A Research Agenda, in: International Studies Review 2: 1, 65-87.

Cortell, Andrew P./Davis, James W. 2005: When Norms Clash: International Norms, Domestic Practices, and Japan's Internalisation of the GATT/WTO, in: Review of International Studies 31: 1, 3-25.

De Goede, Meike 2010: Postcolonial Critique and the Production of Local Modernity: Bringing in Agency and Subjectivity in the Study of Post-war State Buidling, (SPIRIT Working Papers, Bordeaux, April 2010).

De La Rosa, Sybille 2008: Aneignung oder Annährung. Zwei Formen interkultureller Kommunikation, in: De La Rosa, Sybille/Höppner, Ulrike/Kötter, Matthias (Eds.): Transdisziplinäre Governanceforschung. Gemeinsam hinter den Staat blicken, Baden-Baden, 80-99.

De Zeeuw, Jeroen 2005: Projects Do not Create Institutions: The Record of Democracy Assistance in Post-conflict Societies, in: Democratization 12: 4, 481-504.

Deitelhoff, Nicole 2006: Überzeugung in der Politik, Frankfurt.

Diamond, Larry 2002: Thinking about Hybrid Regimes, in: Journal of Democracy 13: 2, 21-35.

Díaz, Jorge 1998: Polémica sobre derechos del niño, in: http://alainet.org/active/105&lang=es; 20.11.2009.

Eisenstadt, Shmuel N. 2000: Multiple Modernities, in: Daedalus 129: 1, 1-29.

Ekern, Stener 2008: Are Human Rights Destroying the Natural Balance of All Things? The Difficult Encounter between International Law and Community Law in Maya Guatemala, in: Pitarch, Pedro/Speed, Shannon/Leyva Solano, Xochitl (Eds.): Human Rights in the Maya Region: Global Politics, Cultural Contentions, and Moral Engagements London, 123-144.

Elbasani, Arolda 2004: Albania in Transition: Manipulation or Appropriation of International Norms?, in: Southeast European Politics 5: 1, 24-44.

EU EOM, European Union Election Observation Mission 2007: Guatemala. Final Report. General Election 2007.

Fichtner, Sarah 2005: Normunternehmer und Entwicklungsmamas. Beschreibung und Analyse transnationalen Normtransfers gegen Kinderarbeit in Tansania, (Working Paper Nr. 61, Institut für Ethnologie und Afrikastudien, Johannes Gutenberg Universität Mainz, Mainz).

Finnemore, Martha/Sikkink, Kathryn 1998: International Norm Dynamics and Political Change, in: International Organization 52: 4, 887-917.

Flockhart, Trine 2005a: Complex Socialization and the Transfer of Democratic Norms, in: Flockhart, Trine (Ed.): Socializing Democratic Norms. The Role of International Organizations for the Construction of Europe, Houndmills/New York, 43-62.

Flockhart, Trine 2005b: Socialization and Democratization: a Tenuous but Intriguing Link, in: Flockhart, Trine (Ed.): Socializing Democratic Norms. The Role of International Organizations for the Construction of Europe, Houndmills/New York, 1-20.

Freedom House 2009: Freedom in the World - Guatemala 2009, in: http://www.freedomhouse.org/inc/content/pubs/fiw/inc_country_detail.cfm?year=2009&country=7617&pf; 20.11.2009.

Galvan, Dennis 2007: Syncretism and Local-Level Democracy in Rural Senegal, in: Galvan, Dennis/Sil, Rudra (Eds.): Reconfiguring Institutions across Time and Space: Syncretic Responses to Challenges of Political and Economic Transformation, New York, 33-60.

Galvan, Dennis/Sil, Rudra 2007: The Dilemma of Institutional Adaptation and the Role of Syncretism, in: Galvan, Dennis/Sil, Rudra (Eds.): Reconfiguring Institutions across Time and Space: Syncretic Responses to Challenges of Political and Economic Transformation, New York, 3-29.

Gerrits, André 2007: Is there a Distinct European Democratic Model to Promote?, in: Van Doorn, Marieke/Meijenfeldt, Roel von (Eds.): Democracy Europe's Core Value. On the European Profile in World-wide Democracy Assistance, Delf, 51-63.

Grugel, Jean 2005: The 'International' in Democratization: Norms and the Middle Ground, in: Flockhart, Trine (Ed.): Socializing Democratic Norms. The Role of International Organizations for the Construction of Europe, Houndmills/New York, 23-42.

Handy, Jim 1994: Revolution in the Countryside: Rural Conflict & Agrarian Reform in Guatemala, 1944 - 1954, Chapel Hill et al.

Handy, Jim 2004: Chicken Thieves, Witches, and Judges: Vigilante Justice and Customary Law in Guatemala, in: Journal of Latin American Studies 36: 3, 533-561.

Harris-Short, Sonia 2003: International Human Rights Law: Imperialist, Inept and Ineffective? Cultural Relativism and the UN Convention on the Rights of the Child, in: Human Rights Quarterly 25: 1, 130-181.

Holiday, David 2000: Guatemala's Precarious Peace, in: Current History 99: 634, 78-84.

Jacobs, Lesley/Potter, Pitman B. 2006: Selective Adaptation and Human Rights to Health in China, in: Health and Human Rights 9: 2, 112-134.

Jonas, Susanne 1991: The Battle for Guatemala: Rebels, Death Squads, and U.S. Power, Boulder.

Jonas, Susanne 2000a: Democratization Through Peace: The Difficult Case of Guatemala, in: Journal of Interamerican Studies & World Affairs 42: 4.

Jonas, Susanne 2000b: Of Centaurs and Doves: Guatemala's Peace Process, Boulder.

Kaelble, Hartmut 2005: Die Debatte über Vergleich und Transfer und was jetzt?, (H-Soz-u-Kult, 08.02.2005), in: http://hsozkult.geschichte.hu-berlin.de/forum/id=574&type=artikel.

Kaelble, Hartmut 2006: Herausforderungen an die Transfergeschichte, in: Comparativ 16: 3, 7-12.

Karl, Terry Lynn 1995: The Hybrid Regimes of Central America, in: Journal of Democracy 6: 3, 72-86.

Kelley, Judith 2004: International Actors on the Domestic Scene: Membership Conditionality and Socialization by International Institutions, in: International Organization 58: 3, 425-457.

Kneuer, Marianne 2007: Demokratisierung durch die EU: Süd- und Ostmitteleuropa im Vergleich, Wiesbaden.

Kneuer, Marianne 2009: Externe Faktoren der Demokratisierung - zum Stand der Forschung, in: Erdmann, Gero/Kneuer, Marianne (Eds.): Externe Faktoren der Demokratisierung, Baden-Baden, 9-36.

Kopstein, Jeffrey 2006: The Transatlantic Divide over Democracy Promotion, in: The Washington Quarterly 29: 2, 85-98.

La Rue, Frank/Taylor, Harvey/Salazar Volkmann, Christian 1998: Can Human Rights be Denied to Children? Opposition and Defence of the Code for Children and Youth in Guatemala, Guatemala City.

Lauth, Hans-Joachim 2004: Demokratie und Demokratiemessung. Eine konzeptionelle Grundlegung für den interkulturellen Vergleich, Wiesbaden.

Liese, Andrea 2009: Exceptional Necessity. How Liberal Democracies Contest the Prohibition of Torture and Ill-Treatment When Countering Terorism, in: Journal of International Law and International Relations 5: 17, 17-47.

Little, Walter E./Smith, Timothy J. (Eds.) 2009: Mayas in Postwar Guatemala: Harvest of Violence Revisited, Tuscaloosa.

López Garcia, Julián 2008: "Here It's Different": The Ch'orti' and Human Rights Training, in: Pitarch, Pedro/Speed, Shannon/Leyva Solano, Xochitl (Eds.): Human Rights in the Maya Region: Global Politics, Cultural Contentions, and Moral Engagements London, 145-170.

Magen, Amichai A./Morlino, Leonardo (Eds.) 2009a: International Actors, Democratization and the Rule of Law: Anchoring Democracy?, New York.

Magen, Amichai/Morlino, Leonardo 2009b: Hybrid regimes, the Rule of Law, and External Influence on Domestic Change, in: Magen, Amichai/Morlino, Leonardo (Eds.): International Actors, Democratization and the Rule of Law: Anchoring Democracy?, New York, 1-25.

Magen, Amichai/Risse, Thomas/McFaul, Michael (Eds.) 2009: Promoting Democracy and the Rule of Law: American and European Strategies, Houndmills.

Merry, Sally Engle 1988: Legal Pluralism, in: Law & Society Review 22: 5, 869-896.

Merry, Sally Engle 2006a: Anthropology and International Law, in: Annual Review of Anthropology 35, 99-116.

Merry, Sally Engle 2006b: Human Rights & Gender Violence. Translating International Law into Local Justice, Chicago/London.

Montobbio, Manuel 2008: Der Aufbau lebensfähiger Staaten in Zentralamerika, in: Weiss, Stefanie/Schmierer, Joscha (Eds.): Prekäre Staatlichkeit und internationale Ordnung, Wiesbaden, 154-176.

Morales López, Henry 2007: ¿Por que tanta frustración? La cooperación internacional en la década de la Agenda de la Paz en Guatemala, Guatemala Ciudad.

Morales López, Henry 2009: Pueblos indígenas, cooperación internacional y desarrollo en Guatemala, Guatemala Ciudad.

Morlino, Leonardo 2009: Are there Hybrid Regimes? Or are they just an Optical Illusion?, in: European Political Science Review 1: 02, 273-296.

Morlino, Leonardo/Magen, Amichai 2009a: Methods of Influence, Layers of Impact, Cycles of Change, in: Magen, Amichai/Morlino, Leonardo (Eds.): International Actors, Democratization and the Rule of Law: Anchoring Democracy?, New York, 26-52.

Morlino, Leonardo/Magen, Amichai 2009b: Scope, Depth and Limits of External Influence, in: Magen, Amichai/Morlino, Leonardo (Eds.): International Actors, Democratization and the Rule of Law: Anchoring Democracy?, New York, 224-258.

Noutcheva, Gergana 2009: Fake, Partial and Imposed Compliance: the Limits of the EU's Normative Power in the Western Balkans, in: Journal of European Public Policy 16: 7, 1065-1084.

OAS, Permanent Council 1999: Report of the Electoral Observation Mission to Guatemala. 1999 Elections, Washington, D.C.

OEA, Consejo Permanente de la 2003: Informe de la misión de observación electoral en Guatemala. Elecciones generales 2003.

OEA, Consejo Permanente de la 2007: Informe de la misión de observación electoral. Elecciones generales (9 de septiembre de 2007) y segunda vuelta electoral presidencial (4 de noviembre de 2007). República de Guatemala.

Payne, Rodger A. 2001: Persuasion, Frames and Norm Construction, in: European Journal of International Relations 7: 1, 37-61.

Peacock, Susan C./Beltrán, Adriana 2003: Hidden Powers in Post-Conflict Guatemala. Illegal Armed Groups and the Forces Behind them, Washington, D.C.

Pellecer, Martín Rodríguez 2009: The Role of the International Community in the Crisis in Guatemala, Madrid, in: http://www.fride.org/publication/630/the-role-of-the-international-community-in-the-crisis-in-guatemala.

Pitarch, Pedro/Speed, Shannon/Leyva Solano, Xochitl (Eds.) 2008: Human Rights in the Maya Region: Global Politics, Cultural Contentions, and Moral Engagements, London.

Randeria, Shalini 2004: Verwobene Moderne: Zivilgesellschaft, Kastenbildungen und nicht-staatliches Familienrecht im (post)kolonialen Indien, in: Soziale Welt Sonderband 15, 155-178.

Randeria, Shalini 2007a: Civil Society and Legal Pluralism in the Shadow of Caste: Entangled Modernities in Post-colonial India, in: Schirmer, Dominique et al. (Ed.): Hybridising East and West: Tales Beyond Westernisation. Empirical Contributions to the Debates on Hybridity, Münster, 97-124.

Randeria, Shalini 2007b: The State of Globalization: Legal Plurality, Overlapping Sovereignties and Ambiguous Alliances between Civil Society and the Cunning State in India, in: Theory Culture Society 24: 1, 1-33.

Reus-Smit, Christian 2001: Human Rights and the Social Construction of Sovereignty, in: Review of International Studies 27: 4, 519-538.

Richmond, Oliver P. 2009: Becoming Liberal, Unbecoming Liberalism: Liberal-Local Hybridity via the Everyday as a Response to the Paradoxes of Liberal Peacebuilding, in: Journal of Intervention and Statebuilding 3: 3, 324 - 344.

Richmond, Oliver P./Franks, Jason 2009: Liberal Peace Transitions: Between Statebuilding and Peacebuilding, Edinburgh.

Risse-Kappen, Thomas 1994: Ideas do not Float Freely: Transnational Coalitions, Domestic Structures, and the End of the Cold War, in: International Organization 48: 2, 185-214.

Risse, Thomas 2002: Transnational Actors and World Politics, in: Carlsnaes, Walter/Risse, Thomas/Simmons, Beth (Eds.): Handbook of International Relations, Los Angeles, 255-274.

Risse, Thomas/Lehmkuhl, Ursula 2007: Governance in Räumen begrenzter Staatlichkeit: Anmerkungen zu konzeptionellen Probleme der gegenwärtigen Governace-Diskussion, in: Beisheim, Marianne/Schuppert, Gunnar Folke (Eds.): Staatszerfall und Governance, Baden-Baden, 144-159.

Risse, Thomas/Ropp, Stephan 1999: International Human Rights Norms and Domestic Change: Conclusions, in: Risse, Thomas/Ropp, Stephan/Sikkink, Kathryn (Eds.): The Power of Human Rights: International Norms and Domestic Change, Cambridge, 234-278.

Risse, Thomas/Ropp, Stephen/Sikkink, Kathryn 1999: The Power of Human Rights. International Norms and Domestic Change, Cambridge/New York.

Risse, Thomas/Sikkink, Kathryn 1999: The Socialization of International Human Rights Norms into Domestic Practices: Introduction, in: Risse, Thomas/Ropp, Stephen C./Sikkink, Kathryn (Eds.): The Power of Human Rights: International Norms and Domestic Change, Cambridge/New York, 1-38.

Roberts, David 2008: Hybrid Polities and Indigenous Pluralities: Advanced Lessons in Statebuilding from Cambodia, in: Journal of Intervention and Statebuilding 2: 1, 63-86.

Robertson, Roland 1995: Glocalization: Time-Space and Homogeneity-Heterogeneity, in: Featherstone, Mike/Lash, Scott/Robertson, Roland (Eds.): Global Modernities, London, 25-44.

Ropp, Stephan C./Sikkink, Kathryn 1999: International Norms and Domestic Politics in Chile and Guatemala, in: Risse, Thomas/Ropp, Stephan C./Sikkink, Kathryn (Eds.): The Power of Human Rights: International Norms and Domestic Change, Cambridge/New York, 172-204.

Rosert, Elvira/Schirmbeck, Sonja 2007: Zur Erosion internationaler Normen: Folterverbot und nukleares Tabu in der Diskussion, in: Zeitschrift für Internationale Beziehungen 14: 2, 253-287.

Rotberg, Robert I. 2004: The Failure and Collapse of Nation-States: Breakdown, Prevention, and Repair, in: Rotberg, Robert I. (Ed.): When States Fail: Causes and Consequences, Princeton, 1-50.

Rüb, Friedbert W. 2007: Staatlichkeit, Staatszerfall, "künstliche Staaten" und Staatsbildung. Konzeptionelle Überlegungen zu Problemen und Perspektiven des Staates aus politikwissenschaftlicher Sicht, in: Beisheim, Marianne/Schuppert, Gunnar Folke (Eds.): Staatszerfall und Governance, Baden-Baden, 28-58.

Salvesen, Hilde 2002: Guatemala: Five Years after the Peace Accords. The Challenges of Implementing Peace, Oslo.

Sandholtz, Wayne 2008: Dynamics of International Norm Change: Rules against Wartime Plunder, in: European Journal of International Relations 14: 1, 101-131.

Schimmelfennig, Frank 2002: Introduction: The Impact of International Organizations on the Central and Eastern European States - Conceptual and Theoretical Issues, in: Linden, Ronald (Ed.): Norms and Nannies. The Impact of International Organizations on the Central and East European States, Lanham, 1-32.

Schimmelfennig, Frank 2003: Internationale Sozialisation: Von einem "erschöpften" zu einem produktiven Forschungsprogramm?, in: Hellmann, Gunther/Wolf, Klaus Dieter/Zürn, Michael (Eds.): Die neuen Internationalen Beziehungen. Forschungsstand und Perspektiven in Deutschland, Baden-Baden, 401-427.

Schimmelfennig, Frank 2007: Europeanization beyond Europe, in: Living Reviews in European Governance 2: 1, Online Article.

Schimmelfennig, Frank/Engert, Stefan/Knobel, Heiko 2003: Europäisierung in Osteuropa: Reaktionen auf die demokratische Konditionalität, in: Österreichische Zeitschrift für Politikwissenschaft 32: 3, 321-337.

Schmitz, Andrea 2009: Entwicklungspolitische Konditionalität und Demokratisierung, in: Erdmann, Gero/Kneuer, Marianne (Eds.): Externe Faktoren der Demokratisierung, Baden-Baden, 127-146.

Schmitz, Hans Peter 2004: Domestic and Transnational Perspective on Democratization, in: International Studies Review 6: 3, 403-426.

Schneckener, Ulrich 2004: States at Risk - Zur Analyse fragiler Staatlichkeit, in: Schneckener, Ulrich (Ed.): States at Risk. Fragile Staaten als Sicherheits- und Entwicklungsproblem, Berlin, 5-27.

Schwinn, Thomas (Ed.) 2006: Die Vielfalt und Einheit der Moderne: kultur- und strukturvergleichende Analysen, Wiesbaden.

Sieder, Rachel 2003: Renegotiating Law and Order: Judicial Reform and Citizen Responses in Postwar Guatemala, in: Democratization 10: 4, 137-160.

Sieder, Rachel 2008: Legal Globalization and Human Rights: Constructing the Rule of Law in Postconflict Guatemala?, in: Pitarch, Pedro/Speed, Shannon/Leyva Solano, Xochitl (Eds.): Human Rights in the Maya Region: Global Politics, Cultural Contentions, and Moral Engagements, London, 67-90.

Snodgrass Godoy, Angelina 2002: Lynchings and the Democratization of Terror in Postwar Guatemala: Implications for Human Rights, in: Human Rights Quarterly 24: 3, 640-661.

Snodgrass Godoy, Angelina 2006a: Popular Injustice: Violence, Community, and Law in Latin America, Stanford.

Snodgrass Godoy, Angelina 2006b: Una perspectiva "invertida" de la justicia transicional: lecciones de Guatemala, in: Revista Futuros, IV: 15, in: http://www.revistafuturos.info/futuros15/just_guatem.htm; 05.04.2010.

Spanger, Hans-Joachim/Wolff, Jonas 2007: Universales Ziel - partikulare Wege? Externe Demokratieförderung zwischen einheitlicher Rhetorik und vielfältiger Praxis, in: Geis, Anna/Müller, Harald/Wagner, Wolfgang (Eds.): Schattenseiten des Demokratischen Friedens. Zur Kritik einer Theorie liberaler Außen- und Sicherheitspolitik, Frankfurt/Main, 261-284.

Speed, Shannon/Leyva Solano, Xochitl 2008: Introduction: Human Rights and the Maya Region, in: Pitarch, Pedro/Speed, Shannon/Leyva Solano, Xochitl (Eds.): Human Rights in the Maya Region: Global Politics, Cultural Contentions, and Moral Engagements London, 1-23.

Stewart, Charles 1999: Syncretism and Its Synonyms: Reflections on Cultural Mixture, in: Diacritics 29: 3, 40-62.

Sundstrom, Lisa 2005: Foreign Assistance, International Norms, and NGO Development: Lessons from the Russian Campaign, in: International Organization 59: 2, 419-449.

Tarrow, Sidney 2001: Transnational Politics: Contention and Institutions in International Politics, in: Annual Review of Political Science 4, 1-20.

Van Kersbergen, Kees/Verbeek, Bertjan 2007: The Politics of International Norms: Subsidiarity and the Imperfect Competence Regime of the European Union, in: European Journal of International Relations 13: 2, 217-238.

Werner, Michael/Zimmermann, Bénédicte 2006: Beyond Comparison: Histoire Croisée and the Challenge of Reflexivity, in: History and Theory 45, 30-50.

Wiener, Antje 2004: Contested Compliance: Interventions on the Normative Structure of World Politics, in: European Journal of International Relations 10: 2, 189-234.

Wiener, Antje 2008: The Invisible Constitution of Politics: Contested Norms and International Encounters, Cambridge.

Wiener, Antje 2009: Enacting Meaning-in-use: Qualitative Research on Norms and International Relations, in: Review of International Studies 35: 1, 175-193.

Wiener, Antje/Puetter, Uwe 2009: The Quality of Norms is what Actors Make of It: Critical Constructivist Research on Norms, in: Journal of International Law and International Relations 5: 1, 1-16.

WOLA, Washington Office on Latin America 2008: Advocates Against Impunity. A Case Study on Human Rights Organizing in Guatemala.

World Bank 2005: Indigenous Peoples, Poverty and Human Development in Latin America: 1994-2004, Washington, D.C.

Youngs, Richard 2001: European Union Democracy Promotion Policies: Ten Years On, in: European Foreign Affairs Review 6: 3, 355-373.

Zinecker, Heidrun 2007: Regime-hybridity and Violent Civil Societies in Fragmented Societies - Conceptual Considerations, (Cornell University, Peace Studies Program, Occasional Paper 30-5, January 2007).

Contact:

Lisbeth Zimmermann, Dipl.-Pol.

zimmermann@hsfk.de

Tel: +49 69 959 104-53