The Good, the Bad, and the Ugly?

Norm Promotion and Local Reactions in Hybrid Regimes

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1. Introduction

The international community uses norm promotion strategies[1] in young, often democracies. While such activities are well-mapped for the European Union and its direct neighborhood, systematic empirical knowledge about the promotion of democracy and stateness in hybrid regimes in other world regions is missing. At a headquarter strategy level the United States is described as emphasizing instruments of conditionality and pressure, the EU as emphasizing positive conditionality and instruments of persuasion outside its direct neighborhood.[2]

Local reactions to norm promotion activities by international actors in fragile Non-OECD states, however, are rarely analyzed in detail. Empirical work either conducts evaluations of single projects and programs, studies of compliance and non-compliance or on the overall "effectiveness" of norm 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 taken into account and a categorization of such localization is missing. Such an understanding underestimates on the one hand the complexity of local interpretation and political processes. On the other hand it creates a faulty picture of "failure" of norm promotion in such states by Western standards, while locally modification and appropriation can be observed.

This paper will address the question of how processes of localization can be analyzed. From the existing literature on International Relations, International Law and Anthropology four

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[1] Regarding democracy and state organization. On norms see Deitelhoff (2006: 39-44) and Hurrell (2002).
[2] 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). On 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).

approaches towards understanding such processes will be derived: the *filter* approach, the *local interpretatio*n approach, the *local struggle* approach, and the *appropriation* approach. It will be analyzed what concepts of localization and of local "culture" (a term often used, but hardly studied in any detail) these approaches can offer and to what extent they provide helpful categorizations for the study of localization. Combining insight from all four approaches, systematic categories of discursive and behavioral changes will be developed, thereby distinguishing *take-over*[3] of promoted norms, *rejection*[4], *façading* and *appropriation*[5].[6]

In a short empirical illustration the significance of these categories will be analyzed using the main cases of contested norm promotion in the field of democratization in Guatemala, an example of a post-conflict hybrid.[7] Such hybrids, it is often argued, pose special problems to norm promotion in the field of democracy and state modernization. Instead of studying norm promotion outcomes at a macro level, single cases of contested localization will be distinguished and matched with the system of categories.

2. Local Reactions to Norm Promotion

While we learn much about the early stages of the norm cycle from International Relations, descriptions of the local reactions to new or controversial norms *inside* of states hardly ever dig very deeply. Especially the first generation of (constructivist) norm research focused on the international level. The reaction of norm takers was presented as either an acceptance, i.e. adoption, 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). Although 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 was seldom translated to possibly contested normative spaces at the national or local level in the International Relations literature.

This focus on the international level regarding norm diffusion creates several problems: *First*, it ignores that implementation processes in different countries can yield quite different results in different countries, even if e.g. the same text was ratified internationally (Biukovic 2008), or that results might be contested (Wiener 2004, 2008, 2009; Wiener/Puetter 2009)

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[3] In the view of norm promoters the "good" outcome.
[4] In the view of norm promoters the "bad" outcome.
[5] The "ugly", as a conceptualization is missing.
[6] I am aware that the different approaches emerge from very different (meta)theoretical schools. However, from a pragmatic perspective I will rather discuss their empirical explanatory power than their assumptions.
[7] Hybrids are today often identified as a central risk factor concerning violent conflicts (Bodea/Elbadawi 2007; Ellingsen 2000) and civil wars (Fearon/Laitin 2003; Hegre et al. 2001) in quantitative Conflict Studies. For a qualitative perspective on hybridity of regime type and stateness see among others Boege et al. (2008), Collier/Levitsky (1997), Karl (1995), Morlino (2009), Rüb (2002), Wigell (2008), Zinecker (2007).

or erode (Rosert/Schirmbec 2007). *Second*, this literature normally studies single norms (such as human rights norms, WTO transparency norms etc.) 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, that strongly influence national power structures, 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 contract exists for specifying the meaning of such "umbrella terms" (Grugel 2005: 38-39).

Therefore, during the last years, research that ignored the political processes inside the "black box" of the state faced much criticism. It was demanded that norm promotion activities were studied in more detail 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 2008: 2) surrounding 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) as Risse-Kappen emphasizes already in 1994 that explains why certain ideas are taken over and whereas others are not. However, systematic analyses of such localization processes are still missing. The interpretations of such localization processes are manifold and an operationalization is difficult to achieve. Thus, the following chapter will discuss different concepts of "*localization*" from International Relations, Anthropology and International Law. I will distinguish four different approaches, the *filter* approach, the *local integration* approach, the *local struggle* approach and the *appropriation* approach. All of them touch upon the notion of "local culture" as a central aspect of localization, however, in an often rather essentialist and static way. Finally, the approaches will be integrated into a more specific framework of localization.

2.1 The Filter Approach

A first group of scholars aims at identifying conditions for the local reception of promoted norms. Common to this literature is the focus on the reception of internationally promoted norms through *local filters.* Authors in this group mostly focus on the promotion of human rights, democracy, rule of law or other Western liberal values.

Filter 1: The political system and opportunity structures

According to this rational-institutionalist argument, conditions favoring the local take-over of promoted norms include a certain openness of society (meaning possibilities to maneuver and find access inside of the political system), the absence of blocking factors such as strong

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

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).[9]

Another factor noted concerns the vulnerability of local structures to outside pressure (Keck/Sikkink 1998; Klotz/Lynch 2007; Risse/Sikkink 1999). Yet, vulnerability in this context can have several implications. It can relate to the openness of the system mentioned above, to cultural linkages (see below) or to financial dependency.

Filter 2: Perceptions

The second, rather constructivist filter, mentioned in Democratization Studies, is the national or local actors' perception of external actors. Is the external actor accepted and regarded as a legitimate norm promoter? And are the norms such external actors promote perceived as linked to local problems (Kneuer 2007: 379)? 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 its extreme version, such local culture either provides resonance for norms or no resonance. Without such resonance the probability for local adoption is falling: "*The less* [the] *international norm matches with the pre-existing domestic values, norms 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).[10] Such an understanding of cultural filters may be found in the (positivist constructivist) literature on socialization. Checkel (1999) and Cortell and Davis (2000) speak of a *cultural match*. Norms that match culturally "*resonate with domestic norms, widely held domestic understandings, beliefs, and obligation*" (Cortell/Davis Jr 2000: 73).

Externally promoted norm	Local filters Institutional setting, opportunity structures Perceptions Cultural resonance	Take-over /no take-over of norm

Regarding the importance of these three filters, Schimmelfennig et al. (2003) argue that the first filter is pivotal in a study about the take-over of human rights and democracy in four different Eastern European countries. Only if the costs for adopting certain changes are low can we expect a norm replacement. Even resonance will not bring about changes if local

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[9] Scholars often distinguish situations of unclear stalemate in which a reformist government has to promote a new norm inside a reluctant society with veto players and little change agents or situations where 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).

[10] See also Busby (2007), Flockhart (2005b), Kneuer (2007: 379), (1994: 188).

costs for implementing reform are high, they claim.[11] Yet little resonance, but little 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, however, not influence behavioral take-over. 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 state structure (liberal, corporatist, statist, state-above-society). He shows this using the case of citizenship and rights of national minorities in Germany (1999). Sundstrom also confirms the importance of the cultural resonance filter. He 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) where a failure despite the broad funding by donors (2005).

Thus, the importance of a resonance filter remains under-researched. However, the static variable of cultural match is not very helpful analytically, as it holds that only such norms are accepted that already match held norms sets anyway.[12] Hence, no change in preferences and norms is required. Yet, if such a resonance with local norms actually exists, it is seldom convincingly assessed ex ante. Rather, missing resonance is used ex post as an argument for unsuccessful norm promotion (Deitelhoff 2006: 74). In summary, 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, with regard to all filters, such an approach paints a rather static picture of local structures and cultures (Acharya 2004: 243, 2009; Cortell/Davis 2005). A general concept of "local culture" is missing. Regarding the expected outcome of norm promotion, the description of filters resembles an on/off mechanism: either the external norm is filtered out or it is taken over.

2.2 The Local Interpretation Approach

A slightly different approach can be found in International Law in the literature on "*selective adaptation*" (Biukovic 2008; Jacobs/Potter 2006). It focuses less on democracy and human rights, but rather on the local implementation of certain norms linked to the membership in international institutions, such as WTO standards. 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).

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[11] Yet, for them, resonance could vary with government changes and is rather a characteristic of the current administration than of wider culture (Schimmelfennig et al. 2003).
[12] See also Schmitz (2004: 411-412).

Although an implementation takes place, it might not resemble necessarily 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 further interpretation is perceived as fixed and the concept of local culture and local norms is not further discussed.

2.3 The Local Struggle Approach

In contrast to such a static picture of domestic conditions for norm diffusion and local culture, another cluster of literature in Democratization Studies, International Relations and Anthropology emphasizes the struggles taking place at a local level. Yet, in this approach different schools identify quite different sites of struggles. They are conceptualized here as struggle over norms, struggle over meaning of norms and struggle over public attention:

The struggle over norms

In Democratization Studies Jean Grugel criticizes the external perspective on norm promotion in International Relations (IR). 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).

In this approach the overall influence of external activities is deemed rather small. It moves away 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 as well. It also moves away from the *local interpretation* approach, as it represents less a certain *cultural set* conditioning the local interpretation but rather an on-going 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 promotion. What might be depicted from the outside as rather technical awareness raising and norm diffusion campaigns, appears at the local level as acting inside a field of complicated personal networks, individual ambitions and moral convictions in which external donors manoeuvre as one further actor (Bierschenk 2008; Fichtner 2005).

Meanings of norms and contestation

One branch of constructivist norm research spotlights the struggle, reconstruction and redefinition of the meaning of norms (Van Kersbergen/Verbeek 2007; Wiener 2004). It is less of a struggle over norms, but rather a struggle over the meaning of norms that is going on in recipient states. International norms like democracy or rule of law might be a consensus at an international level, but filled with different meanings locally (Wiener 2009: 181). This literature criticizes constructivist research in which norms are described as something definite with clear consequences (Van Kersbergen/Verbeek 2007: 221). Furthermore, the concept that a norm take-over is something permanent and un-contested is seriously questioned (Rosert/Schirmbec 2007). The authors argue that promoted norms should rather be viewed as subject to conflicts over meaning and contestation (Reus-Smit 2001; Sandholtz 2008; Wiener 2004).

In addition, no simple binary cultural "match" of promoted norms exists. Instead a local process of interpretation takes place attaching meanings to a norm. For Wiener, such local meaning is 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. Every local implementation process can, however, be understood as the "*interactive process of cultural validation*" (Wiener/Puetter 2009: 5-6). Thus, for Wiener, individuals come with a "*normative baggage*" and international norms are always interpreted in the light of the local "cultural" dimension of politics (Wiener 2009: 185).

This approach does indeed turn the perspective. Instead of filters between international norm and local take-over the norm "transfer" is described as a process of norm interpretation and contestation where international norms take on different meanings in different contexts. Yet, what Wiener actually means with cultural practices remains insufficiently specified. What is the entity, the space of interaction shaping the "normative baggage" of individuals and what does "cultural practice"[13] actually mean? We might assume that - due to the "reflexive" constructivist approach these scholars are emphasizing -

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[13] Wiener does not offer a definition.

the concept of "cultural practice" is flexible, yet it appears entrapped in the national public sphere (see for example Wiener 2008).

Struggle over attention

The literature on framing and grafting techniques during norm promotion processes re-evaluates the resonance argument put forward by supporters of the *filter* approach. Here, framing techniques describe dynamic activities that help connecting an issue to the local public discourse and create attention and awareness for an issue and thereby resonance or salience (Payne 2001).[14] Norm entrepreneurs, mostly coming from the international NGO world, are active in such a business: "*they [norm entrepreneurs] deliberately make new ideas and principled 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. Thus, it is important that there is a public interest in the topic and a certain politicization of the promoted issue, rather than a resonance with local principled beliefs. If not, a norm is less likely to be socialized and internalized (Elbasani 2004; Flockhart 2005a). In the early norm diffusion literature such framing activities by transnational actors were mostly analyzed at the international level (Finnemore/Sikkink 1998). 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.[16]

All these three approaches to the struggle over norms, over norms' meanings and over public attention to some degree overcome the image of static filters and locally fixed interpretation schemes. Ongoing norm promotion, especially in the field of democracy promotion and rule of law, is far off 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 becomes questionable. While the first two approaches focus on the political battle field shaped by cultural practices or local beliefs, the third approach observes rational framing

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[14] The term (borrowed from the social movement literature (see for example Tarrow 2001), describes strategic activities by certain actors to make new norm sets more plausible to the public or to elites. Creating resonance is not necessarily a one-way process, though. Transnational movements or local networks can frame local problems to make them resonate at an international level (think of the Chiapas conflict in Mexico). On the other hand transnational actors can try to frame international issues to make them resonate locally (Deitelhoff 2006: 71).

[15] Mostly cited as examples for such framing activities by international norm entrepreneurs are the landmine ban campaign that was framed with connection to earlier campaigns on bans of weapons of mass destruction (Price 1998) or the focus on the prevention of bodily harm in human rights campaigns (Keck/Sikkink 1998).

[16] Influential in this regard were the "*boomerang effect*" (Keck/Sikkink 1998) and the "spiral model" (Risse et al. 1999). Using such strategies international norm entrepreneurs could overcome the missing "*cultural fit*". Yet, are such framing activities aimed at changing local norms and beliefs? According to Acharya, "*both framing and grafting are largely acts of reinterpretation or representation rather than reconstruction. Neither is it necessarily a local act; outsiders usually perform them.*" (Acharya 2009: 13). Following Busby it is more a matter of a shift of attention to certain issues not of persuasion, preference change, and norm internalization (Busby 2007). Deitelhoff also maintains that framing activities mostly work with social pressure and shaming (2006: 75-76).

activities from a norm makers' perspective. Yet, it still remains an open question what we are talking about, when we are talking about "local culture".

2.4 The Appropriation Approach

Acharya formulates several points of criticism regarding the overall research on norm promotion that focus on the supply-side while depicting norm takers as passive actors. Archarya shares this criticism with the local struggle approach, yet, overcomes the latter's limited concept of "local culture."

There are cases were international norms are actively connected to local normative orders by local actors (Acharya 2004: 254; see also Capie 2008). Thus, a demand-driven approach is presented, whereby local actors adapt external ideas to local concepts, as "[…] *many local beliefs are themselves part of a legitimate normative order, which conditions the acceptance of foreign norms*" (Acharya 2004: 239). In the process of adaptation of promoted norms to local context they can undergo modifications both in meaning and scope (Acharya 2009: 4-5). A successful localization might not "*extinguish local beliefs and practices*", but in some cases "*may instead universalize and amplify the latter*" (Acharya 2009: 5). For Acharya localization therefore represents an alternative to both take-over or resistance to promoted norms (Acharya 2009: 5).

Such an understanding of a demand-driven localization reveals many parallels to processes of emulation or indirect norm diffusion (for a discussion see Börzel/Risse 2008). Because of internal crises, domestic political changes or external changes in global order a certain demand for new ideas emerges, but existing norms and institutions are not regarded as main problem or as dysfunctional, only as in need of modification (Acharya 2009: 16): "*The tendency to localize is thus a byproduct of the desire of the idea-recipient to exploit a new idea for power, efficiency, and status without admitting to cultural or knowledge inferiority or compromising its existing identity*" (Acharya 2009: 17). Acharya is discussing one example of such a localization process in a case study on Asian regionalism. 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 regional adaptations of a Western concept of "cooperative security". What is presented as "local" is therefore not connected to some essential idea of culture, but should be interpreted in the context of a constant flux.

We are left with the question what kind of role external norm makers' play in this process and how they might influence such localization. Is Acharya presenting a very specific case of demand-driven norm localization that is not connected to norm promotion activities? While the importance of certain actors (local, transnational, external state actors) and their promotion strategies might vary from case to case and from topic to topic, one aspect of this approach needs highlighting: Acharya's discussion emphasizes that very seldom norm promotion activities lead to full adaptation of norm sets (or the adaption of the same

meanings-in-use attached to a similar 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, by a connection of external and norm sets and discourse. Yet, it reaches beyond the various sub-types of the *local struggle* approach as it provides a more flexible concept of what is inferred by "culture" or "local". The "local" always is pre-shaped by earlier localizations.

Such a localization process comes very close to the concept of "creative" cultural appropriation in Anthropology where phenomena of "hybrid culture" including both external and local elements are studied.[17] Anthropological research has been analyzing for quite some time the transfer of cultural concepts and norms from the Global West to the Global South, and from the Global South to the Global West or inside of these.[18] Appropriation describes the creative modification and localization processes in groups confronted with norm promotion or diffusion processes. Eisenstadt, in this regard, coined the term "*multiple modernities*" (2000; Schwinn 2006). He depicts modernization processes as universal, but linked to appropriation and re-interpretation. 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 mostly the product of former construction, redefinition and appropriation. A certain cultural hybridity or "*glocalization*" (Robertson 1995) shapes local spaces. The "cognitive prior" or "filter" is not the essence of culture, but the product of earlier localizations (Acharya 2009: 21-22).

With a similar idea of hybridity in mind, Glaab and Engelkamp (Glaab/Engelkamp 2009) take over the concept of "myth" of Meyer and Krücken (2005). Meyer et al. present the Western idea of rationalism and modernity as a myth that is globally taken over. This fiction of rationality, they argue, explains the global dispersion of ideas such as stateness and an independent individual by myriads of actors from NGOs, to companies, to state actors. We learn little, though, about the encounter of the global myth of rationality with local settings. Engelkamp and Glaab use this concept of a "myth" as an unquestionable narrative in discourse. Yet, the myth of rationality is contested by "local" myths in any encounter. Local negotiation and power constellations might create outcomes other than a win or failure of domination of global norms (Glaab/Engelkamp 2009). Illustrating this with discourses in one case about genetically modified food and in another about Westphalian sovereignty in South-East Asia, they show how different actors use different myths (the Western myth of rationality vs. local myths of culture or nationality) to make their positions legitimate. Both processes resulted in a hybridization of global and local norms.

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[17] See conference of the German socio-cultural anthropologists on: Cultural Appropriation: Assimilation - Adaptation – Camouflage (Frankfurt 2009).
[18] I do not provide a comprehensive overview of the field and will therefore give just some examples: see Pillay (1994), see the research project "Western norms and local media in Africa" in the cluster "Formation of normative orders" in Frankfurt/Main (http://www.normativeorders.net/de/forschung/forschungsprojekte/80-western-norms-and-local-media-in-africa)

For this type of hybridization of global and local norms many examples have been provided, especially in Postcolonial Studies (Bhabha 1994; Roldán Vera 2007). For example, Randeria describes Indian concepts of civil society where the idea of advocacy-based civil society is combined with strong social hierarchies (Randeria 2004, 2007). Another example 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, 2006) describes situations in which local and external 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.

In summary, the appropriation discourse 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 outcomes of norm promotion. Yet, De la Rosa criticizes that for all these incidents of "creative" appropriation and hybridity, the explanation is missing why and how such an appropriation took place and which kind of interaction processes determined a certain outcome of appropriation (De La Rosa 2008). Are there different types of appropriation? Is there any room for causal mechanisms or do we have to retreat to the study of discourses? Here, an important gap is still open in existing research.

2.5 Systematic Categories

How can the insights into these approaches on norm localization be used for empirical research on outcomes of localization? While IR scholars frequently refer to the importance of *localization*, they rarely come up with a useful operationalization. This is probably due to some inevitable conceptual vagueness. Cultural practices and local normative orders are complex and contradictory (see also Grugel 2007: 460), and this applies even more to hybrid normative orders. To analyze local reactions to norm promotion in a more precise manner than simply diagnosing a failure or compliance, a more complex model has to be developed. The following sub-chapter will discuss different models and categories of localization brought forward by the different approaches discussed above.

Tab. 1: Approaches to localization

Approach	Mechanism	Outcomes of Norm Promotion	Local /culture
Filter	(1) Institutional setting, opportunity structures (2) Perceptions (3) Cultural resonance	Replacement/failure	Static
Integration	Local interpretation scheme	Variety of take-overs	Static
Struggle	Struggles about (1) norms (2) meanings of norms (3) attention	Variety of take-overs	Not static, external actors become part of "local"
Appropriation	Encounter between "global" and "local"	(1) Adaptation (2) Hybridity (3) Rejection	Not static, "local" is "glocalized"

The majority within the group of authors using a filter approach focus on the *replacement* of norms. They look at local processes from an external perspective and are interested in the "progress" of the compliance with certain norm sets connected to democracy and rule of law (and therefore in the effectiveness of certain promotion strategies by external actors)[19]. A successful norm promotion would therefore be a displacement of local norms by the promoted norm sets.[20] Yet, fruitful attempts were carried out trying to overcome the simple picture of dichotomous compliance or non-compliance.

Broadening the focus from norm "adoption", "domestication" is described as successful by socialization scholars in IR, when a norm is rhetorically/discursively embraced (weakest form), when formal institutions in accordance with such norms are in place and when, finally, we find a change in actor's behavior (strongest form) according to Schimmelfennig (2002: 9-10).[21] Cortell and Davis (2000), in a similar approach, analyze changes in the national discourse (discursive level), of state institutions and state policies. The connection between these three levels remains, however. somewhat unclear: Schimmelfennig (2002: 10) proposes a sequential model, similar to the spiral model of Risse et al. (1999) where discursive entrapment may sometimes lead to institutionalization and behavioral change.

Following a similar research interest Morlino and Magen highlight the depth of reform processes in target countries regarding rule of law promotion (2009a). They propose to analyze not only the adoption of certain norm sets (their translation in laws and regulations) but also to follow up their implementation (mostly concerned with institutional capacity)

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[19] See also Wiener/Puetter (2009: 4).
[20] Criticism see Acharya (2004).
[21] See also Elbasani (2004).

and internalization[22]. These layers of impacts are sequentially shifted, they argue, but connected. Thus, rule internalization is a long-term process that mostly follows rule adoption and implementation, but is a necessary step for sustainable and successful norm promotion (Morlino/Magen 2009a: 41).

Overall, the conclusion of some empirical studies is that the promotion of norms is rarely leading to full replacement and internalization in the case studies. Authors assess that very often only a "*norm-conforming façade*" is held up (Schimmelfennig 2002: 18): the norm promotion's impact does not lead to behavioral change, only rhetorically certain norms are invoked and some cosmetic changes of institutions are installed. Using such a perspective on outcomes, hybrid outcomes do not exist. Instead of take-over we might find a discursive *façade* that is not associated with behavioral changes.

Yet, out of a different research interest, Morlino and Magen would argue that even if states adopt certain rules out of various reasons, implementation and internalization do not always and automatically follow. Factors quite independent of those influencing norm adoption lead to norm implementation and internalization and external actors play quite different roles in these processes. Thus, we should analyze three rather independent processes (Morlino/Magen 2009b).

A central problem of this perspective on outcomes is that it favors a complete replacement of norms. At the same time, certain in-between arrangements and hybrid institutional settings that might emerge out of interaction in addition to discursive façades or rejection are not analyzed. Overall, the focus is directed less on variations of adaptation but on the explanation of success or failure norm promotion. The major interest is in the effectiveness of certain norm promotion strategies of norm givers.[23]

Nevertheless, proposals for the better categorization of results of norm promotion are missing in the other approaches: The *local interpretation* approach compares and describes various implementation outcomes, yet as well without systematic categorizations. The *struggle* approach leaves us only with the advice not to use static concepts of culture, elite acceptance and government resonance. None of them offers a definition of localization or a category system to study it.

Both offer, however, certain methodological advices: a focus on a *struggle over norms* would suggest to do long-time process tracing of local political processes and to study external actors as part of such local political processes rather than as external factors. The *struggle over meanings* scholars suggest to analyze meanings attached to promoted norms in the different contexts and situations of contestation. Such an analysis would require a more discourse-centered methodology (Wiener 2009). The *struggle over attention* scholars,

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[22] Which they define as acceptance among bureaucracy, political elites, relevant groups and the wider public (Morlino/Magen 2009a: 41).
[23] Such an interest in effectiveness is not shared by all of the other approaches. Especially the appropriation approach often rather focuses on cultural practices. It is therefore easier to elude from moral judgments about local norms and modifications that result from external-local encounters.

analyzing framing activities and their outcomes, are mostly interested in legislative adoption of norms. Yet, they would advice a study of public attention shifts in local contexts and related legal reforms as well as the identification of transnational links and actor coalitions.

Only the *appropriation approach* offers, besides the category of adaptation (full take-over) and, a new category of hybridization. Yet, it remains rather broad and vague regarding this category. A first step to study such localization processes could therefore be to follow the discursive changes and the overall behavioral changes regarding legislative action and political implementation over time. Of course, distinguishing a discursive and a behavioral level is far from clear-cut. Both are obviously connected. The discursive level furthermore not only encompasses the government rhetoric, but also the broader public discourse. Thus, we can study at a discursive level the reactions to the promoted norm sets and identify rejection, a modification of the promoted norm sets or a full take-over.

Discursive level:

Actor groups and public discourse	Take-over	Modification	Rejection

Furthermore, we can analyse in what way the promoted norm set triggered legislative action (adoption) and political implementation. Do such legislative action and political implementation resemble the promoted norm set fully (take-over), are the norm set modified or can no changes be identified at all.

"Behavioural" level

	Take-over	Modification	No changes
Legislative action			
Political Implementation			

Based on the results in both dimensions different categories can be identified: If we detect no changes at the behavioral level and we observe a discursive rejection we are confronted with the situation of full *rejection*. If we observe take-over both at the discursive and the behavioral level, we might encounter the (very rare) situation of complete *take-over*. If the empirical picture rather matches modifications instead of full take-over or rejection at a discursive and a behavioral level this can be described as an *appropriation* in which promoted norms and local norms converged. We can also imagine a situation of *façade* (Schimmelfennig), in which we would observe a complete take-over in discourse and no behavioral changes.

	Behavior	Discourse
Take-over	Take-over	Take-over
Appropriation	Modification	Modification
Rejection	No Changes	Rejection
Façade	No Changes	Take-over

3. Norm promotion in hybrid regimes

Analyzing the local political processes around promoted norm sets both at a discursive level and at a behavioral level, we should be able to classify norm promotion according to the developed categories. Drawing from ongoing research this can be done only in an illustrative way. Short case illustration of local reactions to norm promotion in Guatemala, a rather stable "limited democracy" or hybrid (Morlino 2009), will be presented. I will first give a short overview of the democratization and peace process, Guatemala's hybridity and the strategies of norm promotion used by international actors. In light of this it will be suggested to follow specific cases of contested norm promotion.

3.1   A Parallel Peace and Democratization Process

Guatemala's democratic opening process and the peace process can be understood as a parallel development (Jonas 2000a). 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.[24] At this point of time Guatemala was torn by thirty years of civil war. While the civil war resurged in several phases in different areas of the country, the beginning of the 1980s saw the climax of a bloody campaign against the guerilla and the indigenous Maya population with genocidal dimensions (CEH 1999).[25] Although the civil war started as an ideological struggle, it gained a strong ethnic dimension linked to the historic legacy of the post-colonial and racist state (Azpuru et al. 2004: 3).

The democratic opening and the peace process were heavily influenced by the regional Esquipulas peace process initiated by the Costa Rican president Óscar Arias (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 weak guerilla organization URNG (Azpuru et al. 2004: 2-3). Under the mediation of the UN 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

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[24] For a detailed description of these processes see Blanco/Zapata (2007).
[25] For an overview of the civil war in Guatemala see Jonas (1991).

up six different agreements that were signed between 1994 and 1996 (Azpuru et al. 2004: 4).

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).

Despite strong resistance of certain parts of the Guatemalan society and the military, the Peace Accords not only established an end of violent conflict, and made plans for the demobilization and integration of former combatants; it also enclosed an encompassing set of provisions about human rights, democracy, indigenous rights as well as social and economic policies. It is therefore 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).[26]

Peace Accords URNG-Government Guatemala

1994	Comprehensive Agreement on Human Rights
1994	Agreement on Resettlement of the Population Groups Uprooted by the Armed Conflict
1994	Agreement on the Establishment of the Commission to clarify past human rights violations and acts of violence that have caused Guatemalan population to suffer
1995	Agreement on Identity and Rights of Indigenous Peoples
1996	Agreement on Socio-economic Aspects and Agrarian Situation
1996	Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society

Source: http://www.usip.org/resources/peace-agreements-guatemala (20.11.2009)

Yet, the dream of profound change in the Guatemalan state and society did not become reality. While the Peace Accords indeed were all-encompassing, the plans for their implementation were rather vague (Salvesen 2002). Instead of a swift adoption in laws and an implementation as envisioned by the different international actors (see below) 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 with constitutional changing

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[26] 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. 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 of 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).

characteristics (curtailing the internal role of the military, indigenous rights etc.) were presented to the population in a referendum. With a turn-out of only 19% the referendum was declined by 55% (Jonas 2000b).

3.2 A Stable Hybrid?

An electoral democracy was established in Guatemala in 1986. Although election processes in Guatemala are still very polarized, and fraught with violence and threats,[27] the electoral process itself has been declared to be free and fair over the years.[28] Since the Peace Accords parties from the Left and the former guerilla group URNG can openly run. The Polity IV data, focusing on participation and contestation, therefore rates Guatemala since the transition in 1986 as a +3 and since 1996 as a +8; thus since 1996 as a fairly democratic country.[29]

Yet, 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 and the so-called "hidden powers"[30]) are troubling the security system since the Peace Accords. Thus, 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.

As a result of that the Freedom House rating of political rights and civil liberties comes up with a more negative rating than Polity: In 2009 Guatemala still has a status as only "partly free"[31]. Since the opening in 1986 this scoring has not changed. Thus, Guatemala indeed is an example of the new stability of hybrid structures (Morlino 2009) and the end of the transition paradigm (Carothers 2002). Guatemala is not in an ongoing transition process to consolidated democracy, but indeed 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 scholar (Rotberg 2004; Rüb 2007; Schneckener 2004)[32] Guatemala's achievements are also limited. Regarding welfare this is mostly due to a very low tax base of only 11 %.[33] The security sector is rather deteriorating then improving following the Peace Accords. The reform of the Police force was of limited success and criminal rates are high. The most populist, but telling statistics supporting this analysis is the growth of murders from a low of

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[27] 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).

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

[29] See Polity IV data http://www.systemicpeace.org/polity/Guatemala2007.pdf. Critique see Lauth (2004).

[30] See Peacock/Beltrán (2003).

[31] The political rights Score is +3, the civil liberties score +4.

[32] For critical view see Risse/Lehmkuhl (2007: 153).

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

2600 murders per year in 1997 to 6200 murders per year in 2008 (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".[34] Because of these severe problems regarding rule of law Morlino categorizes Guatemala as a "limited democracy" (Morlino 2009).

Overall, the quantitative categorizations do not make transparent the internal changes of the political situation in the country. While the central problem of 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 violence.[35]

3.3   Norm promotion in Guatemala: Pressure or Persuasion?

One of the main problems of norm promotion exists vis-à-vis hybrid states, argue van Hüllen and Stahn (2007). The decision between more conflictive, opposition-oriented democracy promotion (mostly used as incentive for opening in authoritarian regimes) and more consensual state-oriented democracy promotion (mostly used in consolidating democracies) is not easily made and donors are torn between both options and their outcomes. Furthermore, the absence of any profound changes in the direction of further democratization makes donors regularly revise and rethink strategies. The role, the used strategies and the foci of the international community will be presented shortly - before taking a closer look at cases of local contestation and localization of promoted norms in Guatemala. As most important donors[36] the approaches and problems of the United States and the European Union will be discussed in more detail.

Only with the negotiations of the peace process on the way the international community stepped into the domestic political discussion and became a group of strong political actors, using diplomatic pressure during the negotiations and influencing the content of the Peace Accords.[37] Ex-post conditionality[38] was applied, promising generous aid in case of the signing of the Peace Accords (Morales López 2007: 87). Furthermore, the whole peace process depended on financial input by external actors financing high-rank meetings of guerilla and government actors (Morales López 2007: 41).

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[34] http://www.bertelsmann-transformation-index.de/ (15.03.2009).

[35] Such failure of full 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 fulfill 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 2007a: 15-18).

[36] The European Commission allocated 480 million Euro between 1984 and 2006, the U.S. around 400 million US Dollar between 1997 and 2006 (European Commission 2007: 16-17).

[37] Especially the UN, the Group of Friends and the EU. The group of friends consisted of Columbia, Mexico, Norway, Spain, the United States and Venezuela.

[38] Material incentives that are only given after a certain provision has been fulfilled.

The Peace Accords indeed brought about a rise of the overall aid from 200 Mio. $ to 600 Mio. $ after 1996. The program of international actors was tightly linked to the content of the Peace Accords (Azpuru et al. 2004). Yet, many scholars agree that the strong pressure by the international community on the negotiating government and the guerilla group URNG, that were actually both weak social actors, created an Accord without ownership by the broader public and very bad preconditions for further implementation (Morales López 2007: 90). It is also argued that after the signing of the Peace Accords negative material conditionality and diplomatic pressure became less pronounced as the international community gave a "vote of confidence" in the work of the following governments. International actors focused on financial aid, technical aid and dialogue (Morales López 2007: 90,41). Conditionality was used only in connection to specific political issues.[39] Overall, direct promotion of democracy accounted for only a small part of aid the Guatemala. The EU and its member states were the central donors in the area of democracy promotion. The U.S. mostly invested in the field of modernization of the state (Azpuru et al. 2004: 14).[40]

After the failure of the peace agenda in 1999 (see above), the international community had to rethink strategies. As Thoresen puts it: "*The international community has paid for peace, but the capacity to influence the implementation of the commitments made by the Guatemalan state has been limited*" (Thoresen 2004: 8). Especially the EU and its member states continued to emphasize the Peace Accords in their work and until today base their activities on the accords.[41] The cooperation by USAid[42] stopped the strong attention to the further implementation of the accords[43], since 2004 no project with direct support to the Peace Accords exists (Taft-Morales 2004: 14). The EU also significantly changed its outlook. While discursively remaining close to the Peace Accords, the overall strategies changed away from a strong focus on democratization, especially in the latest country strategy 2007-2013 (European Commission 2007; Morales López 2007: 43).

3.3.1 The Role of the U.S.

The role of the U.S. in the support of the coup against the democratic government of Jacobo Arbenz in 1954 is one of the notorious examples of the support given to Latin American dictatorships (Marks 1990). During the 1960s and 1970s the U.S. continued to support the military as a strong actor against the "Communist threat" on the continent. In the 1980s the Reagan administration started to approve of the democratic opening, yet kept on supporting the military as an important actor (Bendel/Krennerich 2008: 192).

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[39] The donors used the threat of aid cuts twice regarding tax provisions in the Peace Accords and the passing of constitutional reforms in Congress 1998. Yet, only the Nordic countries followed through with the threats (Salvesen 2002: 29-30). Further joint donor conditionality was used. In 2003 most donors not only threatened, but froze their funds, when a local cadastre law was not approved by the congress. (Thoresen 2004: 14).

[40] Especially aid in the classic post-conflict field of electoral process was not at the focus of international actors, as the democratization process preceded the signing of the Peace Accords and electoral institutions were not regarded as the central problem (Azpuru et al. 2004: XVI).

[41] Interview Antonio Dal Bordo, EC Delegation (12.11.2009), Markus Grätz, German Embassy (12.11.2009).

[42] US Agency for International Development.

[43] Interview Oscar Chavarría, USAid (13.11.2009).

Only since the 1990s, the end of the Cold War and the Clinton administration did that strategic outlook slightly change. Yet, political actors are torn. While in Congress pressure was up for "demilitarization of Guatemala", some policy-makers still kept working with the military as the "*most (or only) efficient institution.*" (Jonas 152). During the 1990s material support continued for projects with the army in internal developmental tasks (building infrastructure, schools or hospitals). The Pentagon and the CIA actively support anti-drug activities in military (Jonas 1996: 154). Shaming[44] in multilateral fora was not very pronounced by the U.S. administration. During the early 1990s the strong condemnations of the Guatemalan government before the U.N. Human Rights Commission was rather led by Europe (Jonas 1996: 154).[45]

Today, U.S. aid to the country still receives most public attention (Morales López 2007: 106). The main areas since the Peace Process have been modernization of the state (especially the justice sectors) and security (Azpuru 2007b: 542). USAid switched approaches in these sectors. While focusing on civil society and empowerment of indigenous people and alternative dispute resolution in the 1990s, it changed to a governance focus at the end of the 1990s. This was justified by USAid with the argument that only the strengthening of state structure can bring sustainability and institutional stability in the country.[46]

The U.S. State Department was rather upset with the orientation of the Alfonso Portillo government (2000-2004). It worried, however less about the democratic performance as about the cooperation with the U.S. war on drugs. Although USAid activities did not cease, the U.S. "decertified" Guatemala for year 2003 as "failed demonstrably" in the war against drug-trafficking[47] but withheld further penalties[48], because of "vital interests" in the country.[49] The Bush administration also uttered disappointment over the Portillo efforts to end government corruption (Taft-Morales 2004: 14).

The U.S. Congress plays quite an important role in the formulation of U.S. strategies for Guatemala. Since the 1980s congress battled over USAid programs in Central America, the role of military aid and the use of stronger conditionality (Sanford 1986: 3). Since the democratic opening the Congress still closely monitors U.S. activities in the country: after the inauguration of a democratically-elected government in 1986 to 1990, Congress placed conditions related to democratization and improved respect for human rights on military assistance to Guatemala, and prohibited the purchase of weapons with U.S. funds. The Bush Se. administration also cut military aid in 1990 (Taft-Morales 2004: 15). When the Bush J.

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[44] For the concept of shaming see Liese (2006).

[45] Yet, during a short autogolpe (self-coup) of Serrano in 1993, the U.S. together with the European governments and the EU condemned the action and threatened with the "*suspension of trade privileges, economic aid, and access to international credit*". These actions were successful and Serrano handed over power to an interim president, the former Guatemalan ombudsman Ramiro de León (Jonas 1996: 158).

[46] Interview Oscar Chavarría, USAid, 13.11.2009.

[47] http://www.state.gov/p/inl/rls/rpt/17093.htm (20.11.2009).

[48] Normally aid cuts follow from such a waiver.

[49] http://www.voanews.com/english/archive/2003-02/a-2003-02-01-2-Guatemala.cfm?moddate=2003-02-01 (20.11.2009).

administration wanted to lift this prohibition in the budget for 2006, Congress maintained the ban (Sullivan et al. 2006).[50]

3.3.2 The Role of the EU

The EU and its member states started to play a central role in Guatemala and Central America since the peace process in Latin America (Thoresen 2004: 8). Since 1984 the EU is bringing together the Central American states in the San José dialogue. Since the Peace Accords the EU indeed used conditionality in its positive ex-post version in Guatemala and at least used the threat of aid cuts. In 1998 after the bumpy investigation of the murder of Bishop Gerardi[51], the EU did *"openly suggest that funds to Guatemala might be held back."*(Youngs 2002: 126). Furthermore, since the end of the 1990s certain constitutional changes or government-civil society dialogue provisions were linked to democracy funding (Youngs 2002: 125).

It is said that the EU played quite a visible and important role in the peace process of the 1980s and 1990s, in human rights, democratization, and social justice issues. But since the end of the 1990s the EU changed its profile to a less visible actor with less political influence (Morales López 2007: 05). The democratic clauses, that are also part of the agreement of Guatemala and the EU, were never invoked (Morales López 2007: 42-43). Nevertheless, in several instances the threat of material cuts was used after 1999. In 2003 especially the EU was threatening to stop funds to Guatemala if the Peace Accords would not gain again a main place on the agenda of the Portillo administration.

The European Parliament accompanies the policy of the European Commission in Guatemala and Guatemalan politics in general very critically. The European Parliament passed regular resolutions regarding human rights issues, the extradition of former human rights violators and the establishment of a UN mission against impunity. The European Commission also tried to start a major dialogue instrument, joining civil society, government and EU member states in a "Mesodiálogo" for a discussion of the EU country strategy and specific technical planning between 1999 until around 2005 (Thoresen 2004: 5). Yet, this inclusion of civil society was not very successful: *"The difficulties can be found in the lack of clear procedures in consensus building and its influence on the decision making, the handling of relations between the parties with different powers in the process and the inclusiveness of the representation of CSO"* (Thoresen 2004: 5). The dialogue instrument died down with the changing government and a changing head of the EC delegation. Especially the EU member states were rather critical of the process of joint coordination of aid programs.[52]

3.3.3 Shifting Strategies

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[50] Although allowing for higher fund of International Military Education and Training in justice reform, human rights and civilians in defense.

[51] He was the main coordinator of the Guatemalan "Nunca más" report by the project REMHI.

[52] See Thoresen(2004: 47). There is a new process of formalization and harmonization of aid on the way in the G-13 process (see Antigua I and Antigua II) since 2008. Yet, this is a government-based exchange and it remains unclear so far, if it is rather an information round or if real harmonization is taking place.

In summary, the U.S. administration was more reluctant than the EU in using conditionality and shaming in relation with democracy promotion and stateness in Guatemala. This more confrontational stance by the EU contradicts the overall assumption of a more partnership-based EU norm promotion outside its direct neighborhood. This difference in approaches might be linked to strong security interests of the U.S. in the country regarding drug trafficking. However, the EU also switched to a less confrontational approach in the last years. For both actors, the parliamentary entities take a far more critical stance than the European Commission and the U.S. administration, respectively.

In an electoral democracy with limited statehood, the EU often applies an approach focusing on effective state structures (effective government) and less on democracy (Börzel 2009). The EU[53] changed from government-oriented democratization to government-oriented work on stateness after 2000. USAid also made a turn into this direction from a previous orientation on civil society structures and indigenous people[54]. Furthermore, the conditionality and pressure applied, especially by the EU, decreased since the Peace Accords in the 1990s: The issues on which conditionality was used became more specific and connected to output-oriented problems of stateness. This was also the consequence of rather unsuccessful experiences with conditionality in the past.

Strategies of norm promotion U.S. and EU

Norm promotion Orientation	Stateness-oriented	Democracy-oriented
Intergovernmental	USAid since 2000/ EU since 2000	EU in 1990s
Transnational	USAid in 1990s	

Source: own analysis, categories from Börzel (2009)

The situation of hybridity indeed complicated the choice of strategies and led to serious frustration of international actors regarding "effective norm promotion" and norm take-over. To what extent sometimes alternative outcomes to rejection or take-over can be observed regarding single norm sets, will be analyzed in the next section.

3.4   Localization Processes

The perception of the international community in Guatemala is judged very differently by scholars. Most agree that the international community has a very important role in local political processes. Montobbio depicts the international community in local politics as an accepted actor group:

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[53] Here the European Commission.
[54] The State Department always had a focus on stateness-oriented intergovernmental work.

"Both national and domestic actors have accepted the prominent role of the U.S. and the international community as constitutive actor in their domestic life and award to them both the status of a mediating, trust-building and necessary cooperation (an "external funder of cooperation") as well as the status of a decisive ally in national confrontations." (own translation Montobbio 2008: 16)

Other scholars do not judge the international community's role as being so uncomplicated. Thoresen argues that international actors are too "political", i.e. they interfere with the domestic political process and this might also have been a problem for the Peace Accords (2004: 14). Especially the Berger government (2004-2008) was known for its rather critical stance on political action of external actors demanding a leading role for the Guatemalan government (Thoresen 2004: 46). Colom, the current president, describes the relation with the international actors as less critical, but openly acknowledges their important function in local political processes: *"It is not enough simply to call the people to action, but also to have the support and vigilant eye of the international community."* (in Peña Díaz 2008: 19).[55]

The projects of international actors are part of an open political debate and contestation, especially regarding norm promotion related to democracy or the rule of law. Such contestation leads to quite different outcomes of localization. The following small case illustrations try out the usefulness of the systematic categories (take-over, rejection, façade or appropriation) developed above. The cases discussed are the main contested cases of norm promotion since the Peace Accords - as identified by local interviewees [56]: I will shortly discuss the localization (discursive and behavioral) of UNICEF's children's rights agenda, of the Peace Accords and of the UN Mission CICIG drawing from ongoing research.

3.4.1 The Rejection of UNICEF's Children Code

Legislative action and political implementation

One central case of local contestation is the UNICEF promotion of children rights in Guatemala. 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 and ratification in the Guatemalan Congress in 1995. In 1996 the Congress passed a law based on the International Convention. The project turned out to be a big failure. After five years of heated public debate about its implementation, the Congress finally rejected the law in 2000 (Díaz 1998; Snodgrass Godoy 2006: 73).

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[55] The role of the EC is complicated in addition by existing problems between the member states of the EC, the EP and the EU presidency. For example the EU presidency had a rather negative view on the EP's critical stance in Guatemala: "*The present EU presidency in Guatemala considers that even if the promotion and defence of human rights is central, press conferences, declarations or pronouncements on incidents is not always the most effective method, even less so with the present government. The political role of the EU should be to accompany, both pushing and applauding.*" (Thoresen 2004: 32). Furthermore, member states indeed wished the EC to use its leverage against the government given its large aid portfolio and thus the conditions to push. On the other hand, the member states stated, that the EC Delegation's role was not to be political (Thoresen 2004: 32).

[56] Expert interviews with local offices of international organizations and local political actors.

Discourse

The main focus of local contestation was the role of UNICEF, mostly invoking sovereignty and cultural arguments. Local editorialists 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. 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 overall activities of international actors in the country. It also hampered the opening process to the Left (regarded as well as actors undermining good Christian values) (La Rue et al. 1998; Snodgrass Godoy 2006: 73-74)[57].

Thus, the promotion of children rights in Guatemala can be identified as a case of rejection at a discursive level and regarding both legislative action and political implementation. The discourse evolved with a strong reference to the overall peace process and Guatemalan norms, values and practices - in contrast to the international community.

3.4.2 Furthering the Peace Accords – Missing Ownership?

The second case describes the localization of the Peace Accords. Although a local agreement, the whole peace process was closely attributed to and heavily influenced by the international community (see above). After 1996, international actors made the Accords a central topic of their agenda especially with regard to the norms related to rule of law and indigenous rights. It can therefore be described as an effort of international norm promotion.

Legislative action and political implementation

The series of Peace Accords between the government and the UNRG were signed between 1994 and 1996 by President De León (1993-1996). He took over this position as an interim president after the self-coup of President Serrano. He was the former Human Rights Ombudsman and together with the international community achieved extraordinary accords given the background of Guatemalan power distribution. Accompanied by diplomatic pressure and positive ex-post conditions the subsequently elected president Arzú (1996-2000) was persuaded to sign the final agreement (Holiday 2000; Salvesen 2002: 29).[58] Since 1994 in addition a UN Mission, MINUGUA, was in the country monitoring the negotiations, 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).

The adoption and implementation was not a complete failure. Several non-constitutional parts of the Peace Accords were implemented shortly after the signing: The Police Force was at least partly modernized and grew in size, social economic spending rose strongly, the demobilization of the guerilla was successful (although the reintegration process less so)

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[57] See also interview Oscar Chavarría, USAid, 13.11.2009.
[58] On the donations given see (Azpuru et al. 2004: 10-11)

(Holiday 2000: 2). Furthermore some re-structuring of the military took place (Salvesen 2002). However, as a result of the failed referendum the majority of the provisions of the Peace Accords failed to be adopted (especially regarding the role of the military and indigenous rights).

Discourse

Overall some reservations against the UN 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. Yet, also a large part of the indigenous population that would have had the biggest gains from the adoption and implementation of the Peace Accords abstained from voting or voted "no" (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 as an external project, not necessarily helping their cause (Carey 2004). Thus, its failure was not interpreted as a failure for the cause of indigenous people. 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 transnational NGOs help making the Peace Accords a national project (Morales López 2007: 93).

After the lost referendum the Peace Accords lost their momentum quickly and disappeared from public discourse. This was also due to the quick deterioration of the security situation in Guatemala. The international community was indeed seen as an important actor to help the state. Yet, in the eyes of local actors it did not deliver. The human rights focus of the international community (and the fight for rights of suspects, fair process etc.) were not regarded as helpful (Sieder 2003). In the eyes of many such human rights were rather interpreted as helping to protect criminals than to produce stability and security. While the urban upper and middle class turned to private security, the rural areas turned to indigenous dispute resolution and vigilant justice[59] instead of relying on state structures (Sieder 2003).[60]

In summary, the overall implementation phase of the Peace Accords turned out to be a great problem. Neither full rejection nor façade properly describe the localization process. Some legislative action and implementation took place. While rhetorically each government since 1996 embraced the Peace Accords and pleased donors with it, the Accords are of no further interest, not only to veto players but also to the broader public and the central beneficiaries in the indigenous population. When including this public discourse the category of "façade" is no adequate. Neither do we observe a full rejection: Instead of being openly contested, the peace agenda just quickly and quietly died down. The Peace Accords were regarded as

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[59] A significant rise in the number of rural lynchings created broad international attention (Snodgrass Godoy 2002).

[60] See also Little and Smith (2009) and Amry (1999).

missing a connection to local problems and local ownership. While we observe some modifications at a behavioral level, the creation of a broader resonance with local topics was not successful. Instead of openly rejecting the peace agenda, it was modified into a public issue with little relevance to local problems.

3.4.3 CICIG, a Case of Appropriation

The installation of the International Commission against Impunity in Guatemala is an example of the appropriation of the international promoted norm set both at a discursive and a behavioral level.

Legislative action and political implementation

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 NGO network between Guatemalan NGOs in the security sector (the most important being the foundation Myrna Mack) and American-based NGOs (such as WOLA and NISGUA). The idea was lobbied for in the international community and in Guatemalan government circles and the concept of a "CIACIS" (*Commission for the Investigation of Illegal Armed Groups and Clandestine Security Apparatuses*) was developed (WOLA 2008: 6). This first version of CIACIS envisioned an independent prosecutor status for the mission in Guatemala. This and certain other provisions of CIACIS, however, were declared unconstitutional by the Constitutional Court in 2004 (WOLA 2008: 7).[61]

The transnational civil society mostly concluded that a broader audience and a societal coalition for such a commission had been missing. 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 in Guatemala), this time drafted by the UN, included it into the Guatemalan justice system, allowing it investigation, but no prosecution. In this version it passed the Constitutional Court. Dramatic scenes preceded the approval of CICIG in Congress.[62] Because of further resistance against the mission's independence, CICIG finally became a "*complement to the State of Guatemala rather than an independent tribunal*" (Carvill 2009; WOLA 2008: 7-13).

From an overall parallel independent prosecutor against the "parallel powers" in the state as envisioned by the transnational civil society, CICIG was modified into a complementary institution to the local justice system. The aim was still to "*investigate the existence of illicit security forces and clandestine security organizations that commit crimes that affect the*

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[61] See also http://www.nisgua.org/themes_campaigns/index.asp?id=2574 (20.11.2009).

[62] 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 bigger 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.

fundamental human rights of the citizens of Guatemala"[63], yet with a much stronger focus on institutional strengthening and support to existing, yet very fragile state structures.

Discourse

As a reaction to the NGOs' work, a right-wing based contra-campaign used the norm of sovereignty and referred to illegitimate intervention of international actors in local politics to justify its rejection of the CIACIS idea. At first it was quite successful with this framing (BBC Mundo 2007). As a response, the local NGO activists framed the new concept of CICIG as to fit into the very negative discourse about "corrupt and inefficient" state structures, insecurity and criminality in the broader Guatemalan public. While the version of CICIG was now actually designed as an external mechanism of institutional strengthening and state support, the broader public understood CICIG as an entity that would dismantle and denounce existing state structures and supported the campaign.[64]

In this example the promoted norm set was modified both at the behavioral level and the discourse level, however, in different directions: the idea promoted by the international civil society was adopted and implemented after being significantly reshaped to a complementary institution with the aim of supporting state structures. The discourse about CICIG fluctuated between non-intervention and the existing frustration of the broader public with state structures, with the latter winning over the public. All in all, this is an example for a modified localization process and appropriation preceded by framing activities by a transnational NGO coalition.

4. Conclusion

This paper focused on the question how processes of localization linked to norm promotion can best be analyzed. As the result of a literature review four stylized approaches were deduced: The *filter approach* distinguishing only norm take-over or failure; the *local interpretation approach*, in which a variety of results could be produced by norm promotion, yet without full take-over of the promoted norms; the *struggle approach,* where either the struggle over norms, over meanings of norms or over public attention are emphasized; and finally the *appropriation approach*, in which a modification and hybridization can result from localization. While the first two approaches offered only very static concepts of local political processes and "culture", especially the fourth approach developed a more flexible conception. "Local culture" in this approach is always the product of earlier encounters between the local and the global. Thus, neither is a static or constant conception of filters helpful in the analysis of localization nor is take-over or failure the only possible outcome of localization.

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[63] CICIG mandate, see http://cicig.org/index.php?page=mandate (20.11.2009).
[64] How the public will therefore judge the success of CICIG, will be an interesting question.

Using the two dimensions of discursive localization (distinguishing take-over, modification, rejection) and "behavioral" localization (legislative action and political implementation resulting in take-over, modification or no changes) four outcomes of localization are theoretically identified: *full take-over, full rejection, appropriation* or *façading* (discursive take-over, but no behavioral change).

This system of categories was used to analyze contested cases of norm promotion in Guatemala. Guatemala is a country with a limited democracy or a hybrid political regime and poses a special challenge to external norm promotion. Especially the EU was indeed torn between more confrontational strategies and dialogue as revealed by a short analysis of the strategies applied by the EU and the U.S. The U.S. government, in contrast, used less pressure and conditionality regarding democratization and rather focused on state modernization. After some frustration with conditionality and the overall effectiveness of norm promotion, both actors switched to an intergovernmental focus on stateness. I suggested that localization processes of single promoted norm sets should be analyzed instead of the macro picture of "effectiveness" of norm promotion.

This was done by studying three cases of contested norm promotion: the promotion of a children's code, the promotion of the Peace Accords and the promotion of a UN Commission on Impunity in Guatemala. While the first case is an illustration of rejection, the second resembles a façade if focusing on government rhetoric. Yet, when including the public discourse the case does not fit the category. It also rather resembles modification and appropriation than full rejection: Some behavioral changes can be observed, while the Peace Agenda is modified into an issue with little local relevance in the public discourse. The last case also illustrates appropriation. Both at the discursive and the behavioral level the promoted idea was modified and fitted into local structures and discourses.

These examples strongly support the notion that full norm take-over rarely is the case. Rather norm sets are interpreted in a "local" context and modified or rejected. Local interpretation also does not resemble filters. Instead, local negotiation and persuasion processes are developing that connect promoted norms to other local debates and political processes (the children's code was rejected as an exemplification of the negative outcome of international intervention). The category of façade so far appears of little help when using a broader concept of discourse than simply government rhetoric.

Additional theoretical and empirical work is required 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.

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