

Transnational Human Rights Networks: Significance and Challenges

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Introduction

Transnational human rights networks are a form of cross-border collective action created to promote compliance with universally accepted norms. Transnational networks against slavery and for women's suffrage existed well before the creation of the United Nations in 1945 (Rabben 2002), but sustained scholarly attention to principled transnational activism only emerged decades after the adoption of the Universal Declaration of Human Rights (UDHR, 1948) and the creation of a new type of information-driven and impartial transnational activism, embodied in organizations such as Amnesty International (AI, founded in 1961) and Human Rights Watch (HRW, founded in 1978).

With *Activists beyond Borders: Advocacy Networks in International Politics* (Keck and Sikkink 1998), Margaret Keck and Kathryn Sikkink established a new field of interdisciplinary research on the significance and challenges of principled transnational organizing. Unabashedly optimistic about the power of norms and networks, this literature focused initially on the ability of transnational and domestic activists to challenge governments and their repressive practices “from above and below” (Brysk 1993). Unlike earlier attempts at establishing a transnationalist research agenda (Keohane and Nye 1971), the new scholarship benefited from the simultaneous rise of the constructivist paradigm. The emergence of transnational advocacy networks and their initial scholarly reception will be discussed in the first main section, titled “Explaining the Power of Transnational Human Rights Networks.” The focus is on efforts to explain *how* transnational human rights networks successfully intervene in domestic politics.

Scholarly challenges based on materialist and utilitarian views of international politics emerged quickly and accused the advocacy literature of exclusively focusing on cases of successful norm adoption (Bae 2007) as well as norms promoted by

progressive sections of global civil society (Price 2003). Some argue that unelected transnational activists impose their progressive agenda on the world (Anderson 2000), while others diagnose the co-optation of nongovernmental organizations (NGOs) and a loss of the “emancipatory potentials of global civil society” (Jaeger 2007). Scholars critically reviewing examples of transnational advocacy campaigns identified a number of problems, including (1) the difficulties of establishing and sustaining transnational networks (Tarrow 2005); (2) the inability of human rights activists to recognize violations (Carpenter 2007) as well as systemic biases in selecting targets based on expected media exposure rather than principles and need (Ron et al. 2005); (3) the difficulties of domestic social movements in attracting international support (Bob 2005) or subsequent local resistance against such interventions (Hertel 2006); and (4) unintended negative consequences of transnational mobilization on the domestic level (Schmitz 2006; Kuperman 2008). The second main section, titled “Transnational and Local Activism: Failed Promises, Unintended Consequences, and the Difficult Politics of Representation,” will review those arguments and discuss in what ways transnational activism represents a particularly challenging form of social mobilization.

While the first two sections of the main part of the essay primarily describe an academic debate on the significance and motives of transnational human rights networks, the third section, titled “Extending Transnational Advocacy beyond the State,” will take more account of the way in which the transnational advocacy sector itself has evolved over the past decade. The failure to prevent and end major atrocities in Rwanda and the former Yugoslavia as well as more visible challenges to the dominant Western view of human rights contributed to a sense of crisis among activists (Rieff 1999) well before state governments’ responses to the “war on terrorism” reversed progress on basic civil liberties. In response to new and diverse challenges for human rights defenders, the mainstream of transnational human rights networks seeks to move away from the reactive model of human rights reporting. Faced with new (and recurring) challenges to the protection of basic rights, activists (1) have focused more attention on establishing and strengthening preventive institutions and early warning systems within the United Nations framework, (2) have begun to target more systematically human rights violations committed by non-state actors, and (3) have made efforts to promote previously neglected social and

economic rights in broader strategic alliances built around a rights-based understanding of economic development.

The conclusions, “Next Frontier: Internal Dynamics of Transnational Advocacy,” focus on the internal dynamics of transnational networks and individual organizations. While the vast majority of the literature discusses in what ways these agents of social change are effective in engaging with their environment, little is known about their internal makeup. Opening the “black box” of advocacy networks provides opportunities to explore in what ways differences in size, internal governance structures, leadership, or degree of collaborative efforts matter for the organization of transnational activism. This research agenda echoes similar calls among students of intergovernmental organizations arguing that “we can better understand what IOs [intergovernmental organizations] *do* if we better understand what IOs *are*” (Barnett and Finnemore 2004: 9).

Changes in the recent practice of transnational human rights activism were driven by the end of the superpower rivalry in 1989, challenges to the de facto dominance of civil and political rights over social, economic, and cultural rights, and the persistent gap between the global diffusion of rights rhetoric and atrocities committed in the former Yugoslavia, Rwanda, Sudan, or the Democratic Republic of Congo. Those human rights crises nurtured a fundamental skepticism about the model of impartial activism (de Waal 1997; Rieff 1999; Leebaw 2007), leading to public and internal controversies about the mandate and strategies of major human rights groups (Korey 1998: ch. 14; Hopgood 2006). Others blamed the professionalization and legalization of the movement for its waning popular support (Kennedy 2004; Bell and Coicaud 2007) or charged that human rights and humanitarian groups compromised their principles in favor of economic interests, media exposure, and organizational growth and survival (Cooley and Ron 2002; Bob 2005; Ron et al. 2005).

The attacks of September 11, 2001, and the subsequent military response by the United States government have further highlighted the challenges faced by the global human rights movement. In the short term, the 2003 invasion of Iraq led to internal divisions as some prominent activists advanced visions of a “military humanitarianism” (Chandler 2001) and applauded the violent removal of a heinous dictator. In the long term, the “rogue” policies established by the Bush Administration and followed by many other governments are likely to increase the awareness among

human rights activists that fundamental changes to the practice of transnational human rights promotion are inevitable. To remain relevant, transnational human rights networks have to shift away from a primarily reactive mode of “shaming” violators after the fact and develop proactive strategies of education, prevention, and local empowerment.

Scholars can play an important role in contributing to the ongoing shift from reactive to preventive transnational strategies. While the familiar “shaming” efforts remain an important part of moral advocacy, activists have to learn how to give local populations a greater voice in defining the content of campaigns (Ignatieff 2001:10) and in developing strategies of long-term social change, including redirecting and strengthening state capacity to effectively protect and advance human rights. Such a shift towards a more openly political transnational activism is only complete when activists no longer view those they support as “victims” of repression, but as equal partners in a joint struggle for the expansion of rights and freedoms around the world.

Transnational Human Rights Networks: Emergence, Significance, and Limitations

The main part of this essay is divided into three parts. The first part (Explaining the Power of Transnational Human Rights Networks) will summarize arguments establishing and explaining the principled power of transnational advocacy networks. The second part (Transnational and Local Activism: Failed Promises, Unintended Consequences, and the Difficult Politics of Representation) will shift attention to scholarly works directly challenging the conventional wisdom established by the principled view of transnational activism. The third and final part (Extending Transnational Advocacy beyond the State) will look beyond the *academic debate* on how best to capture the motives and strategies of the advocacy sector and discuss some of the ways in which the current *practice* of transnational activism has changed in response to experiences of successes and failures.

Explaining the Power of Transnational Human Rights Networks

Scholarship on transnational human rights networks emerged during the 1990s within the subfield of International Relations and as a challenge to the state-centric and materialist bias of the field. At the same time, a few social movement scholars had also begun to extend their research beyond the domestic and identified transnational social movement organizations (TSMOs) as new subjects of inquiry (Smith 1995). Within the field of international relations, earlier works establishing transnationalism as a core challenge to a state-dominated world had set an important precedent (Kaiser 1969; Keohane and Nye 1971; Rosenau 1980; Willetts 1982), but largely failed to inspire a self-sustaining research agenda on the significance of transnational actors (Orenstein and Schmitz 2006). A sustained transnational research agenda only emerged after scholars began to describe and analyze a prolonged growth of the transnational NGO sector (Smith et al. 1998; Boli and Thomas 1999; Sikkink and Smith 2001) and the emergence of the constructivist paradigm (Hasenclever et al. 1997).

Arguing that social reality is constructed through the interactions of individuals and collective actors in a community (of states), proponents of transnational activism claimed that groups advancing specific universal norms such as human rights could shape the behavior of states and governments without having control over significant material resources. If norms are understood as collectively shared understandings of appropriate behavior and their effects can be empirically studied (Barkun 1964), principled NGOs can elicit compliance with those standards by exposing major instances of violations and mobilizing the entire community against violators. In this view, the external environment of states is primarily cultural (Meyer and Rowan 1977; Finnemore 1996) and norms matter because they define community standards and direct how states define their interests (Hurrell 2002:145). While there is no direct link between the assumption of a constructed social reality and the study of norms or transnational activism, scholars studying human rights networks within the field of International Relations see constructivism as a liberating basis for research.

The adoption of a constructivist view enabled claims about the power of human rights NGOs, but also created two distinct limitations which would motivate critical scholarship on transnational advocacy networks. First, the focus on principled networks abandoned the broader perspective of the transnationalist scholarship of the

1970s and excluded other transnational actors. Second, human rights NGOs were defined as unitary actors promoting universal norms. These assumptions established human rights groups as actors in global affairs, but they also discouraged exploring variation across individual human rights organizations as well as similarities or differences across the entire transnational field (see the section “Next Frontier”).

The Emergence of Transnational Human Rights Networks after World War II

Transnational human rights networks should not have to exist. With the establishment of the United Nations in 1945 and the adoption of the UDHR in 1948, states have committed to protect basic human rights within their territories. In the subsequent decades, dozens of new human rights agreements on the global and regional levels were added and states ratified those treaties in steadily increasing numbers. After the end of the Cold War, the United Nations also strengthened human rights concerns institutionally by creating the Office of the High Commissioner for Human Rights (1996) and by replacing the Commission on Human Rights with the Human Rights Council (2006). Transnational human rights NGOs have participated in the accelerated institutional strengthening of the global human rights machinery during the past two decades. However, their origins in the 1960s and 1970s reflected a disillusionment not only with the state of human rights during the Cold War period, but also with the lack of “principled” activism and social movement organizing available to address gross abuses of human rights. While activists had previously regularly raised human rights issues, the mobilization was largely along partisan lines and limited to those sharing particular political views. Peter Benenson created Amnesty International (AI) in 1961 with the explicit goal of overcoming those divisions and created a human rights movement that defended anyone who was a nonviolent “prisoner of conscience” (Buchanan 2002).

The post–World War II transnational human rights movement emerged in response to the persistent gap between states’ human rights rhetoric and their practices, combining public advocacy with strict rules of impartiality. This nongovernmental movement moved beyond the largely elite-driven lobbying efforts of the 1940s that were led by Eleanor Roosevelt and others pushing mainly the United States government on the issue of including human rights language in the United

Nations Charter (Sellars 2002:1–5). Although individuals, such as Raphael Lemkin, and mostly US-based NGOs lobbied governments during the negotiations of the UN Charter in San Francisco (1944) as well as the UDHR and the Genocide Convention (1948), state interests ultimately dominated and severely slowed the evolution of global human rights standards during the height of the Cold War (Donnelly 1986; Mazower 2004).

The creation of AI represented the birth of the modern transnational human rights movement not because of *what* AI did but because of *how* it did it. What AI created was a secular movement based on the exclusive and strictly nonpartisan defense of human rights and the use of symbolic language that primarily resonated in developed nations with a Judeo-Christian history (Hopgood 2006). The defense of individual prisoners based on a universal language of human rights now replaced partisan social and political struggles. The transnational human rights movement created a new ethical platform driven by the impartial gathering and publication of information about human rights violations. Within a few decades, AI received the Nobel Peace Prize (1977), and its careful reporting methods produced the very data upon which states' human rights records would be judged. Well before the end of the Cold War, transnational human rights groups were seen as the main global authority defining what is a human rights violation (Poe et al. 2001) and replaced other progressive visions of societal change with the “rights revolution” (Ignatieff 2000).

How Transnational Advocacy Networks Matter

As long as human rights remained an often abused term of the Cold War struggle, political scientists rarely took an interest in the issue and little dialogue with students of international law emerged. Dominant realist and neoliberal institutionalist theories claimed that international politics was in two fundamental ways different from the domestic sphere. First, only (powerful) states and their interests mattered. Second, rules and norms had no independent explanatory power. While neoliberal institutionalists focused on economic state interests in advancing a vision of “cooperation under anarchy” (Oye 1986), the idea of human rights fundamentally challenged state sovereignty and provided little incentive for state cooperation based on mutual interests. The emergence of constructivism and a renewed interest in

transnational actors in the early 1990s offered the theoretical opening to explore in what ways previously largely ignored collective actors and their ideas may have shaped the domestic politics of many nations since the 1960s and 1970s.

Activists beyond Borders (Keck and Sikkink 1998) offers the core introduction to the role of transnational human rights groups in global affairs. Although the authors aimed to broaden their claims beyond human rights by adopting the term *transnational advocacy networks*, the large majority of campaign examples in the book derive from rights-based activism. The focus of the book is on networks and campaigns, not on the participant individual organizations and such networks are more likely to emerge if three conditions are present:

- the growth of *international contacts* enabled by communication technologies as well as the proliferation of intergovernmental organizations and conferences devoted to human rights causes;
- the presence of *political entrepreneurs* convinced that transnational networking is a useful tool of activism;
- a government ignoring social and political demands emanating from its own society, thus forcing domestic activists to appeal to international supporters (the boomerang pattern).

The emergence of a global human rights system after 1948 represents here the key development, which established a new opportunity structure for oppressed domestic activists interested in “shifting venues to bring in new allies and activate friendly audiences” (Tarrow 2005:145).

The key actors within transnational networks are domestic and international NGOs, which collect and disseminate information related to their principled causes. Keck and Sikkink claim that this type of social action is “distinctly different from markets and hierarchy (the firm),” because transnational networks are highly flexible, yet integrated by shared values rather than economic self-interest or obedience to a higher authority (Keck and Sikkink 1998:8). The core resource of advocacy networks is information, which is usually collected on the local level, transmitted to allies abroad, and then published in reports and testimonies in order to mobilize moral outrage against human rights violations. Advocacy networks use highly symbolic events such

as state visits by foreign leaders to gain access to the media and also enlist other, more powerful actors to support their cause and exert additional pressure on the target of a campaign (1998:22–4). Finally, advocacy networks hold governments directly accountable by exposing the gaps between their rhetorical commitments to human rights expressed in international commitments and their domestic conduct as documented in human rights reports. In the case of the former communist countries, the Helsinki Accords of 1975 represented their first written acknowledgment of the validity of human rights. Two years later, domestic dissidents in Czechoslovakia led by Vaclav Havel published the *Charter 77*, demanding respect for human rights based on their government’s earlier international promises (Thomas 2001). Subsequently, the efforts of several Helsinki Committees and other transnational human rights groups provided a modest level of publicity designed to protect dissidents from reprisals (the “Dracula effect”).

Keck and Sikkink first described in a comprehensive manner the sources and power of transnational activism driven by shared principles. They challenged a liberal version of transnationalist research, which explained the influence of transnational networks primarily based on variation in the preexisting domestic context of the target society (Risse-Kappen 1995). By focusing on rights-based activism, Keck and Sikkink show how advocacy networks can break into closed societies and have the power to entirely alter domestic politics. In their view, the success of transnational activism is not just determined by target characteristics, but also by the character of the issue and by properties unique to the networks or “sender” of a campaign (1998:203–9). With regard to issue characteristics, Keck and Sikkink claim that transnational networks and activists are central in creating a common ideational framework that overcomes the international–domestic divide and creates moral interdependence across societies. Unlike trade or environmental issues, human rights violations do not necessarily create externalities for other societies, and significant cultural differences may exist between international norms and domestic belief systems. Hence, Keck and Sikkink argued that not all rights are equally likely to give rise to successful transnational campaigns. Most chances for success had campaigns focusing on “issues involving bodily harm to vulnerable individuals, and legal equality of opportunity” (1998:204).

Activists beyond Borders suggested that the success of transnational campaigns may also be driven by the “density and strength of networks” as well as “the vulnerability [of targets] to both material and moral leverage” (Keck and Sikkink 1998:207). Surprisingly enough, subsequent scholarship on transnational activism rarely tested in detail the hypotheses regarding the effectiveness of network mobilization developed by Keck and Sikkink. While it is relatively easy to come up with empirical and theoretical challenges to those claims (see below), there is still little progress in (1) clearly defining the properties of those factors, and (2) delineating their relative importance compared to others. Those questions range from straightforward empirical issues, such as the measurement of density of networks, to complex evaluations of cross-cultural differences regarding the concept of bodily harm, for example, in the case of female genital cutting. Is the transnational mobilization to end the violence in Darfur/Sudan confirming Keck and Sikkink’s model because it focused on bodily harm and has led in the early to mid-2000s to the emergence of an impressive global grassroots campaign involving millions of supporters? Or is this a failed campaign because little progress has been made in ending the atrocities in Western Sudan? Are information politics and media strategies perfected by transnational activists effective in alerting global audiences to deserving local causes or do they represent a “pornography of poverty” (Plewes and Stuart 2007) and contribute to increased compassion fatigue and apathy (Moeller 1999; Cohen 2001; Robinson 2002)?

The next section, “The Power of Human Rights,” will discuss in what ways more recent studies broadly sympathetic to *Activists beyond Borders* have advanced our understanding of the power of transnational activists. Subsequently, I will shift attention to more critical views of transnational activism as well as some recent studies tracing how the transnational activist sector has evolved in response to experiences of success and failure. This final section, titled “Next Frontier,” will thus move beyond the literature extending or challenging *Activists beyond Borders* and discuss in what ways transnational activists have outgrown reactive shaming strategies and the paternalistic trappings of the “boomerang model.”

The Power of Human Rights: Persuasion and Rhetorical Entrapment

Several studies have taken up the ideas expressed in *Activists beyond Borders* and refined the theoretical understanding of why and how transnational advocacy groups can change the domestic practices of governments (Risse et al. 1999; Burgerman 2001; Hawkins 2002; Cardenas 2007; Okafor 2007). Those studies move beyond Keck and Sikkink's work in two important ways. First, they provide more empirical detail on the transnational/domestic interactions sketched in the boomerang model. Second, the case studies begin to identify some of the conditions that counteract the effectiveness of transnational human rights activism.

Designed as a follow-up study to *Activists beyond Borders*, the edited volume *The Power of Human Rights* (Risse et al. 1999) focused on the final stages of the boomerang model and developed a five-step process describing how international pressure can elicit domestic compliance with global norms. In breaking down the process leading from the initial "shaming" of human rights-violating governments to norm compliance, the edited volume used paired country comparisons to describe the interactions between transnational activists, state governments, and local groups as a process of socialization through strategic bargaining and persuasion. The case studies identified common government responses, including the frequent initial denial of such accusations and the use of tactical concessions in order to quiet external critics.

The Power of Human Rights follows *Activists beyond Borders* in assuming that human rights change is primarily driven by transnational mobilization rather than domestic structural forces. The edited volume adds evidence on the events unfolding around particular instances of transnational mobilization, but its overall framework shared the optimistic view that international institutions with little enforcement power can use persuasion to move repressive governments from empty promises to compliance. This perspective was driven by the dual misunderstanding that civil and political rights represented the most "basic rights" of the UDHR and that their comparatively higher degree of international institutionalization increases the likelihood of "an impact on human rights practices" (Risse et al. 1999:3). Both of these assumptions have been strongly challenged by more recent empirical studies on international human rights institutions as well as scholars expressing non-Western perspectives on rights issues.

The case studies contained in *The Power of Human Rights* offered some initial insights into why human rights change may not be as automatic as many proponents

of transnational activism suggested. In the chapter on Indonesia and the Philippines, differences in the definition of nationalism promoted by elites explained variation in the impact of transnational human rights mobilization (Jetschke 1999). Other studies also used variants of the “domestic structure” argument by explaining differences in the impact of human rights norms based on congruence between international norms and domestic beliefs (Hawkins 2002:6; Bae 2007). Since transnational advocacy aims at transforming domestic structures, any effort to derive explanatory power from domestic conditions should also clearly define in what ways the impact of external mobilization moves beyond a mere congruence of domestic and international views. The domestic structure argument also provides a link between the transnational literature and comparative research on democratization. By challenging authoritarian rule, transnational advocacy can strengthen “rule-oriented” or pragmatic domestic elites (Burgerman 2001:15; Hawkins 2002:41–4), whose behavior can be crucial for a successful transition process (Schmitz 2004).

Most of the studies on transnational activism are written by political scientists and pay less attention to the special role of the legal community in enforcing human rights domestically. The concept of transnational advocacy networks is dominated by purposeful NGO activism and driven by shared principles, not professional standards. More recent case studies of transnational campaigns not only show how important serendipitous events are (Roht-Arriaza 2005:211), they also provide more detail about how local and international groups crucially depend on each other (White 2004; Evans 2005; Okafor 2006; 2007). This research highlights that legal communities are more likely to sustain transnational contacts based on shared professional interests, not just a diffuse normative commitment. Those legal networks are more powerful in advancing human rights because the combination of “advocate and expert” (Roht-Arriaza 2005:214) provides additional legitimacy.

Beyond exploring conditions within the target of mobilization, scholars focus on the specific resources and strategies available to transnational activists. Doing so moves beyond viewing advocacy networks primarily as information exchanges and integrates insights from social movement research into explanations of network success and failure (Khagram et al. 2002; Tarrow 2005). A core contribution of the social movement literature is the claim that “forming transnational movements is not easy” (Tarrow 2005:7), a claim echoing Roht-Arriaza’s view that successful

campaigns are the exception and rely on a measure of serendipitous events. Dense interpersonal networks are a condition for successful collective action (Loveman 1998) and those networks are much less prevalent across national borders.

Perceived threats to national security represent a core explanation for a lack of human rights progress (Hawkins 2002; Cardenas 2007). After 9/11, policies designed to limit terrorist threats added empirical evidence demonstrating how quickly governments with a strong human rights record can revert to systematic violations. The official use of “enhanced” interrogation techniques by US government agencies against terrorist suspects not only exposes the fragility of human rights in established democracies (Greenberg 2005), but it also shows how governments effectively contest the meaning of norms. Increased integration into a world polity sharing human rights norms does not necessarily lead to sustainable human rights improvements, and transnational ties can be weakened by state repression (Wiest 2007). Wiest effectively shows in her comparative study of Arab nations simultaneously affected by transnational human rights and Islamic movements how the familiar “boomerang” model of activism fails to lead to positive social and political changes. While countries with a history of political liberalization (e.g. Tunisia and Yemen) fared slightly better than those without such an experience (e.g. Saudi Arabia and Syria), the study reiterates the point that transnational mobilization needs to move beyond reactive “shaming” strategies in order to remain relevant during times of increased government repression caused by terrorist threats.

Far from developing a single theory of transnational activism, the strongest arguments for the power of human rights mobilization are found in case studies that trace interactions between transnational activists, domestic allies, and government agencies. We know today more about the difficulties of sustaining transnational mobilization, the domestic circumstances favoring its emergence, and the many threats leading to failure and reversal. And even when human rights records improve on paper, scholars should be aware that governments may have shifted their repressive practices (Schmitz 2006), may already have effectively “eliminated their opponents” (Cardenas 2007:13), or simply return to repression after international media attention disappears again (Schwarz 2004; Evans 2005). The section below will shift attention from scholarly works broadly sympathetic to the practice of transnational activism to those fundamentally skeptical about its motives, results, and legitimacy.

Transnational and Local Activism: Failed Promises, Unintended Consequences, and the Difficult Politics of Representation

The influence and staying power of *Activists beyond Borders* is reflected in a burgeoning literature challenging the book's positive evaluation of transnational advocacy. This section will present studies challenging the core assumptions about the effectiveness of principled human rights activism. The conclusions of these studies range from claims that international support plays no significant role compared to the autonomous efforts of domestic activists (Press 2006) to arguments about the unintended negative consequences of transnational interventions. At the core of many of these challenges is a disagreement about the significance of external interventions and the motives driving transnational activism. While those defending transnational advocacy networks as significant and positive players in world affairs almost uniformly insist on their principled motives, more skeptical views emphasize either that indefensible "causal claims are veiled behind their normative appeals" (DeMars 2005:7) or that activists are actually advancing their own material interests for organizational growth and survival.

Critics of *Activists beyond Borders* question the assumption that the networks built by transnational and domestic activists are solely integrated by common values (Jordan and Van Tuijl 2000). Studies have shown that domestic activists have to compete for the attention of international supporters and are forced to change their goals in accordance with ideas prevalent among transnational activists (Bob 2005). The most deserving causes may not get attention, because transnational groups select causes based on likely media exposure and donor support (Ron et al. 2005). After comparing data on the severity of human rights violations with the frequency of AI human rights reports (from 1986 to 2000), Ron et al. (2005) conclude that state power, media exposure, and foreign aid levels are more likely to predict transnational mobilization. Four nations (Turkey, the USSR/Russia, China, and the United States) most frequently targeted by AI reports do not appear in the top 20 list of human rights-violating states. The authors call on NGOs to "ensure that strategic considerations do not play too large a role" because this may "contribute to the marginalization of abuses in smaller, poorer or weaker countries" (2005:576).

Comparing levels of human rights violations with reporting patterns breaks new ground in the study of transnational activism, but the conclusions are misleading. China and the United States are a target of mobilization, because AI's mandate includes the global eradication of the death penalty and both countries are global leaders in using capital punishment. Many developed nations have also become targets of reporting not because of their human rights conditions at home, but because of their involvement (e.g. as weapons suppliers) in armed conflicts elsewhere. Turkey, China, and Russia are regularly targets of AI because of their direct involvement in violent conflicts causing some of the worst human rights violations elsewhere (e.g. Democratic Republic of the Congo, Sudan, and Colombia).

A rationalist or marketing perspective may be useful in explaining why some local causes resonate and others do not. But interest-based explanations are less useful in accounting for cases of "nonemergence" and the processes that turn conditions into *issues* (Carpenter 2007). A rationalist framework assumes that activists are aware of violations, but decide to ignore them despite their urgency. The utilitarian view does not account for the role of norm entrepreneurs in the social construction of violations and the subsequent translation into a transnational campaign. Transnational human rights groups pursue interests such as organizational survival, but this does not necessarily compromise the principled character of their activism. More compelling is to ask why some conditions are even recognized as violations while others are not.

Scholars skeptical of transnational activism have also looked more closely at what happens when transnational campaigns have unintended negative consequences. Studies have described how domestic civil society has been crippled by well-intentioned, outside efforts to strengthen it (Henderson 2002; Mendelson and Glenn 2002). Vertical networks linking domestic activists to outside supporters can alienate domestic constituencies and distract local activists from building strong horizontal coalitions at home (Schmitz 2001). Local activists and politicians may also share few or no values with their external supporters and simply use universal norms to promote their political power. Defendants of transnational activism also forget that repressive governments have agency and can frame external interventions as "colonial practice" and a violation of sovereignty (Schmitz 2006).

In many of these critical studies, the authors can show that the initial impetus for mobilization does not originate on the local level and is not driven by domestic

activists. Researchers are now more aware of cases where local activists openly disagree with their transnational supporters and either block interventions or seek to change the objectives of campaigns (Hertel 2006). In the field of women's rights, those tensions between external and domestic beliefs have sensitized scholars to the perils of representing local causes to global audiences (Naples 2002; Farrell and McDermott 2005; Hesford and Kozol 2005). The term "female genital mutilation" has become a textbook example of a frame reflecting Northern cultural dominance as well as a lack of attention to more pressing local needs (e.g. clean water, poverty, lack of healthcare). "Shaming strategies" and moral persuasion only are inadequate in a world of expanding rights-based claims. Transnational activists need to be more accountable to their constituents and move towards long-term strategies addressing root causes of violations.

While there are examples of egregious cultural ignorance on the part of transnational activists, anthropological studies have focused attention on individuals translating between international donors/norms and local communities. Successful translation is expressed in hybrid institutions which "merge local structures such as councils with imported ideas such as women's rights" (Merry 2006:48). In advancing certain objectives such as reducing violence against women, translators and their outside supporters are challenged to adapt to the local context ideas of individualism and autonomy, inherent to human rights. In doing so, transnational activists have to be willing to adopt a consequentialist view of their actions and explore how their principles are best served under different local conditions.

A final argument against transnational activism claims that well-meaning campaigners not only ignore local needs and commit acts of cultural imperialism, but actually contribute to the very violence they seek to end. One variation of this claim focuses on the regular demands to end impunity for gross human rights violations even after a transition to more democratic rule (Snyder and Vinjamuri 2003). Transnational activists do not only frequently contribute to the demise of repressive governments, they also regularly call for the establishment of domestic or international tribunals to put on trial those responsible for past atrocities. Impunity campaigns have been a central part of transnational activism and have been a key factor in the rapid diffusion of transitional justice mechanisms during the 1990s (Borneman 1997; Hayner 2001; Roht-Arriaza 2005), including the establishment of

the International Criminal Court (Glasius 2002). Realist critics of those mechanisms to deal with past abuses argue that leaders are less likely to acquiesce in their loss of power if faced with a tribunal and time in jail. The threat of a trial may contribute to continued violence and undermine the transition to a government supporting the rule of law.

Another variation of the “activism breeds violence” argument claims that domestic groups are more likely to resort to violence if they can expect an intervention by the international community. The result would be that “some militants may rebel despite the risk of provoking state retaliation, because they expect any resulting atrocities to attract intervention that facilitates their rebellion” (Kuperman 2008:219). Since transnational human rights groups often call for effective remedies against ongoing atrocities, this argument would blame transnational activists (at least partly) for the very atrocities they seek to end. Ultimately, this claim can be tested empirically by measuring the extent to which domestic groups become more prone to the use of violence and their leaders mention expected external support on a regular basis.

While a smaller group of scholars has investigated why transnational activism provides too little support for certain local causes or fails to even recognize certain conditions as human rights violations, the majority of critics have focused on what goes wrong after a local cause has been taken up by transnational activists. The human rights movement itself has addressed many of these issues already and some of the strategic changes described in the next section reflect how the movement itself has learned from the failures so laboriously described by its academic critics.

Extending Transnational Advocacy beyond the State

Since well before the publication of *Activists beyond Borders*, transnational human rights activism had evolved beyond the boomerang model. Four key developments are most notable. First, advocacy groups play an increasingly important role in the creation and evolution of international institutions inspiring their activism. Second, transnational human rights groups began in the early 1990s to shift attention away from state governments and explicitly address human rights violations committed by non-state actors (Andreopoulos et al. 2006). Third, around the same time,

humanitarian and development NGOs that were primarily focused on service delivery began to expand their advocacy role (Lindenberg and Bryant 2001) and integrated rights-based approaches into their efforts to promote sustainable development (Uvin 2004). Finally, a different kind of advocacy focus emerged with the creation of new NGOs (e.g. Global Witness), which sought to move beyond the focus on civil and political rights and claimed to address some of the root causes, such as resource conflicts and ethnic divisions. More traditional transnational NGOs, such as AI, have responded to those changes by undergoing their own transformation (Pack 1999; Hopgood 2006).

Transnational Activism and International Institutions

The participation of advocacy networks in the creation and evolution of global human rights institutions has become a major focus of scholarly research (Martens 2005). During the 1970s, a coalition of states across ideological divides tried (and failed) to revoke the consultative status of many human rights organizations and inadvertently confirmed the rising power of nongovernmental participation (Shestack 1978:91). A similar coalition succeeded in moving the UN's human rights institutions from New York to Geneva (Korey 1998:90). While under attack, the expansion of UN human rights institutions offered also new opportunities for human rights groups (1) to use the proceedings of the UN human rights institutions to submit reports and expose state violations (Rodley 1987; Korey 1998: ch. 11; Treves et al. 2005); (2) to further strengthen international human rights institutions (Otto 1996; Gaer 1996; Clark 2001; Khagram et al. 2002; Martens 2006; Joachim 2007); or (3) to lobby for mandate changes in other international institutions (Nelson 2000; O'Brien et al. 2000; Oestreich 2007).

After much internal debate, AI decided in the early 1970s to launch its first single-issue campaign focused on torture and lobby the UN for a separate convention to globally ban the practice. Although the AI Secretariat ultimately rejected the 1984 UN torture convention as ineffective, the organization has been central in establishing strengthened international agreements on core mandate issues, including torture (Cook 1991), disappearances, and capital punishment. In all of these cases, a "norms cascade" (Finnemore and Sikkink 1998) signifies the agenda-setting power of AI.

Transnational groups have also played prominent roles in the creation of the UN children's rights convention (Price Cohen 1990), the adoption of the UN anti-landmines treaty (Price 1998), the establishment of the International Criminal Court (Glasius 2002), the inclusion of sexual violence in the definition of war crimes (Spees 2003), the adoption of the Kimberley Agreement to end the sale of conflict diamonds (Wright 2004), and generally, the growing prominence of human rights concerns within global governance and the UN system (signified in the creation of the UN High Commissioner for Human Rights in 1993). Despite the formal limits on the participation of NGOs in intergovernmental institutions (Clark et al. 1998; Willetts 2000; Friedman et al. 2005), transnational activists have been extraordinarily successful in placing human rights more centrally on the global agenda and inserting human rights ideas into the mandates of international institutions. Those efforts reflect another example of activists' influence beyond their efforts to shape domestic human rights change.

While the idea of human rights has clearly gained in global recognition since 1945 (Benhabib 2008), the assessment of the effects of this rhetorical diffusion of human rights language remains contested. Qualitative studies claiming that global activism and institutions improve human rights have been challenged by more recent quantitative studies showing a persistent gap between what states *promise* internationally by signing treaties and *do* domestically (Hafner-Burton and Ron 2007). These studies argue that states learn how to continue to violate human rights domestically while reaping the benefits of "performing" compliance with the dominant international discourse (Hathaway 2002). In the human rights area, this gap between domestic practice and international rhetoric is enabled by a lack of effective enforcement mechanisms and is most likely to decrease when domestic and transnational activists are able to forge strong transnational ties and regularly call governments to account (Hafner-Burton and Tsutsui 2005). While most quantitative studies reduce complex political realities to more or less well-defined and measured variables and may ignore subtle changes in domestic practices, many qualitative studies are likely to be closer to the other extreme and end up exaggerating positive change in selected cases (Hafner-Burton and Ron 2007). Keeping those limitations of different methodological approaches in mind, a decade of research has immensely

expanded our understanding of the significance and limits of human rights institutions and transnational activism.

Targeting Non-state Actors as Human Rights Violators

For decades, AI had an explicit policy of only holding governments accountable for human rights violations committed on the territory of a state. The core strategy of letter writing campaigns mobilized AI members and targeted government officials in defense of adopted “prisoners of conscience.” Following the 1975 Helsinki Accords and the creation of national Helsinki committees, HRW emerged in 1978 as a second major global human rights NGO and quickly challenged AI’s global leadership by establishing a smaller, more professional organization focused more directly on media strategies rather than membership mobilization (Korey 1998:340). During the 1980s and 1990s, both organizations experienced prolonged periods of internal strife and crisis while competing in an increasingly crowded field of transnational activism. With the end of the Cold War, both organizations’ original purpose of primarily targeting state repression within the context of superpower competition had lost relevance.

One of the first significant changes to the methodology of transnational human rights activism after the end of the Cold War was to explicitly target violent and nonviolent non-state actors implicated in gross violations (Andreopoulos et al. 2006). In 1991, AI adopted its new policy of targeting non-state actors primarily within the context of failed states, ethnic violence, and atrocities committed by warlords. The human rights violations were familiar to its traditional mandate (extrajudicial killings, torture, disappearances), but required different strategic and tactical responses. Multinational corporations have been targeted by human rights groups either because of their explicit or implicit support of state repression (e.g. Royal Dutch/Shell in Nigeria or UNOCAL in Burma) or in their capacity to improve the rights of workers in their own or their suppliers’ factories. By shifting the target of mobilization away from states, human rights groups not only sought to affect those with the power to end violations, but also moved into new issue areas, including conflict resolution and development.

Rights-Based Development

A development unforeseen by Keck and Sikkink's *Activists beyond Borders* is the growing cooperation of advocacy and service-oriented NGOs, primarily across the humanitarian, development, and human rights sectors. This trend is primarily driven by the growth of development-oriented NGOs as well as an increasing realization that a foreign aid program "ought to respect the dignity and individual autonomy of all those it claims to help" (Uvin 2004:138). Service NGOs also learned that effective development programs required advocacy targeted at the larger economic and social context (Lindenberg and Bryant 2001; Rugendyke 2007), both in the rich donor countries (e.g. to end agricultural subsidies) and in the developing nations (e.g. to pass legislation supporting microcredit institutions). As aid groups such as Oxfam moved into advocacy, the traditional human rights movement can benefit from the experience of development NGOs, (1) by adopting campaigns on social and economic rights, and (2) by developing explicit "downward" accountability mechanisms which will broaden their legitimacy among constituents and avoid some of the trappings of moral activism (Ignatieff 2001:10).

More problematic has been the diffusion of human rights ideas into the humanitarian sector. During the 1990s, the success of the human rights idea not provided a rationale for "military interventionism" (Chandler 2001), but also contributed to a profound crisis of the humanitarian model. While transnational human rights groups use ethical arguments to discriminate between victim and perpetrator, a core humanitarian value is non-discrimination and the alleviation of suffering based on need only (Leebaw 2007:227). Humanitarian groups working in 1994 in Rwandan refugee camps faced accusations that their aid "strengthened the power of the very people who had caused the tragedy" (Terry 2002:2). While Hutus responsible for the genocide abused aid to reorganize in the refugee camps, aid workers with the best of intentions faced impossible ethical choices. The success of the human rights mobilization certainly forced humanitarian groups to think more clearly about their long-term responsibilities, but the "shaming" strategies championed by human rights activists only made things worse and provided little guidance in resolving the crisis on the ground.

Addressing Root Causes of Gross Violations

Targeting non-state actors implicated in gross violations and seeking new alliances with humanitarian and development NGOs reflect efforts by traditional human rights groups to move from a reactive to a preventive human rights strategy. While the idea of “information politics” and “shaming” strategies relies on reporting on violations and atrocities after the fact, the transnational human rights movement has recently shifted attention to (1) addressing root causes of violations, and (2) using Human Rights Education (HRE) as a tool in strengthening popular support for rights.

New types of transnational NGOs targeting root causes of atrocities, including ethnic divisions and competition for resources (e.g. diamonds, timber, oil), include the International Crisis Group (1995) and Global Witness (1998). More traditional human rights NGOs, such as AI, have sought to adopt a more campaign-style approach which looks beyond the individual prisoner (Hopgood 2006) and takes on systemic causes of violations on the national and global levels. For example, AI and HRW have supported for some time stricter controls of arms sales and are behind UN efforts to limit the global circulation of small arms.

Within the more traditional human rights field, the idea of HRE has gained some ground and recognition as a strategy to prevent human rights violations (Mihir and Schmitz 2007). HRE represents an important effort to overcome the elite-based character of transnational activism and can be used to effectively transmit local needs to international NGOs while translating universal norms for adoption in a local context. Efforts by some aid groups to promote a rights-based approach to development opens an important door to transnational human rights groups which usually lack a strong local presence in the developing world.

Next Frontier: Internal Dynamics of Transnational Advocacy

The modern story of human rights is not as straightforward as the early proponents of transnational advocacy networks suggested. Transnational human rights networks undoubtedly represent a new and powerful force in international politics, but their activism has complex and often unintended results. An organization such as AI has defined what constitutes a human rights violation for a generation, but has failed to

nurture a global human rights culture that would eliminate the need for its activism. Ten years after the publication of *Activists beyond Borders*, conclusive evidence for success in the core mandate of narrowing the gap between states' international commitments and domestic practices remains elusive and contested. Defenders of the rights revolution may argue that it will take more time to complete a nonviolent, incremental socialization process driven by international institutions and transnational networks. But its critics can point to contemporary atrocities, a lack of progress in states' compliance with human rights standards, and a profound crisis of the model of moral activism for universal principles.

Critics of the global human rights movement either reject the idea of human rights as such or take a more reformist view by focusing on the tactical and strategic challenges of transnational activism. Among the latter group, a significant number of scholars charges that transnational human rights activism is failing because it is increasingly driven by material interests of organizational survival, not principles. While the promotion of norms sometimes conflicts with interests, moving beyond this artificial dichotomy represents the next frontier in the study of advocacy networks. The main challenge for human rights activism is not that their principles are compromised by self-interest, but that their core information-based strategies are reactive only and that they frequently face profound ethical dilemmas, for example in estimating the harm inflicted by a military intervention to end atrocities. The "boomerang" model only works in circumstances where states have the basic capacity to protect human rights. Activists have to develop strategies which are more responsive to local demands, shift attention to the prevention of gross violations, and move beyond "shaming" toward strengthening state capacity in the protection of human rights.

Advancing the study of transnational human rights networks as well as other types of non-state actors requires a move beyond the principles/interests dichotomy and entails an inquiry into the internal dynamics of participant NGOs. Leaders, boards, staff, and sometimes a membership continuously interpret and shape the mandate as well as the interests of the organization. With a few exceptions (Korey 1998: ch. 14; Watson 2004), such internal processes are largely absent from studies on transnational activism. Only very few researchers get extended access to staff and internal meetings (Hopgood 2006). Studies on the "domestic politics" of transnational

activism are rare because the majority of smaller or mid-sized NGOs typically lack resources to maintain archives and may view the presence of researchers as a distraction with little benefit to their mission.

While scholars have established a new field studying transnational activism, many central organizations and their internal development are rarely explored. AI is a leading organization in the field of human rights but “we know next to nothing about what Amnesty is like on the inside” (Hopgood 2006:3). Ethnographic studies of individual organizations move academic debates forward because they question fundamental assumptions about the principled or rational character of transnational mobilizing and claim that organizations such as AI are not NGOs, but a form of secular church requiring sacrifice and self-denial from its staff and membership (Hopgood 2006:18–20). Such studies tell readers how AI has attempted to move away from the outdated old letter-writing model towards a more campaign-style approach, despite the danger that such a choice “drains away moral authority precisely as it increases political authority” (2006:220). These studies tell an inside story that scholars need to know if they ever want to fully explain how activists convince the public that “a given state of affairs is neither natural nor accidental” (Keck and Sikkink 1998:14).

Beyond detailed, ethnographic studies of prominent NGOs, the field needs more studies comparing advocacy organizations within the human rights sector as well as across other sectors of transnational activism, including conflict resolution, humanitarian relief, sustainable development, and environmental protection. The growing cooperation across these sectors described earlier raises important questions about the role of the size, location, and other internal features of transnational organizations. Significant variation in size and income suggests that a organization like HRW will have much less in common with a smaller NGO within the human rights sector, while sharing many similarities of organizational behavior with large transnational NGOs such as Worldvision or Conservation International. More research strategies should put transnational human rights organizations in a larger context of advocacy groups and explore similarities and differences with other NGOs as well as for-profit organizations.

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