

Global Norms, Local Implementation — How Are Global Norms Translated Into Local Practice?

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Abstract: The literature on the emergence, diffusion, and implementation of human rights norms has highlighted the role of a variety of actors as norm entrepreneurs who introduce and promote new international norms and lobby governments to adopt them. Even though this literature recognizes a diversity of actors as norm transmitters, only national governments are considered as actors in the norm implementation process, and we know relatively little about how sub-national public actors and non-state actors can diffuse and implement norms locally. How can we understand, for example, how cities such as Eugene, Oregon, promote human rights standards locally and mainstream them into their operations? The article begins to develop a framework that can help us address this question and understand the role of sub-national and non-state actors in the process of norm diffusion and implementation and in translating global norms into local practices.

Keywords: global/local norm translators, human rights, human rights cities, norm diffusion, norm entrepreneurs, norm implementation, norm vernacularization

- 1 Over the past two decades, constructivist research in international relations (IR) has greatly expanded our knowledge of processes surrounding the emergence, evolution, and diffusion and adoption of international norms. This body of literature has highlighted the role of a variety of actors, including international organizations and NGOs, as norm entrepreneurs who introduce and promote new international norms and lobby national governments to adopt these norms. Generally, even though a broad range of actors is recognized as norm transmitters, only national governments are recognized as norm adopters. We know relatively little about when, how, and why sub-national public actors and non-state actors can diffuse and implement international norms. For example, how can we understand the process by which local governments across the United States have adopted local mitigation and adaptation initiatives to combat climate change even in the absence of norm acceptance by the U.S. government? How do we interpret the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in San Francisco in the absence of ratification of this treaty by the United States government? How do we explain local human rights work surrounding social and economic rights in the absence of U.S. recognition of these rights? And how can we begin to understand local human rights initiatives through which cities, such as Eugene, Oregon, or Washington, D.C., promote international human rights norms and standards locally and mainstream them into their operations?
- 2 This article addresses these and similar questions that focus on the translation of global norms into local practice, with a focus on human rights norms. These are important questions, for if international relations scholars are to gain a deeper understanding of complex arrangements of global governance that involve a range of different actors, more attention needs to be paid to sub-national political processes of norm diffusion, adoption, and implementation. Also, our knowledge of local human rights initiatives is quite limited, and the available publications about local human rights initiatives are descriptive and not theoretically informed.
- 3 The research questions addressed in this article lie at the intersection of three bodies

of literature: the theoretical formulations on norm diffusion, the literature on cultural translation and norm localization, and the concepts of the political and the discursive opportunity structure. Drawing on these approaches to develop a framework that can help us understand the role of sub-national and local actors in the process of the adoption and implementation of human rights norms at the local level, I will proceed in two steps. First, I review the relevant theoretical literature on norms to demonstrate that there is a need to study the process of norm diffusion at the local level and to introduce the theoretical framework that will inform the analysis. Second, I introduce local human rights initiatives and provide some preliminary evidence that can help us understand the process by which they begin and unfold. I give special attention to a particularly well-established and well-institutionalized local human rights initiative, namely, the implementation of CEDAW in San Francisco. None of the cases discussed here are designed to be comprehensive case studies. Rather, they serve as examples that illustrate the main argument that this article develops. I conclude with a summary of this research and some thoughts about its implications and about avenues for future research.

Literature Review

- 4 International relations scholars, especially constructivists, have closely examined the role of norms in international relations. Constructivists have produced a substantial literature focusing on the emergence of norms, their evolution, diffusion, and effect on state behavior. Three key assumptions define constructivism and at the same time distinguish it from other paradigms in international relations. Constructivists assume that “(a) human interaction is shaped primarily by ideational factors, not simply material ones; (b) the most important ideational factors are widely shared or ‘intersubjective’ beliefs, which are not reducible to individuals; and (c) these shared beliefs construct the interests and identities of purposive actors” (Finnemore and Sikkink 2001: 392-393).
- 5 Because of the great importance of norms in this approach, constructivists have given special attention to the study of norm evolution, change, and impact. International relations scholars have, among other contributions, highlighted the role of norm entrepreneurs, including activists and civil society groups, international organizations, and other actors in the process of norm construction (Finnemore and Sikkink 2001). They have also explicated the norm lifecycle, which is the process by which a norm is diffused (Finnemore and Sikkink 1998), and theorized norm localization, which is the process by which local actors re-shape norms to make them more congruent with pre-existing local norms (Acharya 2004). Finally, they have also developed models to explain cross-national variation in the diffusion of norms (Checkel 1999). These are just a few of their contributions and a few of the most important constructivist studies.
- 6 However, even though the role of international organizations and non-state actors in developing and diffusing new norms is widely recognized in IR, norm-adopters are often assumed to be states and their national governments. We know relatively little about the local processes by which activists diffuse international norms and sub-national public actors adopt and implement these norms. To understand these processes and address this gap in the literature, I draw on approaches to studying social movements and norm diffusion in sociology and anthropology.

Local Processes of Norm Implementation and Diffusion

- 7 I use the sociological definition of diffusion in this article. According to Strang and Soule,

(d)iffusion refers to the spread of something within a social system. The key term here is “spread,” and it should be taken ... to denote flow or movement from a source to an adopter, paradigmatically via communication and influence. ... (T)he term “practice” ... denote(s) the diffusing item, which might be a behavior, strategy, belief, technology or structure. Diffusion is the most general and abstract term we have for this sort of process, embracing contagion, mimicry, social learning, organized dissemination, and other family members (Strang and Soule 1998: 266).
- 8 The key questions are: How can we understand the process by which local actors attempt to diffuse international norms and influence public actors to adopt and implement them at the local level? And given that human rights initiatives have taken place and been successful in relatively few cities and local communities, why do some cities launch successful human rights initiatives, while others do not? What is different or distinctive about the communities that have had successful initiatives? Sally Merry and her coauthors’ research on violence against women norms provides a very helpful starting point to address these questions.
- 9 The main question Merry and her collaborators ask is, “How are transnational ideas such as human rights approaches to violence against women adopted in local social

settings?” (Merry 2006: 38), that is, “How are global ideas about women’s rights translated into local contexts?” (Levitt and Merry 2009: 442). According to Merry and her co-authors, a key part of the answer to this question is the process of vernacularization, which is the process by which international ideas and norms are localized, i.e. adapted to local contexts. This process frames global norms in ways that make them resonant with local contexts and local ideas about justice and acceptable to local communities, while at the same time preserving their essence and their potential to be transformative of exiting local social relations and circumstances that are unequal and/or unjust (Levitt and Merry 2009: 446-447). The central actors in the process of vernacularization are translators who adapt global ideas and norms to local settings. Translators straddle the global and the local and act as intermediaries between these two arenas. They are often very knowledgeable about the international human rights discourse and at the same time have close ties to local communities (Levitt and Merry 2009). In other words, translators, which include local activists, NGO staff, social movement activists, human rights lawyers, and academics (Merry 2006: 42), “have one foot in the transnational community and one at home” (Merry 2006: 42) and are therefore in a good position to help diffuse global norms and standards into local contexts. The translation work that they do, i.e. the vernacularization process, varies according to their local historical and cultural context, the organizational identities, agendas, and missions of the organizations to which they belong, and their support base (Levitt and Merry 2009).

- 10 I argue that translators play a key role in the process of “active appropriation and interpretation” of global norms “within various national and sub-national contexts all over the world” (Zwingel 2005: 402).[1] This process results in “contextualized interpretations and practices that make norms legitimate” (Zwingel 2005: 415). But under what circumstances can translators successfully initiate such a process in the area of human rights? What are the factors in translators’ political and cultural environments that can facilitate this process, which can be viewed as a process of participatory problem solving that involves public and civil society actors with the goal of advancing human rights at the local level (Lozner 2004)?
- 11 The literature on social movements can help us address these questions. Social movements theorists have argued that the political and discursive opportunity structures can either facilitate or impede the activities of social movement participants. The political opportunity structure (POS) is one of the key strands of social movement theory. It refers to the political and institutional context in which social movements mobilize. The key argument of the POS approach to the study of social movements is that the POS can help us understand and explain “variance in the periodicity, style, and content of activist claims over time and variance across institutional contexts” (Meyer and Minkoff 2004: 1458). A number of different features of the political context can be viewed as elements of the POS. These include government openness, state (repressive) capacity, and the presence/absence of elite allies who support a social movement’s cause (Tarrow 1998; Meyer and Minkoff 2004; Giugni 2008). The concept of discursive opportunities is more recent and pertains to the cultural notions that influence “which demands... are considered as reasonable or acceptable, which constructions of the reality ... are considered as appropriate, and which claims and collective actors involved in this field are considered as legitimate within the political system” (Giugni 2008: 302; see also McCammon et al 2007). Discursive opportunities are specific to particular issue areas and can influence the receptiveness of targets to the claims made by social movements.
- 12 There have been empirical studies documenting how political and discursive opportunities can impact the work of activists working to diffuse human rights norms, including, for example, norms pertaining to the protection of women asylum seekers and refugees (Freedman 2009). Although this framework has been used to study national-level processes of norm diffusion and adoption, I apply it here to the local level. Much like activists seeking national-level change, translators work for change within the institutional, political, and cultural parameters of their communities. I argue that the success of translators depends in part on the availability of political opportunities that can help them in promoting their cause and on the resonance of their claims and goals with discursive opportunities.

Local Human Rights Initiatives and Human Rights Cities Initiatives

- 13 The Human Rights Cities initiatives “are community-based initiatives, locally conceived and directed by local groups around the world, which combine participation, empowerment and social change with international solidarity based on agreed principles of human rights education and sustainable development” (Marks and Modrowski 2008: 39-40). These initiatives harness the potential of human rights education as well as civic engagement to promote peace and development through the cultivation of a human rights culture. They are inspired by and dovetail with the UN’s human rights work, including the United Nations Decade for Human Rights Education (1995-2004), the International Year for Human Rights Learning, and the 2005 World Summit Outcome Document’s reaffirmation of the importance of promoting human

rights and human rights education and learning (Marks and Modrowski 2008: 40-42).

- 14 Human Rights Cities initiatives are thus an effort to cultivate human rights learning and a human rights culture at the local level. It is an effort promoted by civil society organizations, including PDHRE, The People's Movement for Human Rights Learning, [2] which defines human rights cities as communities whose members embrace "human rights obligations in all aspects of community life" and "that constantly expand and perfect the applications of these [human rights] principles" (Marks and Modrowski 2008: 45). Human Rights Cities initiatives are based on the idea that local-level action and change will help further respect for human rights at the regional, national and international levels in a bottom-up process that can help create the social and international order in which human rights can be fulfilled and for which the Universal Declaration of Human Rights calls (Marks and Modrowski 2008: 46-47; see also Universal Declaration of Human Rights, Article 28). Human Rights Cities initiatives are one example of local human rights programs and initiatives, which have been created in cities and communities across the world. There are other local human rights initiatives that are not formally affiliated with PDHRE and do not follow the human rights learning model, and most of the local human rights initiatives in the United States are not part of the PDHRE program. However, many of these initiatives are in many ways inspired by the same ideas and norms and pursue the same goals using many of the same strategies.[3]
- 15 Preliminary evidence collected in interviews with individuals familiar with local human rights initiatives indicates that the political and discursive opportunities and the presence of translators can help us explain the process by which local communities adopt human rights initiatives. This evidence, which is presented below, is not systematic and only preliminary, yet it does provide us with useful findings and a helpful starting point for more in-depth research about the understudied topic of local human rights initiatives.
- 16 In some localities, individuals who can be described as translators started human rights initiatives. In Eugene, Oregon, and Carrboro and Chapel Hill, North Carolina, human rights sociologists who had a research interest in human rights and social justice issues and were very knowledgeable about the international human rights framework spearheaded initiatives. Ken Neubeck, who served as a catalyst in the launch of the Human Rights City initiative in Eugene,[4] was a sociologist at the University of Connecticut who relocated to Eugene upon his retirement. He had researched poverty in the United States from an economic human rights perspective, thus approaching domestic social issues using a global human rights framework. Judith Blau, the founder of the Chapel Hill & Carrboro Human Rights Center[5] who helped draft human rights and fair trade resolutions adopted by both towns, is a sociologist at the University of North Carolina at Chapel Hill. Her research focuses on international and domestic human rights, and she is very active as a public sociologist. [6] Members of the Human Rights City steering committee in Washington, D.C., included organizations that have both local and international programs, including American Friends Service Committee, Amnesty International, and American University, and members of the steering committee are very knowledgeable about both international human rights and local social issues in Washington (interview # 6). Similarly, the PDHRE human rights cities initiatives are usually bottom-up initiatives and typically begin when a group of people or a coalition of local organizations, often organizations working on social issues such as women's issues, poverty, or labor issues, join forces to spearhead an effort to promote and implement human rights at the local level (interview # 5). While individuals affiliated with these organizations are not always well-versed in the international human rights discourse, PDHRE believes that some knowledge of the global human rights framework is important and helpful, and for this reason, PDHRE provides training materials that introduce activists to international human rights (interview # 5).[7]
- 17 There is also some evidence that the local contexts in which these translators have been able to effectively launch human rights initiatives were favorable to human rights norms and provided very good political and discursive opportunities. For example, Eugene, Oregon, where the Human Rights City program is vibrant, has long had a community of activists involved in the civil rights, antiwar, and environmental movements, and so prior to the start of the Human Rights City program, a platform had already been built by activists that facilitated the human rights work of this program (interview # 1). Moreover, Eugene has had a Human Rights Commission since 1964, and the Commission has had standing committees. For this reason, there is a large number of people in Eugene who have served on the commission or one of its committees. Some of them have worked on issues of equality, diversity, and related issues at various key public and private entities in Eugene, including the University of Oregon, Lane County Community College, and the utility companies (interview # 4). In addition, Eugene is a very participatory and engaged community, where much of the city's work is done in a public process. Over time, this has allowed for the development of a network of people who are engaged with human rights issues (interview # 4). Finally, city staff in Eugene are given significant leeway by the city council and city manager, and this creates an environment in which staff have a lot of

responsibility and are able to use it to help generate traction for human rights. Combined with a responsive city council that has provided funding for human rights work (interview # 1) and whose members have a good understanding of human rights (interview # 4), this created a favorable environment for the Human Rights City initiative.

- 18 Other cities provide further examples that illustrate this point. Chapel Hill and Carrboro, North Carolina, are among the most progressive communities in North Carolina, and they were particularly receptive to a human rights initiative and to making both cities human rights and fair trade cities (interview # 2). In fact, the two town councils opted to use even more progressive and inclusive gender-related language than the Universal Declaration of Human Rights (UDHR) in their resolutions adopting the UDHR as guiding principles and explicitly included the rights of the LGBT community, including the right to civil marriage, which the UDHR does not address (interview # 2).^[8] Similarly, Rosario, Argentina, the first Human Rights City of the PDHRE program, was strongly socialist and pro-union and had a tradition of social justice prior to the launch of the human rights city initiative (interview # 3). In Washington, D.C., the city council resolution declaring Washington a human rights city was possible in no small part due to the efforts of one city council member, Mary Cheh, who is a law professor with a special interest in human rights. She served as a partner and ally to the community-based coalition of organizations campaigning for a human rights resolution and was able to generate a consensus among other city council members around the human rights resolution (interview # 6). Finally, the PDHRE's commitment to a bottom-up approach presupposes the presence of community-based organizations committed to social justice and interested in applying a human rights framework to their work.

Spotlight on San Francisco: The Implementation of CEDAW in San Francisco

- 19 CEDAW, a key international instrument addressing the human rights of women, was adopted by the United Nations General Assembly in 1979. The United States has not ratified CEDAW, which means the United States government has no international legal obligation to implement CEDAW at the national level. There have been, however, a number of local initiatives to implement CEDAW at the local level. The most prominent example is the adoption by the San Francisco Board of Supervisors, San Francisco's legislative body, of a CEDAW ordinance in April of 1998 that was signed by the mayor of San Francisco requiring the city of San Francisco to implement CEDAW principles at the local level (Murase 2005; Menon 2010).
- 20 The process that culminated in the adoption of the CEDAW ordinance in San Francisco is instructive in terms of the actors involved and the context in which their efforts to implement CEDAW at the local level were successful. The initiative for a local CEDAW ordinance came from a group of women activists involved with a number of organizations: Women's Institute for Leadership Development for Human Rights (WILD for Human Rights), Amnesty International USA Western Region, and the Women's Foundation of California. These activists had attended the UN Fourth World Conference on Women, which was held in Beijing in 1995, and were encouraged to launch an effort to implement CEDAW in San Francisco (New Tactics; Menon 2010: 1). They can therefore be viewed as translators who help local communities be part of global discourses and movements and adapt global norms to local circumstances.
- 21 The activists were successful in their efforts in no small part due to the favorable context in which they began to promote a local CEDAW ordinance. This context provided them with an institutional framework that could support their goal of implementing CEDAW at the local level. In addition, the activists involved with the effort to implement CEDAW also joined forces with allies in key positions who were able to help advance activists' goals. According to Emily Murase, the executive director of the San Francisco Department on the Status of Women, support from key "femocrats" in leading positions in the city of San Francisco, including the former chairperson of the San Francisco Board of Supervisors and the president of the Commission on the Status of Women, were key in securing the passage of the San Francisco CEDAW ordinance (Murase 2005). In addition, San Francisco had a Commission on the Status of Women and a Department on the Status of Women when the initiative to implement CEDAW was launched, while other cities trying to replicate the San Francisco initiative do not have commissions with permanent staff, which Murase indicated in an interview makes it difficult to implement CEDAW in other localities (Stelzer 2009). This implies that the existence of local institutions with permanent staff tasked with promoting the interests and concerns of women creates an environment that is favorable to efforts by civil society groups to implement women's human rights.

Conclusion

- 22 How are international human rights norms translated into local practice? What is the process by which human rights are adapted to local contexts and implemented at the

local level? And under what conditions can efforts to implement human rights in local communities be effective and successful? These are the questions of this article. The preliminary findings suggest that the initiative of translators, individuals and/or community groups who are well-versed in the international human rights framework and discourse and at the same time very immersed in their local communities, is often the catalyst for local human rights initiatives. These initiatives are more likely to take place in communities that offer favorable political and discursive opportunities for human rights work.

- 23 This argument raises an important question for the human rights community: If local human rights initiatives are more likely to be launched and successfully implemented in cities and communities that have a political environment that is favorable to human rights, the implication is that local human rights initiatives are more likely to take place and be effective and successful in communities in which there is already awareness of human rights issues, some level of commitment to implementing human rights, and an active community of human rights or social justice activists. Although there have been successful efforts to secure human rights in U.S. communities under very difficult and unfavorable structures of political and discursive opportunities,^[9] a favorable political and discursive context greatly facilitates local implementation of human rights. This, in turn, implies that the communities that most need human rights initiatives are less likely to experience successful efforts to implement human rights locally. The finding of this article, therefore points to an important task and challenge for civil society groups such as PDHRE or the U.S. Human Rights Network and the human rights community more generally, namely the challenge of bringing the human rights framework to localities in which this framework may not be easily accepted and implemented.
- 24 The discussion here also points to several avenues for future research. First, it would be potentially very valuable to compare the San Francisco CEDAW ordinance to less successful or unsuccessful initiatives in other cities to implement CEDAW locally. This kind of comparative research can help us better understand the conditions under which global norms and standards can be implemented at and adapted to the local level. Second, there are few studies of local human rights initiatives in general, and in-depth studies of the local initiatives sketched above can potentially be very helpful in deepening our understanding of the questions that this article addresses. Third, it would also be interesting and important to expand this research beyond human rights to include other issue areas, such as local environmental initiatives, and beyond the United States to include other localities in other parts of the world. In-depth and comparative case studies can help us explore the research questions developed above and elaborate further on the preliminary evidence presented here. They can also help us gain a deeper understanding of local processes of international (human rights) norm diffusion, appropriation, and interpretation.

[PDF]

Notes

[1] Finnegan, Saltsman, and White make a similar argument; see Finnegan, Saltsman, and White, 2005.

[2] PDHRE, People's Movement for Human Rights Learning was formerly the People's Decade for Human Rights Education.

[3] For examples of local human rights initiatives in the United States, see The U.S. Human Rights Fund (2010), *Perfecting Our Union. Human Rights Success Stories from Across the United States*, New York: The U.S. Human Rights Fund, pp. 92-100. See also, Columbia Law School, Human Rights Institute (2009), *State and Local Human Rights Agencies: Recommendations for Advancing Opportunity and Equality Through an International Human Rights Framework*, New York: Columbia Law School, see www.law.columbia.edu/null/download?&exclusive=filemgr.download&file_id=153843 (accessed 2 January 2011).

[4] See www.humanrightscity.com (accessed 6 Jan. 2011).

[5] See www.humanrightscities.org (accessed 6 Jan. 2011).

[6] See www.unc.edu/~jrblau/ (accessed 6 Jan. 2011).

[7] The training materials are available on the PDHRE website: www.pdhre.org/index.html.

[8] The texts of the resolutions are available online from

www.humanrightscities.org/carrboro_resolution.pdf (for Carrboro) and townhall.townofchapelhill.org/agendas/2009/11/23/5p/5p-2009-11-23_r11.pdf (Chapel Hill) (accessed 6 January 2011; corrected 14 April 2014).

[9] One example is the case of the Coalition of Immokalee Workers. See Greg Asbed, "Coalition of Immokalee Workers: ";Golpear a Uno Es Golpear a Todos!" To Beat One of Us Is to Beat Us All!" In *Bringing Human Rights Home. Portraits of the Movement*, edited by Cynthia Soohoo, Catherine Albisa and Martha F. Davis, 1-23. Westport, CT: Praeger Publishers, 2008. I am grateful to Ken Neubeck for directing my attention to this point and suggesting this source.

Interviews

Interview # 1: Phone interview with Ken Neubeck, a local human rights activist in Eugene, Oregon, 13 December 2010.

Interview # 2: Phone interview with Rafael Gallegos, Associate Director of the Chapel Hill & Carrboro Human Rights Center, 15 December 2010.

Interview # 3: Phone interview with Kathleen Modrowski, member of the board of PDHRE, People's Movement for Human Rights Learning, 15 December 2010.

Interview # 4: Phone interview with Holly LeMasurier, Human Rights Analyst at the City of Eugene City Manager's Office, 3 January 2011.

Interview # 5: Phone interview with Shulamith Koenig, founder and executive director of PDHRE, The People's Movement for Human Rights Learning, 3 January 2011.

Interview # 6: Phone interview with Jean-Louis Peta Ikambana of the American Friends Service Committee, 14 January 2011.

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