

Abstract

The global diffusion of National Human Rights Institutions and their political impact in Latin America

Thomas Pegram, Nuffield College, University of Oxford
DPhil in Politics
Trinity Term 2010

In this thesis, two questions are analysed: (1) why have National Human Rights Institutions (NHRIs) become so widely disseminated among contemporary states? And, (2) what explains the variable institutionalisation of NHRIs once activated? The thesis first traces the diffusion of NHRIs across political regimes in general, with particular attention to unstable democratic regimes. It argues that NHRI creation can be attributed to three principal diffusion mechanisms: coercion, acculturation, and persuasion. These three explanatory models, however, lack precision. Linking each mechanism to recent processes of diffusion in Latin America, the analysis identifies how the diffusion of an Iberian variant to the generic NHRI category – the Defensoría del Pueblo – corresponds to three intermediate categories: compulsion, material inducement and framing of ideas. The initial political circumstance of Defensoría creation in Latin America, in turn, has significant implications for their institutionalisation.

A domestic level of analysis is necessary to explain the institutionalisation of Defensorías operating in the democratic regimes of Latin America. The standard explanation correlates performance with structural form. While this thesis recognises the development of formal design principles is important in explaining institutionalisation, it adds a major qualification. It shows that the informal dimension of Defensorías' relations with organised state and social actors and rules of access across accountability arenas is often decisive. A typological framework is generated to assess the impact of these two dimensions on Defensorías when formal rules are enforced in a variable manner and tend to lack stability over time. This comparative analysis highlights the accountability gap which these institutions attempt, importantly, to address. By explaining how Defensorías actually work, including when and why they matter, this thesis goes beyond narrow institutionalism as suggested by the political accountability literature.