

Conflict and Compliance: State Responses to International Human Rights Pressure.
Sonia Cardenas. Philadelphia, PA: University of Pennsylvania Press, 2007. 188p.

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Norms protecting human beings from rights violations are growing and international human rights pressures, like laws and sanctions, more and more escort them. But states are also subject to competing domestic pressures that make human rights violations attractive to some, and these countervailing forces make the business of compliance a tricky one. What happens when states face global norms to protect human rights but domestic opposition to implement them? Sonia Cardenas, in her new book, *Conflict and Compliance*, provides an answer worth hearing.

Compliance is not an “all-or-nothing” affair (p. 1). It is a multifaceted process – a collage of choices and actions that takes different shapes in different environments, distinguished by acts of norm commitment or avoidance and, quite separately, acts of norm fulfillment or violation. Where norms collide, Cardenas explains that international and domestic human rights pressures can have both direct and indirect effects on the practices of states. They can lead directly to more commitments or indirectly to fewer violations, *but only if* certain conditions are met. “The greater any apparent threats to national security, the stronger the pro-violations constituencies, and the more deeply entrenched the rules of exception, the less likely that any actor can transform readily a state’s interest in breaking international norms” (p. 31). Which norms survive the battle is not determined by who is most committed. And deciding who won the battle is usually harder than it looks – states often create the appearance of compliance without actually complying (p. 97).

What should a smart policy maker do? She should encourage states to take on commitments to global norms protecting human rights but not take their responses at face value – states are full of trickery when it comes to putting the norms into effect. And she should customize international pressures to fit the domestic conditions of the problem state.

How has Cardenas come to these conclusions? She uses case studies to trace both the benefits and limitations of human rights pressures in Chile and Argentina, runs statistical analyses on 172 countries for the five-year period right after the Cold War (1992-1996), and concludes with five short “mini” vignettes on Eastern Europe, South Africa, China, Israel and Cuba.

As I see it, this book makes two valuable contributions. First, it unpacks compliance in a constructive way. Scholars of international law and organization are hardly naïve – few believe that compliance is a black and white affair. So why is this important? Because states commit to all kinds of international human rights norms and institutions. These commitments get confused with actual results; all too often, they are not followed up with the thing that matters: improvements on violations. When they are, reforms regularly are made to pull the wool over norm advocates’ eyes, as states facing pressures frequently

make improvements on those violations that help them dodge responsibility for the others that are still taking place (p. 13). States, and more specifically, the human rights perpetrators that reside in them, are smart and strategic. And so both pro-compliance and pro-repression constituencies should remain “relatively sober about the prospects for change,” despite the impressive growth of human rights tools (p. 31). All of this provides helpful clues about how to better study repression and ways to stop it.

Second, the author makes the case that varied structures of decision-making lead to different state responses. This is not news to any scholar of human rights, or compliance. But it is still a point worth making again. Because it reminds readers, especially those looking for international solutions, that a lot of repression is actually about domestic politics. And that, in turn, means that a lot of international pressures and policies are just not going to make a difference in stopping abuses unless they do something about the cause of violations – laws, NGOs and more coercive tools like sanctions often won’t work no matter how they are designed. A lot of repression is being driven by national security, and that limits what international norms can do. It also suggests that repression is not a discrete problem to be studied in special sections of the American Political Science Association; it should also be part of broader debates, and research, on national security.

No book is perfect, and this one has its shortcomings too. Human rights scholarship generally suffers from a strong bias for studying certain parts of the world, especially Latin America and Eastern Europe. Certainly, these regions are important to know about. Yet more pages have been dedicated to unraveling the effects of human rights pressures in countries like Argentina and Chile, the focus of this book and its main sources for evidence, than just about anywhere else. But what has happened in Latin America (and Eastern Europe) is different from what has happened elsewhere; the points raised in this book are important enough that they need meaningful application somewhere else to really have traction. The five “mini cases” are a start, but they are more fleeting literature reviews than thorough analyses. That is not a criticism of the author; it is a call to her readers to take up her claims and see how far they actually go.

This book’s strength is that it offers a careful discussion of the complex contingencies of compliance – the “dependent variables” at the heart of the story; it takes less care in sorting out the other side of the equation – the large and growing mass of norms and institutions that are placing pressures on states. The reader is often left wondering: compliance with *what*? The cases tell the reader all about the different kinds of pressures applied in Argentina and Chile, and they point to the apparent successes as well as failures with equal conviction. They are less successful in sorting through which pressures did the job and which failed, which is a hard task for any scholar since dozens of pressures get used at the same time. Much to her credit, Cardenas tries to sort this out using statistical analyses that separate out the effects of a few kinds of pressures, like sanctions and NGOs. But the findings are hard to connect to the case studies, many kinds of international norm pressures that appear in the cases do not appear in the statistical analyses, and parts of the main story – for example, that international norms are not likely

to do much when pro-violation constituencies are strong and when the rules of exception are entrenched – are not really modeled (democracy is a weak proxy).

But no matter. Cardenas has put forth an appealing argument about compliance with international human rights pressures and it is the argument, if not necessarily the evidence, which should spark debate. That is value added to the field. Read the book.