

Article review on transitional justice

[Technology](#), [Innovation](#)



In her article, ' From Pariah State to Global Protagonist: Argentina and the Struggle for Human Rights', Kathryn Sikkink provides a luminous illustration on the role that Argentina has played in shaping the human rights discourse in the world. Sikkink's main point is that most of the human rights practices and conventions of the world trace their roots to the Argentina. She notes that while many would naturally expect practices to flow from the more powerful countries to the less powerful countries, this has not necessarily been the case as far as the field of human rights is concerned. This is because despite not being a global power, Argentina was able, through innovation, to shape the human rights discourse of the world. To that extent, the main problem that gave rise to Sikkink's intervention is the fact that while the human rights ideas generated from Argentina have diffused to various parts of the world, there is a knowledge gap when it comes to understanding how these ideas came about in the first place. Sikkink presents her case by making persuasive arguments premised on actual events that took place and how they shaped the human rights movement in Argentina. She gives numerous examples of how persons involved in human rights activities in Argentina resorted to innovation so as to expand the then relatively narrow human rights school. She then analyses how these ' innovations' were exported to other parts of the world.

There are a number of important implications which emanate from Sikkink's article. One of the most significant ramifications that arise out of the article is the fact that it is actually possible for the less powerful and less economically endowed countries to play a prominent role in shaping the discourse on various matters affecting the world. Indeed, this was the case

with Argentina. Issues of human rights are issues of global concern. They are issues which form an important part of the daily discourse in both powerful and less powerful states, in both economically endowed and less economically endowed countries. The two main ways by which ideas are spread across the world is through coercion and competition. More often than not, it is the more powerful countries that seek to and eventually succeed in imposing their way of doing things on other countries. However, the case of Argentina in the human rights is arguably an ideal example of how ideas can be diffused by use of soft power. It is demonstration of the fact that through innovation, countries can challenge global powers and actually export their practices to them. It is an apt demonstration that once a country is economically weak or less powerful, it should not be consigned as an eternal recipient of what the more powerful countries have to offer. A key line of inquiry that emanates from the arguments advanced by Sikkink in her article is the role that the situational factors which exist in a particular country having in shaping the human rights discourse of that country. Granted, different countries are faced with different issues in their human rights discourse. However, the particular set of circumstances that exist in a particular country will greatly determine the outlook of the human rights discourse in such a country. At the nascent stages, the regimes in Argentina sought to completely stifle human rights. Indeed, even during the transitional period when human rights were becoming more pronounced, such laws as the Full Stop and the Due Obedience Act served to curtail the robust expansion of the human rights discourse. This necessitated employment of alternative methods to navigate these laws or in the

alternative take them head on, an approach which ultimately resulted in these and other amnesty laws being declared unconstitutional. Other countries in which laws have been used to stifle the expansion of human rights could borrow a leaf from Argentina. The developments in the human rights school in Argentina were only possible because of concerted actors of various stakeholders who all appreciated Argentina's history. Failure to realize such concerted efforts can lead to a total failure in achieving any human rights aspirations. It is therefore important that both the state and non-state actors as well members of the international community join hands in tackling issues to do with human rights. While civil society actions may go a long way in enhancing human rights, they will be grossly inadequate if other stakeholders pull in different directions.

It is also instructive to note that the article raises pertinent questions of the role that the history and culture of a people have to play in shaping the development of the human rights discourse of a country. In the case of Argentina, historical and cultural factors played a key role in stimulating and sustaining the innovation that took place in the country's human rights field. For instance, the transitional culture in Argentina entailed making use of psychiatrists so as to help in the healing process of persons who had been victims of various atrocities. This culture of using psychiatrists in the healing process was particularly key in shaping the human rights discourse in Argentina. This is because it was premised on the idea that the healing process had to go hand in hand with involvement in processes that sought to promote justice and accountability. Only then would the victim be in a position to achieve full closure. Furthermore, the fact that Argentina is

characterized by a largely intransigent political culture has greatly contributed in determining the direction that its human rights discourse would take. Intransigence was key in facilitating innovation by human rights stakeholders in Argentina. This was largely attributable to the fact that they could not take ‘no’ as an answer from the repressive regime in their push for greater human rights. They thus had no alternative but to look for ways to ‘stretch’ the interpretation of the laws in a way that embraced a culture of upholding and respecting human rights. In essence, the main point that Sikkink was advancing in highlighting these incidences is the fact that a people’s culture and history play a great role in shaping their human rights discourse. A conducive political and cultural environment is a prerequisite for the attainment of a robust human rights regime. In the absence of such an environment, politics and culture will only serve to impede the advancement of the human rights discourse.

In conclusion, this submission contends that Sikkink’s article is a powerful reminder that no country is too small to play its role in shaping global thinking; Argentina did it; it shaped the global outlook on human rights.

Work Cited

Sikkink, Kathryn. " From Pariah State to Global Protagonist: Argentina and the Struggle for International Human Rights." *Latin American Politics and Society* (2008): 1-29.