

The Origins of the Election Monitoring Network

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The scene, or rather its reproduction, was devastating. The video tape played at the Mexican electoral body showed international observers assisting voting booth officials carry out their duties at the 1993 Salvadorian elections; the images were used against those making the case for allowing foreign monitors in the then forthcoming 1994 presidential contest. As an advocate of the liberalizing cause admitted, the video allowed opponents of the opening of the electoral process make a “forceful” argument.¹ Although in the end liberalizers won, and foreign observers were present on election day, the Salvadorian images conveyed a message anybody in Mexico could comprehend: allowing foreign electoral monitors compromises sovereignty.

Mexicans might have been especially sensitive in the early 1990s, but relating electoral processes to sovereignty was certainly not a Mexican invention. In fact, they had usually been considered to fall within Article 2 (7) of the Charter of United Nations (UN), which establishes that the organization and its member states cannot intervene “in matters which are essentially within the domestic jurisdiction of any state.” Hence, in 1988 UN Secretary-General Javier Pérez de Cuellar noted that the United Nations “does not send observers to elections” in sovereign states.²

However, nowadays elections are regularly monitored not only by the UN, but also by other intergovernmental organizations (IGOs) such as the Organization on Security and Cooperation of Europe, the Organization of American States, plus a myriad of nongovernmental organizations (ONGs), both domestic and international. International election monitoring (IEM) has become an established practice worldwide. The question about the emergence and normalization of the monitoring practice thus arises. Furthermore,

¹ From interview with Manuel Carrillo, Foreign Affairs Coordinator at the Federal Electoral Institute, 30 October 2001.

² Quoted in Stoelting 1992, 372.

what are IEM’s effects on state sovereignty, one of the ordering principles of international relations? This paper is devoted to address these issues.

Contrary to the conventional wisdom in International Relations (IR)—to judge by the neglect of this phenomenon in the literature—I argue that the study of IEM does not belong (only) in the field of Comparative Politics (CP). As a system-wide phenomenon, IEM should not be restricted to the study of purely domestic politics or of foreign policy.³ A transnational politics approach, one which is not limited by the two disciplines’ traditional borders, is more useful for dealing with matters like this. Taking a moderate constructivist stance, I argue that sovereignty has been partially transformed by the recent emergence of IEM.⁴ Furthermore, I locate the origins of this change in the Americas, claiming that the western hemisphere’s normative structure, what I call the Western Hemisphere Idea (WHI), was particularly conducive to this new understanding of state sovereignty.⁵

Below I present an overview of IEM’s development, showing how an international network on this issue emerged. I argue that in making sense of this process, theoretical approaches matter. Being an essentially normative attribute, sovereignty is best dealt with social and historically sensitive approaches, rather than with those that focus on self-interest and material factors. Furthermore, since during the period in which the story I tell below takes place “brute facts” did not substantially change—the U.S. remained the regional hegemon—they do not help explain change on this issue. I distinguish three phases in this process: a first one in which IEM was a states-only affair; a second in which INGOs

³ Interestingly, even the few IR scholars who have recently dealt with IEM (although focusing on the broader concept of “democracy promotion”) treat it as a foreign policy issue. See Carothers 1999, Cox, Ikenberry, and Inoguchi 2000.

⁴ See Hopf 1998 on kinds of constructivism.

⁵ More precisely, as will become clear below, the hemispheric understanding of sovereignty was *actualized* by the normalization of IEM.

entered the monitoring scene, and a third in which international NGOs (INGOs) and IGOs converged (see Table 1).

Table 1: *Evolution of IEM in the Americas*

	<i>Actors</i>	<i>Countries</i>
<i>First Phase</i>	OAS	Bolivia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Nicaragua
<i>Second Phase</i>	OAS, INGOs	Argentina, Bolivia, Costa Rica, El Salvador, Chile, Grenada, Haiti, Honduras, Suriname, Uruguay
<i>Third Phase</i>	OAS, INGOs, UN	Haiti, Nicaragua, Mexico, Peru ...

In tracing this process I proceed as follows: In the first section I sketchily discuss the transnational politics and network approaches, focusing upon how the latter might impinge on normative change in the international scene; here I suggest a mode of norm diffusion that does away with the IR/CP divide.⁶ In section two I show how the hemispheric

⁶ On Transnational Advocacy Networks see Keck and Sikkink 1998. On transnational politics see Tarrow 2001.

understanding on sovereignty was constructed. I maintain that the WHI functioned as the constitutional structure of the hemisphere; here I introduce the emergence of IEM within the OAS. In the third section I consider the subsequent appearance of IEM outside the regional body. The convergence of IGOs and INGOs, and the concurrent consolidation of an IEM network is then reviewed in section four. Finally, I present the conclusions and theoretical implications of this piece.

I. Transnational Politics and Transnational Advocacy Networks

IGOs and INGOs’ practice on issues that used to be considered purely domestic—an important component of what is usually referred to as transnational politics—challenges the traditional division of labor between IR and CP. Particularly relevant in building a bridge between the two disciplines has been the study of international norms, as they oftentimes permeate the constitutive units of the state system. Furthermore, as Hans Peter Schmitz has noted regarding a particular kind, “International norms of democratic governance and human rights provide an increasingly dense ideational structure shaping the ideas and interests of transnational and domestic activists. On the agency side, transnational NGOs function as transmission mechanisms for diffusing international norms into a domestic context.”⁷

The emergence of what comparativists would call a transnational opportunity structure, an arena in which state and nonstate actors engage each other over issues whose compartmentalization in either the international or the domestic sphere is no longer viable, opens space for innovative work that draws on both IR and CP literatures.⁸ In this regard,

⁷ Schmitz, 408.

⁸ Finnemore and Sikkink, 411.

the sovereignty *problematique*, as a principle that links the “domestic” with the “international,” is a good starting point. On the one hand, as James Caporaso has noted, in the Westphalian state system there has been one requirement to “play the game”: sovereignty.⁹ Within IR, as John Agnew has observed, “state territorial sovereignty is the determining assumption;” this he calls the “territorial trap.”¹⁰ This foundational—and problematic—IR notion, though, has also been pervasive—if in a different manner—in CP. As Patrick Jackson and Daniel Nexon note, “The maps presupposed by the comparative method derive their plausibility either directly or indirectly from the metageography of the sovereign territorial states system.”¹¹ Both IR and CP have thus been caught by the same snare.

Even if omnipresent, sovereignty, though, is not immutable. Indeed, the changing notion of this pervasive norm can be fruitfully traced through the lenses of what Margaret Keck and Kathryn Sikkink call “transnational advocacy networks” (TANs). Before considering the ideational structure in which the network of watching organizations has been acting, I briefly discuss the transnational politics and network approaches, suggesting a way in which TANs can contribute to the diffusion of norms.

For Keck and Sikkink, TANs include “those relevant actors working internationally on an issue, who are bound together by shared values, a common discourse, and dense exchanges of information and services.”¹² Interestingly, TANs are not formed exclusively by non-state actors, such as NGOs and religious groups; they might also include some state agencies, and even IGOs. This means that TANs are not necessarily in an external position

⁹ Caporaso, 581

¹⁰ Agnew 1994, 92. Andreas Wimmer and Nina Schiller’s concept of “methodological nationalism” (i.e., “the assumption that the nation/state/society is a natural social and political form of the modern world”) conveys a similar idea. Cf. Wimmer and Schiller 2002.

¹¹ Jackson and Nexon, 91.

¹² Keck and Sikkink 1998, 2. In this section I draw on Santa-Cruz 2004.

vis-à-vis the state (or the state system). As Keck and Sikkink put it, “Because part of states and international organizations also participate in these networks, the process of negotiation within the emergent cosmopolitan community is not ‘outside’ the state.”¹³

Activists focus on communication and information exchange. TANs can thus be thought of as “communicative structures.”¹⁴ As such, they create discourses which frame issues in novel ways, thus bringing them to the international agenda. A TAN is thus both a structure and agent. As the former, it patterns the interaction of its members, and infuses them with identity; as the latter, it puts forward specific policy proposals in the international arena. The key to its dual character lies both in its decentralized and horizontal organizational arrangement, and in the kind of strategies it employs. The core of the network is a small group of political entrepreneurs and, more fundamentally, the information its members exchange. The social nature of the information gathered (and constructed) becomes the raw material for a new discourse.

The practice of TANs as agents helps redefine not only the role of nonstate actors in the international arena, but also the structure of the interstate system. As authors from the English School noted decades ago, and constructivists more recently, the interstate system is not solely characterized by a Hobessian state of nature in which only material capabilities, as such, matter.¹⁵ At bottom, the modern state system is constituted by institutions and norms which infuse both anarchy and material factors with meaning. That is, a normative structure underlies the basic components of the state system.

Furthermore, it is through the practice of state and nonstate actors that the state system is reproduced and transformed. That is why it is important to trace the “life history”

¹³ *Ibid.*, 216

¹⁴ *Ibid.*, 3

¹⁵ Bull 1977; Wendt 1999.

of international norms, and not just to postulate their existence. How is it that norms that we now take for granted in the international arena came to be what they are? Furthermore, what is the origin of norms? It is usually assumed that norms are internalized by states. That is, that norms originate in the international system, and then trickle down, permeating states. Jeffrey Legro, and Andrew Cortell and James Davis, have provided us with valuable insights about the mechanisms of norm-diffusion from the international to the domestic level.¹⁶ But how do norms make it into the international realm in the first place? Thomas Risse and Kathryn Sikkink have argued that the process by which international norms are internalized by states can be thought of as a process of “socialization.”¹⁷ However, the “spiral model” they advance reproduces the previous bias of taking an outside-in approach, in which the focus is the impact of the external environment on specific states.¹⁸ Martha Finnemore and Kathryn Sikkink, for their part, have developed a more inside-out approach: the norm “life-cycle” model; in it, they describe how norms can reach a “tipping point.”¹⁹ However, this approach too is premised on the inside/outside dichotomy.

I would like to argue that there is a third way in which norms might reach a tipping point. This case, however, is a constitutive one, in which neither sheer numbers or the consent of “critical” states is essential. In this path, norms cascade simply by “expressing” a foundational element of the international *cum* domestic system. Since the element in question, for instance, popular sovereignty, is so deeply embedded into our understanding of what a polity ought to be (from a domestic and international point of view), it is very

¹⁶ Legro 2000; Cortell and Davis 1996; Cortell and Davis 2000.

¹⁷ Risse-Kappen and Sikkink 1999.

¹⁸ Although at least two chapters in the edited volume (the one by Stephen Ropp and Kathryn Sikkink, “International Norms and Domestic Politics in Chile and Guatemala,” and the one by Anja Jetschke, “Linking the unlinkable? International norms and nationalism in Indonesia and the Philippines”) might be considered an exception to the outside-in approach.

¹⁹ Finnemore and Sikkink 1998.

difficult for state leaders to ignore it. As R. B. J. Walkers has observed, “sovereignty expresses and works to reproduce a specific relation between claims to difference and claims about the forms of commonality and structure that permit claims to monopoly [to legitimate authority] to have any meaning at all.”²⁰

Hence, state leaders, willingly or not, talk-the-talk of the norm at stake. It might then be possible for a few, not necessarily “critical” states to instantiate and thus catapult the emergent norm—making it reach a tipping point. In a sense, then, it can be said that the emergent norm was always there: both in the outside (the international system) and in the inside (the domestic structure) in a latent state. It is thus the *nature* of the emergent norm, more than the number or the type of states which adopt it, that is critical in this path. The constitutive way does not negate the other two; it subsumes them. Once a norm is realized in this path, it spreads out quickly—with or without any the other paths being present. My probe of the IEM TAN after the next section is intended to illustrate this third way in a manner that aims to circumvent “cross-level theorizing,” that is, the attempt to connect two purportedly autonomous fields: CP and IR.²¹

II. The Western Hemisphere Idea and the Emergence of IEM

IEM in the Americas started in the early 1906s—but it did not appear out of thin air. It was the result of a thick normative structure underpinning state interaction and transnational practice in the new world, a social tapestry that had been over a hundred years in the making. Significantly, though, it arose in a delimited part of the Americas: Latin America. This is not to suggest that the region was self-contained in this respect. North America, and

²⁰ Walker 2000, 28

²¹ Caporaso 1997, 580.

specifically the United States, played a key role in the emergence of IEM in Latin America. Hence, my inquiry considers the interaction between these two main regions of the hemisphere. I am not saying that these subcontinents are two naturally independent regions. In fact, during the nineteenth century the United States often served as a “role model” for the nascent Latin American states, which were frequently ready to follow the republican institutions of their northern neighbor. The point is to look into the factors that might have made of the Americas a unique international (sub)system, and into the interaction that created two distinguishable regions within the hemisphere. These two issues, the *Americas* as a region, and *Latin America* within the Americas, constitute the *historical structure* that made the emergence of IEM *possible*.

The first of the two issues, the *Americas* as a region, is closely related to what has come to be known as the WHI. As early as 1813, Thomas Jefferson wrote that the governments to be formed in the nascent states, “will be *American* governments, no longer to be involved in the never-ceasing broils of Europe. The European nations constitute a *separate* division of the globe; their localities make them a part of a *distinct system*... America has a hemisphere to itself. It must have a separate *system of interest* which must not be subordinated to those of Europe.”²² According to Arthur P. Whitaker, Jefferson's statement was “the first flowering” of the WHI.²³

By WHI Whitaker refers to “the proposition that the peoples of this Hemisphere stand in a special relationship to one another which sets them apart from the rest of the world.”²⁴ Interestingly, the perception of being “apart from the rest of the world” does not necessarily imply the existence of a community of interests among the states of the

²² Quoted in Callcott 1968, 14. My italics.

²³ Whitaker 1954, 29.

²⁴ *Ibid.*: 1.

Americas. In effect, implicit in this “special relationship” is the interplay not only of the new world’s states, but also of its two main sub regions—a relationship that most of the times has been a contentious one. It is important to note this because it is common to equate western hemispherism with regional cooperation. For instance, Javier Corrales and Richard Feinberg define “Hemispherism” as “the active attempt by nations in the hemisphere to redirect their foreign policies in favor of a closer and coordinated cooperation with one another.”²⁵ The focus is then often shifted to what are defined as formal institutions of cooperation, such as the OAS or the Inter-American Development Bank. But as Whitaker himself made clear in his seminal text, “the distinction between the idea and its various political expressions ... should be constantly kept in mind.”²⁶ The precision is significant because it makes clear that the “idea” refers to patterned interaction *per se*, not to cooperation. It is the “Idea” as a normative structure producing order in the sociological sense, more than as its institutional manifestations producing cooperation, that interests me.²⁷

Whitaker’s work is important because it highlights the distinctiveness of the collective representation that emerged in the Americas. He emphasizes the separateness of the “new world” from the “old,” as well as the new system’s cohesiveness, at the expense of the interaction of its two constitutive regions. However, this interplay was a fundamental element in the construction of the new hemispheric ethos; I argue that the tension-ridden subregional interaction was part and parcel of the WHI. Using Whitaker’s work as a theoretical foil, I define the WHI to be the normative structure of the Americas as a separate system of interests—with the caveat that it is one made of two sharply contrasting

²⁵ Quoted in Corrales and Feinberg 1999, 2.

²⁶ Whitaker 1954, 5.

²⁷ Wendt 1999, 251.

regions. By producing and reproducing the fundamental values and social order among the member states of the hemisphere, the WHI enabled a distinctive idea of state sovereignty which would eventually lead to the emergence of IEM in the Americas before any other region of the world.²⁸

One of such fundamental values was representative government. Hence, it is not surprising to find several references to representative democracy as the only legitimate form of government in the 1948 OAS Charter. Its preamble, for instance, stated that the “true significance of American solidarity and good neighborliness can only mean the consolidation on this continent, within the framework of democratic institutions, of a system of individual liberty and social justice based on respect for the essential rights of man.” More explicitly, Article 5 maintained that “The solidarity of the American States and the high aims which are sought through it require the political organization of those States on the basis of the effective exercise of representative democracy,” while at the same time equating international order with respect for the independence and sovereignty of states.

As the article just quoted makes clear, there has been an inherent tension in the Inter-American system: the tension between representative government as a common discourse that unites the states of the Americas, and nonintervention as a principle intended to keep the United States out Latin America. The nonintervention principle is just the obverse, usually neglected side of the WHI’s most conspicuous one: the idea of a compact of republican states separated from Europe. That is, by virtue of the fault line dividing the United States from its southern neighbors, the latter made nonintervention an integral part of the WHI. Accordingly, Article 15 of the founding document stated still more forcefully that “No State or group of States has the right to intervene, directly or indirectly, for any

²⁸ Reus-Smit 1997.

reason whatever, in the internal or external affairs of any other State. The foregoing principle prohibits not only armed force but also any other form of interference or attempted threat against the personality of the State or against its political, economic and cultural elements.” Thus, while representative government was to be closely associated with the “compact” component of the WHI, more forcefully pushed by the United States,²⁹ nonintervention would come to be associated with the fault line separating the two regions, with Latin America being its main proponent.

Significantly, though, by the mid-twentieth century representative government in particular, and human rights more broadly, had become an integral part of Latin American diplomatic discourse, not only in the hemisphere but in world politics. Thus, Latin American diplomats played a very active role in the making of the Universal Declaration of Human Rights.³⁰ In what now seems a prophetic statement, the Chilean representative told the General Assembly that “no one could infringe upon the rights proclaimed in it [the Universal Declaration] without becoming an outcast of the community of states.”³¹ Furthermore, Latin American diplomats were instrumental in the drafting and passing of the American Declaration on the Rights and Duties of Man *before* the United Nations passed the Universal Declaration. Actually, human rights would become, according to David Forsythe, “the bright spot on OAS history.”³²

Thus, at the hemispheric level, Latin American states, along with the United States, came to develop a complex institutional set that would enshrine not only the by then traditional discourses on representative government and nonintervention, but also other

²⁹ Smith 1994; Carothers 1991.

³⁰ Sikkink 1997, 720-721.

³¹ Cited in Reus-Smit 2001, 532 .

³² Thérien, Fortman, and Gosselin 1996, 221.

issue-areas, such as health (Pan-American Health Organization) and security (Inter-American Treaty of Reciprocal Assistance). By means of these institutional arrangements, Latin American states aimed not only at cooperating with, but also at containing, US power. Put differently: Latin American states wanted to contain the U.S. by institutionalizing their cooperation with it. Furthermore, Latin America was successful in creating a much more democratic organization than the UN, as manifested in the OAS Charter’s recognition of formal equality for all member states.³³ The emerging Cold War as normative (and material) structure undoubtedly contributed to make this arrangement acceptable to the United States. As Farer has noted,

the democratic forms of the OAS system appealed both to the self-consciously idealistic strain in U.S. foreign policy and to the natural inclination of a status quo power--necessarily delighted with the postwar dispensation--to consolidate and legitimate its position in terms of prevailing values. And the values that prevailed, in the aftermath of a war against their antithesis, were respect for the independence of small states and rejection of force as a tool of diplomacy.³⁴

Hence, in spite of all the importance they had traditionally attached to representative government and human rights, nonintervention came to be the paramount principle for Latin American states—in accordance with the wider international practice. As Larman Wilson and David Dent have put it, “The principle of nonintervention is the most important law duty in the [OAS] charter, and it *transcends* all the other duties, including that of promoting representative democracy and the protection of human rights.”³⁵ The advent of the Cold War led Latin American states to an increasingly maximalist interpretation of the nonintervention principle. With the still incipient human rights policy of the United States being subsumed under its anticommunist crusade, Latin American diplomats were wary

³³ Farer 1988, 25.

³⁴ *Ibid.*, 27.

³⁵ Wilson and Dent 1995, 27. My italics.

that the colossus of the north could use the hemispheric consensus on human rights and representative government as a tool for intervention.

The fact that the nonintervention principle came to have such legal prominence in the inter-American system was of course not reflected in actual practice. Blatant intervention by the United States in Guatemala in the 1950s, in Cuba and the Dominican Republic in the 1960s, in Chile in the 1970s, and in Grenada and Panama in the 1980s are just a few instances of the lip service the regional hegemon often paid to its hemispheric commitments. That is why for many Latin American scholars the inter-American principle of nonintervention was simply a “myth,” and for some US scholars an instance of “organized hypocrisy.”³⁶ Similarly, it is commonly argued that the traditional Latin American discourse on human rights and representative government has been nothing more than empty rhetoric, given the dismal record of most Latin American states on these issues.³⁷

While both remarks are correct insofar as they point to an actual gap between lofty statements and practice, they incorrectly dismiss such normative components as epiphenomenal. In this logic, normative elements could at most supplement interest-based explanations of state behavior. But my argument is different: it is not that the constitutional structure can supplement mainstream (i.e., rationalist and materialist) approaches, explaining the residual variance that is not accounted by “real” state interests. The argument I am making is that the “real” interests of states were partly constituted by these principles. That is why, on the one hand, US intervention in the continent has not been more frequent, and, on the other, even the maximalist interpretation of the nonintervention

³⁶ Krasner 1999.

³⁷ See Muñoz 1990, 28.

principle made by Latin American governments allowed for external intervention (via foreign observers) in what would otherwise be considered a domestic affair: national elections.

This is not to say that the United States suddenly converted to the *principle* of nonintervention at the 1936 Buenos Aires Conference (the historical record promptly contradicts this assertion). It is not to say, either, that Latin American statesmen have always been concerned about human rights and democracy (the historical record is again awfully clear on this respect). What I am suggesting is that once the discourse on nonintervention and human rights and representative government was (for whatever reasons) adopted, it was bound to have real effects—intended or otherwise. This discursive structure produced a particular understanding of sovereignty in the western hemisphere, or, more specifically, in Latin America. It was a conception of sovereignty informed by the tension enshrined in the WHI, and grounded on higher order principles such as human rights and representative government. This constitutional structure not only shaped state behavior, but it also created states interests. Its effects were not only regulative but also generative.

In this underlying hemispheric understanding, sovereignty was conceived of as a discursive bundle, containing “clauses” on both nonintervention and representative government. Thus, in the same way that the nonintervention principle constrained and came to inform US behavior and interests in the hemisphere, the emphasis on human rights and representative government affected the identity and foreign relations of Latin American states. This is why Latin American states recognized that human rights principles were above an absolute interpretation of nonintervention. Not surprisingly, then, at the Eight Meeting of consultation in 1962 the Venezuelan Foreign Minister stated that although the

four principles of non-intervention, human rights, representative democracy, and self-determination have equal legal standing in the OAS Charter, the second one, human rights, would be at the top of the hierarchy.³⁸ It was precisely this broad understanding of sovereignty that allowed the western hemisphere to become the forerunner in IEM.

By agreeing to the creation of the OAS as the forum where nonintervention and representative government issues were to be sorted out, Latin American states were enacting their understanding of sovereignty. This understanding was shot through and through with the institutional fact of US hegemony, a hegemony that implied not only its material superiority (and the usual concessions hegemons are willing to make to subordinated states), but also a set of common norms and thinking about order in the hemisphere.³⁹ That is why the OAS, as a manifestation of the WHI, should not be seen simply as a regime of cooperation, but rather as a specific arrangement of patterned interaction.

As Alberto Lleras Camargo, the first secretary general of the OAS put it, “The Organization in itself is neither good nor bad... it is what the member governments want it to be and nothing else.”⁴⁰ It was thus the OAS as a concrete institutional arrangement that allowed the states of the Americas to become the pioneer in the field of IEM. Not incidentally, Whitaker noted that the WHI was “a laboratory and proving ground for policies, institutions, and experiences that were *later* applied with advantage in the broader field of world affairs.”⁴¹

³⁸ Cited in Ball 1969, 493.

³⁹ Cox 1989, 42.

⁴⁰ Cited in Wilson and Dent 1995, 27.

⁴¹ Whitaker 1954, 177. My italics.

Hence, IEM emerged in the hemisphere in the early 1960s within the regional body. The OAS continued to send observers to member states on an *ad hoc* basis through the 1970 and 1980s, since being a bona fide member of the inter-American community was a relevant matter for member states. With missions also to Bolivia, Costa Rica, Dominican Republic, Grenada, Guatemala and Ecuador, among others, by 1984 the IGO had observed 22 elections in member states.⁴²

Parallely, in the early 1980s the Reagan administration began to make of “democracy promotion” a central part of its foreign policy toward the hemisphere. The kind of democracy to be promoted, of course, was to be one modeled after the one existing in the United States. As Thomas Carothers has noted, “Supporting democracy too often resembles the application of a preprinted checklist in which the institutional forms of U.S.-style democracy are financed and praised while the more complex and more important realities of political life are ignored.”⁴³ In the opinion of many observers, what the US government has actually been promoting is “low intensity democracy,” that is, “a form of democracy whereby the focus is on formal electoral rights, with little consideration paid to the wider socio-economic power structure, and with the military often remaining in the wings should reform go too far.”⁴⁴

But the characterization of the regime type promoted by the U.S. is not central for my argument. What matters here is to trace the trajectory of the normalization of IEM—which was closely linked to “democracy promotion” programs. Thus, a year after Reagan’s 1982 speech before the British Parliament, in which he stated his objective “to foster the infrastructure of democracy,” the National Endowment for Democracy (NED) was created.

⁴² I review some of these cases in more detail in Santa-Cruz 2005.

⁴³ Carothers 1995, 23.

⁴⁴ See also Herman and Brodhead 1984; Smith 2000, 73-74.

It was established by the US Congress in order to “promote United States nongovernmental participation... in democratic training programs and democratic institution building abroad” and “to strengthen democratic electoral processes abroad through timely measures in cooperation with indigenous democratic forces.”⁴⁵

Initially, the Reagan administration put the democratic seal on regimes that hardly qualified as democratic, such as the Salvadorian one. Nevertheless, having entered the democracy discourse, the Reagan administration had to make its rhetoric more consistent with its deeds. Thus, in 1986 the administration issued a “major policy statement” indicating that it “opposed tyranny in whatever form, whether of the left or of the right.”⁴⁶ As Carothers put it, “Having made democracy the stated goal of its policy... the Reagan administration soon found that its policy was evaluated in those terms... This opened the way for an evolution toward policies with real prodemocratic substance.”⁴⁷ With the double impetus of the Latin American transitions to democracy of the late 1970s and early 1980s, and the born-again taste for democracy promotion on the part of the regional hegemon, the OAS updated its basic documents.⁴⁸ Thus, in 1985 in Cartagena de Indias, Colombia, it amended its Charter, endowing the organization with a new mission, the promotion of democracy. The 1985 Protocol of Amendment, as later statement from the regional body notes, “provides the general principle for the new kind of election monitoring by the Organization.”⁴⁹

⁴⁵ Cited in Jason 1992, 1827.

⁴⁶ Pastor 1987, 377.

⁴⁷ Carothers 1991, 244.

⁴⁸ Smith 1994.

⁴⁹ OAS 2000. My translation.

III. INGOs Start Monitoring Elections

Just as state-sponsored IEM in the Americas was beginning to gather steam in the late 1970s and early 1980s, domestic NGOs, as well as INGOs entered the scene. But the arrival of NGOs to this arena was not *deus ex machina*-like. It was an intrinsic component of the development of the democratic discourse in the hemisphere. Those states of the hemisphere with the strongest civil societies were, not surprisingly, the ones with more active NGOs. Here again, the fault line between the United States and the rest of the hemisphere was pronounced. The United States has historically had the most articulated and independent civil society in the Americas, of which Alexis de Tocqueville’s *Democracy in America* is early evidence. In addition, the hegemonic position of the United States in the hemisphere put the INGOs of this country in a privileged position *vis-à-vis* its counterparts in the hemisphere.

As INGOs from the United States began to broaden their scope of activities, which had traditionally be centered on conventional human rights issues, the convergence with domestic groups in Latin America working on political rights issues came readily. Thus, the Washington Office on Latin America (WOLA) started monitoring elections in 1978, sending observers to Bolivia. Two years later it observed the Guyana elections; in 1981 the electoral process in Honduras, and in 1983 WOLA observers monitored the 1983 elections in Argentina. That same year the International Human Rights Law Group (henceforth the Law Group) established its Election Observer Project, working with activists of the target states. In 1984, the Law Group published *Guidelines for International Election Observing*, by its then Project Director Larry Garber, which would become the standard for election

observing both for NGOs and IGOs.⁵⁰ In 1984 WOLA and the Law Group jointly observed the elections in Nicaragua, and Uruguay.⁵¹ The Law Group also observed the elections in Grenada that year, and in 1985 the ones that took place in El Salvador and Guatemala. By 1990, the Law Group had organized 25 election monitoring missions, mostly in Latin America, but also in Asia and Africa.

Also in 1983, as noted, the NED was born. Despite its links to the US government, the NED was established as a private nonprofit, bipartisan organization. It is primarily a grant-making institution, and the majority of the programs on democracy promotion funded by it are carried out by the National Democratic Institute for International Affairs (NDI), and the International Republican Institute (IRI), both established as offshoots of the NED in 1983, and affiliated with the Democratic and Republican parties, respectively. These institutes, but NDI more aggressively, have been very active in monitoring elections worldwide.

Likewise non-governmental, and also with manifest links to the US government, is the Carter Center, established in 1982. Headed by former president James Carter, in 1986 it hosted a conference on democracy in the Americas, which renown politicians from around the continent attended. As a result of the conference, 12 former and current heads of government from the Americas established the Council of Freely Elected Heads of Government, which was to be based at the Carter Center.⁵² The Center’s staff, and president Carter in particular, became the core of the Council. Among the Council’s founding goals was “to promote multilateral democratic transitions and to reinforce the

⁵⁰ Jason 1992, 1802 .

⁵¹ International Human Rights Law Group and Washington Office on Latin America 1985.

⁵² Carter Center 1996.

consolidation of new and re-emerging democracies in the region.”⁵³ Its first monitoring mission, was to Haiti in 1987, at the request of the transitional government. Earlier that year, NDI-IRI had sent a joint mission, of which Larry Garber of the Law Group was a member, to observe the constitutional referendum.

INGOs have been instrumental in the success of cases that proved crucial to the institutionalization of electoral observation. Thus, for instance, the Carter Center played a crucial role in the 1990 Nicaraguan election. Former president Carter acted as a mediator between the Sandinista government and the opposition in order to solve some problems that arose in the electoral process, and he pushed for the organization of quick counts.⁵⁴ Moreover, prominent INGO members, such as Garber, joined the OAS team in Nicaragua. Garber, who as I noted before wrote the Law Group’s *Guidelines*, also drafted the OAS Observers Guide used by the regional organization in Nicaragua.⁵⁵ INGOs contributed to create the synergy that made the initial informal involvement of some IGOs in electoral observation possible. It is thus not surprising that when the issue of creating a specialized electoral unit emerged at the UN in 1990, it was welcomed by INGOs.⁵⁶

More importantly, INGOs have also been instrumental in the emergence and consolidation of an electoral observation TAN. Thus, for instance, the example set by U.S. and U.S.-supported networks of NGOs on the field of election monitoring greatly

⁵³ *Ibid.*, 7.

⁵⁴ Pastor 1990, 18-19.

⁵⁵ Jason 1992, 1817.

⁵⁶ *Ibid.*, 1841. At the 45th UN General Assembly session in 1990, US president George Bush suggested the creation of an UN electoral commission that would attend member states’ requests for electoral observation and other kinds of electoral assistance. In 1991 the Secretary-General designated the Under-Secretary-General for Political Affairs as the Focal Point for Electoral Assistance Activities. The following year, the UN General Assembly approved the establishment of the Electoral Assistance Unit , which in 1994 was upgraded to Division.

contributed to the emergence of a strong network of this kind in Mexico.⁵⁷ But again: US NGOs are not all-powerful entities that by their mere presence in the target state make the emergence of a robust observation network possible. It takes two well developed civil societies to create an effective monitoring network in a country. In this sense, the interaction that took place between domestic and foreign observers in Haiti in 1987, is very different from that of Chile in 1988, or in Mexico in 1994, since the former country lacks the more consolidated civil society the other two possess.⁵⁸

It was thus the constitutional structure created by state practice that made the emergence of this TAN possible. As Sydney Tarrow has noted, IGOs can provide political opportunities and even resources to nonstate actors.⁵⁹ However, since INGOs have very different interests and identities from states or IGOs, the emergence of an INGO-based IEM TAN in the hemisphere in the 1980s gave rise to a very interesting dynamic in this arena. Hence, there have been occasions in which IGOs have not been present at some electoral processes (either because they declined to send a mission, or because they were not invited by the national government), but INGOs have observed them. In the Americas, this happened in Haiti in 1987, in Chile 1988, and in Panama in 1989.⁶⁰ The work of INGOs during the 1980s can thus be considered a second phase in the history of IEM in the continent, a phase in which the monitoring of elections became much more substantial, as the teams sent by INGO tended to do a much more exhaustive job than the token delegations traditionally sent by the OAS. The INGOs, however, were building on the state

⁵⁷ Interview with Robert Pastor, Atlanta, Georgia, 5 September 2000, and with Sergio Aguayo, Mexico City, 8 May 2002.

⁵⁸ Interview with Sergio Aguayo, former head of Alianza Cívica, Mexico City, August 16, 2000.

⁵⁹ Tarrow 2001, 16

⁶⁰ Jason 1992, 1843.

practice that preceded them within the OAS—and more generally, on the WHI as constitutional structure.

IV. The Convergence of IGOs and INGOs

The third phase started in 1989-1990, when INGOs, the OAS, and the UN, converged in their monitoring activity—and thus consolidated the IEM TAN—in the Nicaraguan electoral process of that year. 2,578 accredited foreign observers from 279 organizations were present in Nicaragua on election day.⁶¹ The UN and the OAS established the largest and most comprehensive electoral observation missions ever in a sovereign country. This was a watershed in IEM’s history. As Robert Pastor has noted, by inviting international monitoring missions the Nicaraguan government was “crossing [the] Rubicon of sovereignty... Up until that moment, most governments... viewed elections as internal matters... With the official invitations [to the OAS, the UN, and the Carter Center], the Nicaraguans transcended conventional definitions of sovereignty.”⁶²

Moreover, in November 1989, before the electoral process in Nicaragua was over, the OAS General Assembly recommended sending observation missions to member states that requested it.⁶³ Seven months later, at the Eight Plenary Session, the OAS General Assembly passed a resolution calling for the creation of the “Unit for Democratic Development,” in order to “respond promptly and effectively to member states which, in the full exercise of their sovereignty, request advice or assistance to preserve or strengthen their political institutions and democratic procedures.”⁶⁴ Significantly, the resolution notes

⁶¹ Pastor 1990, 18.

⁶² Pastor 2002, 231.

⁶³ AG/RES. 993 (XIX-0/89).

⁶⁴ AG/RES. 1063 (XX-0/90).

“with appreciation” the role the Secretary General and member states played in the still recent Nicaraguan experience. The Unit for the Promotion of Democracy (UPD), as it was finally called, was established in October 1990.

In addition, on 4 June 1991, at the 21st regular session of the OAS General Assembly, the foreign ministers of the regional body issued a declaration entitled the “Santiago Commitment to Democracy and the Renewal of the Interamerican System.” Noting that the end of the Cold War had brought “new opportunities and responsibilities,” the member states declare their renewed and expanded commitment to the promotion and defense of representative democracy and human rights. Going further, the next day the organization passed Resolution 1080, which creates a mechanism to react to “the sudden or irregular interruption of the democratic political institutional process” in any member state.⁶⁵ With the 1991 Santiago Commitment and Resolution 1080, as Domingo Acevedo has noted, “For the first time, an international organization has explicitly ruled that governments should be held internationally accountable to the regional community for the means by which they have taken and secure power.”⁶⁶

The same year it was created, the ground-breaking mechanism was triggered by the military forces that ousted Haitian president Jean-Bertrand Aristide on 30 September. The OAS stepped in and took several ostracizing measures against the junta. Subsequently, when on 5 April 1992 Peruvian President Alberto Fujimori dissolved congress, intervened

⁶⁵ AG/RES. 1080 (XXI-0/91).

⁶⁶ Acevedo 1993, 141. Emphasizing this trend, in December 1992 the OAS General Assembly approved the “Protocol of Washington,” an amendment to the OAS Charter. The Protocol provides that a state “whose democratically constituted government has been overthrown by force may be suspended” from participation in the regional organization by a two-thirds votes of the member States. It entered into force in October 1997. (See Schnably 2000, 163). Four years later, on 11 September 2001 the Organization adopted the Inter-American Democratic Charter, which practically replaces Resolution 1080. The new document brings together the otherwise scattered position of the regional organization on democracy and human rights matters. Significantly, the Democratic Charter establishes procedures to follow not only in the case of a democratic rupture, but also when a democratic regime is seriously altered or at risk.

in the judiciary, and suspended some basic civil rights, the mechanism established in Resolution 1080 was activated for the second time. International pressure forced Fujimori to attend the Organization’s meeting in Barbados the next month, and to accept specific steps to restore democracy in its country.⁶⁷ From that moment on, the OAS would become a permanent fixture in the Peruvian electoral processes. Eight years after the self-coup, though, Fujimori was seeking its second reelection in an unfair electoral race. Tellingly, when the head of the mission announced the withdrawal of the OAS observers from the Andean country after the first round—not only criticizing the software program the National Office for Electoral Processes was going to use for the runoff elections, but also calling for the postponement of the voting day—president Fujimori praised the OAS for “respecting the principle of nonintervention.”⁶⁸

The transit from the first to the third phase was neither linear or smooth; there were no pre-established “stages” or unidirectional sense of progress leading to a “definitive” condition. The fact that some countries within the hemisphere began to call for international observers did not mean that there was a consensus around this issue. For instance, Mexico—as the video tape anecdote illustrates—opposed international observers until 1994. Furthermore, the emergence of INGOs participation in the early 1980s was no fortuitous coincidence. The OAS’ reluctance to take any meaningful action in defense of democracy in the 1970s and early 1980s was “not the result of an absence of legal authority to act,” as former Costa Rican foreign affairs minister Carlos Facio has noted.⁶⁹

Hence, in addition to the emergence of IEM in the Americas, which is my starting point, there have been two important innovations to the constitutional structure represented

⁶⁷ Degregori 2001, 47.

⁶⁸ *Público* 06/08/2000, p. 32.

⁶⁹ Acevedo 1993, 121.

by the WHI. The first one came with the involvement of NGOs, and more fundamentally, of INGOs. This innovation does not refer to state behavior per se, but to the mere set of actors involved in IEM. For the states of the Americas this development meant two things: the unexpected arrival of a new player, and that the nature of IEM was going to change—it was bound to cease being a symbolic practice.

The second innovation to the constitutional structure as it regards IEM was the internalization, by the states of the hemisphere, of this renewed, reinvigorated conception of IEM. At this point, the name of the game changed, and states became INGOs’ partners. IEM was not only becoming “the only game in the hemisphere,” but states had stopped being the only legitimate players. The normalization of IEM in this third phase brought with it a veritable change in state identity and interests—and a concomitant redefinition of sovereignty.

Conclusions

The fact that IEM appeared first in the Americas was no accident. As I have shown above, the continent’s constitutional structure was conducive to it. Absent this hemispheric understanding, IEM would have most likely not emerged in the western hemisphere earlier than anywhere else. This is not to suggest that without the WHI, IEM would have never taken place in the Americas. After all, activists, states, and IGOs in other latitudes also got in the habit of monitoring elections in the late 1980s. In the same way that IEM became an export commodity of the new “system of interests” (i.e., the Americas), it could’ve as well have been imported by this region had it emerged somewhere else.

But it did not—at that’s my point: the particular constitutional structure that is capable of accounting for the emergence of IEM is the WHI and not other. Only in the

western hemisphere was not there an “ontological gap” between this practice and the wider normative structure. Once it emerged and became normalized there, IEM began its world-wide diffusion as an international norm. That is why, for instance, in 1995 the UN Secretary-General Boutros Boutros-Ghali could assert that “the promotion of democracy is both an end in itself and part of the responsibility of the United Nations to maintain peace and security.”⁷⁰

There is no doubt about that. The UN Electoral Assistance Division has been actively involved providing electoral assistance, attending over 100 requests from member states around the world.⁷¹ By the twentieth century’s end, the world organization had as a matter of fact recognized the right to democratic governance as a human right. The early cases mentioned in this paper constitute the prolegomena of such entitlement.

In making sense of this process, as noted in the introduction, theoretical approaches matter. I have shown that a stance that is sensitive both to the historical and normative structure of the international (sub)system is best suited for tracing the development of IEM. Among other things, this practice is about state sovereignty—an essentially normative attribute. Focusing on self-interest and material factors does not take us very far in understanding it; considering the evolving international normative structure from a constructivist stance does. Similarly, limiting the analysis to IR or CP, or to attempt cross-level theorizing would not do. The “domestication” of international politics does not mean that what transpires inside nation-states is based on the logic of anarchy anymore that it means the hierarchization of the international realm; analogously, an analysis lacking sophisticated understanding of the global system, as is characteristic of CP, will not be able

⁷⁰ Boutros-Ghali 1995, 3.

⁷¹ <http://www.un.org/Depts/dpa/ead/website5.htm> (accessed 20 October 1999, and 27 September 2001).

to tackle this kind of issues.⁷² As I hope to have shown, treating IEM as a structural variable which is not coterminous with either the international or the domestic realm, but rather with the emerging transnational one, might help us get out of the territorial trap. The fact that what happened in El Salvador later happened, *mutatis mutandis*, in Mexico, illustrates the usefulness of a theoretical approach that blurs the boundaries between issues that used to be considered as pertaining either to CP or to IR.

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⁷² Green 2002, 40.

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