



**Non-Governmental  
Public Action  
Programme**

## **Final Research Findings Brief**

### **Civil Society and the Convention of the Rights of the Child in Argentina**

#### **Project aims, objectives, methods**

This research project set out to explore first, the extent to which liberal global norms shape processes of advocacy on behalf of disadvantaged, vulnerable or at-risk people on the ground and secondly, how advocacy processes contribute to policy change. In order to carry out the research, one incipient regime of global governance, namely the Convention on the Rights of the Child (CRC) which dates from 1989 was chosen. Whilst the starting point of the research was the liberal 'turn' in global politics, the focus of the research has been a close and detailed scrutiny of the CRC in one country, Argentina. The research thus aimed to bridge the 'global' and the 'local' and provide a grounded case study that would also connect with larger debates around global governance, globalization and activism and human rights and development.

The principal academic objectives of the research were to

- shed light on the ways in which NGOs perceive and respond to globalization and global rights-based regimes;
- establish the impact of the CRC on the discourses and practices of civil society organisations;
- examine whether the CRC serves as a resource for local civil society organisations and NGOs their struggles to improve policies on childhood in Argentina; and
- explore the extent to which the CRC has changed the relationship between local NGOs concerned with at-risk or vulnerable children and the state.

Additionally, the project aimed to contribute to the Programme's goal of strengthening North-South collaboration and establishing a space for sharing knowledge with civil society activists.

Methodologically, the most distinctive element of this project was the use of a local academic consultant, Professor Enrique Peruzzotti, based in Buenos Aires. We worked together at all stages of the research, from interview selection and design, to data analysis and writing up. Qualitative methods were used to gather documentary and interview data. Documentary sources included NGO publications, the press and Congressional records. 31 interviews were carried out with a range of children's NGOs and networks and relevant state actors. Some interviews lasted several hours and some people were interviewed more than once. A workshop was held a few months into the project in Buenos Aires with a range of local NGOs, which was also transcribed and regular contact with key NGOs was maintained throughout the project.

## Key research findings

The research has generated findings related to (a) the CRC as a regime of global governance (b) the situation of at-risk and vulnerable children in Argentina (c) the universe of children's NGOs and its transformation after the CRC and (d) the process of adaptation in Argentina to the CRC after ratification. Furthermore, I have been able to use some of the findings to reflect more generally on global governance, rights and development. The main findings can be summarised as:

- The CRC is an incipient and weak regime of global governance, despite widespread ratification. It nonetheless constitutionalises rights for children and young people and provides a tool that can be used in local struggles to make rights real for children and young people.
- In Argentina, a culture of disciplining children, especially poor children, dating back to the early years of the twentieth century, was successfully challenged by local advocacy movements, using the CRC as a tool-kit, leading to legal reform in 2005.
- The CRC contributed to a sea-change in the identity of Argentina's NGO community working with children. Previously most NGOs had operated mainly as service providers to government. Over time, the CRC encouraged the introduction of human rights discourses and made rights-based advocacy possible. It also shifted the balance in power between the service providers and human rights organisations within the networks of NGOs. These changes, however, remain incomplete. At the same time, the new cooperative relationship between the different kinds of NGOs that contributed to making the advocacy campaign successful is still fragile.
- Although the new law was undoubtedly a triumph for rights-based advocacy, it is also the case that most areas of public policy making, as they relate to children and young people, remain unreformed and the culture of *tutela* continues to operate in practice; there are limits, in other words, as to what rights-based approaches can achieve. A good example is this is the fact that winning support for the new law in Congress meant dropping any direct mention of adolescent reproductive rights from the bill.
- Most research on globalization and advocacy shows that advocacy movements sometimes scale up and can create effective transnational networks for change; this research suggests that globalization and the generation of global rights-based norms can also change politics and advocacy within nation states. The advocacy groups studied here incorporated and adapted global norms to fit local circumstances, working with only minimal external support. This is a very significant finding which challenges assumptions that globalization tends to make national politics less relevant as a space for activism.

These findings will be tested comparatively through further additional funding from the Programme.

## Policy and practice implications

- The research makes clear that legal change is important; but equally advocacy movements need to think about how to influence policy, as well as legal debates.
- It stresses the importance of local advocacy (as well as transnational)
- It makes plain the importance of cultural and embedded tradition in terms of tackling rights-abuse

Further policy related work will be carried out via 2 Practitioner Fellows, who will work with me in 2008, Irene Konterlink of UNICEF-Argentina and Javier Pereira of CASA LUNAS in Montevideo Uruguay.

## Key publications and outputs

Jean Grugel and Enrique Peruzzotti, 'Claiming Rights under Global Governance: Children's Rights in Argentina' in *Global Governance* (2007),

Jean Grugel and Enrique Peruzzotti 'Globalization and the Enduring Significance of Domestic Advocacy: Mobilizing for Children's Rights in Argentina after the Convention on the Rights of the Child' in *World Politics* (under submission)

Jean Grugel, Enrique Peruzzotti and N Piper 'Do rights promote development?' in *Global Social Policy* (under submission)

*Critical Perspectives on Global Governance: Regimes and Regulation in Governing Regimes* London: Routledge (co-authored with Nicola Piper, Routledge 2007).

Further outputs, including and edited book with Ana Dinerstein, and papers with Enrique Peruzzoti, are planned.

## For further information