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Fighting to close the School of the Americas: Unintended consequences of successful activism

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ABSTRACT

This article examines the structural and institutional changes that have occurred since the controversial United States School of the Americas (SOA) closed and its successor, the Western Hemisphere Institute for Security Cooperation (WHINSEC), opened in 2001. Placing these changes within a constructivist framework, the article uses the school as a case study to argue that human rights norm diffusion has both increased the amount of human rights in the curriculum and put the school in a much stronger institutional position than it had been. Human rights activists had successfully prompted change, but did not achieve their goal of closing the school. This article contributes to the literature by demonstrating how ideas about human rights can have important and lasting effects, but not always in ways that are either predictable or desirable for the political activists who spark them.

Introduction

In the context of the US-Latin American relationship in the past generation, few examples of military-to-military relations gained more publicity than the School of the Americas (SOA). The school opened in 1946 in the Panama Canal Zone and initially was intended to serve as a supplement to other training programs with basic courses on infantry and cavalry. The Cold War initially did not prompt radical curricular changes, which came as a result of the Cuban revolution in 1959. Very soon thereafter, courses focused squarely on combatting Marxism in Latin America. Its courses included counterinsurgency and psychological operations, with an operational emphasis. Many of its graduates later became implicated in human rights abuses in their home countries.

As a result, the school received tremendous scrutiny due to the efforts of School of the Americas Watch (SOAW), a nongovernmental organization (NGO) created in 1990 in response to the 1989 murder of six Jesuit priests in El Salvador. The murder was planned and executed by Salvadoran soldiers who had attended the school. The intense scrutiny brought by SOAW eventually forced the US Army to implement significant reforms to the school. The School of the Americas had moved from Panama to Fort Benning (in Columbus,

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Georgia) in 1984, thus placing the school more easily within reach of protesters in the United States.

The purpose of this article is not to rehash the long-standing debate over the school's legacy but rather to examine the structural and institutional changes that have occurred since the SOA closed and its successor, the Western Hemisphere Institute for Security Cooperation (WHINSEC) opened in 2001. Placing these changes within a constructivist framework, the article will argue that human rights norm diffusion has both increased the amount of human rights in the curriculum and put the school in a much stronger institutional position than it previously enjoyed. The purpose of the protests was to close the school, but ultimately they served to strengthen it because it became organizationally stronger than the SOA. Nonetheless, they have also made human rights instruction a central part of the school's identity, which is not the case in any other military school. Ideas about human rights can have important and lasting effects, but not always in ways that are either predictable or desirable for the political activists who spark them.

Constructivism and human rights

The constructivist school of thought within international relations starts with the premise that ideas have independent influence, and that they can explain behavior that seems to contradict what rational choice theorists would deem to be material state interests (see Finnemore and Sikkink 2001). In particular, constructivists view institutions as “potential catalysts of political self-examination that may change states' perception of their interests, albeit under highly circumscribed conditions” (Haas and Hass 2002: 576–577). Contrary to the view of realists, constructivists consider identities, even state identities, to be socially constructed rather than based on objective conditions, for example, power (Ruggie 1998). For constructivists, power matters but is tempered by other subjective factors.

In a path-breaking article, Alexander Wendt made the case that socially constructed ideas transform interests (Wendt 1992). Since then, different strands of constructivism have periodically emerged—neoclassical versus postmodern constructivism, for example—but they agree on the basic assertion that politics have a social rather than a material foundation (see Barkin 2003). In practice, this perspective marks a shift away from explanations based on the military and economic interests of states and toward analyses that incorporate ideational rationale. States are led by individuals who make decisions based on certain norms. Those norms, in turn, establish expectations about how states should behave, which help guide what types of decisions policymakers will choose.

This gets to the basic question of what states “want.” Finnemore argues that states are socialized into wanting certain things (Finnemore 1996). The international system, which includes a wide range of nonstate actors, including human rights organizations, contributes to that socialization. State preferences are therefore not always easy to discern. Preferences are not always clearly derived from power relations but rather have norms threaded through them.

With regard to human rights, the constructivist argument manifests itself in states altering their foreign policy in some manner to address human rights conditions in other countries, even with allies, which may contradict realist assumptions about states' self-interest being based on power. Norms can “shape state interests in ways that contradict the material international structure” (Kowert and Legro 1996: 462). Security environments are not just

material—for example, focused on balance of power—but rather are part of a broader cultural context (Jepperson et al. 1996: 33). The norms that inform that context change state behavior by shifting incentives. Issues like protection of human rights become part of the national security calculus. As Goldstein and Keohane note, the importance of ideas is evident because there are empirical anomalies—that is, outcomes—that cannot be explained solely in terms of power or material interests (Goldstein and Keohane 1993). That is at the heart of the case study under consideration here.

After World War II and the onset of the Cold War, but particularly as a result of the Vietnam War and repressive dictatorships in Latin America, new international organizations (such as Amnesty International and Human Rights Watch) pushed for institutions like the United Nations and the Organization of American States to enshrine civil liberties within international agreements and domestic law. In the Latin American case, the brutal 1973 coup in Chile prompted the mobilization of many human rights activists in opposition to US policy. Shocked by what they viewed as a callous or even conspiratorial policy stance of the United States vis-à-vis political violence in Latin America and elsewhere, these new organizations worked to bring evidence to the attention of the US public and Congress. The diffusion of norms actually can lead to the reformulation of national interests, as certain policy options are precluded because they might violate principles of human rights.

As the idea of human rights protection gained currency, the US government found it more difficult—though by no means impossible—to ignore. A state that held itself up as a beacon of democracy faced public relations problems when its own policy violated those stated principles. The work of organizations like Amnesty International brought to public attention the wide gap between practice and principle in human rights policy (Clark 2001: 4). International institutions and NGOs have no formal power, especially over hegemonic states like the United States but nonetheless have persuasive influence. In other words, ideas shaped state interests.

The constructivist emphasis on ideas has generated analyses on the role of human rights in US policy toward Latin America. There is broad consensus that despite a public rhetorical dedication to protection of human rights, during the Cold War, the US foreign policy norm was to privilege the fight against Marxism.¹ The core interests for the United States in Latin America revolved around security, which in practice often meant accepting blatant disregard for civil liberties and human life on the part of Latin American allies. By the 1990s, however, there were no continental threats to the United States in Latin America, and as a result human rights became less politicized and ideological.

Within constructivism, there is a small but growing literature on how protection of human rights has taken on a greater role in US foreign policy since the 1970s. In a prominent work, Kathryn Sikkink has argued that ideas have independently changed the perception policymakers have about US interests (Sikkink 2004). The shift was initiated by NGOs that brought public attention to the concerns of local activists in Latin America and eventually even helped shape legislation in the United States. These organizations become what Oestreich calls “norm entrepreneurs,” which promote ideas about human rights independent of state preferences (Oestreich 2007: 3). The functional role of NGOs is to connect concerns of human rights activists with policymakers who have the authority to make decisions in that area. In the US context, this typically means members of Congress.

There is much more written on the normative aspect of norm building and less on the specific ways that ideas translate into action “on the ground” (Chandler 2001). What tends

to get ignored is the potential for unintended consequences, outcomes that, depending on perspective, may or may not be desirable but were not anticipated. The identities of political actors can be socially constructed but not necessarily in the ways that activists wish or predict. Legro (1997) has demonstrated that norms may not be as strong as desired, but that is a matter only of degree. States may adhere to norms more or less in certain situations, but the direction of the norm's impact is still taken for granted. This article seeks to unpack what can happen when that direction is unexpected.

Further, the constructivist literature on US policy and human rights in Latin America has an explicitly transnational focus. Human-rights-oriented NGOs seek to improve conditions in other countries and to lobby for foreign policy that addresses human rights. Human rights norms are international but then translate to the specific domestic context, involving “[p]rocesses of moral consciousness raising, argumentation, dialogue, and persuasion” (Risse 1999: 530). Alison Brysk defines international human rights policy as involving “multilateral diplomacy, bilateral relations, humanitarian assistance, peace promotion, and refugee reception” (Brysk 2009: 20).

The case study here is unique because the struggle against the SOA/WHINSEC is taking place entirely within the United States and does not seek to change policies in Latin America or to influence Latin American governments. If anything, the goal is to reduce the independent influence of US institutions in the region. Therefore, it fits poorly within Brysk's vision of “bilateral diplomacy,” which is much more focused on targeting specific human rights abuses and working to correct them. Transnational advocacy networks are intended to “multiply the channels of access to the international system,” which does not accurately describe this particular case (Keck and Sikkink 1998: 1). Further, the well-known “spiral model” of human rights change centers explicitly on the links between transnational advocacy groups and norm-violating governments, referring to Latin American regimes (Risse et al. 1999). But, in this case, the advocacy group is not transnational.

Nonetheless, this case *is* about foreign policy and the desire by activists to change the way the US government interacts with other governments. In other words, the networks are not transnational but the policy goal is explicitly so. This is where the question of norms and what the state wants takes center stage. The overall advocacy effort is aimed at relations with Latin America, arguing that prevailing norms of security were seriously detrimental to the well-being of Latin American citizens. But to achieve that goal, activists take aim at the US government rather than its foreign counterparts.

For the controversy over the School of the Americas, closing the school is a decision for the US government, either taken by the army itself or through the US Congress eliminating funding. In other words, this is not a case of one country hoping to influence outcomes in another. Thus, it is a single-issue, single-country context, which potentially poses a greater risk for failure for activists since there is little opportunity for cross-issue compromise (Coleman 2013). In negotiations between countries, there is a broader range of options for give and take.

On the flip side, however, with such a limited and focused goal, there is far greater potential for concrete impact if the activists are successful in achieving their goals. Transnational relations entail changing the behavior of other states, which cannot be achieved through simple means like legislation. More specifically, with a congressional vote, it is possible to close the school (and SOAW came quite close). That impact would not be possible in another country. Unlike a transnational context, within the United States, the US Congress has very broad latitude to defund domestic programs or institutions.

The School of the Americas case also presents a context in which none of the Latin American governments sending soldiers to the United States are authoritarian. The concern is not with changing state behavior or encouraging “transitional justice,” referring to prosecution of past human rights abuses, but rather decreasing ties to Latin American militaries with problematic records. The SOAW is less focused on particular Latin American policies per se than on the US Army’s connection to the region’s militaries.

Despite the lack of a transnational context, the constructivist approach serves to frame the evolution of the School of the Americas/WHINSEC. Norms of human rights protection contradicted the prevailing view of state interests but were persistent enough to be diffused. To be sure, this diffusion was highly concentrated and limited to the School of the Americas, but constructivism acknowledges the limited scope of idea influence. As Risse and Ropp point out, governments may well make concessions at one point in time and increase repression in another (Risse and Ropp 1999). The influence of ideas is contextual. Nongovernmental organizations and governments alike concentrate on some issues and not others. Governments, in fact, often shift their attention according to the specific interests of NGOs in a reactive manner.

There are some 238 institutions in the United States that train Latin American soldiers, though many with only a tiny handful of participants.² None of the other schools, however, have undergone the changes evident in WHINSEC. Over thousands of courses and tens of thousands of students, there is no overarching requirement for human rights training (Sikkink 2004: 205). One criticism of constructivism is that it fails to explain timing (Cardenas 2004). Given that no other school in the military system has been targeted by an NGO, the changes effected in SOA are clearly explained by the efforts of SOAW. From a normative perspective, this actually raises the question of why, if human rights activists believe military-to-military relations are detrimental, no other military school has become the focus of an NGO.

Political activism and congressional action

The School of the Americas Watch developed into a highly successful NGO, organizing annual nonviolent protests at Fort Benning, keeping statistics on soldiers who had attended the school, and leveraging its knowledge in order to gain the ear of sympathetic members of Congress. It utilized a highly effective public relations campaign, bolstered by an informative and constantly updated website combined with media attention.³ The movement’s goal was not to reform the school but simply to close it. That goal is explicitly stated as the following:

SOA Watch is an independent organization that seeks to close the US Army School of the Americas, under whatever name it is called, through vigils and fasts, demonstrations and nonviolent protest, as well as media and legislative work.⁴

The SOAW rejects the notion that the School of the Americas—under whatever name—could ever be reformed: “The Pentagon has responded to the growing movement and Congress’ near closure of the SOA with a PR campaign to give the SOA a new image.”⁵ Its goal, then, was not to compel the US Army to incorporate a human rights curriculum or otherwise to alter its courses, which the SOAW considered to be only window dressing.

Its founder Roy Bourgeois brought the School of the Americas out of relative obscurity and into the public eye. In 1996, his organization helped publicize the six army manuals

used between 1987 and 1991, which detailed teaching of illegal interrogation. For SOAW supporters, it was a vindication of their protests and created a surge of opposition to the school that eventually reached Congress. The nickname “School of the Assassins” became common currency.

Because of SOAW’s work, the School of the Americas’ name alone had become a public relations liability for the army. As constructivism would predict, human rights ideas fundamentally shaped policy. Rights had taken on a prominent enough place in politics that the army leadership felt it had to act rather than remain in the news. Faced with ceaseless peaceful protests at the front gates of Fort Benning, the army decided to act.

The 2001 National Defense Authorization Act closed the School of the Americas and opened WHINSEC.⁶ “Respect for human rights” (ibid.) became a statutory part of the school, as did eight hours of instruction “on human rights, the rule of law, due process, civilian control of the military, and the role of the military in a democratic society” (ibid.) for all students. Further, a Board of Visitors must annually review the curriculum to ensure it applies to democratic principles and is consistent with US policy goals. The Secretary of Defense must also submit a report to Congress every year about the school’s activities. Nonetheless, it is important to note that the “closure” and “reopening” masked striking continuity. The location and offices at Fort Benning, Georgia, never changed, there was nothing beyond normal changes of staff, the syllabi were the same, the instructional materials such as readings were not immediately altered, and even the organizational mission remained constant. The curriculum, however, did start evolving as a direct result of SOAW pressure. Human rights took on a larger role (to which we will return) and there was also greater attention to terrorism associated with drug trafficking (Weeks 2003). The Cold War ideological component disappeared.

In congressional debate, the SOAW was mentioned by name, attesting to its relevance. In 2000, Senator Russell Feingold (D-WI) expressed disappointment about the lack of substantive review: “As SOA Watch has noted, there appears to be no critical assessment of the training, procedures, performance or consequences of the SOA training program this new entity copies” (US Senate 2000: 6834). The emphasis on an exhaustive review came directly from the SOAW and has remained a core element in the proposals to close the school.

The SOAW’s efforts were bolstered by other legislation. The 2001 Foreign Operations Appropriations Act included a provision authored by Senator Patrick Leahy (D-VT) requiring that any foreign military personnel receiving training from the United States not have committed human rights abuses.⁷ Section 593 stipulates that “[n]one of the funds made available by this Act may be provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights” (US Senate 2001).⁸ As a result, Latin American soldiers who attend WHINSEC must undergo a process of evaluation that did not exist prior.⁹

Cables declassified by Wikileaks demonstrate the effect of the Leahy Amendment on WHINSEC. US embassies in Latin American countries provide names and other identifying information of prospective students to the Department of State—even labeling them as a “Leahy vetting request”—which must vet them for any human rights violations.¹⁰ The State Department uses the Abuse Case Evaluation System, a searchable database of human rights abuse data. Names are entered into the International Vetting and Security Tracking (INVEST) system, which leaves a permanent record of what the embassies and/or the State Department’s Bureau of Democracy, Human Rights and Labor discover. If vetters agree that

a problematic report is credible, then that individual will not be allowed to participate. These changes were not the direct result of SOAW lobbying, though Senator Leahy based the law on concerns about US aid to the Colombia military during the 1990s, which was also a concern of SOAW because of widespread rights abuse. Instead, SOAW built on that existing legislative foundation and used it to direct more attention to the SOA.

Institutional response at the school

Since its creation, WHINSEC has embraced the essential message of the protests, openly agreeing that human rights should be emphasized to a greater degree, even to the point of calling Bourgeois the “father of WHINSEC” for sparking the changes that brought more human rights instruction to the school (Gallo-Cruz 2012). This may seem counterintuitive but is part of the army’s overall strategy of defusing the protests and any public/legislative opposition by accepting the incorporation of human rights without shutting the school’s doors. From a theoretical perspective, ideas had cut through initial institutional resistance. Activists had made human rights so prominent that policymakers forced change to acknowledge them. Leaders of the institution made a virtue out of necessity, in large part due to self-interest.

Eight hours of human rights instruction was the minimum, but course catalogs show that eight hours were only for courses lasting four weeks or less. Those going at least four weeks but less than six months received 12 hours, while six months or longer were required to receive 40 hours. In the aggregate, then, the human rights instruction is more extensive than the law requires (and, as mentioned, no other military school has the same requirement). Those longer courses are now called Intermediate-Level Education (ILE) and are aimed at field-grade commanders and principal staff officers.

Have the changes in human rights instruction had an independent impact? This is almost impossible to measure. WHINSEC does offer more human rights training than any other US military school aimed at Latin America (Blakeley 2006). How much this training is internalized, utilized, and routinized, however, remains a matter of dispute.¹¹ A 2002 Amnesty International report noted that WHINSEC was an exception for its human rights curriculum since 275 other schools in the United States did not provide the same level of attention to the issue. Even critics of the school acknowledge the curricular shift but emphasize either that (a) military-to-military contacts are by definition detrimental to human rights in the home country or (b) given its own torture controversies, the US Army is not capable of delivering human rights content that will be taken seriously.¹² While acknowledging the general human rights instruction, the SOAW notes that “Curriculum has not addressed country specific human rights issues (i.e. paramilitaries in Colombia).”¹³

For the purposes of this analysis, however, whether or not human rights norms are disseminated as effectively as desired is less important than the fact that the US Army agreed to incorporate them at all, and in such a public fashion. This suggests a major transformation even if it did not go as far—or in the precise direction—as activists wanted. A small NGO forced a massive governmental institution to take notice and corrective action. Peck has argued that the US government has often been successful in co-opting human rights by channeling reform in a way that still supports US hegemony (Peck 2010). In that view, human rights became policy priorities *only* when they coincided with US policymakers’ perception of national interest. One challenge to measurement is that this tends toward tautology. If any reform is achieved, it

must be in line with US interests. There is no way to “prove” this one way or the other, but, in this particular, case there is no doubt that norms driven by nongovernment organizations compelled the US government to take wide-ranging actions.

Simultaneously, the school undertook a concerted effort to establish dialogue with NGOs such as SOA Watch but also Human Rights Watch and the Center for International Policy. No matter the substance of the encounters, which included sending cadets to Washington, DC, for direct engagement, the overall image was one of moderation unmatched by other schools. WHINSEC officials also provided a permanent invitation, repeated copiously in statements and informational handouts, that the public was welcome to visit the school. Both scholars and activists have done so, in particular meeting with Lee Rials, the Public Affairs Officer. Not even the William J. Perry Center for Hemispheric Defense Studies, which is the largest military school in the United States for Latin American soldiers, has any staff member dedicated to public relations. Yet, that became a hallmark of WHINSEC’s effort to shed the SOA image.

What these changes did accomplish was to gradually dampen criticism. A notable example is the Latin America Military Training Review Act, an unsuccessful bill introduced mostly recently in 2011 by Rep. Jim McGovern (D-MA), an outspoken supporter of protecting human rights in Latin America. Yet, it did not call for the school to be closed. Rather, it stipulated that operations be temporarily suspended while a congressional delegation issued a report on how appropriate the school’s activities were.¹⁴ This constituted evolution from legislation he had introduced almost exactly a decade prior, H.R. 1810, which used similar language about an investigation but which completely closed the school. Over time, “closed” had softened to “suspend” (US House of Representatives 2001: 2).¹⁵

In 2005, that language had been changed with H.R. 1217, which emphasized suspension, assessment, and evaluation. The bill had 134 cosponsors but died in committee. However, that change brought the movement closer to legislative victory. The momentum lasted through 2007, when the same legislation (H.R. 1707) was narrowly defeated by a 214–203, with Rep. Phil Gingrey from Georgia (himself a member of the school’s Board of Visitors) leading opposition to the bill. To date, that has been the high-water mark for the school’s opponents.

The goal of closing the school has therefore not been achieved, though it did come close. What the protests did accomplish, however, was considerable. Single handedly, SOA Watch had brought domestic and even international attention to the school, forced the US Army to take notice, forced the closure of the original SOA and compelled the expansion of human rights instruction. This is unprecedented for any school in the US military. As argued below, however, these efforts ultimately contributed to the school’s institutional strengthening and made the ultimate goal of closure more difficult.

Structural transformation and institutional strengthening

A very small group of activists managed to force change in the US Army, even if they did not succeed in forcing the school’s closure (which the group continued to pursue). Human rights were more central in the curriculum, even if not as far as SOAW would prefer. But SOAW’s work prompted other reactions within the school itself. Faced with at least the threat of extinction, school leaders turned more closely to the US Army, and more specifically to carving out a clearer place for the school.

The US Army Training and Doctrine Command (TRADOC) at Fort Eustis, Virginia, oversees the army's educational system. It develops the doctrine that is then filtered through 32 army schools with eight different areas of focus, which collectively train about 500,000 soldiers a year. Within it, the US Army Combined Arms Center (CAC) at Fort Leavenworth, Kansas, is the army's intellectual center, as it transforms broad doctrine into specific areas of study. This means there are filters between grand strategy and curriculum, with CAC providing guidance on how to interpret the former and to transform it into the latter. WHINSEC must undergo an accreditation process through TRADOC (the most recent was February 2013).

As originally conceived, the School of the Americas was not part of CAC. There was no specific doctrine to diffuse within the school, which was very narrowly focused on Latin America and in fact physically located there.

When its mission and curriculum were revised after the Cuban revolution to emphasize counterinsurgency and anticommunism, the Special Forces worked with instructors to craft courses consistent with counterinsurgency (Gill 2004: 74). As such, the school was outside the normal schooling system and so never had very many US Army officers. It was primarily operational rather than educational. Further, the School of the Americas was too highly specialized—including knowledge of Spanish—to be of interest to more than a small handful of US soldiers given its primary aim of fighting Marxist insurgencies in Latin America.

What this meant in practice is that SOA was of significant interest to a particular part of the army, but of much less interest to the army as an institution. With the organizational shift and name change to WHINSEC, the school became part of CAC. In 2012, 11.4% of students were from the US Army (even down to the Reserve Officers' Training Corps [ROTC] and cadet levels) whereas the SOA had only a handful.¹⁶

The connection to CAC means that the courses became increasingly relevant to leadership development in the United States rather than simply to the needs of Latin American militaries and US security policy in the region. This is especially true because classes are conducted in Spanish and therefore provide an opportunity for language and culture immersion, which in turn enhances career opportunities. Soldiers can take courses through Troy University, including a Master of Science in management with an international relations emphasis. After 2001, some courses were specifically labeled as qualifying for university hours under the auspices of the American Council on Education or the Southern Association of Colleges and Schools, a regional accrediting agency. From 2001–2012, WHINSEC awarded 99 Master's degrees. In short, the school had shifted its focus significantly from an almost purely operations orientation to career development.

The human rights course covers human rights law, due process of law, and the rule of law. The prospective course catalog for 2017–2018 summarizes the core subjects under those three broad areas:

The first topic addresses the lawful use of force in security-force operations, the universal prohibitions against torture, extrajudicial executions and forced disappearances, and special protections required for vulnerable groups of persons. The second topic covers the human rights of those persons detained or arrested during operations. The third topic focuses on applying the law fairly and equally to all persons and the importance that this has to democratic forms of government. The Rule of Law also focuses on the professional and ethical obligations to carry out only lawful orders and to report abuses and violations.¹⁷

That course comes in addition to human rights instruction in individual courses.

For officers, Intermediate-Level Education provides a common core and then fulfilling different requirements based on the needs of the officer's particular branch. It used to be known as the Command and General Staff Officer Course and was run out of Fort Leavenworth. At WHINSEC it is a year-long course, with a Common Core Course and an Advanced Operations Course, which is intended to train officers how to operate in a multi-agency and even multinational context. The deeper level of institutional integration is a major change from the SOA years. The first pilot of ILE was in 2002, just as WHINSEC was opening, and was fully implemented in 2005, and the army introduced it into the school in the 2009–2011 catalog. School administrators laud this development. When integrated into courses that can serve a broad audience within the army, it makes the school more attractive to prospective students who otherwise would not have had any reason to attend.

Further, the curriculum is much more centralized than in the past. Through CAC, WHINSEC uploads lesson plans and other course information into a Microsoft Sharepoint system that allows instant access by staff from other academic institutions in the army. The level of academic oversight is therefore much expanded, though of course remains based on army doctrine. Content is not necessarily homogenized but rather standardized. Thus, while one study noted as WHINSEC opened that “the school develops its own curriculum with only rough guidelines from ‘outsiders’ elsewhere in the U.S. government,” that is no longer the case (Weeks 2003: 24). There is in fact less flexibility than in the past, but there is a bigger audience and greater demand.

Gill has argued that this amounts only to “fiddling with the curriculum” (Gill 2004: 221). Since the required inclusion of human rights did not exist prior to WHINSEC, this is not entirely accurate, though in fact the SOA had already begun including human rights in 1992–1993, not long after the SOAW began its protests. For the course catalogs immediately after WHINSEC was created, a human rights section was included at the beginning, even waxing philosophic about the reforms taking place:

The Institute's students are representative of a new generation of officers (both commissioned and non-commissioned) who are genuinely receptive to human rights training and the rule of law and who consistently demonstrate a sincere interest in the material and its implementation in the field of military operations, be they conducted in peacetime or times of conflict.¹⁸

This section would be revised over time and then was removed altogether.

For the 2002 catalog, the course descriptions were largely identical to the last year of the SOA. The specific wording of the human rights component description in individual courses remained unchanged, the emphases on civil control of the military were sprinkled throughout the courses in the same manner, and the essential subjects of courses had not been revised significantly. The main difference was that *all* the courses had to include human rights, and, in fact, many of them included more than the statutory requirement. Some of the operational courses were removed, most notably the Helicopter School Battalion, which under SOA comprised over 20 separate courses. Those were shifted to Fort Rucker, Alabama (though the school still has a Spanish-language course specifically aimed at Latin American soldiers) where some of the training was already taking place. The operational content did not disappear entirely but was much less evident than during the SOA era.

The US government still believes that military-to-military ties are valuable, and schools like WHINSEC facilitate that interaction. The school plays that role more now than in the past. As two of its staff members note:

[W]hile it operates on tactical and operational levels, it has a strategic impact on U.S. foreign policy, and not only in the Western Hemisphere. Simply put, this is an “economy of force” organization, one that costs very little but yields big strategic dividends. (Marrero and Rials 2012: 55)

WHINSEC is a military institution, with primarily military (or retired military) personnel teaching other military personnel. Deepening that emphasis has made the school more popular with army personnel, larger, and more mainstream. WHINSEC is larger than SOA ever was. The number of students at any given time for SOA was about 600, whereas in 2012 WHINSEC had 1,467.¹⁹ At the same time, it offers a narrower and more focused array of courses, down from a total of 60 under the 2000–2001 SOA catalog to 26 in the 2014–2015 catalog. Unlike the array of helicopter courses in the past, WHINSEC more narrowly focuses on cadet and officer leadership development.

As the school became more institutionalized, the budget sources for WHINSEC became broader than they were under SOA. Back then, funding came primarily through a single source, the International Military Education and Training program (IMET), and the school saw no need to search for other sources. Currently WHINSEC obtains more funds than in the past through Foreign Military Sales and Security Assistance, and International Narcotics Control and Law Enforcement.²⁰ The combination of these changes served to firm up support for WHINSEC in the US Congress. A 2009 Sense of the Senate statement asserted that it was “an invaluable education and training facility whose curriculum is not duplicated in any of the military departments and is not replaceable by professional military education funded by appropriations for International Military and Education Training (IMET), which education is not conducted in Spanish and does not concentrate on regional challenges” (US Senate 2009: 283). In other words, the US Army had come to view the school as unique and useful rather than isolated and specialized.

As a result, the ultimate goal for the School of the Americas Watch, namely the closing of the school, has ironically become even less likely as a result of the organizational changes that the NGO was instrumental in prompting. Figure 1 provides a visual representation of how diffusion functioned.

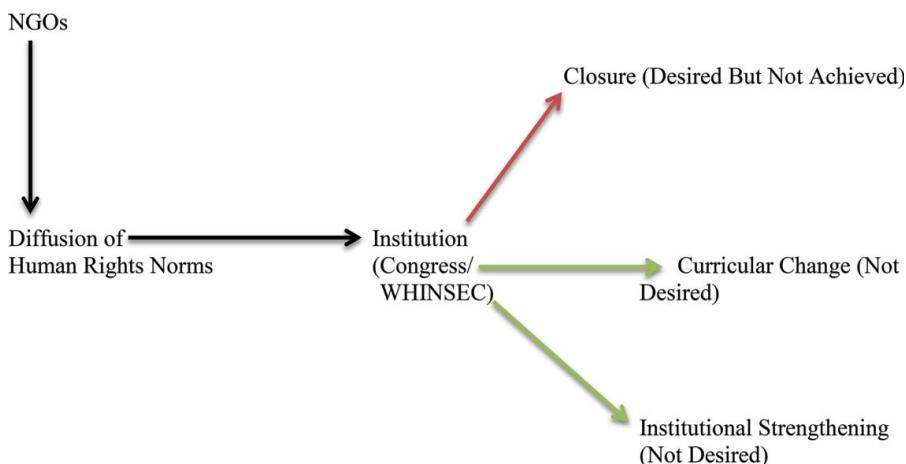


Figure 1. Human rights norm diffusion for WHINSEC.

The constructivist perspective argues that NGOs can affect institutions by norm diffusion. That outcome did occur at the school, as human rights took on a much more prominent role in the curriculum. But the two main effects—curricular change and institutional strengthening—were neither desired nor anticipated. They came instead from other results of institutional change that were caused (even if indirectly) by human rights activism.

Conclusion

WHINSEC evolved in the years since it opened and the School of the Americas closed in 2001. That evolution occurred in large part because of the sustained effort of a nongovernmental organization, the School of the Americas Watch. The resulting political mobilization was remarkably successful, sparking national debate and institutional reform. Its call for the school to close, however, never came to fruition. Instead, WHINSEC adopted and adapted, bringing human rights into every course, and in the process became more firmly embedded in the US Army. That represented the successful diffusion of human rights norms into an organization in a way that has not occurred elsewhere in the US Army, but with a result that ultimately provided the school with a stronger institutional foundation, which was the opposite of what the SOAW desired.

This article contributes to the literature on the effect of ideas on US foreign policy by exploring an angle that has not received adequate attention. Future constructivist research should examine international case studies to determine the degree to which unforeseen consequences are evident. States may well decide to enact changes based on international pressure, but that may not correspond to the original goals of the NGO pushing for that change. Future research could formulate a theory of unintended consequences. For example, under what conditions are outcomes unexpected and how does that affect achieving the original reformist policy goal? Why do those outcomes occur at all? Even if the outcome was not desired (or foreseen), it may still have an impact in line with the values of the NGO.

Additionally it is worth examining why, given SOAW's successes, a similar strategy has not aimed at any other military school that trains Latin American soldiers. It may be that many do not have the same level of Cold War era ideological baggage as the School of the Americas, or that the very high level of public attention on the School of the Americas precluded expansion (and/or spreading of resources) of the activist mission. Clearly, though, the success—even if partial—has not been copied elsewhere.

Critics of WHINSEC argue that the school changed only cosmetically and superficially, offering courses too similar to the School of the Americas and having no positive impact with regard to human rights instruction. The jury is still out on the latter, but, for the former, it is clear that substantive changes have taken place. Either way, however, in the case of WHINSEC, real changes did take place, even if they did not result in the outcome desired by human rights activists.

Notes

1. The literature is almost endless. For a good overview, see Weeks (2015).
2. See the *Just the Facts* website, which provides data on US security policy toward Latin America. It is jointly organized by the Center for International Policy, The Latin America Working Group Education Fund, and the Washington Office on Latin America, all highly respected

- nongovernmental organizations. http://justf.org/All_US_Institutions. WHINSEC is the second largest, behind the Center for Hemispheric Defense Studies.
3. See School of the Americas Watch, <http://www.soaw.org/>.
 4. From the SOAW website: <http://www.soaw.org/about-us>.
 5. Ibid.
 6. For a full text of the law, see US House of Representatives, October 30, 2000, especially pp. 226–227.
 7. This is not to be confused with the Leahy Provision of the 1997 Foreign Operations Appropriations Act, which required vetting for US antinarcotics aid to Latin American troops.
 8. For the full text, see US House of Representatives, November 6, 2000.
 9. For a criticism of the vetting process as being too porous, see Miller (2012).
 10. See, for example, a 2010 cable from the Dominican Republic (Wikileaks n.d.).
 11. For a positive view, see Blakeley (2006); for a negative view, see McCoy (2005).
 12. Examples abound. For legal rationale, see Cohn (2012) and Quigley (2005).
 13. See <http://www.soaw.org/about-the-soawhinsec/history>.
 14. For the full text of the bill, see House of Representatives, 112th Congress, H.R. 3368, November 4, 2011.
 15. For full text, see U.S. House of Representatives 2001 op. cit.
 16. Numbers provided by Joe Leuer, WHINSEC, May 16, 2013.
 17. Western Hemisphere Institute for Cooperation, 2015.
 18. Western Hemisphere Institute for Security Cooperation, 2002–2003: 11.
 19. Numbers provided by Joe Leuer, WHINSEC, May 15, 2013.
 20. See US Department of Defense (2009).

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