

OVERVIEW

My research lies at the intersection of international organizations, domestic politics, and human rights. Broadly, I am interested in how politics affects the way states cooperate to raise human rights standards around the world. My research agenda is influenced by my background in political science, my methodological training, and the firsthand insights I gained while working for non-governmental organizations in Argentina. In my dissertation, I use rigorous quantitative analysis and extended fieldwork in Latin America to untangle a central puzzle in the human rights literature: When do states implement human rights treaties? I examine the economic and moral conflicts that human rights treaties exacerbate in society and explore how domestic organizations in favor of or against treaties influence the incorporation of human rights standards into domestic legislation. I find that organizations that oppose human rights standards can counteract efforts by pro-treaty groups to incorporate treaties domestically. Consequently, governments that face competing pressures often fail to incorporate international human rights treaties.

DISSERTATION

My dissertation and book project, “The Domestic Constraints to Incorporating Human Rights Treaties,” builds on a rich literature linking treaty ratification to human rights outcomes to examine how domestic politics influences the incorporation of specific human rights provisions into national legislation. Incorporation in national law is vital because it makes treaties enforceable in domestic courts. While most of the political science literature has overlooked the way states translate international agreements into domestic law, my work shows that this incorporation process is often extremely contested. In this project, I ask: How does domestic political opposition influence the adoption of laws that incorporate human rights treaties into national legislation?

The theory chapter of my dissertation describes how domestic politics affects treaty incorporation. Most research in political science emphasizes how civil society advocates use human rights treaties to hold governments accountable for rights violations. In this conventional view, treaties are violated because governments are either unwilling or unable to comply with international commitments. In contrast, I argue that many human rights treaties activate social conflict over distribution or competing moral values. For example, child workers in Bolivia oppose treaties against child labor because their incorporation takes away much-needed income or forces them to work clandestinely in exploitative conditions. Human rights treaties have distributional consequences that incentivize groups to mobilize against treaty incorporation. In other cases, treaties impinge on the moral values of citizens. Non-governmental organizations serving girls and women, for instance, pressure governments to adopt international standards against child marriage. But prohibiting child marriage can disrupt traditional practices supported by conservative religious groups. These opposite goals pit civil society organizations against each other as they work to influence government policy. The central tenet of this project is that, all else being equal, when groups that oppose treaty incorporation are strong, they can successfully delay or block the adoption of laws

that align a state's legal system with international treaty standards.

I build my argument by focusing on child labor and child marriage, two largely-overlooked human rights issues that affect over a billion people worldwide. The empirical portions of my dissertation test my argument using a variety of methods. Consulting archival versions of national legislation, I created cross-national, time-series datasets on child labor and child marriage laws in Latin America from 1980 to 2016. The datasets have information of when each law was adopted and also of its content, including the loopholes that provide exceptions for groups to circumvent human rights standards.

In the first empirical chapter, I use the dataset on laws against child marriage to test the theory that interest groups have affected the legal incorporation of treaties. I consider loopholes that allow girls to marry with parental consent or government authorization. The analysis focuses on two groups that work to affect child marriage policy: conservative religious groups and women's advocacy groups. I find that the strength of religious groups has an inverse relationship with the age of marriage for girls. In contrast, the strength of the women's activist network—measured as the number of organizations serving girls and women in the country—is positively related to the minimum legal age to marry. As my theory expects, I also show that the effect of pro-incorporation groups is moderated by the strength of rival anti-incorporation groups.

In the second empirical chapter, I replicate this analysis for child labor treaties. Drawing on the second original dataset, I show that the strength of anti-incorporation groups is negatively associated with the age at which children can legally work. I consider a number of benchmarks that are important in the international law governing the minimum age of employment, such as when are children allowed to work in hazardous occupations and the loopholes that permit children to work at a younger age. Given that agriculture is the primary source of employment in the region, I proxy for the strength of adult labor groups by considering the percentage of employed adults in agriculture. I find that the strength of labor is associated with stronger domestic standards against child labor. I also show that the strength of employers is negatively related to child labor protection, and that the interaction between these two reduces the marginal effect that labor has on the minimum age of employment. Overall, these two chapters show that interest groups help explain the variation in how treaties against child labor and child marriage are incorporated domestically.

In the third empirical chapter, I employ sub-national evidence to examine in depth how interest groups influenced a legislation change in Brazil. Specifically, I examine how agricultural business interests influenced the voting patterns of a bill adopted in 1998 that raised the age to work from 14 to 16. I analyze Brazilian roll call data on legislators' votes and data on the agricultural land use for different crops to approximate the strength of groups that hire children. I find that legislators from areas growing crops that employ children are more likely to vote against a law that incorporates international standards against child labor. This chapter demonstrates that the distributive effects of child labor bans influence the propensity of legislators to incorporate international treaty requirements against child labor, even after considering other political variables, such as party and ideology.

I complement these analyses with qualitative evidence from over 60 semi-structured interviews I conducted across Latin America. Generous grants from UCLA allowed me to spend nearly six months doing extended field research in Argentina, Bolivia, Chile, Colombia, Peru, and Uruguay, talking to local civil society advocates, legislators, government officials, and

representatives of international organizations. This qualitative evidence grounds my theory and contextualizes the quantitative findings of the project.

By examining the incentives and mobilization of groups that are adversely affected by treaty incorporation, these chapters advance our understanding of the domestic constraints that governments face to comply with their treaty obligations. In contrast to existing theories, I suggest that governments may avoid complying with human rights treaties as a response to domestic pressure from constituents that oppose incorporation. This explanation is different from previous arguments that suggest that treaty violations result from the lack of capacity or the insincere motivations of states that ratify treaties. I am currently revising my completed dissertation into a journal article and a book manuscript, which I plan to have under review in the spring.

ADDITIONAL AND FUTURE PROJECTS

Beyond my book manuscript, I am pursuing several projects. First, I will use information collected during my fieldwork in Bolivia for an article documenting the way UNATSBO, an organization of Bolivian working children, successfully lobbied the government to lower the minimum age of employment in 2014. The Bolivian case illustrates two important theoretical points currently missing in the literature. First, this case shows not only that there are social groups that oppose the adoption of laws that incorporate human rights treaties, but also that it is sometimes the intended beneficiaries of human rights treaties that oppose their incorporation. This finding raises important questions about the legitimacy of human rights treaties. Second, this case shows that states' treaty incorporation can backslide when anti-incorporation groups influence the policy process.

Second, I am pursuing a line of research that investigates the process by which states contest the meaning of international human rights treaties by objecting to the treaty reservations placed by other states. Reservations are unilateral legal statements by which states modify the treaty obligations that have been multilaterally agreed upon. Other treaty members may object to these reservations and, in fact, do so frequently. Given that objecting is costly, why do some members states object to reservations and not others? How does this contestation process affect how states interpret their human rights obligations? I explore these questions using data I collected on the objections to reservations placed upon ratifying the Convention on the Rights of the Child.

Finally, in future research I intend to continue examining how domestic politics interacts with international human rights law by analyzing in more depth the enforcement phase of the implementation process. Conventional wisdom holds that direct judicial application of treaties is an effective way of enforcing human rights agreements. But my fieldwork interviews suggest instead that judges are more likely to use national laws in court than international treaties, which highlights the importance of treaty incorporation for enforcement. I am designing a survey experiment for lawyers and judges to explore how their perceptions of domestic and international law affect the enforcement of human rights standards on the ground.