

OVERVIEW

My research interests lie at the intersection of international organizations, human rights, and public policy. Broadly, I study how domestic politics shapes international efforts to raise human rights standards around the world. In a book manuscript based on my dissertation, I argue that the ratification of human rights treaties activates social conflict over distribution and morality, creating treaty supporters and opponents that mobilize to influence how treaty standards are incorporated into national legislation. I build my argument by focusing on child labor and child marriage to illustrate the distributive and moral conflicts that human rights treaties activate in civil society. I test my argument using quantitative analyses and qualitative evidence gathered through extensive fieldwork in Latin America. I find that even when the international community and domestic activists support the incorporation of treaty standards into national laws, the government may not incorporate human rights treaties in response to domestic pressure from constituents that oppose incorporation. This finding helps explain why states fail to comply with their treaty obligations. In this document, I describe this project in detail.

DISSERTATION & BOOK PROJECT

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 by focusing on the mediating effect that domestic politics has on treaty incorporation. I define treaty incorporation as the adoption of specific treaty provisions containing human rights standards into national legislation. 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 legal systems?

Most research in political science focuses on how civil society advocates use human rights treaties to hold governments accountable for rights violations. In this work, treaties are violated because governments are either unwilling or unable to comply with their international commitments. In contrast, I argue that the incorporation of human rights treaties can have both distributive and moral effects that conflict with the interests of influential domestic groups. Sometimes, human rights treaties have economic costs and affect citizens’ material well-being. For example, child workers in Bolivia argue that the incorporation of treaties against child labor takes away much-needed income or forces them to work clandestinely in exploitative conditions. These distributive effects incentivize working children to mobilize against the incorporation of the child labor standards promoted by the international community. In other cases, treaties impinge on citizens’ moral values. Groups that oppose treaties against child marriage argue that these treaties restrict children’s right to self-determination, pushing girls into informal unions where they have no legal protection, and that they restrict traditional or religious values. The opposing distributive and moral effects of human rights treaties 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 human rights standards.

I build my argument by focusing on child labor and child marriage, two largely-overlooked human rights issues affecting over a billion people worldwide. The empirical portions of my dissertation test my argument using a variety of methods. Consulting archival versions of family and work codes, as well as other national legislation, I created cross-national, time-series datasets on child labor and child marriage laws in Latin America from 1980 to 2016. I coded the content of each law, including the loopholes that allow 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 key groups that mobilize to shape 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, suggesting that the strength of pro-incorporation groups increases incorporation. 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 insights from the distributive politics literature and economics, I identify the domestic interest groups that support or oppose the incorporation of treaties against child labor. I find that besides international organizations and non-governmental organizations, adult labor unions support the incorporation of international standards against child labor because they restrict the supply of workers, driving wages up. 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. Using the second original dataset, I show that the strength of labor is associated with stronger domestic standards against child labor. 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 allow children to work at a younger age. I also find 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 account for 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 further demonstrate how distributive politics affect the incorporation of human rights treaties. Specifically, I examine how agricultural business interests influenced the voting patterns of a bill adopted in Brazil that raised the age to work from 14 to 16. I analyze Brazilian roll call data and data on the agricultural land use for different crops to approximate the strength of groups that hire children. I find that legislators representing constituencies that grow crops using child labor are less likely to vote in favor of a law that incorporates international standards against child labor, even after considering other political variables, such as party and ideology. This finding suggests that legislators are sensitive to the material costs that treaties against child labor have on their constituents.

Throughout the book manuscript, I complement these analyses with qualitative evidence from over 60 in-depth interviews I conducted in Latin America. I spent 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 data grounds my theory and contextualizes the quantitative findings of the project. This academic year, I plan to travel to Bolivia again for two weeks to conduct follow-up interviews that will be used in a book chapter 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 some civil society groups 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, thus challenging the treaties' legitimacy. Second, this case shows that states' treaty incorporation can backslide when anti-incorporation groups successfully influence the policy process.

My research advances the human rights literature in at least two ways. First, by analyzing treaties that, in comparison to treaties protecting personal integrity rights, have been relatively understudied by political scientists, I hope to address some of the concerns over the generalizability of the field's findings. Most of the political science literature has focused on treaties protecting physical integrity rights, such as the Convention against Torture. As physical integrity is a precondition for the fulfillment of other human rights this focus is understandable, but it is also true that fewer than one in four human rights treaties deals with the protection of physical integrity rights.¹ In my work, I find that this focus has obscured the distributional and moral conflicts that follow the ratification of human rights treaties. Second, this project shows that pro-treaty activists, far from operating in a political vacuum, face counter-mobilization efforts by groups that oppose human rights standards. Although the scholarship on international trade and climate change has acknowledged that domestic groups have divergent policy preferences about international cooperation because they are differentially affected by government policies, the human rights literature, by focusing mostly on the interactions between the state and pro-rights activists, has paid less attention to the role of anti-treaty groups. By analyzing efforts by conservative and global-right activists, my work highlights how social conflict hinders treaty incorporation and helps explain why we observe backsliding in treaty incorporation and compliance.

¹ von Stein, Jana. 2018. "Exploring the Universe of UN Human Rights Agreements." *Journal of Conflict Resolution* 62(4): 871–899.