

Why Commit? Explaining State Acceptance of International Human Rights Obligations

Abstract:

This research note presents evidence on the conditions that influence governments' decisions to commit themselves to international human rights regimes. Are governments pressured by powerful state actors to make such commitments, as some realists have suggested? Or rather do governments cede the right to review internal rights policies to external authorities as the result of socialization through persuasion? What role do domestic political conditions and institutions play? This research note offers empirical evidence that addresses these issues. Using global data relating to the six "core" UN human rights treaties, I find the strongest evidence of external socialization, although governments presiding over common law legal systems tend to resist formalizing their rights commitments in external treaty form. There is little evidence of democratic "lock-in" using these data, although this remains a persuasive interpretation of the origins of the European human rights regime.

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Human Rights Obligations**

By

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Why Commit? Explaining State Acceptance of International Human Rights Obligations

Why do governments commit their states to international human rights agreements? Such a move on its face is puzzling, since these agreements involve obligations to refrain from certain forms of behavior while offering no clear reciprocal benefits for governments. Why should governments want to invite external scrutiny of their internal human rights policies?

This research note examines the empirical evidence for a recent theory offered by Professor Andrew Moravscik in the Spring 2000 issue of *International Organization*.¹ Andrew Moravscik's work on Europe is an interesting effort to theorize the link between domestic politics and external rights commitments. His careful archival work reveals the goals and concerns of the actors who, in the 1950s, were grappling with a truly binding form of external constraint on what until that time had been considered a sacrosanct domestic policy arena. Using his landmark contribution to liberal theory as an underpinning, Moravscik argues that in the case of the establishment of the European human rights regime, governments supported giving this regime "teeth" when they wanted to lock in civil and political rights that had recently been won in a polity's transition to democracy.

Few scholars have turned to primary sources to document as carefully as Professor Moravscik has done the reasons for supporting or opposing external legal human rights commitments. His findings for the genesis of the European human rights regime are persuasive, and set the standard for appropriate case study work in this area. The question remains, however, whether his findings for Europe in the 1950s can be *extended* to a broader range of countries, years, and treaty arrangements. I argue here that the evidence for generalizing from these cases is problematic. In fact, the most consistent evidence suggests that the strongest influence on

¹ Moravscik 2000.

commitment to external human rights regimes is external socialization rather than democratic lock-in.

This research is in the spirit of replication, using new data and different methods from those employed by Professor Moravscik. I begin with a brief discussion of the puzzle, as well as the theories that might provide a potential answer to human rights treaty commitments. I then discuss the dependent variable, which is a government's *degree of commitment* to the International Covenant on Civil and Political Rights (ICCPR). I discuss the statistical methods chosen to explain the commitment decision, and present results that point toward external socialization or "diffusion" of legal commitments.

I. The theoretical puzzle

Few theories of international relations seem readily able to explain patterns of state commitment to human rights accords. Realists, with one important exception² have ignored the issue, typically assuming that legal commitments are hardly relevant to the ways in which governments actually behave. Rational functional accounts seem to miss the mark: their focus on reciprocity and institutions as focal points³ underscore more of a contractual model to treaty commitments than is appropriate for the case of human rights. Normative accounts seem ready-made to explain such commitments, but most have focused on the spread of norms themselves (sometimes using treaty acceptance as an indicator of such normative change) rather than on the choice of making a legal commitment.⁴

None of these approaches explicitly has a theory of government preferences with respect to the making of legal commitments in the human rights arena. Professor Moravscik's contribution is quite important in this regard. His approach links international human rights

² Krasner 1999.

³ Keohane 1984.

⁴ Keck and Sikkink 1998; Risse Ropp and Sikkink 1999.

regimes to “instrumental calculations arising from domestic politics.”⁵ He sets up the problem as “a rational decision to delegate to an independent body [that] requires that a sitting government weigh two cross-cutting considerations: *restricting government discretion* and *reducing domestic political uncertainty*.”⁶ Since delegating authority to an international human rights body represents a non-trivial national sovereignty cost,⁷ a government is only ever likely to delegate to an independent political authority in order to reduce political uncertainty. “In the republican liberal view, politicians delegate power to human rights regimes, such as domestic courts and administrative agencies, to constrain the behavior of future national government...Salient and symbolic international constraints” can also serve this role.⁸ Thus, Moravscik’s clear prediction:

If we assume that the inconvenience governments face is constant (or randomly distributed), it follows that a country is most likely to support a human rights regime when its government is firmly committed to democratic governance but faces strong internal challenges that may threaten its future...If the republican view is correct, *the strongest support for binding human rights regimes should come not from established democracies but from recently established and potentially unstable democracies*.⁹

Realist and “ideational” theories are plausible contenders as alternative explanations of the patterns of commitment international human rights treaties. Indeed, in table 1 of his article, Moravscik invites an explicit comparison of these with his approach. Realism, according to this table, expects support to come from “democratic great powers,” who are likely to use “coercion or inducement” to get others to commit. Ideational theory expects “supporters [to be] led by societal groups and governments in the most democratic states. The less established the democracy, the less support we observe.” Ideational accounts also predict commitment to be influenced positively by “more transnational networks” and “powerful socialization effects.”¹⁰

⁵ Moravscik 2000:225. While Moravscik carefully limits his empirical claim to Europe, other scholars have noted a similar dynamic. See Benvenisti 2000, Damrosch 1991.

⁶ Moravscik 2000:227 (italics in original).

⁷ This claim may be more true of the European human rights regime than any of the global UN-based treaties considered here.

⁸ Moravscik 2000:228

⁹ Moravscik 2000: 228-229 (italics in original).

¹⁰ Moravscik 2000:222.

In this research note, I take the logic of these explanations at face value and probe their evidentiary plausibility. Despite the strong evidence that they were operative in the European case, I find that “lock in” mechanisms of liberal republicanism are difficult to sustain more generally, especially in light of powerful evidence of external socialization.

II. Assessing lock-in: hypotheses and data

I examine the evidence about commitment to the International Covenant on Civil and Political Rights (ICCPR) for every country for which data are available since the treaty entered into force (1976) or the country’s independence, whichever occurs latter in time. The ICCPR is one of the agreements regarding which Moravscik invites us to think about the generalizability of his claims regarding domestic democratic lock-in: “The negotiation of the UN Covenant on Civil and Political Rights,” he notes “appears to illustrate the dynamics of democratic commitment.”¹¹ It is true that he is careful to limit his claims to the *negotiation* of this accord, noting that the United States and United Kingdom allied with the authoritarian states such as Soviet Union, China, South Africa, and Iran in opposition to compulsory, enforceable commitments. But he also suggests that this approach throws light on the development of human rights regimes over time¹² acknowledging that “the determinants of the evolution of human rights regimes are unlikely to be identical to the determinants of their founding and are therefore unlikely to be explained entirely by republican liberal theory.”¹³

The ICCPR is a global expression of the broadest set of civil and political rights articulated in binding treaty form. Moreover, the ICCPR involves optional commitments that progressively expose a state to international scrutiny. Option Protocol I gives states an opportunity to express their acceptance of the competence of the UN Human Rights Committee

¹¹ Moravscik 2000:244.

¹² Moravscik 2000:245.

(UNHRC) to review and make recommendations on individual complaints alleging state violations of the treaty. Article 41 invites states to make an optional declaration that they accept the competence of the UNHRC to review and make recommendations on complaints of other state parties. Optional Protocol II bans the use of the death penalty by those states that accept its provisions. While obviously not of the same status as the European Court of Human Rights, these provisions indicate “the willingness of governments to accept binding obligations” by subjecting state policies to a higher probability of systematic, authoritative, and binding external scrutiny. (See Appendix I for a detailed explanation of the dependent variable, “commitment scale”, used in this study.) I supplement the evidence on the ICCPR with evidence relating to five other “core” international human rights treaties, relating to economic and social rights, racial discrimination, women, children, and the practice of torture. Evidence of “support” for a binding regime is here operationalized as a progressively higher commitment along the scales outlined in Appendix I.

Figure 1 illustrates how states’ commitments to the ICCPR have changed over time. There has been a drastic reduction in the number of non-participants over the two decades, as well as a drastic increase in the proportion of parties that accept at least one optional commitment under the treaty (category 3). The proportion of signatories that accept every possible commitment save one has nearly tripled between 1980 and 2000. And whereas Sweden alone accepted every possible commitment in 1990, nine states did so in 2000 (Austria, Belgium, Denmark, Finland, Italy, Netherlands, Norway, Sweden, and Ecuador). In short, there has been a noticeable movement toward more demanding forms of ICCPR participation over time, with Europe and especially the Nordic countries leading the way. Furthermore, it is interesting to note that the category of signature without ratification (category 1) was practically an empty set of countries by the year 2000.

¹³ Moravscik 2000:246.

Figure 2 illustrates the proportion of countries within each category of the commitment scale for the year 2000 by region. The East Asia and the Pacific region has the largest proportion of completely non-committed countries of the regions examined here. The Middle East and Northern Africa region has by far the largest proportion of countries that have done no more than made the basic commitment – ratification – without optional bells and whistles. Europe by a substantial margin has the largest proportion of countries that are committed to every optional feature of the ICCPR. The Asia and Pacific region has the most diverse set of policies (largely driven by the presence of New Zealand, Australia, and the Philippines in this region). The Middle East and Northern Africa has the least diverse commitment scores, clustering quite tightly around ratification without any optional obligations. Western Europe has by far the highest commitment level, followed by Eastern Europe. East Asia and the Pacific have the lowest (despite the inclusion of Australia and New Zealand).¹⁴

Domestic hypotheses:

Professor Moravscik’s path-breaking work on democratic lock in is the central concern of this research. The theory predicts that “recently established and potentially unstable democracies” are most likely to support binding human rights regimes. In his article Moravscik places his seventeen countries into three categories based on *how long* they have been “continuously under democratic rule.”¹⁵ Established democracies are those that “have been continuously under democratic rule since before 1920 and remained so thereafter...”¹⁶ “New democracies” are “those that were firmly established during the negotiations and remained so

¹⁴ As measured by standard deviations on the commitment score within each region for 2000. Standard deviations and averages for each region for the year 2000 were as follows:

Summary stats, 2000	E & S Africa	West Africa	E Asia & Pacific	Central Asia	Eastern Europe	Western Europe	Middle East	Americas
Average	2.12	2.57	1.16	1.75	3.25	4.78	1.61	2.76
Std dev.	1.34	1.44	1.71	1.56	1.30	1.38	1.06	1.62

¹⁵ Moravscik 2000: 231.

thereafter, but only since a point between 1920 and 1950...’’¹⁷ Semi-democracy and dictatorship includes regimes “that were not fully democratic by 1950.”¹⁸

Moravscik is not explicit about the criteria that a “fully democratic” country must meet, but he does note that evidence of their instability can be found in subsequent reversions to dictatorship. This raises the intriguing but methodological troubling question of whether we should look at *subsequent* changes in democracy to judge the quality at any given moment in time. Moravscik’s method at least partially *infers* instability from a future that might or might not have been apparent to negotiators at the time. This could be justified, since it is not too far-fetched to suggest that politicians are very sensitive to the conditions that give rise to democratic instability (weak and ever-changing coalitions, polarized opposition forces). Future instability might be an indicator of negotiators’ current rational anticipations. However, we do risk mingling cause and effect: autocratic rulers often oppose the extension of political and civil rights precisely on the grounds that they could *unleash* political instability. If they are sometimes right, then there is a risk that Moravscik’s coding method confuses cause and effect. Even more difficult is how to separate unstable non-democracies (today’s equivalent of Greece and Turkey in 1950) from imperfectly democratizing regimes that desperately seek a way to lock in their (as of yet) imperfect gains.

I have made a good faith effort to capture Moravscik’s mechanism by using three different indicators (see Appendix 2 for all data descriptions and sources). The first captures length of time as a stable democracy. I have created three categories: continuously democratic since World War I,¹⁹ continuously democratic since World War II (1945),²⁰ and countries that

¹⁶ Belgium, Denmark, Luxembourg, Netherlands, Norway, Sweden, and the UK (Netherlands is erroneously listed twice; Moravscik 2000:231.)

¹⁷ Austria, France, Italy, Iceland, Ireland, and West Germany.

¹⁸ Greece, Turkey, Spain and Portugal.

¹⁹ To qualify, countries could at no point after 1917 score below an 8 on the Polity democracy scale. The Polity data set is a broadly used source in political science that measures the nature of the domestic political regime. One of the most frequently used indicators is the score on democracy, that ranges from a low of 0 (completely non-democratic) to a high of 10 (most democratic).

have recently undergone a democratic transition.²¹ Whenever these transitioning or unstable countries enter the highly democratic range,²² we should expect them to have a greater probability of increasing their commitment to the ICCPR. In the analysis that follows, coefficients on all three of these categories of democracies should be interpreted in comparison to the omitted category, non-democracies.

While I believe this coding reflects reasonably well the logic of Moravscik's argument, alternative measures might do as well or better. The lock-in thesis rests on the underlying *uncertainty* that today's democratic gains will endure – hence the motivation for locking in rights in the first place. We can capture that uncertainty by calculating for each and every country a standard deviation on their post war set of polity democracy scores. The higher the volatility in democratic rights and institutions, the more uncertain actors should be about future developments. As above, I interact this score with a dummy for high democracy (with cutoff at 8 on the polity score). When volatile countries pop into the democratic range (the interaction term) the probability of higher commitment to the ICCPR should increase.²³ In interpreting the results, we should be able to test whether being highly democratic modifies the effects of political volatility on human rights commitments. *Volatility under conditions of high democracy* should encourage states to support more binding international obligations.

We can also drop the idea of *volatility* and focus on the concept of democratic *gain*. Another way to capture the lock-in idea is simply to calculate the first difference between the current level of democracy and that prevailing three or five years ago. Any rational liberal republican would be expected to lock in recent improvements, even if their regime does not meet the criteria of “full democracy” in an objective sense. More is better than less, and there is no

²⁰ Since many countries under examination did not exist in 1945, I also included in this category countries that at no time during their postwar independence scored below an 8 on the polity scale.

²¹ Countries whose scores bounced over and below this cutoff at least once in the post war period.

²² This conditional argument is captured by interacting a dummy variable for high democracy (8 or above on the 10 point polity scale) with a dummy variable for status as a transition country (bounced above and below a score of 7 on the 10 point polity scale after 1945 or during independence).

obvious reason why “lock-in” should not occur in the face of a drastic democratic improvement. The bigger these gains, the more domestic liberals ought to want to take them to the bank.

Arguments about democratic lock in are central to Moravscik’s argument, but do not exhaust the range of domestic political explanations for human rights commitments. Moravscik uses “republican liberalism” as a broad rubric under which fall any explanations “resulting from instrumental calculations about domestic politics.”²⁴ Alternative domestic explanations are not explicitly considered in his article, but we can control for them while testing for evidence of lock-in. The political composition of the government in power at the time should also exert an influence. One might expect for example a military government’s attitude toward human rights to differ from a civilian government’s. Military governments have been associated with the use of martial law, and are assumed to place a higher value on order than on the free play of individual rights. There may also be important differences among civilian governments: left-leaning governments for example, are likely to have a different set of priorities that include far greater attention to individual rights. After all, a long and exceptionally *stable* set of left leaning governments in the Nordic countries (Sweden, Norway, Finland) are responsible for these countries’ high levels of commitments.

One of Moravscik’s most intriguing findings is that opposition to a binding European human rights regime came from Britain – “the oldest and most established democracy in Europe.”²⁵ This appears to be a counter-intuitive finding: Britain, after all, would hardly be constrained in their rights practices by the content of the agreement. Moravscik does an excellent job excavating the rather illusive set of arguments British officials offered for their opposition, and attributes them to “idiosyncratic... political practices and institutions in the United

²³ Note that this measure picks up the forward- and backward-looking evidence on instability that characterizes Moravscik’s coding decision.

²⁴ Moravscik 2000:225.

²⁵ Moravscik 2000:239.

Kingdom.”²⁶ But the evidence suggests to me that the British concerns are not so idiosyncratic. Their worries centered on a compromise of parliamentary authority and intrusions into the system of home-grown judicial precedent that constitutes their common law system. This is precisely the constellation of institutional practices that should, generally, be most resistant to external regulatory efforts in the human rights area. A contrast can be drawn with civil law systems, which constitute the preponderance of democratic countries in Europe that were decidedly in favor of a stronger regional human rights regime.

This distinction is important because treaty commitments must be understood as part of the *system* of law at the domestic level. Legal systems are not equally prone to “absorb” international law into the domestic legal system, even if the underlying social values are similarly sympathetic to the rights in question. In many civil law “monist” countries, international obligations, once ratified, automatically become part of the legal system of that country.²⁷ A distinctive feature of common law (often “dualist”) systems is the much greater emphasis on judicial precedent. In the common law tradition, “social change is thought to be introduced appropriately through the adaptation of precedent to new circumstances, not by means of legislation [of which treaties are an example]...Although there is no dispute that legislation is the source of law which has authority over all other sources, the fabric of the common law is its precedent.”²⁸ Merryman made a similar point in his now classic text: “The common law of England, an unsystematic accretion of statutes, judicial decisions, and customary practices, is thought of as the major source of law. It has deep historic dimensions and is not the product of a conscious revolutionary attempt to make or to restate the applicable law at a moment in

²⁶ Moravcsik 2000:240.

²⁷ Harland 2000:190.

²⁸ Glendon, Osakwe and Gordon 1982:234.

history.²⁹ A reason for British resistance may be the type of legal system to which external human rights commitments were to be grafted.³⁰

In the broader sample of countries I examine, it is possible to test for the independent (though hardly idiosyncratic) nature of the legal system by distinguishing those countries that inherited Britain's system from those that more closely resemble the continental or other models. I therefore distinguish countries that share Britain's common law heritage from those that do not. The hypothesis is that governments presiding over common law systems should be systematically less likely than governments in other legal systems to commit to international human rights agreements at very high levels. The coefficient should be interpreted as the effect of British legal heritage compared to all the excluded categories (by far the most widespread of which is the French, or civil law, model). Since it might be easy to conflate the structure of the legal system with other factors that might break down along English-French lines, I also control for dominant religion (Protestant, Catholic) as a carrier of cultural values with potentially independent consequences for human rights commitments.

Realist hypotheses: various forms of external pressure

Realists note that there are few advantages to a government for accepting a legal constraint on its internal behavior. Powerful countries will generally be least likely to circumscribe their sovereignty. Countries that do accept limits on their human rights policies are likely to be subject to some kind of implicit or explicit linkage politics that raises the costs (or denies a benefit) to those remaining outside of the regime.³¹

In order to test this set of standard realist expectations, the analyses that follow initially included the log of gross national product, gross national product per capita, overseas

²⁹ Merryman 1969:26. See also Zweigert and Kotz 1987.

³⁰ Comparative legal scholars offer more nuanced interpretations of common versus civil law systems than is possible to present in this note. See for example Bogdan 1994, Glendon Osakwe and Gordon 1982, and Merryman 1969.

development assistance as proportion of GDP, and whether or not a country is currently borrowing from the International Monetary Fund. The first two are indicators of a country's economic power, and the latter two indicate an opportunity to link aid to human rights policies. As we will see, none of these turned out to be statistically significant in explaining a country's commitment to the ICCPR, and were dropped from the analysis in order to make presentation of the relevant results more parsimonious.

Finally, governments who are most *active and influential* in rule creation should also be the most willing to jump on board. After all, treaties are negotiated with the each countries' own national issues and preferences firmly in mind. Bit players and those who later accede to a treaty's requirements may find less of a match between their preferences and the treaty in question. While accession has the same value in the commitment scale as does ratification by a signatory, *participation* provides the opportunity to fashion the rules to fit one's own preferences. In order to test this proposition, I distinguish "acceders" from original signatories who then went on to ratify. I then weight the input of the negotiation participants by the log of GDP to capture the idea that those countries who had the most significant influence over rule formation (the biggest countries) are most likely to commit to the rules unreservedly. The hypothesis is that large (assumed to be powerful) *participants* are more likely than less power participants (and certainly than non-participants) to commit at high levels. (Note that this test requires truncating the data to include only those countries who are already minimally committed either through accession or ratification.)

Socialization hypotheses:

³¹ Eg., Forsyth 1989.

The set of international legal rules surrounding human rights practices have an undeniably normative genesis.³² Political scientists as well as legal scholars have pinpointed principled, normative concerns (biased though they may be toward western values) as the underlying explanation for the existence and development of the international human rights regime. Jack Donnelly, for example, argues that “human rights have become a (small) part of the post-war calculus of political legitimacy.”³³ Martha Finnemore and Kathryn Sikkink point to the role of “norm entrepreneurs” who frame and publicize issues so as to make them more likely to be on governments’ agendas.³⁴ Several scholars have researched the crucial role that NGOs have played in influencing the drafting process and institutional arrangements to oversee the developing human rights regime.³⁵

External pressures need not be nearly as crass as the aid-for-human-rights-obligation mechanism implied by a realist argument. Normative pressures can build as more and more states make more serious commitments, and perhaps especially as states within one’s own region begin to do so.³⁶ They may emanate from either state or non-state actors, and they may be of global or regional provenance. In some cases, the “pressure” might be so mild as to qualify as “leadership.” Lori Damrosch, for example, has made the case that US leadership – in the form of ratifying and applying international human rights agreements domestically – would have gone a great distance toward providing a model that other states, specifically the former Soviet Union, would have been likely to emulate.³⁷ These kinds of external influences are exceedingly difficult to document, but are likely to be more pervasive than the manipulation of material incentives.

³² For a discussion of instrumental and normative lenses for understanding international law and institutions, see Keohane 1997. Keohane makes the point that these two “optics” are not mutually exclusive, and that it would be progress to attempt to integrate them.

³³ Donnelly 1998:20.

³⁴ Finnemore and Sikkink 1998.

³⁵ Chinkin 2000, Tolley 1989.

³⁶ This is a strong and striking finding of earlier research in the international monetary area, although the reasons for the expected pattern in human rights is more likely to be normative and less likely to be instrumental. See Simmons 2000.

³⁷ Damrosch 1991: 2329-2334.

It is impossible to observe such normative pressure directly. Probably the best we can do is to infer it from the extent and the depth of such commitments by other states in the system. I take state-based normative pressure into account by including a measure of the average score on the commitment scale yearly for each country's own region. This measure taps into the intensity of the moral or social pressure a government might experience to "up the ante" by exposing themselves to increasingly strenuous international legal commitments.

I supplement this measure with an indicator of non-state external pressure. The most frequently cited source of such pressure is that emanating from increasingly strong, confident, and pervasive networks of human rights NGOs that keep an unofficial eye on government policies and practices. As a practical matter, quantitative analysis of this kind is highly constrained by the kind of data that are generally available.³⁸ Case studies have been far more successful than we are likely to be here at understanding the role of NGOs in influencing governments' policies in this area. Yet it seems essential to acknowledge the importance of such actors, even if that means for now using indicators that capture only a superficial part of the story. I log and lag yearly data on the number of groups world-wide associated with Amnesty International as a rough first cut.

Despite obvious shortcomings, there is something to say in defense of this measure. Amnesty is one of the most respected and well-known human rights NGOs on earth. Though there are assumptions involved here, its growth is likely to both reflect the main thrust of pressure from non-state transnational actors and to indicate a general pattern of world awareness that broadly parallels less observable trends. Moreover, Amnesty is one of the best-connected of the human rights NGOs with intergovernmental organizations³⁹ and governments⁴⁰ who tend to take

³⁸ Though dated, one potential source is Wiesberg and Scoble 1981.

³⁹ As of 2000, Amnesty International had consultative status with the Economic and Social Council, UNESCO, the ILO, and the Council of Europe. Union of International Organizations 2001. To my knowledge, this is more than any other transnational human rights NGO.

⁴⁰ According to secondary sources, governments read Amnesty reports and are sometimes influenced by their findings. See Jacobson 1979, Peters 1985, and Shelton 1994.

their reports seriously in fashioning (on rare occasion) their own mild sanctions. If we conceive normative pressure as operating through a form of public exposure and embarrassment, then there is probably no single organization more indicative of this pressure than Amnesty. For these reasons, I have decided to include this measure of normative pressure, though it is important to be aware of its limitations in drawing conclusions.

Other controls:

In order to increase our confidence in the central findings, I include a number of controls. I include a measure of past rights practices, to control for the possibility that governments that find it “easy” to commit because they already behave well are most likely to commit.⁴¹ We would expect those states with better rights records to feel less “inconvenienced” by accepting external obligations. I use the average over the past five years of Freedom House’s combined measure of civil and political rights to control for this possibility. This captures the state of practice in areas quite similar to those expressed in the ICCPR in the years leading up to ratification and successively higher levels of commitment. Because the scale goes from 1 (extensive rights) to 14 (virtually no rights), a negative relationship indicates a “good” state is more likely to commit.

Because we are looking at a time series, it may be important to recognize the possibility that the world generally is not the same in 2000 as it was in 1980. A denser network of normative expectations, monitoring agents, and technological enhancements may cause us to incorrectly assign causal significance to one of our variables of central interest, when in fact it reflects the fact that the world is changing in all sorts of ways about which we have not explicitly theorized, but that may be relevant to the decision to commit at high levels. I include the variable year to account for this possibility.

⁴¹ Downs, Rocke and Barsoom 1996.

III. Methods and findings

In order to test these hypotheses I use time-series cross-sectional data, with the country year as the unit of analysis. Because the dependent variable is categorical and can be rank-ordered (from the least to the most committed), I use an ordered probit specification that models the probability that a country will move from one category to the next. Since the goal of my analysis is to be as general as possible, tests are performed on as many countries for which I was able to collect the necessary data.

A potential problem with using ordered probit in a time series cross sectional context is that the model assumes that all observations are independent from one another. It is very unlikely though, that Malaysia's policy in 1994 is independent of its policy in 1993. But because I am using an *ordered* probit, the now-standard ways of correcting for the non-independence of observations are not readily available. To address the problem of underestimating standard errors – and thereby overestimating the probability that any findings are statistically significant – I use an ordered probit model with robust standard errors adjusted for clustering on each country. By doing so, I am admitting that we do not know anything about within-cluster correlation, and that the observations within clusters may contribute little to our ability to estimate precise standard errors. One effect of this choice is that each cluster enters part of the covariance computation as essentially a “super-observation”, which substantially increases standard errors and reduces the likelihood of inferring effects where in fact there are none.

Table 1 presents the findings. The explanatory variables tested are listed on the left, and three different models are presented to display various results for the differing measures for the democratic lock-in arguments (models 1-3). Model 4 assesses *only* those states who are legally bound by the ICCPR, and asks, additionally, whether large powerful participants are more likely to take on the optional obligations of these treaties, compared to those countries who have bound themselves through accession alone (without actively participating in the negotiation process). Within each cell, I have reported the ordered probit coefficient and in parentheses the

corresponding robust standard errors (adjusted for clustering by country). Coefficients indicated by asterisks pass traditional standards of statistical significance.

Only one of the realist hypotheses received any support, and for simplicity's sake the other four were dropped from the table. None of the results relating to traditional measures of power (logged GDP, logged GDP per capita) were statistically significant in any specifications.⁴² Nor was there any evidence that countries that are dependent on the international community for aid were any more likely to commit to these agreements at high levels. Overseas development assistance and loans from the International Monetary Fund bore no systematic relationship to the decision to commit.

A factor that does apparently exert an enormous influence over the *degree* of commitment a country is willing to make to the ICCPR (given a minimal willingness to ratify) is whether and how that country participated in the process of regime formation (model 4). I have weighted the participants in the negotiations according to their GDP, in order to test the hypothesis that influence over the negotiations (the product of participating *and* being "big") affects one's willingness to commit to optional obligations. The evidence is unambiguous: those who likely had the most influence over the law-drafting process are far more ready to take on optional obligations under the ICCPR. Those who approach a ready-made regime, and those who may have participated at the margins, are far more likely to commit at only the most minimal levels.

Next, consider the evidence for democratic lock-in. It is weak at best. The most disconfirming findings appear in model 1. This theory led us to expect the effect of democracy on human rights commitments to diminish as democratic stability becomes more entrenched. The final three cells of model 1 instead indicate the opposite is more likely to be true. The positive coefficient for the old timers is nearly four times the size for that of the more unstable

⁴² Complete null results are available from the author upon request.

democracies to whom Moravscik attributes lock-in motives.⁴³ The coefficients in model 4 (for the truncated sample excluding the non-signatories) narrow the gap between the long-term democracies and the democratic countries that have undergone transition. Surprisingly, the category of countries democratic continuously since World War 2 (or their post-war independence) loses its significance. But this still does not support the lock-in thesis.

Nor does model 2. Here I have interacted each country's democratic volatility for the period as a whole with a dummy variable indicating whether or not the country is highly democratic (bounces above 7 on the Polity scale) in any given year. We therefore have here a measure of the effects of volatility (equivalent to Moravscik's "uncertainty") modified by the degree of democracy. The effects are in the right direction for lock-in (inasmuch as the coefficient for the effects of volatility on commitment for non-democratic governments is negative (-.124), while the effect of volatility for countries I am considering "highly democratic" is positive (the net impact of .242 and .010), but the results are not statistically distinguishable from zero.

The findings in model 3 provide no further support for the lock-in thesis. Here, the conditions for lock-in are operationalized as a recent (five year) democratic improvement.⁴⁴ The more a country has recently improved the quality of its domestic democracy, the more motive there should be to lock in the gains. Again, the results are disappointing for the hypothesis. The positive direction is encouraging, but we can have little confidence that the impact of democratic improvement is not zero.

Meanwhile, some of the results in table 1 suggest that very different explanations are likely to be at work. First, the evidence is quite strong that the United Kingdom is not "idiosyncratic" when it comes to human rights treaties. The evidence is strong that countries that have inherited their legal systems from the British are generally likely to be reticent to commit

⁴³ Note that all are positive because the omitted category here is *non-democracies*; it is clearly true that democracies of all kinds are more likely than dictatorships to commit to the ICCPR

themselves to external forms of rights regulation. The data in models 1-3 certainly support the broad generalization that common law traditions have an important impact on a government's propensity to ratify human rights accords. If we exclude those countries that do not commit at all to the ICCPR, the common law coefficient weakens, but remains in the anticipated negative direction. Far from being idiosyncratic, we have systematic evidence here of the British legal system as an important factor in reducing the enthusiasm for binding external human rights agreements. This relationship holds even when we control for dominant Protestant religion (itself positively associated with commitment to the ICCPR in two models).

The domestic political factor most likely to be associated with a high commitment to the ICCPR is the coalitional orientation of the government itself. Governments characterized by the World Bank as "left" are far more likely to accept the obligations of the ICCPR at higher levels than other governments. In every version of the model, this relationship was statistically confirmed in very strong terms. However, governments headed by military chief executives had no systematic effect, and this variable was dropped from the analysis. There is little doubt that the political orientation of the civilian leadership at the time powerfully influences the decision of whether and how strongly to commit. These kinds of influences are likely at work in the ultra stable but left-leaning governments of Scandinavia, all of which have accepted every possible commitment under the ICCPR.

Most strikingly, however, the results reported in table 1 bid us to think beyond domestic explanations and toward external influences on the decision to commit to international human rights accords. The evidence unmistakably associates a particular country's level of commitment with the average level of commitment in the region. This relationship holds even though we have taken year, and hence the "natural" accumulation of commitments, into account. Every model save one confirms this statistical result; the question remains of course how to interpret it. It is highly consistent with an argument that would point to external socialization, as several case

⁴⁴ Results were substantially the same when a three-year improvement window was used.

study accounts of human rights behavior have emphasized.⁴⁵ Whether it represents the acceptance of the surrounding community's assessment of the normative correctness of the goals of the ICCPR, or whether it reflects a desire to maintain a formal posture for reputational reasons cannot be plumbed with these data. It does seem clear however, that one condition for taking on higher levels of obligation is that other governments have agreed to do so. Since human rights protection is not a self-enforcing contract based on reciprocity between states, it does seem plausible that normative forces are at work.

None of the tests for ICCPR commitment found that the intensity of NGO growth was associated with higher commitment levels. The direction of association was consistently positive, which is what we would expect, but in no case are the results statistically significant. One possibility is that these networks have no effect on the decision to make a legal commitment (which does, however, leave open the possibility that they nonetheless have a positive influence on actual human rights behavior, which in practice is the focus of their negative publicity campaigns). Another possibility is that we simply do not have good enough data to test this proposition properly. At this point, all we can say is that the external pressure to make and enhance a country's commitment to the ICCPR appears much more likely the product of peer pressure.

Our final control variable performed unspectacularly. We hypothesized that countries whose practices were already most closely in line with the obligations contained within the ICCPR would be more likely to commit, and at higher levels. There is no support here for thinking so. Using the Freedom House data on both civil and political rights combined, and lagging this measure three years (thus testing the proposition that practices three years prior are likely to influence commitment to the ICCPR), we find no statistically significant relationship.⁴⁶

⁴⁵ Risse, Ropp and Sikkink 1999.

⁴⁶ Note that higher scores on the Freedom House scale indicate worse rights practices.

IV. Beyond the ICCPR

To see whether or not our results for the ICCPR have anything to say about other universal human rights agreements, I have altered Model 1 above to account for commitment to the International Covenant on Economic, Social, and Cultural Rights (ICESCR); the International Convention on Elimination of Discrimination Against Women (CEDAW), the Convention on the Elimination of Racial Discrimination (CERD), the Convention on the Rights of the Child (CRC), and the Convention Against Torture (CAT). These treaties all have large numbers of parties and are all of similar structure. Each establishes a body of substantive obligations for those states becoming parties to the treaty, and their administrative provisions are quite similar. Do the findings for the ICCPR apply to other treaty agreements as well?

If the democratic lock-in thesis is correct, we should expect the coefficients for countries in democratic transition to be positive and larger than the coefficients for the long-term stable democracies. Table 2 shows that in only one instance does this appear to be the case: for the prohibition against torture. Here, the oldest, most stable democracies were certainly highly committed, but the size of the positive coefficient is just slightly smaller than the positive coefficient for the transition democracies. The difference is small, but is in favor of the lock-in idea. The post WW2 stable democracies, on the other hand, were much less willing than the transitioning democracies to commit to the torture convention, as indicated by a lack of any statistical relationship for that group. But for four out of five of these additional core treaties, there is no evidence of democratic lock-in.

Other domestic institutional and political factors give much more purchase on the commitment question. Left governments are much more likely to commit in each case, with the exception of the Convention of the Rights of the Child. British legal heritage had a negative effect in all five cases, three of which (economic and social rights, racial non-discrimination, and torture) are statistically significant as well. The consistency of the effect of British legal heritage

across all rights cases lends support to an interpretation that there is indeed something systematic about the way that common law systems interact with external sources of legal authority.

The support for external sources of socialization continue to be quite convincing. In every instance, the degree of commitment to these five other UN-sponsored human rights treaties is strongly predicted by the commitment of other governments in the region. In addition, there is evidence in at least three out of five of these cases that the development of NGO networks is associated with a greater propensity for governments to commit more seriously. Taken together, these findings provide fairly strong evidence that socialization pressures from other states and private “norm entrepreneurs” are associated with stronger international human rights commitments.

As we found previously, there is no strong evidence that legal commitments in any of these five additional areas is closely related to previous rights practices. I should note that our indicator (Freedom House ratings on civil and political rights) here is not as well tailored to these treaties as it was to the ICCPR. Still, consistent with our earlier finding, there is no clear indication that commitment is systematically biased by previous rights practices.

V. Conclusions:

We have grown accustomed to the widespread phenomenon of the ratification of international human rights treaties. Yet *why* governments choose to commit themselves has rarely been a focus of scholarly inquiry. International relations scholars sometimes assume these commitments are meaningless or symbolic or even hypocritical (Krasner 1993), but these claims have yet to be rigorously demonstrated.

Andrew Moravscik has done as much as any scholar to date to shed theoretical and empirical light on this question. His work on democratic lock in is both provocative and for the European case of the 1950s well supported. The argument is highly nuanced, but the predictions

he makes have the virtue of being clear and testable. I wish to emphasize that none of the evidence presented here undermines the contribution of his argument to scholarship on human rights, nor reverses his finding for that region at that point in time.

These findings do, however, counsel caution in *extending* arguments about democratic lock-in to different countries, making different commitments, at a different point in time. And they place in broader context the puzzle of Britain's resistance to external human rights commitments. The British common law legal system gives pause where treaties might interfere with the domestic system of judicially determined legal precedent. Certainly this finding might be subsumed under "liberal republican" theory, but it is far from the lock-in mechanism associated with recent democratic transitions.

One might wish to interpret the finding with respect to left governments as a form of lock-in. It might be argued that left governments anticipate a time when they will be removed from office and they therefore attempt to constrain future (presumably less liberal) governments. This might be the case, but the mostly highly committed states of the lot – the Scandinavian countries – have been stable left-leaning governments for at least a generation. To test the hypothesis of government orientation lock-in would require one to interact left-right instability with a left "moment" as was done above with the democracy indicator. For now, there is no evidence that our finding on left-leaning governments has anything to do with a lock-in dynamic.

The evidence of external influences on human rights commitments is more persuasive than that for democratic lock-in. Moreover, the evidence that external influences are associated with persuasion rather than realist arm-twisting is fairly compelling. Recall that we found no evidence at all for typical realist constructions of human rights commitments, with the exception (for a truncated sample of countries) that influence over negotiations increases commitment levels beyond mere ratification. A country's size and wealth alone was found to have no systematic effect on its commitments. Potential sources of leverage (overseas development aid, IMF borrowing programs) were similarly uncorrelated with higher commitment levels.

But normative diffusion is not simply the product of material pressures. The evidence does suggest that governments are socialized to do what their regional peers tend to do. This is true even when we control for a host of conditions that independently influence preferences for commitment; in other words, this pattern cannot be dismissed as simply an indication that these countries are similar and hence make similar decisions. It is more likely that the evidence uncovered represents some form of normative diffusion. At this point I cannot show that this diffusion is due to reputational concerns based on instrumental calculations (though the null findings on aid do not corroborate such an interpretation), or whether the regional influences are part of a deep form of norm internalization. While we cannot distinguish the exact motives at this point, it seems clear that governments are looking for external cues (material or ideational) for guidance in making human rights treaty commitments. The finding that commitments across all six treaty are associated with growth in the NGO human rights community (statistically significant in three cases) suggests that “normative” or “ideational” theories may be right on track.

None of this is to suggest that these treaty commitments are completely determined from the outside. Indeed, the finding on British common law systems suggests that more work needs to be done on the relationship between domestic legal systems and treaty commitments. But the idea that external human rights commitments are significantly influenced by a desire to stabilize domestic politics is hard to substantiate with these data. This is not to say that it does not occur in some instances; rather it is a finding that should remind us to use caution when advancing claims about a “U-shaped” relationship between democratic stability and international human rights commitments. Stable democracies are still the most ardent supporters of the international human rights regime, some spectacular instances of equivocation notwithstanding.

Appendix 1: The Commitment Scale

ICCPR (International Covenant on Civil and Political Rights. United Nations General Assembly Resolution 2200A [XXI]. 16 December 1966.)

0 = no action taken

1 = signature

2 = ratification or accession

with additional points added for:

- signature on Optional Protocol I: “A State Party to the Covenant that becomes a party to the present Protocol recognizes the competence of the Committee to receive and consider communications from individuals subject to its jurisdiction who claim to be victims of a violation by that State Party of any of the rights set forth in the Covenant. No communication shall be received by the Committee if it concerns a State Party to the Covenant which is not a party to the present Protocol....”
- ratification of Optional Protocol I
- ratification of Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Adopted and proclaimed by General Assembly resolution 44/128 of 15 December 1989.)
- Article 41 declaration: “A State Party to the present Covenant may at any time declare under this article that it recognizes the competence of the Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the present Covenant. Communications under this article may be received and considered only if submitted by a State Party which has made a declaration recognizing in regard to itself the competence of the Committee. No communication shall be received by the Committee if it concerns a State Party which has not made such a declaration...”

ICESCR:

0 = no action taken

1 = signature

2 = ratification or accession

CEDAW:

0 = no action taken

1 = signature

2 = ratification or accession

with additional points added for:

- signed optional protocol: “A state party to the present protocol recognizes the competence of the Committee on the Elimination of Discrimination Against Women to receive and consider communications submitted in accordance with Article 2 [which follows].” (General Assembly Resolution A/Res/54/4, October 15, 1999.)
- ratified optional protocol

CERD:

0 = no action taken

1 = signature

2 = ratification or accession

with additional point added for:

- Declaration to be bound by Article 14: “A State Party may at any time declare that it recognizes the competence of the Committee to receive and consider communications from

individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by that State Party of any of the rights set forth in this Convention. No communication shall be received by the Committee if it concerns a State Party which has not made such a declaration.

CRC:

0 = no action taken

1 = signature

2 = ratification or accession

with additional points added for:

- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

CAT:

0 = no action taken

1 = signature

2 = ratification or accession

with additional point added for:

- Article 22 declaration: "A State Party to this Convention may at any time declare under this article that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention."

Appendix 2: Data Measures and Sources

Dependent Variables:

See Appendix 1. Source: Office of the United Nations Commissioner for Human Rights, <http://www.unhchr.ch/pdf/report.pdf>

Explanatory Variables:

Year: Calendar year (1976, 1977...etc)

Average Commitment in Region: Average score on the dependent variables for independent states within each region. Classification of countries by region (East and Southern Africa, West Africa, East Asia and Pacific, Eastern Europe and Central Asia, Rest of Europe, Middle East, North Africa, Americas) are based on World Bank categories. *Source:* <http://www.unhchr.ch/pdf/report.pdf>

Amnesty International Growth: the number of groups world-wide associated with Amnesty International, logged and lagged. *Source:* *Amnesty International, Annual Reports (various issues)*.

Previous Rights Practices: The sum of the scores on “political rights” and “civil liberties” assigned each year to countries by Freedom House. I use the moving average of observations over the previous five years. Range: 0 to 14. *Source:* www.freedomhouse.org

Protestant: Whether (1) or not (0) the dominant religion of the country is Protestant. Sources: various, primarily the *CIA Factbook*.

Catholic: Whether (1) or not (0) the dominant religion of the country is Catholic. Sources: various, primarily the *CIA Factbook*.

British Legal Heritage: Whether (1) or not (0) the country’s legal heritage is influenced primarily by British legal traditions. *Source:* *Global Development Network Growth Database, William Easterly and Hairong Yu, World Bank*.

Left Government: Whether (1) or not (0) the party of the chief executive is “left.” (Note: this is a simplification of a trichotomous rating – left, right, center – as well as cases where such a category is “not applicable”.) Everything other than a left party is coded 0. *Source:* *Philip Keefer, Database of Political Institutions, Version 2.0, World Bank*.

Democratic Since World War I: Whether (1) or not (0) a country has been consistently 8 or above on the Polity 0 to 10 democracy scale since 1920. *Source:* *POLITY III Data set. For a complete discussion of the conceptualization and coverage of this data set and comparisons with other measures of democracy, see Jagers and Gurr, (1995)*.

Democratic Since World War 2: Whether (1) or not (0) a country has been consistently 8 or above on the Polity 0 to 10 democracy scale since 1945. *Source:* *POLITY III Data set. (see above)*.

Unstable Democracy: Whether (1) or not (0) a country has dipped below 8 on the Polity 0 to 10 democracy scale since 1945, AND the observation is currently above 8. *Source: POLITY III Data set. (see above).*

High Democracy: Any observation in which a country is at 8 or above on the Polity scale. *Source: POLITY III Data set. (see above).*

Regime Volatility: The standard deviation of the Polity 0 to 10 democracy score for each country since 1945 or independence. *Source: POLITY III Data set. (see above).*

High Democracy*Regime Volatility: the interaction of volatility with whether or not an observation is above 8 on the polity 0 to 10 democracy scale (capturing the effects of uncertainty under democratic conditions). *Source: POLITY III Data set. (see above).*

Democratic Improvement: the difference between polity democracy at time t and time t-5. *Source: POLITY III Data set. (see above).*

Figure 1:

Shifting Commitments: Changes in the degree of State Commitment to the ICCPR 1980, 1990, and 2000

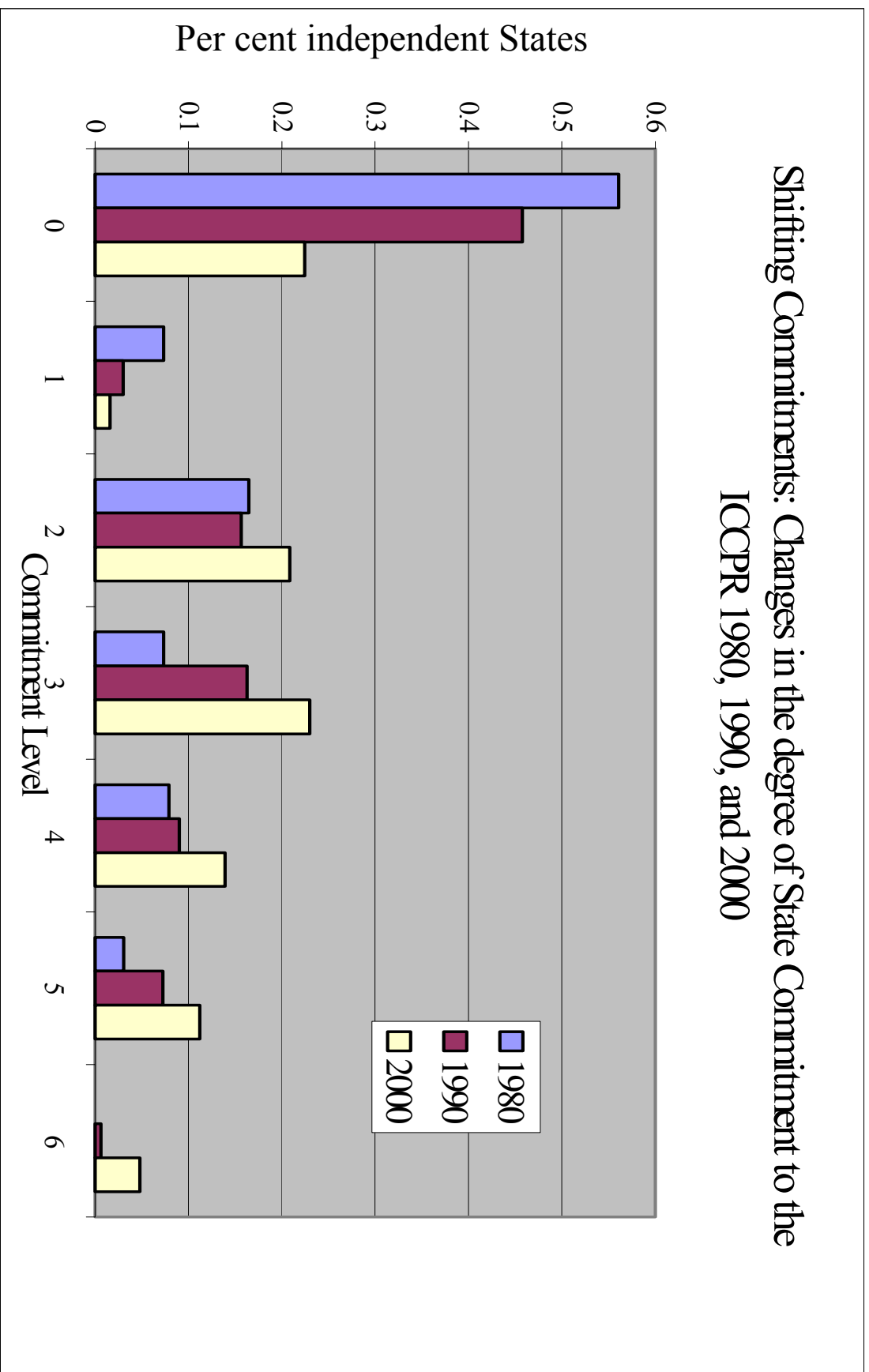


Figure 2:

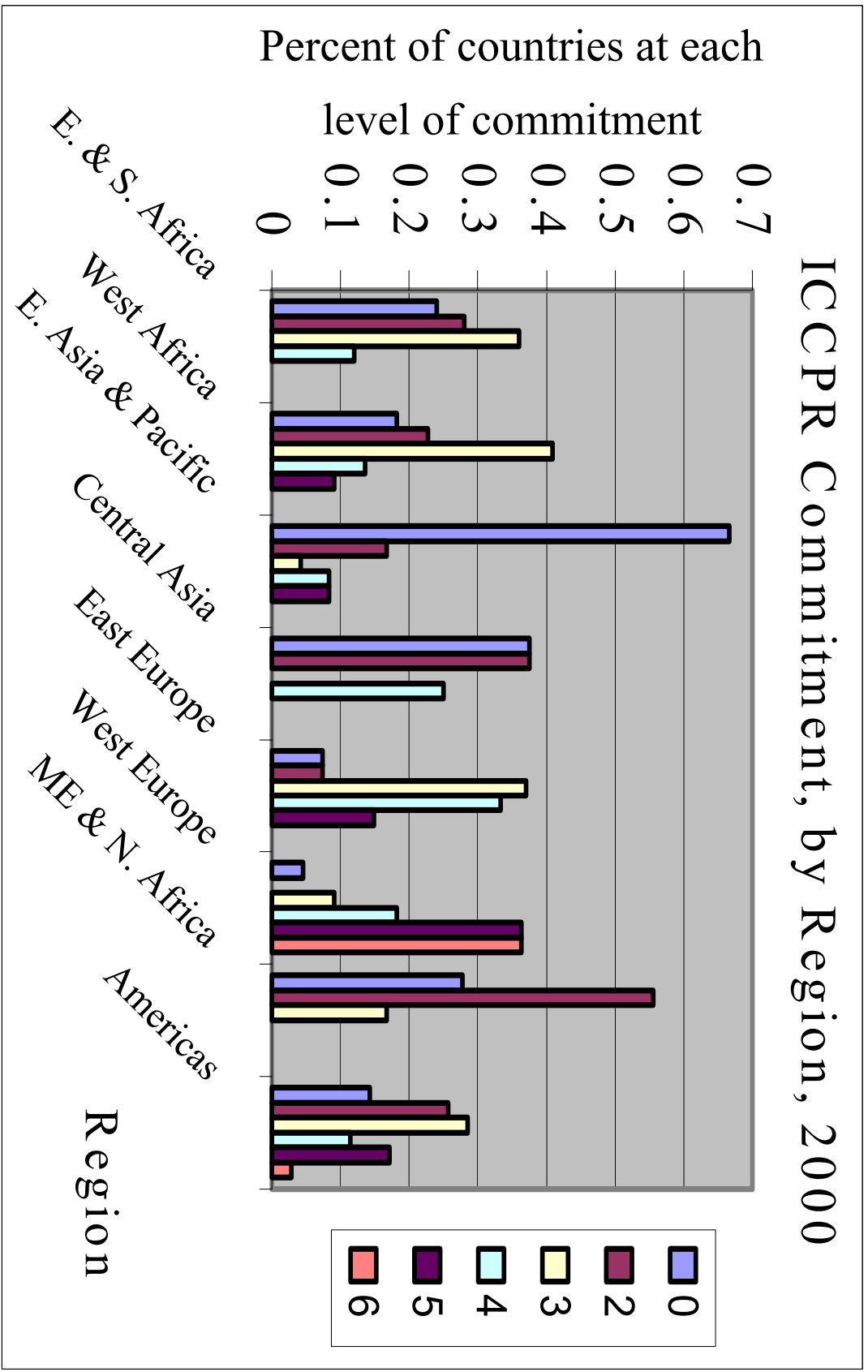


Table 1: Explaining Commitment to the ICCPR:
Results of Ordered Probit Analysis
(Robust standard errors adjusted for clustering on country)

	Explanatory Variables:	Model 1		Model 2		Model 3		Model 4 (excluding non-signatories)	
<i>External factors:</i>	Year	.042*** (.011)		.046*** (.015)		.021* (.011)		.044*** (.013)	
	Average commitment in region	.387*** (.128)		.252 (.172)		.555*** (.132)		.335*** (.129)	
	Amnesty International growth	.028 (.026)		.004 (.025)		.025 (.026)		-.002 (.029)	
<i>Internal factors:</i>	Previous rights practices	.007 (.005)		.003 (.006)		.006 (.005)		.001 (.006)	
	Protestant	.719** (.330)		.445 (.401)		1.06*** (.307)		.001 (.378)	
	Catholic	.538*** (.210)		.691*** (.240)		.510** (.202)		.087 (.231)	
	British legal heritage	-.856*** (.205)		-.594** (.257)		-.745*** (.192)		-.137 (.261)	
	Left government	.522*** (.140)		.488*** (.163)		.483*** (.135)		.439*** (.151)	
<i>Democratic Lock-in:</i>	--	Dem. since WW1	1.39*** (.278)	High dem.	.242 (.252)	Dem. Improvement	.002 (.016)	Dem. since WW1	.885** (.297)
	--	Dem. since WW2	.594*** (.222)	Regime volatility	-.124 (.080)	--	--	Dem. since WW2	.159 (.298)
	--	Dem. Trans.	.378* (.230)	High dem* volatility	.010 (.106)	--	--	Dem. Trans.	.458** (.212)
	Influence over negotiations	--		--		--		.045*** (.008)	
	No of obs.	2510		1850		2669		1553	
	Prob > chi ²	0.00		0.00		0.00		0.00	
	Log likelihood	-3218.10		-2451.73		-3592.92		-1918.72	
	Pseudo R ²	.215		.137		.165		.211	

* = significant at .10

** = significant at .05

*** = significant at .01

Table 2:
Explaining Commitment to the ICESCR, DAW, CERD, CRC, AND CAT:
Results of Ordered Probit Analysis
(Robust standard errors adjusted for clustering on country)

	Explanatory Variables:	Model 1 ICESCR	Model 1 DAW	Model 1 CERD	Model 1 CRC	Model 1 CAT
<i>External Factors:</i>	Year	.033** (.014)	.018 (.019)	.006 (.007)	.177*** (.050)	.096*** (.014)
	Average commitment regionally	.885*** (.295)	1.86*** (.247)	.559* (.302)	1.81*** (.194)	.928*** (.165)
	Amnesty International growth	.019 (.036)	.062* (.032)	.046** (.024)	.090 (.070)	.100*** (.043)
<i>Internal factors:</i>	Previous rights practices	.001 (.006)	.010 (.007)	.006 (.005)	.007 (.012)	.002 (.008)
	Protestant	1.15*** (.445)	.664** (.298)	.171 (.406)	.289 (.343)	.674* (.350)
	Catholic	.669*** (.234)	.196 (.192)	.500** (.249)	.032* (.186)	.401* (.205)
	British legal heritage	-.904*** (.216)	-.284 (.182)	-.345* (.119)	-.276 (.191)	-.443* (.249)
	Left government	.536*** (.195)	.570*** (.153)	.427*** (.162)	.213 (.206)	.417*** (.147)
<i>Democratic Lock-in:</i>	Dem. since WW1	.553 (.386)	-.169 (.257)	.920** (.444)	-.302 (.321)	.551* (.317)
	Dem. since WW2	.855*** (.304)	.219 (.224)	.471 (.294)	.051 (.258)	.151 (.261)
	Dem. Trans.	.155 (.251)	-.022 (.197)	.181 (.233)	.117 (.205)	.657*** (.166)
	No of obs.	2510	2510	2510	2510	2510
	Prob > chi ²	0.00	0.00	0.00	0.00	0.00
	Log likelihood	-1544.93	-1651.32	-2251.28	-482.61	-1424.66
	Pseudo R ²	.252	.361	.119	.753	.372

* = significant at .10

** = significant at .05

*** = significant at .01

Bibliography:

- Benvenisti, Eyal. 2000. Domestic Politics and International Resources: What Role for International Law? In *The Role of Law in International Politics*, edited by M. Byers. Oxford: Oxford University Press.
- Bogdan, Michael. 1994. *Comparative law*. 1st ed ed. Deventer, Netherlands: Kluwer Law and Taxation Publishers.
- Chinkin, Christine. 2000. Human Rights and the Politics of Representation: Is there a Role for International Law? In *The Role of Law in International Politics*, edited by M. Byers. Oxford: Oxford University Press.
- Damrosch, L. F. 1991. International Human Rights Law in Soviet and American Courts. *Yale Law Journal* 100 (8):2315-2334.
- Downs, George W, David M. Roque, and Peter N. Barsoom. 1996. Is the good new about compliance good news about cooperation? *International Organization* 50 (3):379-406.
- Finnemore, Martha, and Kathryn Sikkink. 1998. International Norm Dynamics and Political Change. *International Organization* 52 (4):887-918.
- Forsythe, David P. 1989. *Human Rights and World Politics*. Lincoln: University of Nebraska Press.
- Glendon, Mary Ann, Christopher Osakwe, and Michael W. Gordon. 1982. *Comparative legal traditions in a nutshell, Nutshell series*. St. Paul, Minn.: West Pub. Co.
- Harland, Christopher. 2000. The status of the International Covenant on Civil and Political Rights (ICCPR) in the domestic law of state parties: An initial global survey through UN Human Rights Committee documents. *Human Rights Quarterly* 22 (1):187-260.
- Jacobson, Harold K. 1979. *Networks of Interdependence: International Organizations and the Global Political System*. New York: Alfred A. Knopf.
- Keck, Margaret E., and Kathryn Sikkink. 1998. *Activists beyond borders : advocacy networks in international politics*. Ithaca, N.Y.: Cornell University Press.
- Keohane, R. O. 1997. International Relations and International Law: Two Optics. *Harvard International Law Journal* 38 (2):487-502.
- Keohane, Robert O. 1984. *After Hegemony : Cooperation and Discord in the World Political Economy*. Princeton, N.J.: Princeton University Press.
- Krasner, Stephen. 1993. Sovereignty, Regimes, and Human Rights. In *Regimes Theory and International Relations*, edited by V. Rittberger and P. Mayer. Cambridge: Cambridge University Press.
- Krasner, Stephen D. 1999. *Sovereignty : organized hypocrisy, Princeton paperbacks*. Princeton, N.J.: Princeton University Press.
- Merryman, John Henry. 1969. *The Civil Law Tradition: an Introduction to the Legal Systems of Western Europe and Latin America*. Stanford: Stanford University Press.
- Moravcsik, A. 2000. The origins of human rights regimes: Democratic delegation in postwar Europe. *International Organization* 54 (2):217-252,U4,U5.
- Organizations, Union of International. 2001. *Yearbook of International Organization: 2000/2001*. Vol. 1A.
- Peters, Edward. 1985. *Torture*. Philadelphia: University of Pennsylvania Press.
- Risse, Thomas, Steve C. Ropp, and Kathryn Sikkink. 1999. *The power of human rights : international norms and domestic change, Cambridge studies in international relations ; 66*. Cambridge, U.K. ; New York: Cambridge University Press.

- Shelton, Dinah. 1994. The Participation of Non-governmental Organizations in International Judicial Proceedings. *American Journal of International Law* 88 (4):611-642.
- Simmons, Beth A. 2000. The legalization of international monetary affairs. *International Organization* 54 (3):573-602.
- Tolley, H. 1989. Popular Sovereignty and International Law - Icj Strategies for Human Rights Standard Setting. *Human Rights Quarterly* 11 (4):561-585.
- Wiesberg, Laurie S, and Harry M Scoble. 1981. Recent Trends in the Expanding Universe of NGOs dedicated to the Protection of Human Rights. In *Global Human Rights: Public Policies, Comparative Measures, and NGO Strategies*, edited by V. P. Nanda, J. R. Scarritt and G. W. Shepard. Boulder: Westview Press.
- Zweigert, Konrad, and Hein Kötz. 1987. *Introduction to comparative law*. 2nd rev. ed. Oxford: Clarendon Press.