

Seminar

Centre for International and Public Law



International Law/Public Law Seminar

The Regulatory Failure of Human Rights

Speaker: Michael Dowdle
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Date: Tuesday 9 September 2003
Time: 5.30 – 6.30pm
Place: Staff Library, Faculty of Law, Building 5
corner Fellows and East Roads, ANU

Is today's human rights regime ineffective at promoting human rights due to its "regulatory" character, that is, to its ultimate dependence on and belief in rules, courts and in the centralized monopolization of legitimate authority, as the primary tools of social engineering?

Would non-regulatory models which govern via negotiation and compromise be more effective? Non-regulatory models of governance have been deployed to relative success in international legal environments, most notably in the area of international labor law, an international legal regime that many argue has enjoyed significantly greater success than the human rights regime.

In this seminar, Michael Dowdle will discuss the need to reorient and reconceptualize how the governing institutions within the human rights regime interact with and relate to their regulatory environment. In particular, he suggests that the dominant paradigm for "international civil society" – human rights NGO organizations – should shift from legalistic, blame-and-shame organizations like Amnesty International and Human Rights Watch to cooperation-oriented organizations like MSF, Habitat for Humanity and Social Accountability International.

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