

PAOLO G. CAROZZA

P.O. Box 780, Notre Dame Law School, Notre Dame, IN 46556-0780
Tel. (574) 631-4128 • Fax (574) 631-4197 • E-mail pcarozza@nd.edu

Academic Positions

Associate Professor of Law, Notre Dame Law School, 1996-present.

Director of Doctor of Juridical Science (J.S.D.) program in international human rights law.

Fellow of the Kroc Institute for International Peace Studies.

Fellow of the Nanovic Institute for European Studies.

Fellow of the Kellogg Institute for International Studies.

Visiting Associate Professor of Law and John Harvey Gregory Lecturer on World Organization, Harvard Law School, spring semester 2009.

Professor, Graduate School of Economics and International Relations, Catholic University of the Sacred Heart, Milan, 2003-present (for annual lectures or mini-courses).

J. William Fulbright Senior Lecturer, University of Milan (Italy) Faculty of Law, fall semester 2004. Also invited lecturer at University of Como and University of Pavia.

Visiting Professor, European Inter-University Institute for Human Rights and Democratisation, (Venice, Italy), September-October 2004.

Visiting Professor, University of Trento (Italy), Faculty of Law, May 1998.

Lecturer in Law, Harvard Law School, fall semester 1992.

Visiting Researcher, University of Chile Institute of International Studies, spring semester 1992.

Other Professional Employment/Experience

Commissioner, Inter-American Commission on Human Rights, 2006-2010.

President, 2008-2009; First Vice-President, 2007-2008. Rapporteur on the Rights of Indigenous Peoples, 2006-2008; Commissioner responsible for Human Rights Defenders Unit, 2009.

Associate Attorney, Arnold & Porter, Washington, DC, 1990-1996 (on leave 1991-1993).

Judicial Clerk, Supreme Court of the Federated States of Micronesia, 1989-1990.

Higher Education & Fellowships

J. William Fulbright Scholarship, 2004 (selected for Senior Lecturer award in Italy).

Ford Foundation Fellow in Public International Law, Harvard Law School, 1991-1993.

Harvard Law School, J.D. *cum laude* 1989.

Trinity College, Cambridge University, Charles Henry Fiske III Fellow, 1985-1986.

Harvard College, A.B. *magna cum laude* 1985 in Social Studies.

Publications: Books

COMPARATIVE LEGAL TRADITIONS IN A NUTSHELL (West Academic Publishing, 3rd ed., 2008); coauthored with Mary Ann Glendon and Colin B. Picker. Also coauthored second edition (1999) with Mary Ann Glendon and Michael Wallace Gordon.

TRADIZIONI IN SUBBUGLIO [An edited and translated collection of essays by Mary Ann Glendon] (Rubbettino Editore, 2007); coedited with Marta Cartabia; authored the *Introduzione*.

COMPARATIVE LEGAL TRADITIONS: TEXT, MATERIALS AND CASES ON WESTERN LAW (West Academic Publishing, 3rd ed. 2007); coauthored with Mary Ann Glendon and Colin B. Picker.

LA CORTE SUPREMA DE JUSTICIA Y LA SEGURIDAD JURÍDICA/"SEGURIDAD JURÍDICA" AND THE SUPREME COURT OF ARGENTINA (Editorial Abaco, Buenos Aires, 1995); coauthored with William D. Rogers.

Publications: peer-reviewed or invited articles and book chapters

I diritti umani, l'«arte» della democrazia e il «gusto per la libertà locale», in LA SOSTENIBILITÀ DELLA DEMOCRAZIA NEL XXI SECOLO (Marta Cartabia and Andrea Simoncini eds., Il Mulino, forthcoming 2009).

Fundamental Rights and Self-Government in the Future of the Ideal of Europe, in IDEAS OF EUROPE: DIALOGUES FOR A NEW CONSTITUTIONAL PROCESS (Istituto Regionale di Ricerca della Lombardia, forthcoming 2009).

The Catholic Church, Human Rights, and Democracy: Convergence and Conflict With the Modern State, in THE CROSS, THE CRESCENT AND THE BALLOT BOX: CATHOLIC AND ISLAMIC DIALOGUE ON THE RULE OF LAW AND INTERNATIONAL DEMOCRACY PROMOTION (Peter J. Schraeder ed., forthcoming 2009); coauthored with Daniel Philpott, Associate Professor of Political Science and Peace Studies, University of Notre Dame.

Human Dignity and Judicial Interpretation of Human Rights: A Reply, 19 EUROPEAN JOURNAL OF INTERNATIONAL LAW 931 (2008).

Sussidiarietà e sovranità negli ordinamenti sovranazionali, in CHE COSA È LA SUSSIDIARIETA' 113 (Giorgio Vittadini ed., Guerini e Associati, 2007).

Il traffico dei diritti umani nell'età postmoderna, in *IL TRAFFICO DEI DIRITTI INSAZIABILI* (Luca Antonini ed., Rubbettino Editore, 2007).

La perspectiva histórica del aporte latinoamericano al concepto de los derechos económicos, sociales y culturales, in *DERECHOS ECONÓMICOS, SOCIALES Y CULTURALES EN AMÉRICA LATINA: DEL INVENTO A LA HERRAMIENTA* 43 (Alicia Yamin ed., Centro Internacional de Investigaciones para el Desarrollo, 2006).

The Universal Common Good and the Authority of International Law, published jointly in 9 *LOGOS: A JOURNAL OF CATHOLIC THOUGHT AND CULTURE* 1:28 (2006) and in 17 *IUS ECCLESIAE* 3 (2005).

Pluralism and Universalism in European Human Rights Law, in 8-9 *CIVILTÀ DEL MEDITERRANEO: SEMESTRALE DI RICERCA E INFORMAZIONE* 339 (Guida, 2005-2006).

The Member States, in *THE EU CHARTER OF FUNDAMENTAL RIGHTS: POLITICS, LAW AND POLICY* 35-58 (Steve Peers and Angela Ward eds., Hart Publishing Co., 2004).

L'idea di sussidiarietà, 22 *IL NUOVO AREOPAGO* 21 (No.1/2003).

From Conquest to Constitutions: Retrieving a Latin American Tradition of the Idea of Human Rights, 25 *HUMAN RIGHTS QUARTERLY* 281 (2003). [Note: a faculty-edited publication.]

Subsidiarity as a Structural Principle of International Human Rights Law, 97 *AMERICAN JOURNAL OF INTERNATIONAL LAW* 38 (2003). Translated into Italian and republished as *La sussidiarietà come principio strutturale dei diritti umani nel diritto internazionale*, in *EUROPA E COSTITUZIONE* (P.G. Grasso ed., Edizioni Scientifiche Italiane, 2005).

"They are our brothers, and Christ gave His life for them": The Catholic Tradition and the Idea of Human Rights in Latin America, 6 *LOGOS: A JOURNAL OF CATHOLIC THOUGHT AND CULTURE* 4:81 (2003). [Note: a faculty-edited publication.]

Averting Intimidation of the Courts: The Italian and French Approaches, in PHILIP B. HEYMAN AND ROBERT KLITGAARD, *DEALING WITH CORRUPTION AND INTIMIDATION IN CRIMINAL JUSTICE SYSTEMS: CASES AND MATERIALS* 161 (Center for Criminal Justice, Harvard Law School, 1991).

Publications: other full-length articles

"My Friend is a Stranger": The Death Penalty and the Global Ius Commune of Human Rights, 81 *TEXAS LAW REVIEW* 1031 (2003).

Uses and Misuses of Comparative Law in International Human Rights: Some Reflections on the Jurisprudence of the European Court of Human Rights, 73 *NOTRE DAME LAW REVIEW* 1217 (1998).

Organic Goods: Legal Understandings of Work, Parenthood and Gender Equality in Comparative Perspective, 81 CALIFORNIA LAW REVIEW 531 (1993).

Publications: shorter articles, comments, and published lectures

Individuo e comunità, in ATLANTIDE VOL. V, NO. 16, Jan. 2009, p. 75.

"They Are Our Brothers": The Origins of the Human Rights Tradition in Latin America, in LATIN AMERICA AND THE INTERNATIONAL HUMAN RIGHTS PROJECT: YESTERDAY, TODAY, AND TOMORROW 13 (United States Embassy to the Holy See, 2008).

La comunità sovranazionale dei giudici e il significato del diritto, in LA VERITÀ, IL NOSTRO DESTINO (Giorgio Vittadini ed., Mondadori, 2008).

The Priority of the Person: Some Critical Challenges Facing International Human Rights in the Next Generation, in KEY CHALLENGES TO THE GLOBAL SYSTEM 87 (Vittorio E. Parsi and Andrea Locatelli eds., Vita e Pensiero, 2007).

Sussidiarietà e diritti fondamentali: un contributo europeo al diritto internazionale?, in ESISTE ANCORA LA COMUNITÀ TRANSATLANTICA? 233 (Vittorio E. Parsi ed., Vita e Pensiero, 2006).

Human Rights and Current Challenges to Peace, in LEO XIII AND PEACE (Pontifical Council on Justice and Peace, 2005).

Demos, Nomos and Globalization, in THE GOVERNANCE OF GLOBALIZATION (Edouard Malinvaud and Louis Sabourin eds., Pontifical Academy of Social Sciences, 2004).

Continuity and Rupture in "New Approaches to Comparative Law", 1997 UTAH LAW REVIEW 657.

Cultivating Democracy, 2 HARVARD HUMAN RIGHTS YEARBOOK 217 (1989).

Works in progress and works under contract

International Justice and Local Virtues: The Limits of Punitivism in International Human Rights Law. To be submitted for publication in fall 2009 (current manuscript available on request). Coauthored with Mykola Sorochinsky.

Human Dignity and Human Rights Adjudication, in TOM GINSBURG AND ROSALIND DIXON, RESEARCH HANDBOOK IN COMPARATIVE CONSTITUTIONAL LAW (Edward Elgar Publishing Ltd, forthcoming 2010).

The First International Human Rights Instrument: A History of the Drafting, Negotiation, and Adoption of the 1948 American Declaration of Human Rights. Article manuscript, expected completion fall 2009.

HUMAN RIGHTS IN INTERNATIONAL AND COMPARATIVE LAW: CASES AND MATERIALS (under contract with West Academic Publishing, anticipated completion date December 2010).

COMPARATIVE LEGAL TRADITIONS: TEXT, MATERIALS AND CASES ON WESTERN LAW (4th ed., under contract with West Academic Publishing, anticipated completion date 2011). Coauthored with Mary Ann Glendon and Colin B. Picker.

Principal invited lectures and presentations

"Global Values, Local Virtues: Human Rights, Self-Governance, and International Justice," paper presented at Harvard Law School faculty colloquium, February 2009.

"Global Values, Local Virtues: Human Rights, Self-Governance, and International Justice," paper presented at New York University Law School faculty colloquium, February 2009.

"Fifty Years of the European Court of Human Rights Viewed from the Americas," invited lecture at seminar held by the European Court of Human Rights on the opening of its 50th judicial year, Strasbourg, France, January 2009.

"Looking at the Future: The Main Challenges Facing the Inter-American Human Rights System," lecture at conference on *When Two Regional Human Rights Systems Meet: The Inter-American and European Systems in Comparative Perspective*, University of Utrecht, September 2008.

"They are our Brothers': The Origins of the Human Rights Tradition in Latin America," lecture presented at conference on *Latin America and the International Human Rights Project: Yesterday, Today and Tomorrow*, Rome, Italy, May 2008.

"Constitutional Traditions, Democracy, and International Human Rights Law: Accounting for American Differences," paper presented at George Washington University Law School faculty colloquium, March 2008.

"The 'Art' of Democracy and the 'Taste for Local Freedom': International Human Rights and American Constitutional Difference," paper presented at Georgetown Law School faculty colloquium, March 2008.

"Human Rights, the 'Art' of Democracy and the 'Taste for Local Freedom'," *Lectio Magistralis* given at the Nova Universitas Consortium's *Advanced Course on The Sustainability of Democracy in the 21st Century*, Milan, December 2007.

"Human Rights and the Dialogue of Cultures," *Lectio Magistralis* given at the Graduation Day ceremonies of the Advanced School for Economics and International Relations, Catholic University of the Sacred Heart, Milan, December 2007.

“Fundamental Rights and Self-Government in the Future of the *Ideal of Europe*,” paper presented at seminar on *Ideas of Europe: Dialogues for a New Constitutional Process*, Istituto Regionale di Ricerca della Lombardia, Milan, December 2007.

“Human Rights, the Broadening of Reason and the Dialogue of Cultures,” invited lecture given in the series on *Diritti e Ragione [Rights and Reason]* at the University of Milan, December 2007.

“A Practical Dialogue of Cultures? The Promise and Perils of a Global Human Rights Law,” invited lecture given at conference on *The Dialogue of Cultures*, Notre Dame Center for Ethics and Culture, November 2007.

“The ‘Transnational Community of Judges’ and the Ends of Law,” address delivered at event on *The Justice of This World* at the Meeting for Friendship Among Peoples, Rimini, Italy, August 2007.

“Subsidiarity and the Rights of Indigenous Peoples in the Americas,” invited lecture in University of Arizona College of Law’s Distinguished Colloquium Series, March 2007.

“Trafficking in Human Rights in the Postmodern Age,” paper presented at faculty colloquium at University of Texas Law School, April 2006.

“Trafficking in Human Rights in the Postmodern Age,” paper presented at international conference on *Virtù e torti del diritto nelle società post-moderne: i diritti umani all’alba del 21^o secolo*, Treviso, Italy, January 2006.

“The Catholic Intellectual Tradition and the Idea of Human Rights,” invited lecture at St. Michael’s College, Vermont, March 2005.

“The Common Good and the Rule of Law in the International Order,” invited *Lectio Magistralis* at the Advanced School for Economics and International Relations, Catholic University of the Sacred Heart, Milan, November 2004.

“Pluralismo e universalismo dei diritti umani in Europa,” lecture at the Università di Genova/Universidad de Salamanca conference on *Genesis, sviluppi e prospettive dei diritti umani in Europa e nel Mediterraneo*, Genoa, Italy, October 2004.

“Subsidiarity and the Universal Common Good in the International Order,” address at the Villanova University School of Law symposium on *Catholic Social Thought and the Law*, October 2004.

“Religion, Human Rights and the Universal Common Good in a Pluralistic World,” lecture at University of Parma conference on *Multicultural Jurisdictions and State Responsibility*, May 2004.

"The Foundations of International Law and the Universal Common Good," lecture at Pontifical Gregorian University conference on *Catholic Thought and World Politics in the 21st Century*, Rome, April 2004.

"Human Rights as a Challenge to Peace?," paper presented at a conference on *Leo XIII and Peace*, sponsored by the Pontifical Council on Justice and Peace and the Pontifical Gregorian University, Rome, November 2003.

"Subsidiarity and Fundamental Rights: An EU Contribution to International Law?," invited lecture in the *Leading Scholars Program* of the Advanced School for Economics and International Relations, Catholic University of the Sacred Heart, Milan, May 2003.

"Persona, sussidiarietà e stato tra America ed Europa: due strade divergenti? Storia e presente di due concezioni," invited lecture at the Centro Culturale di Milano, Milan, May 2003.

"*Demos* and Globalization," presentation as invited expert at the Plenary Session of the Pontifical Academy of Social Sciences, on *The Governance of Globalization*, Vatican City, May 2003.

"Of Conquest, Constitutions and Catholics: Retrieving a Latin American Tradition of Human Rights," *Yves R. Simon Memorial Lecture on Catholic Christianity and Western Civilization*, University of Chicago (sponsored by the Lumen Christi Institute and the Committee on General Studies in the Humanities), April 2002.

"The EU Charter of Fundamental Rights and the Member States," paper presentation at Essex Law School/Notre Dame Center for Civil and Human Rights conference on *The EU Charter of Fundamental Rights*, London, England, June 2001.

Panel presentations and other minor addresses

"The Promise and Problem of Subsidiarity in International Human Rights," address as panelist on *Community as a "Third Force" in Domestic and International Relations: Models of Subsidiarity*, Association of American Law Schools annual conference, San Diego, January 2009.

"Human Rights in Latin America: The Role of the Inter-American System," presentation at conference on *Human Rights and Globalization*, Turin, Italy, December 2007.

"Human Rights and Violence Against Women," address at Edith Stein Project conference on *Toward Integral Healing for Women and Culture*, University of Notre Dame, February 2007.

"The Commission as 'Advocate General' in the Inter-American Human Rights System," talk given at the International Law Association annual fall meeting, on *The Evolving World of International Law*, New York, October 2006.

"Constitutionalism, Human Rights and Subsidiarity in the United States and Europe," panel presentation at University of St. Thomas Symposium on *American Exceptionalism in the 21st Century*, Minneapolis, September 2005.

"Religion and International Order: Generating Violence or Constructing the Common Good?," address at a conference on *Religious Freedom: The Cornerstone of Human Dignity*, sponsored by the United States Embassy to the Holy See, Rome, December 2004.

"A Political Constitution for Europe?," presentation as panelist at the *VI Annual Conference on Catholics and Public Life*, sponsored by the San Pablo-CEU University Foundation, Madrid, November 2004.

"Comparing Comparative Methods in Human Rights Adjudication: A Plea for New Theoretical Foundations," presentation at American Society of Comparative Law conference on *Comparative Law and Human Rights*, University of Michigan Law School, October 2004.

"Legal Education for the *Ius Commune* of Human Rights," paper delivered to American Association of Law Schools' conference on *Educating Lawyers for Transnational Challenges*, Hawaii, May 2004.

"Addressing Legal Nationalism in the United States: Current Issues, Obstacles and Possibilities," paper presented at JEHT Foundation/Center for Civil and Human Rights conference on *International Justice and the United States*, Notre Dame, May 2004.

"Should Foreign and Comparative Law Matter in 8th Amendment Jurisprudence?," presentation at conference on *International Law and Practice in American Constitutionalism*, University of Virginia School of Law, March 2004.

"The 'Monstrous Right of Liberty': A Historical View of the Development of Catholic Social Teaching on Human Rights," presentation at St. Thomas University Law School, Minneapolis, Minnesota, January 2004.

"What Does It Mean to Be a Catholic Law School?," presentation at Villanova University School of Law, Pennsylvania, October 2003.

"Human Rights and the Constitutionalization of Europe at a Crossroads," presentation at the Kellogg Institute for International Studies, University of Notre Dame, September 2003.

"Subsidiarity and the Dilemma of Fundamental Rights in the Constitutional Structure of the European Union and Its Member States," presentation at Valparaiso University Law School, December 2002.

"The Death Penalty in the United States: an International and Comparative Perspective," presentation as panelist at conference on *An American Paradox: Justice and the Death Penalty* at St. Mary's College, Notre Dame, Indiana, November 2002.

"Human Rights and Religious Liberty in Post-Christian Europe," public presentation sponsored by the Lumen Christi Institute, Chicago, July 2002.

"The Just War Tradition and the War on Terrorism," panel member for White Center Symposium, Notre Dame Law School, April 2002.

"Universal Rights and the Claims of Culture," invited participant in Liberty Fund colloquium, Stowe, Vermont, June 2001.

"Transnational Public Law Litigation," presentation as panelist at Harvard Law School Chayes Colloquium, April 1999.

"Liberty and the Universal Declaration of Human Rights," invited participant in Liberty Fund colloquium, Colorado Springs, December 1998.

Invited participant in Ramsey Colloquium series on human rights, Institute on Religion and Public Life, New York, 1997-1998.

"Private Law Theory and Comparative Law," presentation as panelist at Harvard Law School conference on *New Approaches to International Law*, May 1997.

"What's New About 'New Approaches'?", presentation at Utah Law Review Symposium on *New Approaches to Comparative Law*, October 1996.

"Comparative Law Approaches to International Law," presentation as panelist at University of Wisconsin conference on *International Law, Critique and Social Change*, June 1996.