

Review Article: The Political Science of Human Rights

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Human rights have long been a direct or indirect substantive topic in modern political science¹ and, in particular, the study of human rights represents an important nexus between traditional concerns within comparative politics and those in international relations. On the one hand, comparative politics has traditionally been concerned with the functions, determinants and outcomes of different political regimes, political institutions, political culture, the relationship between states and citizens (protest and repression, social mobilization and citizenship rights, voting, elections and party systems), and large social processes such as social and political revolutions, democratization and the domestic effects of and responses to globalization.² On the other hand, international relations has concentrated on the inter-state dynamics of war, peace and security; international trade, finance and development; the growth and role of international organizations; the proliferation and effectiveness of international regimes and foreign policy analysis.³ More recently, attention has focused on the interplay between domestic and international politics in examining the ways in which domestic political arrangements may have an impact on the international behaviour of states. The now famous notion of the ‘two-level’ game⁴ has been instructive for scholars examining the constraint of democratic institutions on state behaviour, while the large literature on the ‘democratic’ and ‘Kantian’ peace has used the

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¹ My conception of modern political science is more in line with the discipline’s ‘behavioural’ and ‘post-behavioural’ traditions, which privilege its ‘evidence–inference’ methodological core and emphasize the systematic collection and analysis of empirical data to uncover patterns, trends and relationships from which generalizations are made possible. See David Sanders, ‘Behavioural Analysis’, in David Marsh and Gerry Stoker, eds, *Theories and Methods in Political Science* (London: Macmillan, 1995), pp. 58–75; Gabriel Almond, ‘Political Science: The History of the Discipline’, in Robert E. Goodin and Hans-Dieter Klingemann, eds, *The New Handbook of Political Science* (Oxford: Oxford University Press, 1996), pp. 50–96, at p. 54; Todd Landman, *Issues and Methods in Comparative Politics: An Introduction*, 2nd edn (London: Routledge, 2003), p. xvii.

² See, e.g., Dankwart A. Rustow and Kenneth Paul Erickson, *Comparative Political Dynamics: Global Research Perspectives* (New York: Harper Collins, 1991); Ronald H. Chilcote, *Theories of Comparative Politics: The Search for a Paradigm Reconsidered*, 2nd edn (Boulder, Colo.: Westview Press, 1994); Landman, *Issues and Methods in Comparative Politics*.

³ See, e.g. Paul R. Viotti and Mark V. Kauppi, *International Relations Theory: Realism, Pluralism, Globalism, and Beyond*, 3rd edn (Boston, Mass.: Allyn and Bacon, 1999); Walter Carlsnaes, Thomas Risse and Beth A. Simmons, eds, *Handbook of International Relations* (London: Sage, 2002); Karen A. Mingst, *Essentials of International Relations*, 3rd edn (New York: W. W. Norton, 2004).

⁴ Robert D. Putnam, ‘Diplomacy and Domestic Politics: The Logic of Two-Level Games’, *International Organization*, 42 (1988), 427–60.

tools of modern political science to examine the degree to which democracy and other 'liberal' variables have an inhibiting effect on the likelihood of interstate violence.⁵

The study of human rights within modern political science fits neatly into these disciplinary developments. The history of human rights is one of the increasing internationalization of an idea that has traditionally been defended nationally. Indeed, there is a long history and historiography surrounding the struggle for rights that includes conflicts over civil, political and social rights of citizenship that have framed the main contours of the modern understanding of human rights.⁶ In the history of ideas, rights *per se* are relatively old, while the notion of *human rights* is relatively new.⁷ In response to the atrocities of the Holocaust, the international community promulgated the 1948 Universal Declaration of Human Rights, which is a formal international agreement on a basic set of rights that all nation states ought to protect. Since the Universal Declaration, the full content of human rights has grown in *breadth and depth*, where *more rights* have become codified in numerous human rights instruments to which *more states* have become a party.⁸ The 1966 International Bill of Rights, comprised of two international covenants on civil and political rights, and economic, social and cultural rights have been followed by an increasing proliferation of legally binding instruments, which now extend to the 1989 Convention on the Rights of the Child.⁹ Moreover, some argue that the Rome Statute establishing the International Criminal Court is the final culmination of this normative proliferation in the field of human rights and represents the international 'institutionalisation of criminal liability.'¹⁰

In the language of international relations, international human rights law and the mechanisms for its enforcement are a special type of 'regime' since they do not seek to govern interstate relations, such as those regimes designed to protect the environment and trade, but to govern individual state behaviour towards citizens. For political science, the regime is important first and foremost for outlining those sets of rights that ought to be protected and has thus been useful in the operationalization of variables that measure both the *de jure* and *de facto* protection of human rights.¹¹ The regime is also important for international relations since it offers a theoretical and empirical challenge to the dominance

⁵ Jack S. Levy, 'War and Peace', in Carlsnaes, Risse and Simmons, *Handbook of International Relations*, pp. 350–68; Bruce Russett and John R. Oneal, *Triangulating Peace: Democracy, Interdependence, and International Organizations* (New York: W. W. Norton, 2001).

⁶ T. H. Marshall, *Class, Citizenship and Social Development* (Garden City, N.Y.: Anchor Books, 1965); Charles Tilly, Louise Tilly and Richard Tilly, *The Rebellious Century* (Cambridge, Mass.: Harvard University Press, 1975); Richard P. Claude, 'The Classical Model of Human Rights Development', in Richard P. Claude, ed., *Comparative Human Rights* (Baltimore, Md.: Johns Hopkins University Press, 1976), pp. 6–49; Joe Foweraker and Todd Landman, *Citizenship Rights and Social Movements: A Comparative and Statistical Analysis* (Oxford: Oxford University Press, 1997); Micheline R. Ishay, *The History of Human Rights: From Ancient Times to the Globalization Era* (Berkeley: University of California Press, 2004).

⁷ Norberto Bobbio, *The Age of Rights* (Cambridge: Polity Press, 1996); Foweraker and Landman, *Citizenship Rights and Social Movements*, pp. 19–21.

⁸ Todd Landman, *Protecting Human Rights: A Comparative Analysis* (Washington, D.C.: Georgetown University Press, 2005).

⁹ Thomas Buergenthal, *International Human Rights in a Nutshell* (St Paul, Minn.: West, 1988); A. H. Robertson and J. G. Merrills, *Human Rights in The World: An Introduction to the Study of the International Protection of Human Rights*, 4th edn (Manchester: University of Manchester Press, 1996); Thomas Buergenthal, 'The Normative and Institutional Evolution of International Human Rights', *Human Rights Quarterly*, 19 (1997), 703–23.

¹⁰ Richard Falk, *Human Rights Horizons* (New York and London: Routledge, 2000), p. 4.

¹¹ Todd Landman, 'Measuring Human Rights: Principle, Practice, and Policy', *Human Rights Quarterly*, 26 (2004), 906–31.

of realism and neo-realism. Realists have long argued that international law and treaties are merely ‘epiphenomenal’ with no real impact on interstate relations, while some neo-realists and neo-liberal institutionalists regard human rights as projecting ‘liberalism into a realist world – a world dominated for several centuries by states and their collective interests.’¹² But unlike other regimes in the international system, it is not apparent that the international human rights regime represents a mutual gain for contracting states (and thus may sit uncomfortably within neo-liberal institutionalist theory and analysis); and unlike other regimes, it seeks to constrain state behaviour towards citizens rather than state behaviour towards other states. For Jack Donnelly, the international human rights regime has evolved from a ‘declaratory’ regime in the 1960s to a ‘strong promotional’ regime by the end of the twentieth century,¹³ and he sees human rights as in keeping with more constructivist approaches to international relations.¹⁴

Two contradictory trends have emerged alongside the progressive development of the human rights regime. On the one hand, the world has seen an increased salience of human rights featuring in international and domestic political discourse and public policy formation. On the other hand, that same world confronts endless and persistent patterns in human rights abuses, which have been raised recently to high relief by the Abu Graib prisoner scandal, the situation of the Guantánamo detainees and the *Hamdi v. Rumsfeld* Supreme Court decision. Popular and scholarly reactions to these developments in human rights are equally contradictory. Optimistic commentators see the proliferation of human rights norms, greater attention to human rights abuses, the introduction of international criminal tribunals, and international interventions on behalf of human rights as evidence that the world has entered the ‘age of rights’¹⁵ and that we should celebrate a ‘precarious triumph of human rights’.¹⁶ Less optimistic commentators point to the persistence of human rights abuses, mass killings and double standards in human rights interventionism (such as international inaction in the cases of Rwanda, Burma and North Korea) as clear evidence that human rights have not triumphed, that the international law of human rights is ineffective and that very little moral progress has been achieved.¹⁷

It is thus clear that focusing on human rights as an object of inquiry for political science is a fruitful area of research since it combines such traditional concerns of the discipline with the realities of the contemporary world. Political science can make a substantial contribution to the field, which has long been dominated in the academy by the discipline of law¹⁸ and in the policy community by inter-governmental and non-governmental organizations. This review article examines the contribution that political science has made and can make to the study of human rights. To do so, it first addresses the ontological and epistemological challenges the discipline confronts in studying human rights and how

¹² David Forsythe, *Human Rights in International Relations* (Cambridge: Cambridge University Press, 2000), pp. 3–4.

¹³ Jack Donnelly, ‘International Human Rights: A Regime Analysis,’ *International Organisation*, 40 (1986), 599–642; Jack Donnelly, *Universal Human Rights in Theory and Practice*, 2nd edn (Ithaca, N.Y.: Cornell University Press, 2003), p. 130.

¹⁴ Jack Donnelly, ‘The Social Construction of Human Rights’, in Tim Dunne and Nicholas J. Wheeler, eds, *Human Rights in Global Politics* (Cambridge: Cambridge University Press, 1999), pp. 71–102.

¹⁵ Bobbio, *The Age of Rights*.

¹⁶ David Reiff, ‘The precarious triumph of human rights’, *New York Times Magazine*, 8 August 1999, pp. 36–41.

¹⁷ James Watson, *Theory and Reality in the International Protection of Human Rights* (Ardsley, N.Y.: Transnational, 1999).

¹⁸ Michael Freeman, *Human Rights* (London: Routledge, 2002), pp. 77–8.

scholars have responded to such challenges. Secondly, it discusses the methodological challenges of studying human rights with particular focus on questions of measurement. Thirdly, it reviews the extant political science literature on different substantive areas within the field of human rights, including the search for determinants for global variation in rights protection, the impact of foreign aid and the penetration of multinational capital, and the transmission of international human rights norms and their effects on state behaviour. The article concludes with consideration of a new research agenda for the political science of human rights, including a call for more regional and small-*N* comparative analysis, more quantitative single-case studies, greater attention to the systematic collection of primary data and greater attention to empirical theories of political science.

ONTOLOGICAL AND EPISTEMOLOGICAL CHALLENGES

Efforts in philosophy and normative political theory have long sought to establish the definitive foundations for the existence of human rights through various appeals to God, nature and reason.¹⁹ These traditions in rights theories and their attempts to argue for the existence of rights have variously been criticized by utilitarians as *nonsense*,²⁰ communitarians as *fantasy*,²¹ Marxists as *bourgeois*²² and (some) postmodernists as *relative*,²³ such that there has been a cumulative scepticism that has undermined rather than fortified the quest for foundations.²⁴ A popular response to such scepticism has been to take a pragmatic turn by sidestepping the need for philosophical foundations for human rights and making legal and political claims about their existence and the need for their protection. Legal claims focus on the proliferation of human rights norms since the 1948 Universal Declaration outlined above and emphasize the global consensus on the content of human rights that has been achieved within dominant international fora, such as the various regular and special meetings within the United Nations system for the promotion and protection of human rights. Such a claim cites the participation of over a hundred nation states in such fora, which in many cases, has led to the promulgation of formal declarations and the setting of international standards. For example, 171 states and over 800 representatives from NGOs participated in the 1993 World Conference on Human Rights, the second such global conference since the 1968 meeting in Teheran. Such participation at Vienna and the resulting Declaration and Programme for Action, it is argued, demonstrates a global acceptance of the universality, indivisibility and interdependence of human rights found in the extant international law of human rights, while the consensus established in Vienna 'represents the language of commitment' about human rights that can be used to carry out advocacy strategies for their further promotion and protection.²⁵

¹⁹ See John Finnis, *Natural Law and Natural Rights* (Oxford: Oxford University Press, 1980); Jeremy Waldron, *Theories of Rights* (Oxford: Oxford University Press, 1984); Attracta Ingram, *A Political Theory of Rights* (Oxford: Oxford University Press, 1994); Peter Jones, *Rights* (London: Macmillan, 1994).

²⁰ See Jeremy Waldron, ed., '*Nonsense Upon Stilts*': *Bentham, Burke, and Marx on the Rights of Man* (London: Methuen, 1987).

²¹ Alisdair MacIntyre, *After Virtue*, 2nd edn (South Bend, Ind.: University of Notre Dame Press, 1984), p. 69.

²² Karl Marx, 'On the Jewish Question', in Robert C. Tucker, ed., *The Marx-Engels Reader*, 2nd edn (New York: Norton, 1978), pp. 26–52.

²³ Richard Rorty, 'Human Rights, Rationality, and Sentimentality', in Stephen Shute and Susan Hurley, eds, *On Human Rights: The Oxford Amnesty Lectures* (New York: Basic Books, 1993), pp. 112–34.

²⁴ Susan Mendus, 'Human Rights in Political Theory', *Political Studies*, 43 (1995), 10–24.

²⁵ Kevin Boyle, 'Stock-taking on Human Rights: The World Conference on Human Rights, Vienna 1993', *Political Studies*, 43 (1995), 79–95.

The second pragmatic response to the absence of agreed foundations for human rights involves making political claims about how rights may both constrain and facilitate human behaviour. Human rights scholars such as Ignatieff, Mendus and Falk see human rights as important means to achieving certain ends, such as bulwarks against the permanent threat of human evil,²⁶ as necessary legal guarantees for the exercise of human agency²⁷ or as an important political lever for the realization of global justice.²⁸ In this way, human rights are not held in some metaphysical suspended animation, but are practical tools used to limit the worst forms of human behaviour while creating conditions for the protection of human dignity. For empirical political scientists interested in studying the exercise of power and ‘who gets what when and how’²⁹ such a pragmatic turn has allowed scholars to bypass the quest for foundations and to use the content found in the international law of human rights as a useful starting point for their research.³⁰ Such research efforts may define the scope of human rights that is to be studied, but will not make larger appeals to the philosophical foundations for their existence.³¹

Epistemologically, however, there remain a number of challenges for a political science of human rights. First, there is an unresolved tension between the positivistic foundation of behavioural social science and normative values of human rights.³² While strict positivists may eschew making ethical judgements and may well want to pursue ‘value-free’ scientific research, political scientists of human rights, consistent with Max Weber, carry out research on topics that have been *influenced* by values but the research process itself has not been so influenced. Moreover, to ignore the actual practice of human rights violations carried out by state and non-state actors for some notion of objective

²⁶ Mendus, ‘Human Rights and Political Theory’, pp. 23–4.

²⁷ Michael Ignatieff, *Human Rights as Politics and Idolatry* (Princeton, N.J.: Princeton University Press, 2001).

²⁸ Falk, *Human Rights Horizons*.

²⁹ Harold D. Lasswell, *Politics: Who Gets What When and How* (New York: P. Smith, 1950); Lasswell’s formulation has been highly influential for data collection and analysis of gross human rights violations uncovered by human rights non-governmental organizations (NGOs) and truth commissions. See, e.g., Patrick Ball, *Who Did What to Whom? Planning and Implementing a Large Scale Human Rights Data Project* (Washington, D.C.: American Association for the Advancement of Science, 1994).

³⁰ There are numerous analogous areas of research in the social and political sciences where there have not been agreed philosophical foundations about a particular object of inquiry. For example, there are no agreed foundations for the existence of democracy, yet political scientists have studied democracy and democratic performance since the days of Aristotle. It is also the case that new legal developments may add dimensions to existing understandings and categories of human rights (for example, rape as a war crime or domestic violence as a human rights violation), which can then lead to further empirical research on such practices.

³¹ Such an approach suggests a possible third approach that relies on public opinion survey data that examines popular attitudes and identification with particular sets of rights from which a definition of rights would emerge; an approach that has been carried out to date most prominently in the United States and Britain. See, for example, Herbert McClosky, ‘Consensus and Ideology in American Politics’, *American Political Science Review*, 58 (1964), 361–82; Herbert McClosky and Alida Brill, *Dimensions of Tolerance: What Americans Believe About Civil Liberties* (New York: Russell Sage Foundation, 1983); Paul M. Sniderman, Philip E. Tetlock, James M. Glaser, Donald Philip Green and Michael Hout, ‘Principled Tolerance and the American Mass Public’, *British Journal of Political Science*, 19 (1989), 24–45; David G. Barnum and John L. Sullivan, ‘Attitudinal Tolerance and Political Freedom in Britain’, *British Journal of Political Science*, 19 (1989), 136–46; Paul M. Sniderman, Joseph F. Fletcher, Peter H. Russell, Philip E. Tetlock and Brian J. Gaines, ‘The Fallacy of Democratic Elitism: Elite Competition and Commitment to Civil Liberties’, *British Journal of Political Science*, 21 (1991), 349–70. See also, Chris Attwood, Gurchand Singh, Duncan Prime, Rebecca Creasey *et al.*, ‘2001 Home Office Citizenship Survey: People, Families, and Communities’, Home Office Research Study 270 (London: Home Office of the United Kingdom, 2003).

³² Michael Freeman, ‘Is a Political Science of Human Rights Possible?’ *Netherlands Quarterly of Human Rights*, 123 (2001), 121–37; Freeman, *Human Rights*, pp. 78–9.

scientific purism would have precluded a large body of research in political science carried out since the 1960s, such as the comparative work on political violence, social protest and state repression.³³ As the next section of this article demonstrates, the subsequent political science research on human rights uses documentation, monitoring reports and evidence of human rights *practices* for systematic analysis that seeks to explain global variation in human rights protection. Across this body of work there is general agreement on what constitutes human rights violations without necessarily appealing to their normative origins.

Secondly, like the ‘cultural relativism’ arguments against the universality of human rights,³⁴ comparative politics and international relations have been criticized for the degree to which they seek universal empirical generalizations that ‘travel’ across time and space, while ignoring the contextual specificities of different nation states and cultures.³⁵ These subfields of political science have responded first by recognizing the inherent trade-offs between comparing a large number of countries at any one time and the level of conceptual abstraction used to map and explain politics within and between countries;³⁶ and secondly, by establishing equivalence in concepts in an effort to expand the scope of any systematic inquiry.³⁷ Such scholarly efforts accept that valid comparisons of human rights protection between and among different countries can be made to examine empirically the universal claims that are made normatively.³⁸

METHODS AND MEASUREMENT

With these ontological and epistemological concerns in mind, there have been a variety of research methods and measures developed by political scientists for studying the variation in human rights protection. From the field of comparative politics, scholars have adopted research designs that compare a large sample of countries quantitatively, a smaller sample of countries quantitatively and/or qualitatively, and single-case studies quantitatively and/or qualitatively.³⁹ Such comparisons have been carried out synchronically and diachronically, where the independent nation state serves as the basic unit of analysis. Typical large-scale statistical comparisons over time and space have between 2,250 and 4,850 observations, using pooled cross-section time-series datasets. The primary aim of research is to isolate explanatory variables that account for variation in the protection

³³ Ted R. Gurr, *Why Men Rebel* (Princeton, N.J.: Princeton University Press, 1970); Douglas Hibbs, *Mass Political Violence: A Cross-National Causal Analysis* (New York: Wiley, 1973); David Sanders, *Patterns of Political Instability* (London: Macmillan, 1981); Mark I. Lichbach, ‘Deterrence or Escalation? The Puzzle of Aggregate Studies of Repression and Dissent’, *Journal of Conflict Resolution*, 31 (1987), 266–97; Christian Davenport, ed., *Paths to State Repression: Human Rights Violations and Contentious Politics* (Lanham, Md.: Rowman and Littlefield, 2000).

³⁴ Jack Donnelly, *Universal Human Rights in Theory and Practice*, 2nd edn (Ithaca, N.Y.: Cornell University Press, 2003), pp. 89–106.

³⁵ Alisdair MacIntyre, ‘Is a Science of Comparative Politics Possible?’ *Against the Self-Images of the Age* (London: Duckworth, 1971), pp. 260–79.

³⁶ Giovanni Sartori, ‘Concept Misinformation in Comparative Politics’, *American Political Science Review*, 64 (1970), 1033–53; Peter Mair, ‘Comparative Politics: An Overview’, in Robert E. Goodin and Hans-Dieter Klingemann, eds, *The New Handbook of Political Science* (Oxford: Oxford University Press, 1996), pp. 309–35.

³⁷ Giovanni Sartori, ‘Compare Why and How: Comparing, Miscomparing and the Comparative Method’, in Mattei Dogan and Ali Kazancigil, eds, *Comparing Nations: Concepts, Strategies, Substance* (London: Basil Blackwell, 1994), pp. 14–34; Jan van Deth, ed., *Comparative Politics: The Problem of Equivalence* (London: Routledge, 1998).

³⁸ Todd Landman, ‘Comparative Politics and Human Rights’, *Human Rights Quarterly*, 24 (2002), 890–923, p. 891.

³⁹ Landman, ‘Comparative Politics and Human Rights’, pp. 892–7.

of human rights, while such studies confront classic statistical challenges of making valid inferences, including time-series auto-correlation, multicollinearity, skewed distributions, heteroscedasticity and limited dependent variable bias. In contrast, regional and small-*N* comparisons adopt ‘most similar’ and ‘most different’ systems designs⁴⁰ to isolate explanatory factors, while (with some notable exceptions) single-country case studies tend to rely on narrative, historical and ‘process tracing’ techniques for explaining patterns of human rights protection.⁴¹

Whatever the method, political science research in this field starts from the assumption that human rights can be ‘more or less’ protected in nation states, and that this ‘more or less’ can be measured in some fashion. Accepting the tentative nature of these measurements, political science human rights scholars who use statistical methods agree with Strouse and Claude’s argument that ‘to forswear the use of available, although imperfect, data does not advance scholarship’.⁴² In all measurement efforts, scholars have sought to provide valid measures that minimize the distance between the concept that is to be measured and the indicator that is developed to measure concept. And across many such measures, scholars have sought to be transparent about coding schemes and the relationship between the sources of information and the resulting measures so as to enhance their overall reliability.⁴³

Quantitative measures of human rights practices fall into three main categories: (1) events-based data, (2) standards-based data, and (3) survey-based data.⁴⁴ Events-based data chart the reported acts of violation committed against groups and individuals. Events-based data answer the important questions of what happened, when it happened and who was involved, and then report descriptive and numerical summaries of the events. Counting such events and violations involves identifying the various acts of commission and omission that constitute or lead to human rights violations, such as extra-judicial killings, arbitrary arrest or torture. Such data tend to be disaggregated to the level of the violation itself, which may have related data units such as the perpetrator, the victim and the witness.⁴⁵ Standards-based data establish how often and to what degree violations

⁴⁰ Theda Skocpol and Margaret Somers, ‘The Uses of Comparative History in Macrosocial Inquiry’, *Comparative Studies in Society and History*, 22 (1980), 174–97; Andrew M. Faure, ‘Some Methodological Problems in Comparative Politics’, *Journal of Theoretical Politics*, 6 (1994), 307–22.

⁴¹ Alexander George and Timothy J. McKeown, ‘Case Studies and Theories of Organizational Decision Making’, in Robert F. Coulam and Richard A. Smith, eds, *Advances in Information Processing in Organizations*, Vol. 2 (Greenwich, Conn.: JAI, 1985), pp. 21–58; For an application of process tracing in the field of human rights, see Darren Hawkins, *International Human Rights and Authoritarian Rule in Chile* (Lincoln: University of Nebraska Press, 2002), pp. 8–9.

⁴² James C. Strouse and Richard P. Claude, ‘Empirical Comparative Rights Research: Some Preliminary Tests of Development Hypotheses’, in Claude, ed., *Comparative Human Rights*, p. 52. This sentiment has been reiterated recently and more generally by King, Keohane and Verba, who provide strategies for reducing the presence of systematic error in any research project, while reporting uncertainty in the findings. See Gary King, Robert Keohane and Sidney Verba, *Designing Social Inquiry: Statistical Inference in Qualitative Research* (Princeton, N.J.: Princeton University Press, 1994).

⁴³ Todd Landman and Julia Häusermann, ‘Map-Making and Analysis of the Main International Initiatives in Developing Indicators for Democracy and Good Governance’ (Luxembourg: Eurostat, 2003).

⁴⁴ Landman, ‘Measuring Human Rights’.

⁴⁵ Ball, *Who Did What to Whom*; Patrick Ball, Herbert Spierer and Louise Spierer, eds, *Making the Case: Investigating Large Scale Human Rights Violations and Using Information Systems and Data Analysis* (Washington, D.C.: American Association for the Advancement of Science, 2000). For an application of this method in the case of Peru, see Patrick Ball, Jana Asher, David Sulmont and Daniel Manrique, ‘How Many Peruvians Have Died? An Estimate of the Total Number of Victims Killed or Disappeared in the Armed Internal Conflict between 1980 and 2000’ (Washington D.C.: American Association for the Advancement of Science, 2003).

occur, and then translate such judgements into quantitative scales that are designed to achieve commensurability. Such measures are thus one level removed from event counting and violation reporting, and apply an ordinal scale to qualitative information.⁴⁶ Finally, survey-based data use random and non-random samples of country populations to ask a series of standard questions on the perception or direct experience of rights violation, where the individual respondent serves as the basic unit of analysis.⁴⁷ Across all these types of measures, some form of qualitative information on human rights practices is converted into some form of a standardized quantitative measure.

ISSUE AREAS AND SYSTEMATIC ANALYSIS

Taken together, the methods and measures used in political science research allow scholars to describe, classify, map and explain the global, regional, and single-country variation and experiences in the protection of human rights. As this section of the article demonstrates, the field has thus far been dominated by global comparative and quantitative studies that have relied heavily on the various standards-based measures of human rights, in particular the two versions of the Political Terror Scale⁴⁸ and the Freedom House scales of civil and political liberties.⁴⁹ The field has also been dominated by a concern over a narrow set of human rights, to the virtual neglect of economic, social and cultural rights. Such a narrow focus is partly explained by dominant American conceptions of rights and freedoms and partly by the intractability of economic and social rights to measurement (see below).⁵⁰ The goal of this research community has been to provide empirical generalizations and to build general theories about human rights protection. In many ways, these pioneering studies have established important theoretical, methodological and substantive precedents in the field to which a new generation of scholars have responded. In particular, there has been a new set of research projects using global, small-*N* and single-case analysis to examine the transmission of human rights norms from the international to the domestic level, while sections of the human rights NGO community have taken the measurement agenda seriously and in many ways surpassed the political science community in the quality of the data that have been collected. These precedents, innovations and developments are discussed in turn.

The Search for Determinants

Global comparisons of human rights protection draw on the longer tradition of comparative research on the 'prerequisites' of modern democracy, which seeks to measure democracy

⁴⁶ Kenneth A. Bollen, 'Political Rights and Political Liberties in Nations: An Evaluation of Rights Measures, 1950 to 1984', in Thomas B. Jabine and Richard P. Claude, eds, *Human Rights and Statistics: Getting the Record Straight* (Philadelphia: University of Pennsylvania Press, 1992), pp. 188–215; George A. Lopez and Michael Stohl, 'Problems of Concept and Measurement in the Study of Human Rights', in Jabine and Claude, eds, *Human Rights and Statistics*, pp. 216–34.

⁴⁷ The world and regional 'barometer' studies and the *World Values Survey* (www.worldvaluessurvey.org) have included questions on human rights in their surveys of random samples, while Physicians for Human Rights uses surveys on samples of 'at risk' groups populations in different countries, such as internally displaced people in Afghanistan, women in Sierra Leone, and households from Shia cities in Iraq. See <http://www.phrusa.org>.

⁴⁸ Raymond D. Gastil, *Freedom in the World: Political Rights and Civil Liberties* (Westport, Conn.: Greenwood Press, 1980); Mark Gibney and Michael Dalton, 'The Political Terror Scale', in David L. Cingranelli, ed., *Human Rights and Developing Countries* (Greenwich, Conn.: JAI, 1996), pp. 73–84.

⁴⁹ See <http://www.freedomhouse.org>

⁵⁰ Landman, 'Comparative Politics and Human Rights', p. 922; Landman, 'Measuring Human Rights', pp. 922–3.

and find its economic ‘correlates’.⁵¹ Human rights rather than democracy serve as the dependent variable for which a series of explanatory variables are specified. There has been the tendency for these studies to concentrate on a narrow conception of human rights that includes more salient violations such as torture, extra-judicial killings, political imprisonment and disappearances. These more salient violations, considered to comprise ‘life integrity violations’, are coded on a standard scale.⁵² For example, the Political Terror Scale (PTS) scores a country according to the frequency of these violations, and ranks countries from low protection of rights (i.e. frequent violations) to high protection of rights (i.e. no violations).⁵³ Most studies treat the components of the PTS as having equal value, while some argue that violations of these rights are sequentially ordered from least to most egregious.⁵⁴ The key explanatory variables identified in these studies include socio-economic factors such as wealth, the pace of development and population size, and political factors such as the form of government (democracy, autocracy, transitional, leftist or military), previous levels of repression, and involvement in international or domestic conflict.

Earlier studies that examined the relationship between these explanatory variables and the protection of human rights compared a selection of countries synchronically, while later studies have carried out such comparisons diachronically.⁵⁵ Their results demonstrate that democracies (or those countries moving towards more democratic forms), wealthy countries, and those that have become developed are less likely to violate personal integrity

⁵¹ For example, see Seymour M. Lipset, ‘Some Social Requisites for Democracy: Economic Development and Political Legitimacy’, *American Political Science Review*, 53 (1959), 69–105; John Helliwell, ‘Empirical Linkages between Democracy and Economic Growth’, *British Journal of Political Science*, 24 (1994), 225–48; Ross E. Burkhardt and Michael Lewis-Beck, ‘Comparative Democracy, the Economic Development Thesis’, *American Political Science Review*, 88 (1994), 903–10; Landman, *Issues and Methods in Comparative Politics*, pp. 66–71; Adam Przeworski, Michael Alvarez, José Antonio Cheibub and Fernando Limongi, *Democracy and Development: Political Institutions and Well-Being in the World, 1950–1990* (Cambridge: Cambridge University Press, 2000).

⁵² For example, see Neil J. Mitchell and James M. McCormick, ‘Economic and Political Explanations of Human Rights Violations’, *World Politics*, 40 (1988), 476–98; Steven C. Poe and Neil Tate, ‘Repression of Human Rights to Personal Integrity in the 1980s: A Global Analysis’, *American Political Science Review*, 88 (1994), 853–72; Steven C. Poe, Neil Tate and Linda Camp Keith, ‘Repression of the Human Right to Personal Integrity Revisited: A Global Cross-National Study Covering the Years 1976–1993’, *International Studies Quarterly*, 43 (1999), 291–313; Sabine C. Zanger, ‘A Global Analysis of the Effect of Regime Changes on Life Integrity Violations, 1977–1993’, *Journal of Peace Research*, 33 (2000), 213–33.

⁵³ See Gastil, *Freedom in the World*; Poe and Tate, ‘Repression of Human Rights to Personal Integrity in the 1980s’; Poe *et al.*, ‘Repression of the Human Right to Personal Integrity Revisited’; David L. Cingranelli and David L. Richards, ‘Measuring the Level, Pattern, and Sequence of Government Respect for Physical Integrity Rights’, *International Studies Quarterly*, 43 (1999), 409–10.

⁵⁴ James M. McCormick and Neil J. Mitchell, ‘Human Rights Violations, Umbrella Concepts, and Empirical Analysis’, *World Politics*, 49 (1997), 510–25; Cingranelli and Richards, ‘Measuring the Level, Pattern, and Sequence of Government Respect for Physical Integrity Rights’.

⁵⁵ For the synchronic comparisons, see Strouse and Claude, ‘Empirical Comparative Rights Research’; Mitchell and McCormick, ‘Economic and Political Explanations of Human Rights Violations’; Charles Henderson, ‘Population Pressures and Political Repression’, *Social Science Quarterly*, 74 (1993), 322–33. Using more robust datasets, Poe and Tate compare 153 countries between 1980 and 1987, while in their later study they extend the period to cover the years 1976–93. See Poe and Tate, ‘Repression of Human Rights to Personal Integrity in the 1980s’; Poe *et al.*, ‘Repression of the Human Right to Personal Integrity Revisited’. The use of such pooled cross-section time-series (PCTS) datasets raises the number of observations and thus strengthens the types of inferences that are made. See Neil Beck and Jonathan Katz, ‘What to Do (And Not to Do) with Time-Series Cross-Section Data’, *American Political Science Review*, 89 (1995), 634–47.

rights.⁵⁶ On the other hand, those countries involved in international and civil warfare, countries with a large population, the presence of an authoritarian regime, previous levels of repression, and those that have undergone a transition to either ‘anocracy’ or autocracy are more likely to violate personal integrity rights. One study shows that the benefits of democracy with respect to the protection of personal integrity rights come into effect within the first year of a democratic transition.⁵⁷ Finally, there are mixed effects for leftist governments that depend on whether the terror scale is coded using the US State Department reports or the Amnesty reports, a difference that may uncover possible biases against leftist regimes by the US State Department.⁵⁸

Foreign Aid, Multinational Capital and International Law

In moving beyond the search for determinants, a subsequent series of studies identified additional sets of variables that may account for the variation in human rights protection, or which may be related to human rights protection. One set of studies examines policy relevant variables such as direct foreign investment and the presence of multinational companies,⁵⁹ and overseas aid from the United States, the United Kingdom, the European Union, the World Bank and the International Monetary Fund.⁶⁰ These studies use the same basic research design and same measures of human rights, but include new variables for overseas aid and direct foreign investment in their model specifications. To date, the results for these analyses are mixed. Using one set of measures, the results show a strong positive

⁵⁶ One would expect a positive association between democracy and human rights, but the correlation is not a perfect one, suggesting the presence of a number of ‘illiberal’ democracies where the gap between the institutional and rights dimensions of democracy also co-varies with factors such as the type of constitutional design, levels of economic development and position in the world economy. See Fareed Zakaria, *The Future of Freedom: Illiberal Democracy at Home and Abroad* (New York and London: W. W. Norton, 2003); Joe Foweraker and Todd Landman, ‘Constitutional Design and Democratic Performance’, *Democratization*, 9 (2002), 43–66; Joe Foweraker and Todd Landman, ‘Economic Development and Democracy Revisited: Why Dependency Theory is Not Yet Dead’, *Democratization*, 11 (2004), 1–21.

⁵⁷ Zanger uses the category of ‘anocracy’ to include those incoherent regimes that have both democratic and autocratic features. See Zanger, ‘A Global Analysis of the Effect of Regime Changes on Life Integrity Violations, 1977–93’, p. 229; Keith Jagers and Ted Robert Gurr, ‘Tracking Democracy’s Third Wave with the Polity III Data’, *Journal of Peace Research*, 32 (1995), 469–82; Christian Davenport, ‘Human Rights and the Democratic Proposition’, *Journal of Conflict Resolution*, 43 (1999), 92–116.

⁵⁸ Poe and Tate, ‘Repression of Human Rights to Personal Integrity in the 1980s’, p. 866; see also Judith E. Innes, ‘Human Rights Reporting as a Policy Tool: An Examination of the State Department Country Reports’, in Jabine and Claude, *Human Rights and Statistics*, pp. 235–57.

⁵⁹ William H. Meyer, ‘Human Rights and MNCs: Theory Versus Quantitative Analysis’, *Human Rights Quarterly*, 18 (1996), 368–97; Jackie Smith, Melissa Bolyard and Anna Ippolito, ‘Human Rights and the Global Economy: A Response to Meyer’, *Human Rights Quarterly*, 21 (1999), 207–19; William H. Meyer, ‘Confirming, Infirmiting, and “Falsifying” Theories of Human Rights: Reflections on Smith, Bolyard, and Ippolito Through the Lens of Lakatos’, *Human Rights Quarterly*, 21 (1999), 220–8; William H. Meyer, *Human Rights and International Political Economy in Third World Nations: Multinational Corporations, Foreign Aid, and Repression* (Westport, Conn.: Praeger, 1998).

⁶⁰ Steven C. Poe, ‘Human Rights and Foreign Aid: A Review of Quantitative Studies and Suggestions for Further Research’, *Human Rights Quarterly*, 12 (1990), 499–509; Bethany Barratt, ‘Aiding or Abetting: British Foreign Aid Decisions and Recipient Country Human Rights’, in Sabine C. Carey and Steven C. Poe, eds, *Understanding Human Rights Violations: New Systematic Studies* (Aldershot, Surrey: Ashgate, 2004), pp. 43–62; Sabine C. Zanger, ‘Good Governance and European Aid: The Impact of Political Conditionality’, *European Union Politics*, 1 (2000), 293–317; M. Rodwan Abouharb and David L. Cingranelli, ‘Human Rights and Structural Adjustment: The Importance of Selection’, in Carey and Poe, eds, *Understanding Human Rights Violations*, pp. 127–41.

association between direct foreign investment and the protection of civil, political, economic and social rights,⁶¹ while studies using another set of measures show that such results cannot be upheld.⁶² For foreign aid, a large number of studies show no significant relationship between US foreign aid and human rights protection across different samples of recipient and non-recipient countries, while one study finds a positive relationship and another finds mixed results.⁶³ The study on European Union aid finds no relationship between foreign aid and human rights protection,⁶⁴ while the study on the United Kingdom shows that aid to rights abusive countries is reduced only for those states that do not have significant economic value.⁶⁵ For structural adjustment lending, it appears that in addition to using economic criteria for awarding loans to needy countries, both the World Bank and the IMF exercise some political judgement and do not lend disproportionately to rights abusive governments, while the IMF does not discriminate against democracies.⁶⁶ Clear policy prescriptions cannot yet be obtained from these studies, and the scholarly debates surrounding them centre more on methodological issues concerning measurement and sampling strategies than on substantive results.

A second set of studies examines the degree to which state participation in the international regime of human rights makes a difference for human rights protection.⁶⁷ In these studies, all (or parts) of the international human rights regime is operationalized through use of ‘ratification’ variables that score countries according to the degree to which they have signed and ratified various human rights instruments.⁶⁸ For two of the studies, bivariate analysis shows a positive and significant relationship between treaty ratification and rights protection, while for multivariate analysis that controls for the other independent effects – democracy, wealth, conflict, population, among other variables – the relationships drop out.⁶⁹ A subsequent study replicates the bivariate findings, but specifies a non-recursive model that takes into account underlying social processes of democratization, development and other independent variables and finds that there is a significant but limited effect of human rights norms on human rights practices.⁷⁰ In this model, the timing of democratization accounts for differences in treaty ratification and rights protection,

⁶¹ Meyer, ‘Human Rights and MNCs’; Meyer, *Human Rights and International Political Economy in Third World Nations*.

⁶² Smith, Bolyard and Ippolito, ‘Human Rights and the Global Economy’.

⁶³ Poe, ‘Human Rights and US Foreign Aid’.

⁶⁴ Zanger, ‘Good Governance and European Aid’.

⁶⁵ Barratt, ‘Aiding or Abetting’, pp. 59–60.

⁶⁶ Abouharb and Cingranelli, ‘Human Rights and Structural Adjustment’, pp. 136–9.

⁶⁷ Linda Camp Keith, ‘The United Nations International Covenant on Civil and Political Rights: Does it Make a Difference in Human Rights Behaviour?’ *Journal of Peace Research*, 36 (1999), 95–118; Oona Hathaway, ‘Do Treaties Make a Difference? Human Rights Treaties and the Problem of Compliance’, *Yale Law Journal*, 111 (2002), 1932–2042; Landman, *Protecting Human Rights*.

⁶⁸ Camp Keith focuses on ratification of the International Covenant on Civil and Political Rights, while Hathaway and Landman examine a fuller range of international human rights instruments. In addition, Landman uses a combined weighted ratification variable that takes into account the degree to which reservations made by states upon ratification has an impact on their legal obligations (Camp Keith, ‘The United Nations International Covenant on Civil and Political Rights’; Hathaway, ‘Do Treaties Make a Difference?’; Landman, *Protecting Human Rights*).

⁶⁹ Camp Keith, ‘The United Nations International Covenant on Civil and Political Rights’; Hathaway, ‘Do Treaties Make a Difference?’

⁷⁰ Landman, *Protecting Human Rights*.

such that late democratizing states tend to ratify more treaties with fewer reservations but such states are less able to protect human rights.

By extending the analysis of the first generation of studies that sought to find the determinants of human rights protection, these two sets of studies by and large maintain the original independent variables while subjecting additional independent variables to statistical tests. Foreign aid, the penetration of multinational capital and the proliferation of human rights norms sit squarely in contemporary debates about policy measures that may be useful for the promotion and protection of human rights. The mixed results that are obtained in these additional studies are the product of different measures and different model specifications, which flow from the ways in which empirical relationships between and among the variables have been theorized.

Transmission of Human Rights Norms

Of the two sets of studies outlined above, there have been complementary studies using small-*N* and single-case analysis to examine the transmission of human rights norms. The global studies on the relationship between human rights treaty ratification and human rights protection suggest that perhaps the law and discourse of human rights is having some kind of impact on the domestic politics of states, which has been captured statistically. There may be some underlying relationship between the law and practice of rights revealed through the bivariate results and through more careful modelling of non-recursive processes that takes into account important feedback effects between the ‘anticipatory adaptation’ of states and their ratification behaviour.⁷¹ But the methodological limitations of the global studies have led others to examine this important question using a different level of analysis. After all, global studies examine empirical relationships at a high level of generality and tend to focus on the regularities that hold across a sample of countries and not the differences. Such analyses cannot ‘unpack’ important historical, political and sociological relationships within countries. They cannot capture the lobbying and intimate political processes involved in treaty formation and ratification. They cannot examine the mobilization strategies of human rights NGOs in their effort to set standards, monitor human rights developments and raise awareness. They cannot examine domestic coalitions and pressure groups that try to bring about positive change within different political systems. Regional, small-*N* and single-case analyses can examine these factors at lower levels of aggregation, but necessarily sacrifice the ability to make strong inferences of the kind found in global analyses. Two such studies on the transmission of human rights norms are worth examining in detail.

The Power of Human Rights comprises a series of paired comparisons (and one single-country study) of liberalizing authoritarian regimes that examine the degree to which ‘transnational advocacy networks’ contribute to the diffusion of international human

⁷¹ It is possible for states to improve their human rights records before ratifying a human rights treaty, thereby reversing the more traditional understanding of the relationship between the law and practice of human rights. See Stephen Haggard, Marc Levy, Andrew Moravcsik and Kalyso Nicolaidis, ‘Integrating the Two Halves of Europe: Theories of Interests, Bargaining and Institutions’, in Robert Keohane, Joseph Nye and Stanley Hoffman, eds, *After the Cold War: International Institutions and State Strategies in Europe, 1989–1991* (Cambridge, Mass.: Harvard University Press, 1993), pp. 182–97, at p. 182; Robert Keohane, *Governance in a Partially Globalized World* (London: Routledge, 2002), p. 74; Hathaway, ‘Do Treaties Make a Difference?’, p. 2001.

rights norms and promote domestic policy change.⁷² Such networks are seen to create both ‘top down’ and ‘bottom up’ pressure on authoritarian regimes to undergo political transformations necessary for the full institutionalization of human rights protection. The paired comparisons provide evidence in support of a ‘spiral model’ of norms diffusion, which depicts a logical progression from initial international consciousness-raising about human rights violations in the target country, followed by regime denial of the atrocities (which is in itself an acknowledgement of human rights norms), concessions by the state to improve the situation and the ultimate institutionalization of human rights norms through changes in domestic policy and state behaviour.⁷³ In short, the model shows how the international human rights regime can have an impact on state behaviour, while they claim the inferences from the comparison of the eleven countries remain ‘generalizable across cases irrespective of cultural, political, or economic differences’.⁷⁴

Like the global comparisons, the analyses in *The Power of Human Rights* focus on a very narrow set of human rights, including the right to life (extra-judicial killings and disappearances), the prohibition of torture and freedom from arbitrary arrest and detention. These ‘basic rights of the person’ are seen as a central core of rights that ought to have the most impact internationally since there is a larger consensus around their content and protection.⁷⁵ In a variation on the idea of a ‘crucial case study’,⁷⁶ this volume argues that *if* no progress has been made on this core set of rights, *then* it is highly unlikely that progress could be made on a less consensual set of rights. With the exception of the single-country analysis of South Africa, the paired comparisons include (1) Kenya and Uganda, (2) Tunisia and Morocco, (3) Indonesia and the Philippines, (4) Chile and Guatemala, and (5) Poland and Czechoslovakia. In all the cases, the authors claim that progress has been made in the protection of the core set of rights. But it is the variation in rights protection and the relationship with activities carried out by the actors that form part of the transnational networks that is of central interest to the analyses.

In applying a variant of the ‘most different systems design’, the analyses compare countries from a variety of geographical regions with different cultural and historical backgrounds. The final phase of the spiral model (‘rule consistent behaviour’) is achieved in Chile, South Africa, the Philippines, Poland and Czechoslovakia, while the penultimate phase (‘prescriptive status’) is achieved in Uganda, Morocco, Tunisia and Indonesia.⁷⁷ Table 1 summarizes the analyses by listing the authors of the case comparisons, the cases and years, and the inferences drawn from the qualitative and narrative evidence. The various country accounts span the period beginning in the 1960s in South Africa to the 1990s in Eastern Europe.

The worst atrocities in Uganda occurred a decade (1970s) before the increase in violations in Kenya (1980s), and were the result of different factors, but both countries drew the attention of international groups and both made improvements in their overall

⁷² Thomas Risse, Stephen Ropp and Kathryn Sikkink, eds, *The Power of Human Rights* (Cambridge: Cambridge University Press, 1999).

⁷³ Risse, Ropp and Sikkink, eds, *The Power of Human Rights*, pp. 17–35.

⁷⁴ Thomas Risse and Kathryn Sikkink, ‘The Socialization of International Human Rights Norms into Domestic Practices: Introduction’, in Risse, Ropp and Sikkink, eds, *The Power of Human Rights*, pp. 1–38, at p. 6.

⁷⁵ Risse and Sikkink, ‘The Socialization of International Human Rights Norms into Domestic Practices’, p. 3.

⁷⁶ Harry Eckstein, ‘Case-study and Theory in Political Science’, in Fred I. Greenstein and Nelson S. Polsby, eds, *Handbook of Political Science, Vol. 7: Strategies of Inquiry* (Reading, Mass.: Addison-Wesley, 1975), pp. 79–137.

⁷⁷ Thomas Risse and Stephen Ropp, ‘International Human Rights Norms and Domestic Change: Conclusions’, in Risse, Ropp and Sikkink, eds, *The Power of Human Rights*, pp. 234–78, at p. 259.

TABLE 1 *Summary of Risse, Ropp and Sikkink, eds, The Power of Human Rights.*

| Authors | Countries and years | Region | Outcomes and qualifications |
|---------------------------------|--|----------------|--|
| Hans Peter Shmitz | Kenya (1980s–1990s) Uganda (1970s–1980s) | Africa | Transnational networks play a crucial role in both countries, Uganda's human rights abuses occurred earlier so the international human rights regime was less responsive. |
| David Black | South Africa (1960s–1990s) | Africa | Early internationalization of human rights struggle puts top down and bottom up pressure on the apartheid regime, although domestic changes were further tempered by anti-racism policies of Eastern Bloc countries and post-apartheid governments have emphasized civil and political rights over economic and social rights. |
| Sieglinde Gränzer | Tunisia (1980s) Morocco (1980s–1990s) | Arab world | Transnational networks lead to institutional reforms and rights improvements in Morocco, while early tactical concessions in Tunisia lead to the collapse of the network and deterioration of human rights situation. |
| Anja Jetschke | Indonesia (1970s–1990s) Philippines (1970s–1980s) | East Asia | Improvement in human rights situation is greater in the Philippines than in Indonesia, while the timing of the improvements is explained by the legacies of colonialism and nationalism. |
| Thomas Ropp and Kathryn Sikkink | Chile (1970s–1990s) Guatemala (1970s–1990s) | Latin America | Substantial improvement in human rights situation in Chile, while Guatemala experiences difficulty in institutionalizing human rights protection. |
| Daniel Thomas | Poland (1970s–1980s) Czechoslovakia (1970s–1990s) | Eastern Europe | Early success in both countries after Helsinki Act of 1975 held in check by Soviet hegemony, which gives way in 1989, ushering in domestic transformations that institutionalize human rights protection. |

Source: Todd Landman, *Issues and Methods in Comparative Politics: An Introduction*, 2nd edn (London: Routledge, 2003), p. 212.

protection of human rights. Uganda has seen domestic transformations to the point of reaching prescriptive status, while Kenya is only at the stage of making tactical concessions, which are more likely to remain sustainable.⁷⁸ The struggle against apartheid in South Africa does much to support the spiral model and has served as an inspiration for the further development of human rights transnational advocacy networks. But the issue of racism, which the other cases in the collection did not have to confront, tempers the generalizability of the processes in South Africa.⁷⁹ The human rights situation in both Morocco and Tunisia activated transnational advocacy networks, which were more effective in Morocco than in Tunisia, a difference in outcome that is explained by the different strength of the networks and early tactical concessions in Tunisia that demobilized the networks.⁸⁰ The cases of the Philippines and Indonesia also show differences in outcome, with greater improvements in the former than the latter, a difference that is explained by varying legacies of colonialism and the effects of nationalism.⁸¹ For Latin America, Chile emerges as a country that has achieved rule-consistent behaviour, while the situation in Guatemala is 'uncertain and still in flux',⁸² even though both cases received wide international attention for their abuse of human rights. Finally, the comparison of Poland and Czechoslovakia demonstrates the influence of the Helsinki Final Act of 1975, which established the importance of 'human rights as a norm binding on all the states of Europe, and as a legitimate issue in relations between them'.⁸³

But are these accounts superior to realist accounts as the authors claim? Is the spiral model the best way to capture the dynamic process of norm diffusion? And are their inferences generalizable across all cases? It is particularly with the last two paired comparisons that limits to the overall inferences become evident. First, the cases of Poland and Czechoslovakia both show that any initial attempt to get tactical concessions from the Communist regimes were unsuccessful owing to the hegemonic presence of the Soviet Union. Indeed, it is not until Gorbachev initiates the processes of glasnost and perestroika that new opportunities are made available for transnational advocacy networks and domestic opposition groups to put pressure on the two states to change their practices. It is precisely this change in *external power relations* that changed the game that was being played between elites in the regime and leaders of the opposition. Realist accounts would argue that unless the dominant power in the region (in this case the Soviet Union) changes, such reforms would not be possible, a point which challenges the spiral model's claim to explanatory superiority.

Secondly, the analysis of Chile and Guatemala never mentions the Chilean state of siege declared in 1985 after two years of recurring 'days of national protest'.⁸⁴ The state of siege

⁷⁸ Hans Pieter Schmitz, 'Transnational Activism and Political Change in Kenya and Uganda', in Risse, Ropp and Sikkink, eds, *The Power of Human Rights*, pp. 39–77, at p. 40.

⁷⁹ David Black, 'The Long and Winding Road: International Norms and Domestic Political Change in South Africa', in Risse, Ropp and Sikkink, eds, *The Power of Human Rights*, pp. 78–108.

⁸⁰ Sieglene Gränzer, 'Changing Discourse: Transnational Advocacy Networks in Tunisia and Morocco', in Risse and Ropp, Sikkink, eds, *The Power of Human Rights*, pp. 109–33, at pp. 110–11.

⁸¹ Anja Jetschke, 'Linking the Unlinkable? International Norms and Nationalism in Indonesia and the Philippines', in Risse, Ropp and Sikkink, eds, *The Power of Human Rights*, pp. 134–71, at p. 135.

⁸² Stephen Ropp and Kathryn Sikkink, 'International Norms and Domestic Politics in Chile and Guatemala', in Risse, Ropp, Sikkink, eds, *The Power of Human Rights*, pp. 172–204, at p. 172.

⁸³ Daniel Thomas, 'The Helsinki Accords and Political Change in Eastern Europe', in Risse, Ropp and Sikkink, eds, *The Power of Human Rights*, pp. 205–33, at p. 205.

⁸⁴ See Foweraker and Landman, *Citizenship Rights and Social Movements*, pp. xxii–xxiii, 246–7.

was infamous for its gross violations of human rights, including the immolation of two students from the opposition in the streets of Santiago. Such renewed violation of human rights and regression in the general pattern of ‘concession’ suggests that transnational advocacy networks were not as successful in changing the behaviour of the Pinochet regime during this period as the analysis claims. The authors focus on the 1988 plebiscite and subsequent transition to democracy in order to claim that these domestic changes are clear evidence of the spiral model at work. The account ignores an important regression in the protection of human rights and so misses the more complex argument that the relationship between domestic social mobilization and the protection of rights is not inevitably progressive, but can be ‘uneven, fragmented, and contradictory’.⁸⁵

By extension, is the fact that many of the cases considered do not reach the final phase of the spiral model (rule-consistent behaviour) a problem for the conclusions that are reached? In a sense, the accounts may be claiming that too much progress in rights protection has been made in order to support the theoretical expectations of the spiral model. Methodologically, the most different systems design is meant to compare similar outcomes (i.e. the same progress in human rights protection) across countries with different cultural, historical, socio-economic and geographical characteristics.⁸⁶ The countries in the comparisons are significantly different from one another across these dimensions, but they have also had varying degrees of progress in the protection of human rights and achievement in the stages of the spiral model. The study merely demonstrates different outcomes across different cases and thus makes limited inferences about the transmission of human rights norms.

Like the studies in *The Power of Human Rights*, Hawkins’s study of Chile examines the degree to which mobilization by international human rights actors had an impact on delegitimizing the Pinochet regime and contributing to the democratic transition.⁸⁷ Hawkins casts his argument in state-centric and state-interest terms by emphasizing that authoritarian states have more interest in maintaining their international and domestic legitimacy than previously thought, and that such concerns over legitimacy provide a useful link between international and domestic human rights pressures on the one hand and changes in state behaviour on the other. In this way, ‘human rights groups and their allies are capable of seriously threatening government legitimacy’,⁸⁸ which can lead to a series of domestic changes in state behaviour, including a change of agenda, discourse, practices and governing institutions.⁸⁹

Theoretically, the study combines constructivist, liberal and rational insights to argue that ‘norms matter when state and non-state actors pressure noncompliant states to conform and certain domestic characteristics lead targeted states to become concerned about their legitimacy’.⁹⁰ In this way, Hawkins expands the notion of the ‘two level’ game and combines it with insights from the literature on democratic transition to show that within authoritarian regimes, certain factions may register concerns over legitimacy owing to increased exogenous pressure, which can then lead to cracks developing in the authoritarian coalition between so-called ‘hardliners’ and ‘softliners’. Methodologically,

⁸⁵ Foweraker and Landman, *Citizenship Rights and Social Movements*, p. 238.

⁸⁶ Landman, *Issues and Methods in Comparative Politics*, pp. 29–34.

⁸⁷ Hawkins, *International Human Rights and Authoritarian Rule in Chile*.

⁸⁸ Hawkins, *International Human Rights and Authoritarian Rule in Chile*, p. 5.

⁸⁹ Hawkins, *International Human Rights and Authoritarian Rule in Chile*, pp. 25–7.

⁹⁰ Hawkins, *International Human Rights and Authoritarian Rule in Chile*, p. 7.

the book uses process-tracing to establish a causal link between human rights pressure and government response, where the key sources of evidence include US and Chilean press reports and reports from human rights groups, public documents and pronouncements of the Pinochet regime, forty-one in-depth interviews, and 25,000 pages of transcribed records from the junta's meetings.

His analysis shows that a 'rule-oriented' faction in the regime rose alongside an increasing 'normative fit' between the regime and external expectations of state behaviour and a decrease in economic and security threats, all of which led to an initial decrease in repression and made continued hard-line rule increasingly less sustainable. The tension between the hard-line faction and the rule-oriented faction led to the promulgation of the 1980 constitution (to pay lip service to human rights and create a protected democracy), but continued opposition to the regime and concerns over legitimacy paved the way for the 1988 plebiscite and subsequent democratic transition. In factual terms, Hawkins provides an account that differs little from the case study of Chile in *The Power of Human Rights*, but he pays closer attention to the state of siege in the mid-1980s, and the changing nature of the authoritarian regime. Unlike Risse, Ropp and Sikkink, he does not use the Chilean case to displace realism. Rather, he provides a theoretical and explanatory account that links international normative pressure with domestic authoritarian coalitional behaviour, the result of which produced a democratic transition and subsequent improvement in the protection of human rights. The study does not appear over-determined since it considers the whole time period, concedes the existence of setbacks and shows that the outcome was not inevitable. His comparisons in the final chapter show that this combination of international pressure with different domestic political factors explains the absence of change in Cuba and the presence of change in South Africa.

Taken together, these two studies have tried to pay closer attention to the historical dynamics of the relationship between human rights norms and human rights practices. Global analyses suggest that there may well be a relationship between human rights norms and practices, but these studies try to examine the true nature and extent of that relationship. In particular, they are able to focus on state and non-state actors at the international and domestic levels that may have played a role in bringing human rights norms to bear on state practices. *The Power of Human Rights* is perhaps too ambitious in its attempt to provide universal generalizations and to displace realism, while the case study of Chile limits its inferences to two additional cases and combines theoretical concerns over the construction of human rights norms and interaction of such norms with political power.

A NEW RESEARCH AGENDA

This review has demonstrated that modern political science has sought to overcome the ontological, epistemological and methodological challenges associated with the study of human rights in an effort to provide systematic analysis of the global variation of human rights protection, as well as detailed accounts of the ways in which human rights norms may have an impact on the human rights practices of states. Figure 1 summarizes the extant results of the political science research considered in this article across global, small-*N* and single-country analyses, where some of the results are considered to be more robust than others. On the one hand, there is little disagreement that democracy and economic development have had a positive impact on rights protection, while international and

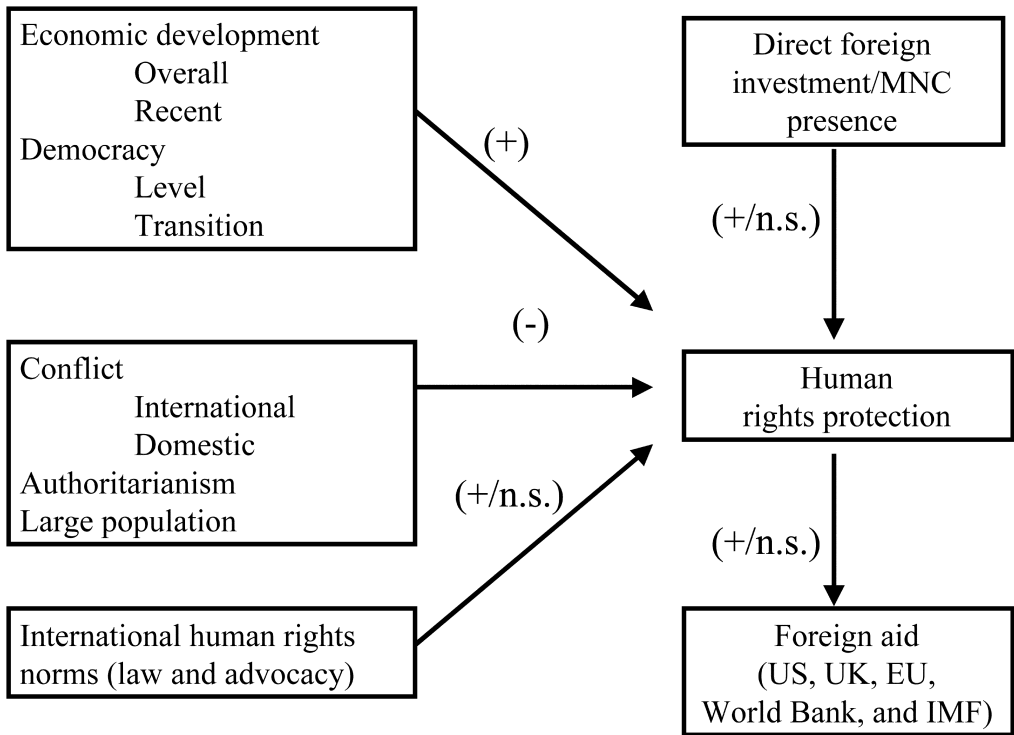


Fig. 1. Results from extant analyses on human rights protection in political science

domestic conflict, prolonged periods of authoritarianism and population density have had a negative impact. On the other hand, there is less academic consensus on the impact of foreign aid, the penetration of multinational capital and international human rights norms. These studies have established fruitful avenues for research in political science, but much more needs to be done in order for the discipline to provide better and more complete explanations for the variations in human rights protection and to enhance the relevance of its findings for the wider policy and practical community. Such improvements can be made across the theoretical and methodological dimensions of the discipline, including the need for more regional and small-*N* analysis, more quantitative single-case studies, greater attention to human rights measurement issues and the use of disaggregated primary data, and greater attention to empirical theories of political science.

Regional and Small-N Comparative Analysis

The global comparisons on human rights protection have set an important precedent for trying to explain the patterns, regularities and variation in the violation of a narrow set of human rights. The limits of such studies have been made clear, but the logic of inference in these quantitative studies should frame enquiries using lower levels of analysis.⁹¹ Case

⁹¹ See King, Keohane and Verba, *Designing Social Inquiry*, for a full defence of this position and a series of articles discussing this issue in *American Political Science Review*, 89 (1995), 454–81.

selection and the comparative framework that is adopted have a direct bearing on the type of answers that researchers get from their analyses.⁹² More careful attention to this basic methodological rule would have strengthened the analyses in *The Power of Human Rights*, which effectively has an indeterminate research design (i.e. different outcomes across different countries). Human rights research in political science could benefit through new comparative studies using regional and small-*N* comparisons that are conscientious of method. Indeed, area studies scholars are effectively using a ‘most-similar’ systems design in explaining different political outcomes within Europe, Eastern Europe, Latin America, Africa or Asia. In adopting a ‘most-different’ systems design, cross-regional comparisons should identify different countries that have had similar outcomes or have undergone similar processes, such as the burgeoning literature on the politics of memory and processes of truth and reconciliation.⁹³ A political science of human rights that remains attentive to questions of method can help explain how societies have achieved greater protection of human rights, the lessons from which can help other societies in achieving similar outcomes.

In addition, the classic methodological problem of ‘too many variables, not enough cases’⁹⁴ can be overcome first through the adoption of either most similar or most different systems design (or their variants),⁹⁵ and second through raising the number of observations within the countries under comparison by collecting evidence at lower levels of aggregation. Federal systems such as Mexico, the United States, Brazil and Germany offer excellent opportunities for raising the number of observations through the collection of evidence from the different states that comprise these political systems. For example, protection of the political right to vote has varied historically and continues to vary at present across the fifty states of the United States. Felony convictions across many states carry with them the permanent withdrawal of the right to vote for convicted citizens even after they have served their sentences.⁹⁶ Small-*N* comparisons over time can comprise enough observations for quantitative analysis or qualitative comparative analysis that uses Boolean analytic techniques, which identifies configurations of necessary and sufficient conditions for observed outcomes.⁹⁷ Moreover, comparative historical approaches can

⁹² Barbara Geddes, ‘How the Cases You Choose Affect the Answers You Get’, *Political Analysis*, 2 (1990), 131–50.

⁹³ See, e.g., Priscilla Hayner, ‘Fifteen Truth Commissions – 1974–1994: A Comparative Study’, *Human Rights Quarterly*, 16 (1994), 597–655; Priscilla Hayner, *Unspoken Truths: Facing the Challenge of Truth Commissions* (London: Routledge, 2002); Alexandra Barahona de Brito, *Human Rights and Democratization in Latin America: Uruguay and Chile* (New York: Oxford University Press, 1997); Luis Roniger and Mario Sznajder, *The Legacy of Human Rights Violations in the Southern Cone: Argentina, Chile, Uruguay* (Oxford: Oxford University Press, 1999); Alexandra Barahona de Brito, Carmen González-Enríquez and Paloma Aguilar, eds, *The Politics of Memory: Transitional Justice in Democratizing Societies* (Oxford: Oxford University Press, 2001).

⁹⁴ David Collier, ‘New Perspectives on the Comparative Method’, in Rustow and Erickson, eds, *Comparative Political Dynamics*, pp. 7–31.

⁹⁵ Faure, ‘Some Methodological Problems in Comparative Politics’.

⁹⁶ See, e.g., Alexander Keyssar, *The Right to Vote: The Contested History of Democracy in the United States* (New York: Basic Books, 2000); Joe Foweraker and Roman Krznic, ‘Differentiating the Democratic Performance of the West’, *European Journal of Political Research*, 42 (2003), 313–40.

⁹⁷ For example, there is a long tradition of small-*n* time-series comparison of advanced democracies, or newer studies that compare Latin American countries over time, which serve as possible examples for future political science research on human rights. See G. Bingham Powell, *Contemporary Democracies: Participation, Stability, and Violence* (Cambridge, Mass.: Harvard University Press, 1982); Arendt Lijphart, ‘Democracies: Forms, Performance, and Constitutional Engineering’, *European Journal of Political Research*, 25 (1994), 1–17; Todd Landman, ‘Economic Development and Democracy: The View from Latin America’, *Political Studies*, 47 (1999),

focus on ‘critical junctures’, ‘path dependency’ and other factors over the *longue durée* that may help explain the variation in human rights protection across different countries and regions.⁹⁸

Quantitative Single-Case Studies

The general rule that raising the number of observations enhances the types of inferences that are made possible applies equally to single-case analysis. In the field of human rights, there have now been several large database projects associated with truth commissions, human rights NGOs and independent academic efforts, which have produced highly disaggregated time-series datasets on human rights violations. For example, early efforts in Argentina and Chile using single samples⁹⁹ have been followed by subsequent projects in Guatemala and Peru, where human rights data analysts have applied a ‘who did what to whom’ data model to multiple non-random samples of testimonies from victims and families of victims who suffered gross human rights violations during periods of conflict and authoritarian rule.¹⁰⁰ Using ‘multiple systems estimation’ (MSE),¹⁰¹ these projects have been able to overcome the inherent bias associated with non-random samples typical of truth commission testimonies and make statistical estimates with associated margins of error on the total number of violations. It has been possible to analyse such data across a variety of categories, including victim profiles, perpetrator profiles and temporal and spatial distributions of events.

Such discrete time-series data provide a large number of observations suitable for political science analysis interested in state terror and mapping the temporal and spatial distributions of violations within single countries, as well as multiple countries. Indeed,

(Footnote continued)

607–26; Scott Mainwaring and Anibal Perez-Liñan, ‘Level of Development and Democracy: Latin American Exceptionalism, 1945–1996’, *Comparative Political Studies*, 36 (2003), 1031–67. For an example of qualitative comparative analysis using Boolean techniques, see Timothy Wickham-Crowley, *Guerrillas and Revolution in Latin America* (Princeton, N.J.: Princeton University Press, 1993).

⁹⁸ Ruth Berins Collier and David Collier, *Shaping the Political Arena: Critical Junctures, The Labour Movement, and Regime Dynamics in Latin America* (Princeton, N.J.: Princeton University Press, 1991); Sven Steinmo, Kathleen Thelen and Frank Longstreth, *Structuring Politics: Historical Institutionalism in Comparative Analysis* (Cambridge: Cambridge University Press, 1992); James Mahoney and Dietrich Rueschemeyer, *Comparative Historical Analysis in the Social Sciences* (Cambridge: Cambridge University Press, 2003); Henry E. Brady and David Collier, *Rethinking Social Inquiry: Diverse Tools, Shared Standards* (Lanham, Md.: Rowman and Littlefield, 2004).

⁹⁹ David Pion-Berlin and George Lopez, ‘Of Victims and Executioners: Argentine State Terror, 1975–1979’, *International Studies Quarterly*, 35 (1991), 63–86; Randy Reiter, M. V. Zunzunegui and José Quiroga, ‘Guidelines for Field Reporting of Basic Human Rights Violations’, in Jabine and Claude, eds, *Human Rights and Statistics*, pp. 90–126.

¹⁰⁰ Patrick Ball, ‘The Guatemalan Commission for Historical Clarification: Generating Analytical Reports, Inter-Sample Analysis’, in Ball, Spierer and Spierer, eds, *Making the Case*, pp. 259–86; Ball, Asher, Sulmont and Manrique, ‘How Many Peruvians Were Killed?’

¹⁰¹ Yvonne Bishop, Stephen Feinberg and Paul Holland, *Discrete Multivariate Analysis: Theory and Practice* (Cambridge, Mass.: MIT Press, 1975). The basic principle behind MSE is that ‘the chance of an individual appearing on two lists is equal to the product of their chances of appearing on each list separately’. See James Knight, ‘Statistical model leaves Peru counting the cost of civil war’, *Nature*, 425 (2003), p. 6. The technique, originally developed to estimate fish populations in Denmark, has been used to estimate a variety of unknown populations, such as the number of children with a certain congenital anomaly in Massachusetts, feral dogs in Baltimore, and drug addicts in the United States. See Bishop, Holland and Feinberg, *Discrete Multivariate Analysis*, pp. 230–1.

such techniques have been applied to refugee movements and political killings in the former Yugoslavia, the results of which have been used as evidence in the trial against Slobodan Milosevic in the International Criminal Tribunal in The Hague (ICTY).¹⁰² More recently, Christian Davenport has used such techniques, combined with GIS software, to examine the temporal and spatial characteristics of political violence in Rwanda during the 1994 conflict, and the same technique has been applied to cross-national analysis of violations against human rights defenders.¹⁰³ These data can be combined with extant human rights measures to corroborate evidence of human rights violations within single countries.

Measurement Issues and Primary Data

While there are different types of human rights measures available to political scientists, including events-based, standard-based and survey-based, there is still the tendency in the discipline to use standardised scales that focus on the violation of political and civil rights. Part of this bias is explained by the traditional concerns of political science over political institutions, democracy, state–citizen relations and the so-called ‘negative’ rights of liberty, and part of the bias is explained by the relative intractability of economic, social and cultural rights to quantitative measurement. Future research in political science needs to move beyond an exclusive focus on political and civil rights, while efforts at measurement should pay closer attention to the existence of primary data on human rights violations. The human rights community has long been arguing that all rights in some degree rely on the fiscal capacity of states, i.e. elections, fair trials, internationally acceptable prison conditions and access to justice are not free, though they may be less expensive than guaranteeing unfettered access to social and economic welfare. In this sense, all ‘rights are positive’¹⁰⁴ and do not necessarily depend on states choosing not to violate them. Thus, some of the development indicators used as proxy measures for economic and social rights (such as the Human Development Index or the Physical Quality of Life Index)¹⁰⁵ may have corollary measures for civil and political rights (for example, funding of judiciaries, police training, prison investment, etc.), while ‘violations’ approaches to human rights

¹⁰² American Association for the Advancement of Science and the American Bar Association Central and Eastern Law Initiative, *Political Killings in Kosova/Kosovo, March–June 1999: A Cooperative Report by the Central and East European Law Initiative of the American Bar Association and the Science and Human Rights Program of the American Association for the Advancement of Science* (Washington, D.C.: AB/ACEELI, 2000).

¹⁰³ Christian Davenport, <http://www.bsos.umd.edu/gvpt/davenport/genodynamics/>; Todd Landman, ‘Holding the Line: Human Rights Defenders in Comparative Perspective’, paper prepared for the hundredth Annual Meeting of the American Political Science Association, Chicago, 2004.

¹⁰⁴ Stephen Holmes and Cass Sunstein, *The Cost of Rights: Why Liberty Depends on Taxes* (New York: W. W. Norton, 1999).

¹⁰⁵ The Human Development Index (HDI) is a standardized measure that combines per capita GDP, literacy, gross enrolment ratio and life expectancy, while the Physical Quality of Life Index (PQLI) combines infant mortality, life expectancy and literacy. See United Nations Development Program, *Human Development Report 2004* (New York: United Nations Development Program, 2004), 258–64; D. M. Morris, *Measuring the Conditions of the World’s Poor: The Physical Quality of Life Index* (New York: Pergamon, 1979). Neither index represents a rights measure *per se*, but indicates the general level of enjoyment of the economic and social benefits within a society. For applications of the PQLI as a measure of subsistence rights, see Dawn Miller, ‘Security at What Cost: Arms Transfers to the Developing World and Human Rights’, in Poe and Carey, *Understanding Human Rights Violations*, pp. 63–81; Wesley T. Milner, David Leblang, Steven C. Poe and Kara Smith, ‘Providing Subsistence Rights: Do States Make A Difference?’ in Poe and Carey, eds, *Understanding Human Rights Violations*, pp. 110–26.

traditionally reserved for civil and political rights may be applicable to economic and social rights.¹⁰⁶

In response to the dearth of economic and social rights measures, a new dataset comprised of standards-based measures includes ordinal scales for the protection of workers' rights, and women's social and economic rights.¹⁰⁷ But like the Political Terror Scale, these measures have a limited range of values and rely on limited sources of human rights information for coding. The limited range of values can lead to the problem of variance truncation, where countries that are significantly different from one another with respect to their human rights practices fall into the same ordinal category. Over-reliance on either Amnesty International or US State Department reports for human rights information has proven to be problematic, since both sources contain their own sets of biases.

Thus, in addition to *broadening* the scope of rights that ought to be measured, political scientists need to *deepen* their sources of information. In this sense, parts of the human rights NGO community have taken the measurement agenda on board and have responded by providing rich sets of data on patterns of human rights abuses that remain very close to the actual victims of such abuse. These sources of data tend to focus on gross violations of human rights and also need to broaden their attention to include the violation of economic, social and cultural rights. Efforts at surveying 'at risk' populations have proved fruitful in producing individual-level data on human rights violations, but these efforts could also broaden their focus to include data beyond gross human rights violations.¹⁰⁸ Any such attempts to deepen sources of data and to remain closer to the ground, as it were, will necessarily trade off against the ability to make larger inferences about the nature, extent and reasons for human rights violations across the world. But the global comparisons have answered one set of important questions, while more studies at lower levels of analysis using more primary data could help fill the numerous remaining *lacunae* in the field.

Empirical Theories of Politics

Finally, political science research on human rights ought to engage more forcefully with dominant empirical theories used to account for observed political phenomena. The extant global studies on human rights, much like their behavioural predecessors, are thin on theory and thick on statistical analysis. Indeed, they occupy the theoretical 'messy centre' common to much comparative political science¹⁰⁹ and tend not to engage explicitly with

¹⁰⁶ Audrey Chapman, 'A "Violations Approach" for Monitoring the International Covenant on Economic, Social, and Cultural Rights', *Human Rights Quarterly*, 18 (1996), 23–66.

¹⁰⁷ Cingranelli and Richards human rights data. See <http://www.humanrightsdata.com>.

¹⁰⁸ Physicians for Human Rights, *Maternal Mortality in Herat Province, Afghanistan* (Boston, Mass., and Washington, D.C.: Physicians for Human Rights, 2002); Physicians for Human Rights, *War-related Sexual Violence in Sierra Leone: A Population-Based Assessment* (Boston, Mass. and Washington, D.C.: Physicians for Human Rights, 2002); Physicians for Human Rights, *A Survey of Human Rights Abuses Among New Internally Displaced Persons in Herat, Afghanistan: A Briefing Paper* (Boston, Mass. and Washington, D.C.: Physicians for Human Rights, 2002); Physicians for Human Rights, *Southern Iraq: Reports of Human Rights Abuses and Views on Justice, Reconstruction and Government: A Briefing Paper* (Boston, Mass. and Washington, D.C.: Physicians for Human Rights, 2003).

¹⁰⁹ Atul Kohli, Peter Katzenstein, Adam Przeworski, Susanne Rudolph, James Scott and Theda Skocpol, 'The Role of Theory in Comparative Politics: A Symposium', *World Politics*, 48 (1995), 1–49.

rationalist, structuralist or culturalist theories of politics¹¹⁰ at the domestic and international level. The global studies make implicit reference to modernization theory, which is in effect both a structural and cultural theory since it privileges socio-economic development as a driving force for political change, but understands the underlying innovation of such socio-economic change as ultimately stemming from cultural origins.

Rationalist accounts at the domestic level focus on the intentional actions of individual agents,¹¹¹ while at the international level focus on the intentional actions of individual states. In this sense, the ‘methodological individualism’¹¹² that characterizes rational choice analysis becomes ‘methodological nationalism’¹¹³ for realist accounts of state action. Rationalist analysis could provide important insights into the micro-foundations for certain types of human rights abuse through formal modelling of the interaction between perpetrators and victims,¹¹⁴ or how the ‘games of transition’¹¹⁵ in democratizing states affect human rights protection through the trade-off between liberalization and continued authoritarianism. At the international level, realist accounts need to address the puzzle of why otherwise rational states would ratify a series of human rights treaties that seek to limit their exercise of power at the domestic level. Moravcsik provides an answer for ratification of the European Convention for Human Rights, but new research needs to examine whether his findings are generalizable.¹¹⁶

Structuralist accounts at the domestic level focus on the interdependent relationships among individuals, collectivities, institutions and organizations,¹¹⁷ and as such can move easily to the international level to provide explanations for the development of international institutions and questions of global governance. Empirical analysis has shown that the poor, particularly in developing countries, disproportionately suffer human rights violations, but are the socio-economic structures that produce such an outcome a permanent feature of development or can such inequalities be ameliorated and so with them the associated abuse of human rights? Structural analysis can examine whether development, democracy and human rights are ‘interdependent and mutually reinforcing’ as is claimed in the 1993 Vienna Declaration and Programme for Action.¹¹⁸ At the international level, such analysis can examine the structure of the global economy and whether ‘world position’ makes a difference in human rights protection,¹¹⁹ and what role there may be for global inter-governmental and non-governmental organizations.

¹¹⁰ See Mark Lichbach, ‘Social Theory and Comparative Politics’, in Mark Lichbach and Alan Zuckerman, eds, *Comparative Politics: Rationality, Culture, and Structure* (Cambridge: Cambridge University Press, 1997), pp. 239–76.

¹¹¹ Lichbach, ‘Social Theory and Comparative Politics’, p. 246; Hugh Ward, ‘Rational Choice Theory’, in Marsh and Stoker, eds, *Theories and Methods in Political Science*, pp. 76–93.

¹¹² Adam Przeworski, ‘Marxism and Rational Choice’, *Politics and Society*, 14 (1985), 379–409.

¹¹³ Michael Zürn, ‘From Interdependence to Globalization’, in Carlsnaes, Risse and Simmons, eds, *Handbook of International Relations*, pp. 235–54.

¹¹⁴ For a rationalist approach to understanding repression, see Steve C. Poe ‘The Decision to Repress: An Integrative Theoretical Approach to the Research on Human Rights and Repression’, in Poe and Carey, eds, *Understanding Human Rights Violations*, pp. 16–37.

¹¹⁵ Josep Colomer and Manuel Pascual, ‘The Polish Games of Transition’, *Communist and Post-Communist Studies*, 27 (1994), 275–94.

¹¹⁶ Andrew Moravcsik, ‘The Origins of Human Rights Regimes: Democratic Delegation in Postwar Europe’, *International Organization*, 54 (2000), 217–52. See also Landman, *Protecting Human Rights*.

¹¹⁷ Lichbach, ‘Social Theory and Comparative Politics’, pp. 247–8.

¹¹⁸ J. Donnelly, ‘Democracy, Development, and Human Rights’, *Human Rights Quarterly*, 21 (1999), 608–32.

¹¹⁹ Analysis has shown that world position has an impact on the relationship between economic development and democracy, but more analysis is needed on its impact on human rights protection. See Burkhart and Lewis-Beck, ‘Comparative Democracy’; Foweraker and Landman, ‘Economic Development and Democracy Revisited’.

Finally, culturalist accounts at the domestic level focus on the broader holistic and shared aspects of collectivities, inter-subjective relationships and mutual understandings that make human communities possible,¹²⁰ while at the international level, such accounts are most akin to constructivist theories of international relations that focus on the social processes that lead to the formation and adherence to particular norms.¹²¹ Culturalists have long doubted the universality of human rights, but more grassroots research is needed to see what understandings of rights might be among local communities and whether, as some anthropologists have argued, there are important ‘homeomorphic equivalents’ for human rights within such communities.¹²² While human rights have long been seen as a set of socially constructed ideas borne of political and social contestation, culturalist analysis can examine the ways in which such norms and their possible effects are diffused over time and space within the international system.

But for human rights, as for many other substantive topics in political science, it is not necessarily the separate contribution that these theoretical perspectives contribute that is particularly interesting, but the ways in which they intersect with one another. For Lichbach, the intersection of all three perspectives at the domestic level is the ‘socially embedded unit act’,¹²³ while at the international level such an intersection is captured by Ruggie’s notion of ‘embedded liberalism’.¹²⁴ In this way, state and non-state actors at the domestic and international level pursue their ends, but such a pursuit must be seen as being embedded in the context of their cultural locations, structural positions in the world economy and participation in international organizations. Recognition of the ‘embeddedness’ of these various political actors and the ways in which their ends are pursued will help inform our explanations for conditions under which human rights protection is made possible, or the conditions under which human rights violations take place. Interestingly, the small-*N* and single-case studies reviewed here engage more explicitly with empirical theories of politics and have been self-conscious in their attempts to account for the different ways in which actors have achieved their ends with respect to human rights. *The Power of Human Rights* provides an account of the transmission of human rights norms that challenges the main tenets of realism, while the case study of Chile combined rationalist concerns over coalitions with different sets of preferences in the authoritarian regime with constructivist concerns over the delegitimizing impact of external human rights pressures. While the limits of these studies have been pointed out, future research efforts in political science need to engage more explicitly with empirical theories of politics and combine that engagement with greater attention to the methodological concerns raised in this review.

¹²⁰ Lichbach, ‘Social Theory and Comparative Politics’, pp. 246–7.

¹²¹ Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999); James Fearon and Alexander Wendt, ‘Rationalism v. Constructivism: A Skeptical View’, in Carlsnaes, Risse and Simmons, eds, *Handbook of International Relations*, pp. 52–72.

¹²² Alison Renteln, *International Human Rights: Universalism versus Relativism* (London: Sage, 1990); Richard Wilson and Jon Mitchell, *Human Rights in Global Perspective: Anthropological Studies of Rights, Claims and Entitlements* (London: Routledge, 2003).

¹²³ Lichbach, ‘Social Theory and Comparative Politics’, pp. 260–7.

¹²⁴ John G. Ruggie, ‘International Regimes, Transactions, and Change: Embedded Liberalism in the Postwar Economic Order’, *International Organization*, 36 (1982), 379–415.