



## Papeles el tiempo de los derechos

**“Closing the gap between theoretical and empirical research on sociology of human rights; a common conceptualisation for both sides”**

Ignacio Aymerich Ojea  
Universidad Jaume I. Castellón (Spain)

Palabras clave: sociología de los derechos humanos, indicadores de derechos humanos, modelización para la investigación empírica.

Número: 13

Año: 2010

# **Closing the gap between theoretical and empirical research on sociology of human rights; a common conceptualisation for both sides<sup>1</sup>**

**Ignacio Aymerich Ojea**  
**Universitat Jaume I. Castellón (Spain)**

## **Introduction**

The advancement of sociology walks on two feet: the theoretical and the empirical research. In the case of sociology of human rights, the disconnection between these two branches may be the reason which could explain why this science is not yet firmly established. It is paid more attention to the theoretical field in Europe. In Richard P. Claude's words, "Comparative literature on the politico-legal history of rights and liberties is neither extensive nor systematic. French, German, British and Scandinavian scholars have shown a greater willingness than have Americans to generalize about staged development of rights and liberties and to scan lengthy historical periods"(CLAUDE: 1976, 6). On the other hand, the empirical research (and particularly the statistical research) has been developed mainly in the United States. But there's a lack of connection between them. The theoretical branch is somehow captive to the *grand theory* program, and so it is not still sufficiently qualified for linking its description of the human rights evolution to the other big trends of social change: urbanization, capitalist economy development, nation-state model widening in politics, population schooling, and so on. The sociological theory should answer the question: what are the social prerequisites for the efficiency of legal norms protecting human rights? Once we can give a proper answer to this question, then the sociological theory could apply its general model to the concrete analysis of the situation in a particular country.

At the same time, the empirical research on human rights has been criticized by an important number of authors (Scarritt, McCamant, Barsh, Scoble, Wiseberg, Safran and Bollen, among others) for its inconsistent conceptualisation of human rights. One could say that they begin to measure before they decide what are they measuring. Notwithstanding that, there is a lot of profitable work made in the field of statistical research of human rights, and good examples of combination between empirical and theoretical research. If the social theory of human rights provides the general model, then the empirical research can be useful not only to verify that model, but also to design a methodology of assessment of the situation of human rights in different countries. In my opinion, the goal should be an indicators system of human rights.

The aim of this paper is, following the work of Richard P Claude, to propose the basic lines of a model of conceptualisation valid for both the empirical and the theoretical research on human rights. This model is based essentially on the weberian work, and defines human rights for socio-legal research purposes as the typical pretensions of legitimacy used by states with a rationalized law. Although this is

---

<sup>1</sup> Próxima publicación en el libro "Towards a Sociology of Human Rights: Theoretical and Empirical Contributions" editorial Hart, Londres. Este trabajo se enmarca dentro del Proyecto Consolider-Ingenio 2010 "El tiempo de los derechos" (CSD2008-00007).

basically a weberian model, it is formulated in an open dialogue with other contributions (Norbert Elias, Niklas Luhmann, GH Mead, etc). This model of conceptualisation of human rights is not a closed one. It rather tries to suggest some lines for the development of a research programm.

## **1. The situation in the empirical research: the case of indicators of human righth**

If we ask for the concrete social conditions that could favor a more effective respect for human rights, it looks obvious that these are questions that should be answered by sociology and, since we are talking about rights, by legal sociology. But we find, as Vincenzo Ferrari says, that "sociological studies with regard to the formation of human rights are still not numerous or systematic enough as required by the importance of the argument" (1989, 175). Also Zehra Arat recognizes that empirical research has barely begun to be addressed: "Even though democracy has been a popular subject for social scientists in general, and for political scientists in particular, the result has been mainly theoretic, emphasizing what should be a democratic system. Empirical research has been presented in the form of casuistic studies focused toward the democratic experience of individual countries. The number of systematic comparative studies of democratic systems has been poor, and the ones that exist are limited in their objectives"(1991, 2).

A remarkable effort to compare in a systematic way the situation of human rights is that of using indicators. This is not the place to perform a complete review of all human rights indicators, nor would it be necessary in order to show the importance of this point<sup>2</sup>. I will limit myself, on the contrary, to revising the indicator of Charles Humana, usually considered among the most refined.

Humana published his "World Human Rights Guide" in 1983, 1986 and 1991. Along these years, Humana progressively modified his methodology to overcome the defects pointed out by his critics. His final criterion has been to adhere as much as possible to international human rights norms, so that what is evaluated looks unquestionable, because it is a direct application of the same normatively established human rights. This way, he tries to avoid the wide criticism adressed to some other human rights indicators, specially the annual report of *Freedom House*. One can see, however, that this is not the case, and that there are still methodological decisions whose foundation is not discussed. For example, of the 40 sections that compose his questionnaire, 7 refer to freedom of the press or communications (17.5% on the total), while only 3 refer to the right to work and union rights, that is, less than half. Why is so relevant the information on freedom of information, press, and communications for the assessment of human rights? There should be some reason explaining it, but Humana does not discuss this point. Let us see in detail his methodology.

---

<sup>2</sup> Some good reviews of the human rights indicators developed to the date, among others, are: Green, Maria Green "What we talk about when we talk about indicators: current approaches to human rights measurement", in *Human Rights Quarterly*, Vol. 23, pp. 1062-1097, 2001, or by Landmann T. and Häusermann, J. *Map-Making and Analysis of the Main International Initiatives on Developing Indicators on Democracy and Good Governance*. 2003. In spanish, there is also a review of the human rights indicators in my book *Sociología de los derechos humanos* (Aymerich, 2001).

Humana builds up a questionnaire with forty items, each one designed by an abbreviation. Immediately after this abbreviation the content of the concrete issue is mentioned, and below the article of the Declarations or International Pacts under which this issue falls. Each of these forty elements is examined in the states under scrutiny, and in relation to the situation, it is assigned a value in a table from 1 to 4, so that, for example, concerning LEGFEM the state where there is no discrimination whatsoever toward women and there exists an absolute legal and political equality would receive four points in this box. The scores obtained are added up in order to obtain the corresponding total score. Nevertheless, Humana considers that, if we strictly link the questionnaire to international legal texts, there is very little margin for a purposely biased interpretation, but each of the forty resulting elements cannot be assigned the same value, some of which are clearly more important than others in order to assess the situation of a state with regard to its respect for human rights. Thus, Humana selects seven of the forty elements and attributes them a special value. These seven elements are: TORMENT, PUNISH, CAPPUN, MURDER, DETENTN, FREEWORK and SLAVLABR. Humana assigns them a relative value three times larger than the rest of elements in the questionnaire, which in his opinion did not misrepresent the end results beyond 3-4%, nor did it critically alter the final ranking of countries.

This methodology has been reviewed by Gupta, Jongman, and Schmid to enhance technically the Humana's methodology. First of all, they agree with Humana in linking every quantitative study to the letter of international human rights treaties (GUPTA, JONGMAN and SCHMID. 1994, 136). However, they do not justify this methodological decision, which is crucial, with any arguments. They observe that Humana formulates a questionnaire of 40 variables, taken directly from the international human rights standards, but he does not propose clear criteria for consideration between each of these 40 variables, which cannot be attributed identical importance. The Humana's decision to assign a triple value to some elements that are considered most important is arbitrary, and has not been sufficiently justified.

For them, the root of the problem resides in the fact that every a priori function of quantitative criteria for consideration is vulnerable. In order to avoid this problem, they use discriminatory analysis, a statistical technique that would make it possible to find an objective criterion for consideration, used when the extremes of a scale are well defined, but not so every stretch that makes up the scale. The location in a given position of the scale depends on a set  $n$  of variables, and it is easy to verify that the maximization of all the variables results in the highest position in the scale, or the lowest position if we assign minimum values to the variables. The problem occurs when the magnitudes of the variables are intermediate, because one can assume in a reliable manner that not all will have identical importance. What is not known then is what relative weight each one of these variables has in the result, and accordingly it cannot be clearly defined who should be located in the middle position in the scale. The multivariate discriminatory analysis identifies those factors that have a greater weight in the determination of the position within a given scale, and accordingly it makes it possible to create a more objective end result.

The authors classified the states in three groups: high, middle and low level of respect for human rights. A discriminatory analysis was then applied in which the

variables to consider were the 40 elements that compose Humana's questionnaire, thus obtaining the relative weight that each of them had in the determination of the high, middle, or low position of the scale established beforehand. In the resulting table, some items show a high score (MURDER = 0,43727, DETENTN = 0,40548 or TORTURE = 0,39029) while in the lowest part of the table some items are very close to zero (BRTHCONT = 0,03122 and MEMBER = 0,08037). As the authors point out, the first of the elements has a relative weight fourteen times higher than the last, and accordingly the assignment by Humana of a triple value for some elements turns out to be insufficient. Similarly, Humana had selected seven priority elements to which he assigned this triple value but, out of them, only three have been shown as significantly more determinant (MURDER, DETENTN and TORTURE), while the other four fall to positions 18 (CAPPUN), 23 (SLAVLABR), 31 (FREEWORK) and 35 (PUNISH). It is thus emphasized how mere personal estimates can be an unreliable basis when establishing the definition, precision, validity and equivalence in statistical methodology.

The contribution of Gupta, Jongman, and Schmid represents an advance in certain aspects, but it poses new difficulties. Linking each element of their questionnaire with articles of the Declaration or of the international Pacts does not imply a linear correspondence between the two. As we already saw, Humana selects 7 elements which are very directly related (PAPER, BOOK, TVRADIO, FREEINFO, FREEPRESS, MONITOR and FREEART) all derivatives of article 19 of the universal Declaration of Human Rights. Granting 7 elements of a total of 40 to a single article is a criterion for definition that would deserve a good theory to back it up, something which Humana has not done. But applying the statistical criterion of Gupta, Jongman, and Schmid it is verified that all these elements have a very next relative weight among themselves (except for FREEART, which is already a debatable indicator in a questionnaire of 40 items, they are all within a margin of 0,033 points up or down above an average of 0.26158 in the coefficient). It can be logically deduced that it is not necessary to multiply by seven the elements related to article 19 of the Declaration when the results obtained in each do not differ substantially concerning the others. If, on the contrary, they remained in that proportion, we now know that the indicator would modify upwards the score of those states in which article 19 of the universal Declaration of Human Rights was respected. In the opposite direction, those elements that more have been demonstrated to be more determinant should be accentuated by means of separating them in new more specific elements.

Thus, discriminatory analysis can help demonstrate that the relative consideration of each element should be adjusted, but also it can help verify that the composition of the questionnaire was disproportionate. The most clear solution aims at the review of the initial conceptualization, establishing new elements, which should be successively tested. Now then, whenever elements with little relevance are identified, which had originally been assigned some explanatory value, it will be necessary to question the arguments that justified the initial model. And similarly, every new attempt of conceptualization will need to argue why some elements are selected and not others. Otherwise, it would be necessary to consider all the elements imaginable in order to compose the questionnaire, and the test of discriminatory analysis would become an unending circle of trial and error. This leads us once again to the same conclusion: the use of solid quantitative techniques is not enough without the definition of a previous hypothesis we are trying to prove and that justifies why a certain methodology or

another is adopted. This is an aspect of research that, as is the case with other authors, also Gupta, Jongman, and Schmid avoid. Neither they nor Humana justify, for example, why there is no element related to the right to social security (article 22 of the universal Declaration and article 9 of the international Pact of Economic, Social and Cultural Rights); this absence in practice grants priority to the position of states with models of economic development not backed by the social protection of the workers, since the breach of this article is not computed when evaluating the status of the state in question. On the other hand, an element is included regarding the right to interdenominational or interracial marriage, which results in lower positions for countries of Islamic tradition, where the marriage of Moslem women is prohibited with a man from another religion. These types of options do not depend on techniques of discriminatory analysis, but on another type of reasons that should not left be unanswered.

## **2. What do human rights indicators measure?**

It is possible to build different kinds of indicators according to their target. Malhotra and Fasel (2006, 1) divide them in a) events-based data on human rights violations, b) socio-economic and other administrative statistics, c) household perception and opinion surveys and d) initiatives using data based on expert judgements. Landmann (2004, 911) considers three types: a) rights in principle, b) rights in practice and c) government policies and outcomes. In my opinion, the first question to be answered if we want to measure human rights employing indicators is the target itself: do we measure norms, facts or social change trends? The answer given to this question is the first step to take in the definition tasks. Let us consider this three possibilities.

If the target is to measure norms, then our attempt is to measure and compare the legal system of each country. Normative systems do not describe facts, but rather how the world should be. Accordingly, they cannot be evaluated directly in factual terms, since it is impossible to find facts in an ideal entity. The question of the degree of respect for rights or compliance with legal instruments is basically resolved in the judicial arena, because the judges' work consists precisely in deciding what is the correspondence between facts and norms. But judges do not examine facts making use of the methodology of the social sciences; they use a method that is also normatively determined. Indeed, the law does not only establish how individuals, authorities, and organizations should act, but it also includes rules on the procedure that a judge should follow in order to select what facts are relevant and which should be ignored, or what facts the litigant parties can allege, or what order of priority the facts have among themselves. Using as a basis the judicial decisions, it is indeed possible to carry out factual assessments of the norms, in the form of statistics concerning the number of claims or how judges finally resolve them. But in this case it is necessary to take into account two conditioning factors: first, in this case statistics do not measure the norms, but the judicial decisions. Second, that the methodology we use has a mixed nature. On the one hand, the quantitative analysis is carried out using statistical techniques, but there must previously exist a judicial decision that requires a legal methodology. Taking into account these conditions, the factual analysis of the normative systems is indeed possible.

This is not the case, however, with international standards on human rights, of which only a small part has an effective international judicial guardianship. Only 105 countries, for instance, joined the treaty which established the International Criminal Court. Accordingly, a unified and effectively universal administration of justice is still lacking, one that applies the standards with a systematic set of compatible criteria, and whose resolutions can be examined quantitatively. And this deficiency also prevents that the tie be forged in a reliable manner between facts and norms. Let us imply, for example, that a given individual is a member of a clan, or even a Mafia organization, that guarantees him sufficient protection of his life and physical integrity. Let us consider along with him the citizen of a democracy whose constitution guarantees him the fundamental rights to life and to physical integrity. It cannot be said, however, that these are two cases of application of article 3 of the Universal Declaration of Human Rights. Although we can confirm the fact that the two people enjoy personal safety, it is the normative type of referent from which the facts acquire their meaning that makes it possible to differentiate these situations. Only in the second case there is a relationship between the fact and the norm, and this relation is verifiable because there exists an administration of justice instituted in order to guarantee that the facts match the standard.

This is why the aforementioned weberian model is important. We have to keep in mind that our definition of human rights should be subjected to empirical scrutiny and, at the same time, it should be a consistent model of the processes of implementation of human rights in different places during the past two centuries. If we define human rights as one of the typical pretensions of legitimacy that states can use to present themselves as legitimate authorities in front of their citizens, then we are dealing both with the normative and the factual side of the question. Because the Mafia do not pretend to rule by means of the recognition of equal universal rights granted by independent judges and courts. On the other hand, the assessment of states that grant the right to life and physical integrity by constitutional provisions can be made by the way in which such provisions are in accordance with the international norms on human rights (and obviously this is not the case for the Mafia) and by the facts showing how many violations of these rights take place within the borders of that state. So we cannot resolve the problem by dividing human rights indicators in “rights in principle” and “rights in practice”, as Landmann does (see above) because this way we leave unanswered the question of the kind of link between facts and norms.

The absence of a judicial system with the necessary competence and ability to enforce the international standards on human rights means that the effectiveness of most of them depends on the states’ adaptation of their internal legal framework to the provisions in the Declaration of 1948 and to the International Pacts of 1966, as well as in other sectoral conventions (against genocide, of 1948; against racial discrimination, of 1965, etc.). If this adaptation truly existed, then there would be another way of proving the effectiveness of human rights, using to this end the internal judicial resolutions of every state. But this way is only possible if the internal standards of all the states and the international standards have full correspondence, which to the naked eye looks difficult if we consider the fact that each constitution follows its own system of recognition of rights.

It is necessary to change our point of view. The information as to whether some given facts constitute a violation of a right can only be established by the competent court, and leads to legally established sanctions. When we abandon the context of the judicial decisions, the information on human rights is already of another nature and it leads to a different type of results. As McCamant recalls, "it is one thing to request a government to help prepare a legal cause against people responsible for violations of human rights, and a very different one to seek non-judicial policies of sanction toward foreign governments. The localized use of foreign aid, the rupture of diplomatic relations or trade or investment embargoes demand global evaluations of the governments and the countries" (McCamant. 1981, 123). It is not possible to replace the lack of international human rights courts with effective authority, and most of all, the sociological research on human rights cannot provide a substitute for that. But, on the other hand, it can sometimes help for other kind of goals. This is the case, for instance, in the development aid programs. "In the space of just a few years, human rights policies have thus acquired a central place in the international development cooperation debate" (Advisory Council on International Affairs (ACIA): 2003, 22). The ACIA report reviews the way in which different institutions in the international community are changing to a human rights based approach to development: the UN, UNICEF, the ILO, the World Bank and the International Monetary Fund, the European Union, the German, British and Swedish experience with development aid, and so on.

The most relevant initiatives are; concerning the UN, the Human Development Report 2000 was devoted to the human rights based approach to development, and as a consequence of the increasing interest of the UN in closing the link between development and human rights, the UNDP established the Human Rights Strengthening (HURIST). The European Union has a long experience in the human rights based approach to development: in the frame of the Lomé Conventions (1975-2000) and the Cotonou Agreement (2000-2020). Every cooperation agreement of the EU contains human rights provisions. The Foreign Office of the Netherlands has publicized its commitment to make its assistance development program conditional on the absence of violations of human rights in the recipient countries, as documented by the reports of Amnesty International (Baehr, 1982, 39-52). In the United States sections 116 (d) and 502 (b) of the Foreign Assistance Act of 1971 prohibit the foreign aid to countries involved in a consistent pattern of serious violations of internationally recognized human rights. To this end, since 1976 the State Department sends Congress a report entitled *Country Reports on Human Rights Practices*, that should condition the destination of development assistance funds. Also, the United States organization Freedom House publishes annually a report on the situation of the civil and political rights in the world that also intends to influence the assignment of foreign aid, as recognized in the 1994-95 report: "Fragile and emerging democracies deserve to be the focus of the United States foreign aid" (Karatnycky. 1995, 8)<sup>3</sup>. Norway, Denmark, Finland, the Netherlands, and Canada, in a similar way, have also decided to grant their foreign aid following independent reports, like "Human rights in developing countries"<sup>4</sup>, an annual publication that analyzes the situation of human rights and the social

---

<sup>3</sup> Freedom House has been characterized by some critics as a bastion of the United States conservative thinking. Cfr., for example, NAGLE, John D. *Introduction to comparative politics*. Nelson Hall. Chicago, 1985. p. 95.

<sup>4</sup> VV. AA. *Human Rights in Developing Countries*. Yearbook 1994. Nordic Human Rights Publications. Oslo, 1994. The reference is from the year 1994 but the publication is annual.

conditions and policies of various developing states, candidates for receiving that foreign aid.

The Treaty of Maastricht added a new title on development cooperation that includes the promotion of human rights between its main goals. And finally, the European Initiative for Democracy and Human Rights (EIDHR) supports the strengthening of human rights by way of cooperation with NGOs and international organisations. “Under pressure from the expanding role of human rights in the EU development cooperation and the ever-increasing demand for results, the European Union has acknowledged the importance of developing indicators that measure the effectiveness of its development policies more accurately. The Commission recently introduced a number of initiatives for this purpose, largely on the basis of the Millennium Development Goals. In this regard, however, it should be noted that the existing range of tools that are essential for implementing and supporting an effective human rights policy (e.g. tools for collecting and analysing data and increasing the human rights expertise of relevant staff) is still inadequate”. (Advisory Council on International Affairs: 2003, 30)

The possible diversity of criteria in the overall analysis of the situation lead MacCamant to question even that compliance with human rights can be evaluated. This analysis should be based on another form of conceptualization of such situations that differentiates them from the imputability that refers to individuals. Thus he proposes a substantial change: abandon human rights as direct referent and move to analytically different concepts. This implies, among other things, a causal theory on the effectiveness of the standards related to human rights, in addition to a conceptual redefinition of the object of this type of general reports on the situation. In this regard, McCamant proposes six types of facts to investigate:

1. Equality of economic and social condition
2. Provision of minimum economic and social conditions
3. Respect for cultural diversity
4. Self-determination of the groups
5. Political participation
6. Freedom and political repression

These general concepts must be disaggregated into more specific elements, but according to McCamant’s thinking, they cover the majority of the phenomena included in the standards of the Universal Declaration of Human Rights and of the International Pacts of 1966. In this case, these are no longer standards that public authorities should meet, but social objectives that they should maximize. This takes us from the general description of the situation of human rights by states to another type of report: the indicators. If we follow McCamant’s opinion, then we have reached the second possibility, that of considering human rights as facts. As I’ll try to show further, this way of conceptualization of rights doesn’t pay attention to what does it mean to follow a rule and, consequently, to the difference between natural facts and normative evaluation of facts.

The third possibility is to measure social change trends, or social processes of implementation of human rights. This is only possible if we can translate human rights into a measurable process (which is the aim of indicators) and compare it with other

patterns of social change already available in the quantitative social and economic research. Tomasevski suggest “a departure from the conventional views on measuring the realization of human rights, specifically from attempts to quantify violations. It proposes a different approach: to focus on government obligations rather than individual rights. Monitoring necessitates a conceptual framework to define what to monitor before one can proceed to discuss how and proceed to the design of indicators. In order to develop such a framework human rights obligations ought to be operationalized to make them applicable in development. Development is used here to denote those economic and social policies which intergovernmental development finance agencies and individual governments are pursuing in practice, thus not in a sense of what development should be but what it is. Because development will not often appear conducive to the promotion and protection of human rights, human rights ought to be “translated” into development policies, programmes and projects” (1993, 1)

But this definition of a general evolutionary table of human rights, quantifiable through indicators is still a pending task. As López and Stohl recognize, despite a certain experience of years "it is embarrassing although necessary to admit that relatively limited concrete progress has been made both in the improvement of the transnational discussion and between the various ideologies on human rights and also in the establishment of the relationships between human rights and specific corporate, economic and political processes and structures" (1992, 217). But once we can build a reliable indicator of human rights, then we could analyze the correlation it shows with some other social indicator: urbanization, illiteracy, economic growth, and so on.

Among the different main processes of social change, the researchers attention is paid mostly to the correlation between human rights and development. Zehra Arat, for instance, made an important contribution by showing the correlation between human rights and equitable development. Her argument is that it's no possible to disconnect civil and political rights and economic, social and cultural rights. The proof is the statistical correlation between the increase of income inequality and the increasing episodes of violation of civil and political rights (Arat, 1991). Pritchard points out a more precise connection between human rights and economic development: “Substantively, the analysis indicates that performance on human rights conditions is associated with national government revenue to a greater degree than gross economic resources. This applies particularly to socio-economic rights, but is also true in the case of political and, to a lesser extent, civil rights” (Pritchard: 1987, 17).

Sometimes the relationship between development and human rights follows the simplest hypothesis, whereby both always evolve jointly. The World Bank has defended this hypothesis in some of its annual reports<sup>5</sup>, and was criticized for the inconsistent data offered to show that correlation. If such hypothesis were correct, one would easily reach the utilitarian conclusion that human rights deserve respect because doing so is economically advantageous. The relationship between development and human rights deserves a closer look. Thus, Barsh considers that the Declaration of the right to

---

<sup>5</sup> The World Development Report of 1991 contained a matrix of statistical correlations based on the report of Freedom House. This matrix attempted to demonstrate the causal relation between public freedoms and economic growth.

development of 1986 has defined this right as the achievement of human rights, the increase of human capabilities and individual choices. “In accordance with this emerging vision, human rights, and development are, by definition, the same thing” (Barsh. 1993, 115). This premise invites a reconsideration of the research goal: it should no longer aim to demonstrate that human rights favor economic development or vice versa, since this hypothesis has become tautological. Even though Fukuda-Parr still points out the difference between human rights and human development, and so the difference in their respective indicators (Fukuda-Parr. 2001, 240). The issue is now to determine the nature of the relationship between growth (understood as the mere increase in the gross national product) and development (which already includes the full enjoyment of human rights). Once the interdependence of this relation is known, public policies can maximize the benefits of development for humans. Research should focus on two independent types of data: those which identify the instances of repression, and those which increase the benefits of development for humans. For the former, there is no need to classify all the States of the world, a usual procedure that Barsh proposes to abandon. And for the latter, the methodology implies disaggregating human rights in relation to their role in human development. That is, instead of their unitary consideration as a normative body, classified internally in civil, political, and economic rights, they should be understood in relation to their cooperation to development, and hence Barsh proposes to reclassify them into human resources (literacy rates, health status indicators, etc.), personal safety (freedom from interference in private life, property, etc.) and power (both its exercise –participation, pluralism- and the conditions for its effective exercise –free press and opinion-).

Both Barsh and McCamant shift the point of view from norms to facts, as we see. But the question remains the same. Why this particular set of facts are the direct translation of the human rights norms to the factual field? To show the correspondance between facts and norms we still need a general model of development of human rights.

If one can attempt a definition of human rights in which these are conceived in the same dimension as development, the same is worth attempting with respect to some other main trends of social change. Among them, I find particularly interesting the link between human rights and governance. In order to show how direct the relationship is between the two concepts, I am going to follow the argumentation of John Boli-Bennett, who basically tries to show the falsehood of the habitual concept of human rights as limits upon the power of the state. In order to test his hypothesis, Boli-Bennett analyzed all the Constitutions in the world between 1870 and 1970, and synthesized the rights recognized in them in a list that includes 42 different types of rights, divided into four groups: civil, procedural, political, and socioeconomic. Each concrete concept is assigned a criterion for ordinal quantification with two or three levels.

The section of civil rights includes the right to peaceful gathering (with three possibilities: nonexistent, only for unarmed people, and unrestricted), the freedom of association (nonexistent, in general, and including the specific right to create political parties, unions, etc.), the freedom of conscience (nonexistent, in general, and including objection to military service), and so on. Procedural, political and socioeconomic laws are also defined in the classical terms of the Declaration of 1948 or of the International Pacts of 1966, which means that it is not necessary to reproduce the complete list. The other three codings are more innovative. In the first, Boli-Bennett brought together the duties of citizens usually included in the Constitutions under study, which he

synthesized in the following 10 sections: obligation to breed and educate one's children, to participate in the defense of the nation, to be educated (obligatory schooling), to carry an identity document, loyalty to the state, citizen participation, payment of taxes, respect for public property, respect for other people, and work.

In the following list, the author included the areas of social life in which the Constitutions explicitly attributed jurisdiction to the state and it contains 56 elements that represent the areas of expansion of public bureaucratic domination: agriculture, savings, storage and goods, arts and handicrafts, associations, banking and credit, professional training, natural catastrophes, game and fishing, cemeteries, sciences, colonies, foreign trade, labor disputes, etc. The last table includes the state's mechanisms to increase its capacity of control over social relations, made up of 45 elements. It includes a classical repertory of the competences of the various state authorities, such as the preparation of the budget, the concession of pardons and amnesties, legislation, police, control of the dominant economic positions, concession of extraditions, nationalizations, , etc. The results that each state obtains in relation to the variables of civil, procedural, political and socioeconomic rights are added up in order to obtain what Boli-Bennett calls the "index of rights of the citizens". He calls the results of the list of constitutionally established duties "index of duties of the citizens". And the summary of the results of the last two tables, that of social areas put under guardianship of the state and that of mechanisms of increase in state control are added in the "index of state jurisdiction". Based on this elaboration, Boli-Bennett begins his analysis of the variations that have been taking place in the last century in sequences of intervals of 20 years. The result obtained is summarized in the following table:

	1870	1890	1910	1930	1950	1970
IRC	16,5	17,0	17,3	19,8	24,6	27,9
IDC	1,4	1,92	2,07	2,31	3,92	3,82
ISJ	25,6	26,7	29,1	35,8	46,2	49,4

IRC expresses the index of rights of the citizen, IDC the index of duties and ISJ the index of state jurisdiction. The numerical values express the total of the average values of each right or competencies included in the corresponding index. The variable with the proportionately higher increase, as shown, is that of the duties of the citizens (172%), although its total value is limited (seven and thirteen times less than the value of the other two). The index of state jurisdiction increases 93% during the century, and the index of rights increases 69%. Not only is there a very similar increase between these two variables, but the increase rate is also parallel. Thus, if the index of rights is separated into civil, political, and socioeconomic rights, the results deserve attention. The last one of the three increased 338%, while civil rights increased 43% and political rights 127%. As Boli-Bennett points out when commenting on these data, "the type of rights that more clearly protects individuals from the state is the one that increased the least, while the type that more clearly incorporates individuals in state programs is that with greater expansion" (Boli-Bennett. 1981, 179).

The conclusion that Boli-Bennett reaches is that the constitutional rights of the citizens are more widely recognized wherever the state authority is expanded in order to include individuals in its programmes of action, and in tandem there exists a tendency to define the rights as alienable or subject to restrictions by the state. "The ideology of the rights of the citizens helps the states to expand their legitimacy in society and to

implicate the citizens in state programs, tending to replace a form of subordination of the individual (coercions and traditional habits) with another (control by the state)" (Boli-Bennett. 1981, 182). Starting in the 1930s, when an expansion of the capacity for control of the state occurred throughout the world, the recognition of the social rights was also generalized. And, in more general terms, it is no accident that the greatest expansion of the ideology of human rights has occurred in the period of history in which the power of the state has increased faster everywhere. Pritchard, in a very similar way, concludes her own research saying: "it is appropriate to specify why nations with greater government resources (revenue) are expected to reflect better human rights conditions. The nature of the state's command over resources is sufficient to make it a formidable force in shaping human rights conditions, and the extent to which the state can effectively raise human rights conditions depends on its resource capacity. But why expect a positive effect? Theory from the field of public administration suggests that the state, through the behavior of bureaucracies, will seek the common interest through the rational logic of the technician" (Pritchard: 1987, 12). The research conclusions of Boli-Bennett and Pritchard is that human rights and governance can be conceived as elements of a single dimension. And, following the Barsh's proposal, they could also be synthesized with development. Both examples show properly the way of researching human rights as social change processes, with its correlation to other trends in social change.

### **3. Definition problems in human rights indicators**

The systems of indicators respond to the purpose of quantifying concepts that, by themselves, either are not directly quantifiable, or else they are even impossible to observe. Clearly, democracy or equality cannot be "measured". The task is, then, to locate the best indicator for the concept that one wants to evaluate. This is, for example, what McCamant does when he translates human rights into the set of aforementioned variables. But the relationship between the indicator and the concept cannot be obviated, and in order to prove that an indicator is a good sign of a concept, we need a theory that explains the reason for this relation. As Barsh points out, "the relationship between the measurement or indicator and the characteristic or variable to measure should be itself based on a theory, which should be tested regardless of the hypothesis that has been designed to assist in its verification. On the contrary, the publications of the social sciences abound in arbitrariness, common opinions or a priori rules of correspondence, that should be suspicious as systematically biased or ethnocentric" (1993, 96). Indeed, the criticisms of ethnocentrism have not been infrequent. Scoble and Wiseberg (1981, 148), for example, show that in the research made in the United States, the individual civil and political rights are concretely defined, are numerous, and have the highest priority. The economic, social, and cultural rights are rather vague, defined generically, and appear in a negative context: they should not condition or compromise the civil and political rights. Socioeconomic rights usually receive a much greater emphasis on the definitions employed by european investigators. Accepting an indiscriminately an ethnocentric definition as universal by the investigator could lead to an outcome of research inevitably linked to cultural prejudices. William Safran also insists that "the American investigators are inclined to see the system of civil liberties of the United States as a model" (1981, 195). If we are unaware of it or do it inadequately, later work will be vitiated. Following Kuhn, who has had such an impact in the

methodology of the social sciences, herein lies the reason why measurements taken without a paradigm lead so rarely to a definitive conclusion (Kuhn. 1987, 210).

Devising a system of indicators that could conceptualize human rights in a univocal sense above the cultural diversity that underlies the world's Constitutions requires a good theory. Without an explicit mention to the theoretical assumptions that underlie the formalization of the indicators, the validity of these systems results in a petition of principle. All appearance of rigor based on the mere utilization of statistical techniques vanishes at this point. Let us consider, for example, the problems posed by aggregation. Any system of indicators brings together a large amount of information, for the purpose of synthesizing from it a more limited set of relevant data. But, how does one synthesize the total set of the information? Can heterogeneous factors mix in a quantitative indicator? This is also an issue that requires a theoretical foundation which justifies that aggregation measures parameters that can be signs of a single reality. Thus, human right standards include such heterogeneous realities as the right to political participation and the right to paid vacations. How can both things be added in an aggregate indicator? This is only possible if the figure resulting from the aggregation operations is the expression of a single reality, beyond the diversity of issues included in human right standards. And then it is necessary to conceptualize human rights in a single category. Otherwise, this would be a never-ending discussion about the technical disputes over the relative weight of each element that should be synthesized in the aggregate, as shown by the criticism of Gupta, Jongman, and Schmid to Humana's indicator. In other words, it is necessary to conceptualize the progress in human rights as a progress in a single direction, not as the total of many independent development processes.

Along these lines, James R. Scarritt (1981, 115-23), after analyzing the current situation of human rights indicators, concludes that the models available so far are incomplete and suffer from conceptual or methodological weaknesses. Accordingly, he proposes a different model, one that is based on a synthesis of Flathman's and Claude's contributions. Scarritt tries to classify human rights by way of a combination of the analytical and the historical dimension. The horizontal axis contains the generations of rights, while the vertical column divides human rights into basic categories: positive and negative laws. Positive laws include, for instance, the right to health care, housing, work, etc. Negative laws include rights against the state and against groups or private individuals. Accordingly, human rights should be analyzed from the perspective of the historical trends of social change, and particularly political change. One can conclude, logically, that before using a system of indicators constructed by aggregation, we should use a system that handles information on events which can be singled-out, serializing them in order to detect patterns of change. Therefore, such system would deal with the measurement and explanation of general political change. Such political change would be defined with sufficient amplitude as to encompass changes in political roles, group structures and standards, including the content and pattern of development of public policies. And especially we should take into account the proposal that suggests the replacement of systems based on the aggregation of multiple variables into a single final indicator with a historical development scheme in accordance with variables previously classified in a general evolution scheme. In such evolutionary scheme, the dominant issue is the relation that exists between the processes of change directly related to human rights and other processes of social and political change, which are basically the development and the changes in the systems of organization of power.

#### 4. The conceptualization of human rights in empirical and theoretical research

After reviewing the situation of empirical research on human rights we can conclude that its main problem is the lack of a theoretical conceptualization of rights. The first step is to define the social conditions for the effectiveness of human rights, and show them in the form of a typical process of social change. As I said before, we need to shift our point of view from the legal way of thinking about rights to the sociological way of describing patterns of social change. And it is not possible to take the socio-legal concept of human rights directly from the normative level, as Humana, Gupta, Jongman and Schmid do, because norms are not facts, and thus this conceptualization of rights could not be subjected to empirical verification. My proposal, following Weber, is to make use of the sociological concept of typical pretension of legitimacy.

*Legitimacy*, in the sociological meaning defined by Weber, is the possibility of one commandment to be obeyed. It is not a theory of justice or something like that; it is a verifiable concept. It takes place when legal obligations are honored, but also when a fireman cries: “get out, the house is burning!” and the people gets out. The fireman pretends to be obeyed on the basis that he is the competent authority in that kind of situations, and we can confirm that this pretension of legitimacy is effective by observing whether the people gets out from the burning house or not. It’s clear enough that the same people who obeys the fireman after his warning wouldn’t do so if his commandment would have been a medical, artistic, religious or economic one, because he is not a doctor, nor a priest, nor an economist, but a fireman. So the possibility of one commandment to be obeyed is not mainly related to the personality of the one pretending obedience, but to the reason argued to ask for obedience. If someone pretends my obedience because of some legally established obligations, we can also confirm empirically the effectiveness of such a pretension. From my point of view, this way of sociological conceptualization of rights is particularly useful, as it links the normative meaning of rights with its factual counterpart. Some political systems pretend to be legitimate on the basis of religious reasons. For instance, “Government in Saudi Arabia derives power from the Holy Koran and the Prophet's tradition” (article 7 of the Saudi Constitution). Other countries link their legitimacy to the constitutional provision of a set of fundamental rights defined in accordance to the international human rights. And the pharaohs or the Japanese emperors pretended legitimacy (and were obeyed) because of their divine nature. Legitimacy, in this precise meaning, takes into account both norms (the commandment, the pretensions of legitimacy) and facts (the people obeying the commandment or not).

The well known Aristotle’s classification of political systems can be described as an answer to the question: who governs? Weber’s suggestion is to change that question for another one: why should the ruler be obeyed? Every exercise of power in history (not only the political authorities) has tried to be accepted according to different kinds of reasons. So we can classify them by the arguments they used to present themselves as legitimate. The classification made by Weber is widely recognized: there are traditional, charismatic and rational (legal) forms of legitimation (Weber: 1985, 124). Rational

legitimation is only possible for the state. Former ways of social organization, the clans systems, for instance, could pretend legitimacy by the guarantee of protection for their members (the same could be said for the Mafia, as I tried to show before in another example). But it cannot be said that this is the same kind of guarantee of rights provided by a democratic state. The discourse of legitimation in democracies is tied to the universality of human rights, but the clan discourse of legitimacy is a form of traditional loyalty, valid only for the members of the clan.

Another well known Weber's thesis is that the sociological precondition for the origin of the state is the monopoly of legitimate violence (Weber: 1985, 518-19). The most accurate sociological description of the historic process of monopolization of legitimate violence has been made by Norbert Elias, who agrees with Weber in this point (Elias: 2000, 51). Considering that only states can guarantee human rights, and that states can only appear once the monopoly of legitimate violence is established, then this is also a precondition for human rights. The above reviewed conclusions of Gupta, Jongman and Schmid on the central role of the rights to life, physical integrity, not to suffer torture, etc. could be seen as an empirical verification of this thesis. In my opinion, and in agreement with the Barsh's proposal, this should be the first step for an indicator of human rights: to devise an indicator of personal safety. If the state has not succeeded in effectively pacifying the territory because there are ethnic, cultural, economic, or religious oppressed minorities, that is, excluded from the legitimacy discourse of the political system, then we have a sign of ineffectiveness in the respect for human rights, since the state does not offer guarantees of equality and respect for minorities. In order to gather statistical information related to this question it is necessary to mention the work of Ted Robert Gurr, Barbara Harff and James Scarritt.

The second step for the human rights indicator should pay attention to the typical pretensions of legitimacy on which the different political systems are based, which could be assessed by their correspondence to the Universal Declaration of Human Rights of 1948, the 1966 UN covenants and the other main international standards. As Tomasevski points out, "The first issue requires an analysis of the explicit commitments to international human rights standards for each government in order to identify the degree to which it accepts universal human rights standards. Explicit departures from universal standards (often encountered with regard to the human rights of women and of foreigners, the rights of the child, indigenous rights, minority rights, property rights) ought to be taken into account in the conceptualization of indicators" (Tomasevski; 1993, 2). And she adds that it is not only important to consider the ratification of treaties but also the reservations made by states, which sometimes nullify the effectiveness of the norm. Kirby explicitly points to the First Optional Protocol to the International Covenant on Civil and Political Rights, by which the parties accept the jurisdiction of the Human Rights Committee, and they accord to individual complainants a right of communication to the Committee. "This is why ratification of the First Optional Protocol can be seen as an important indicator of the implementation of human rights in a given country. In a sense, it is an indication of a state's confidence in its general adherence to the Covenant's human rights principles" (Kirby: 2003, 332). In my opinion, this second point of the indicator should include: a) status of ratification of the international covenants on human rights, b) comparative analysis of the constitutions and main laws (criminal code, for instance) and c) outstanding judicial decisions on fundamental rights.

Coming back to Weber's classification of the typical pretensions of legitimacy (traditional, charismatic and rational), and if we apply this scheme to the case of human rights, it fits within the rational (or legal) one, and Weber states that this occurs as a result of the process of rationalization of law. Claude shares this point of view: "For the progress of human rights development, the only determined point or necessary prerequisite is the existence of a secure legal system. There must be a juridical solution to the problem of social organization for the ambitious march toward human rights to commence"(Claude: 1976, 6). And Claude quotes Weber in support of the thesis of the secure legal system as a prerequisite for human rights (Claude: 1976, 7-10).

According to Kirby, the rule of law as a social condition for the effectiveness of human rights can be paired with an empirical indicator of it. "The mere existence of independent courts is just the prerequisite to the protection of human rights. Self-evidently there must be, in addition, an independent legal profession which has the courage to bring difficult and unpopular cases to the courts. One of the most important annual publications for monitoring the indicators of the implementation of human rights is *Attacks on Justice*. This report is produced every year by the Centre for the Independence of Judges and Lawyers (CIJL) in Geneva, established by the International Commission of Jurists. It chronicles the attacks, both physical and institutional, upon judges and lawyers in many lands" (Kirby: 2003, 335).

We have seen the role of the monopoly of legitimate violence and the rationalization of law as social conditions of human rights. But in the weberian model there is still another one: bureaucracy. Bureaucratization, according to Weber, is not only a development process in the administration of public affairs, but also in the economic administration of private companies or even in the church's administration. Weber shows the parallelism of the bureaucracy's struggle against the privileges of the aristocracy at the end of the *ancien régime* and the conflict between the virtuousness, religiosity and the clerk's administration. In the typical discourse of legitimacy of a bureaucratized church we find the same universalism (everyone is called to be saved by God's grace) that we find in the bureaucratized state (everyone is legally equal). Otherwise, salvation is only granted to those qualified by religious virtue, as in the political side the exercise of power is only accessible to those qualified by nobility (Weber: 1988, 260). There is a connection, thus, between bureaucratization and equality as a typical pretension of legitimacy. The above mentioned conclusions of Boli-Bennett and Pritchard about the relation between state expansion and human rights are coincidental with this weberian thesis.

Bureaucratization is also important for economic development, as it leads to a more rational system of private administration and provision of goods and services. Weber doesn't consider capitalist economy as a social precondition of human rights, but the process of economic development is closely linked to the rationalization of law and the bureaucratic administration of public affairs, so it can be integrated in a global model of development. This is the way it is considered by the World Bank: when firms must decide where they are going to invest, they need to consider the opportunities of the many possible locations. "Early efforts to understand how government influence these location-specific factors focused on broad indicators of country risk, often based on surveys of international experts and usually resulting in a single score for each country.

Many studies focused on the narrower question of the constraints facing foreign firms. The last 20 years have seen a broadening and deepening of efforts to understand how various location-specific factors influence differences in incomes across countries. Researchers began by looking at various aggregate indicators of a country's institutional and policy environment, such as the rule of law, corruption, openness to trade, legal origins, and financial sector depth" (World Bank: 2005, 20-21). The regression analysis applied to foreign investment decisions by Kaufmann, Kraay and Mastruzzi shows a strong correlation with "rule of law", "government effectiveness", "regulatory quality", and "control of corruption". The rule of law or the government effectiveness are not the same than human rights, but legal legitimation and bureaucracy are their social preconditions, so this close connection with economic development is important to understand the whole frame of social change surrounding the evolution of human rights. I've already mentioned the opinion of Tomasevski about the necessary integration of human rights with development policies.

Progress can be made in the sociological conceptualization of human rights along the same lines. This represents a narrowing of the normative concept of human rights in order to make it operative, but in return I think it will be possible to design a system of indicators that overcomes some of the problems of the systems attempted so far.

## REFERENCES

ADVISORY COUNCIL ON INTERNATIONAL AFFAIRS. 2003. *A human rights based approach to development cooperation*. AIV reports, n° 30. The Hague.

ARAT, Zehra F, 1991. *Democracy and Human Rights in Developing Countries*. Lynne Rienner Publishers. London

AYMERICH OJEA, Ignacio, 2001. *Sociología de los derechos humanos. Un modelo weberiano contrastado con investigaciones empíricas*. Tirant lo Blanch. Valencia

BAEHR, Peter R. 1982. *Concern for development aid in fundamental rights: the dilemma as faced by The Netherlands*. Human Rights Quarterly. n° 4/1. pp. 39-52.

BARSH, Russel Lawrence, 1993. *Measuring Human Rights: problems of methodology and purpose*. "Human Rights Quarterly". n° 15/1 .

BOEREFIJN, Ineke, 1995. *Toward a strong system of supervision: the Human Rights Committee's role in reforming the reporting procedure under article 40 of the Covenant on Civil and Political Rights*. "Human Rights Quarterly". Vol 17/ 4.

BOLI-BENNETT, John. 1981. *"Human rights or state expansion? Cross-national definitions of constitutional rights, 1870-1970"*. In NANDA, Scarritt and Sheperd (eds).

*Global Human Rights: Public Policies, Comparative Measures and NGO strategies..*  
Westview Press. Boulder (Colorado)

CLAUDE, Richard P. 1976. *Comparative rights research: some intersections between law and the social sciences*. En CLAUDE, Richard P. (ed.). *Comparative human rights*. The John Hopkins University Press. Baltimore.

ELIAS, Norbert. 2000. *Über den Prozeß der Zivilisation. Soziogenetische und psychogenetische Untersuchungen*. 2 vols. Suhrkamp. Frankfurt, 1976. English versión: *The Civilizing Process: sociogenetic and psychogenetic investigations*. Basil Blackwell. Oxford

EVAN, William M. 1991. "Human Rights, the nation-state and transnational law". In FERRARI, Vincenzo (1989.). *Laws and Rights*.

FERRARI, Vincenzo (ed.), 1989. *Laws and Rights. Proceedings of the International Congress of Sociology of Law for the Ninth Centenary of the University of Bologna* (May 30-June 3, 1988). Dott. A. Giuffrè Editore. Milano.

FLATHMAN, Richard, 1976. *The practice of Rights*. Cambridge University Press

FUKUDA-PARR, Sakiko, 2001. "Indicators of Human Rights and Human Development: Overlaps and Differences...and what about the human development index". *Statistical Journal of the UN Economic Commission for Europe*. Vol 18. 239-248

GREEN, Maria, 2001. "What we talk about when we talk about human rights indicators: current approaches to human rights measurements". In *Human rights quarterly*, 23/4. pp. 1062-1097

GUPTA, Dipak, JONGMAN, Albert J. and SCHMID, Alex P. 1994. "Creating a composite index for assessing country performance in the field of human rights: proposal for a new methodology". *Human Rights Quarterly*, Vol. 16/1

GURR, Ted R. y SCARRITT, James R. 1989. "Minorities at risk: a global survey". *Human Rights Quarterly* Vol. 11 n° 3.

HARFF, Barbara y GURR, Ted R. 1989. "Victims of the state: genocides, politicides and group repression since 1945". *International Review of Victimology* Vol. 1 n° 1

HARFF, Barbara and GURR, Ted R. 1992. "The rights of collectivities: principles, and procedures in measuring the human rights status of communal and political groups". In JABINE, Thomas B. y CLAUDE, Richard P (eds). *Human Rights and Statistics. Getting the record stright*. University of Pennsylvania Press. Philadelphia.

KARATNYCKY, Adrian (et al.). 1995. *Freedom in the world. The annual survey of political rights and civil liberties, 1994-95*. Freedom House. New York.

KAUFMANN, Daniel, KRAAY, Aart and MASTRUZZI, Massimo. 2003. *Governance matters III: Governance indicators for 1996-2002*. Washington DC. World Bank Policy Research Reports Series 3106.

KIRBY, Michael. 2003. "Indicators for the implementation of human rights". In SYMONIDES, Janusz. *Human rights: international protection, monitoring, enforcement*. Aldershot. Ashgate, 2003

LANDMANN Todd and HÄUSERMANN Julia. 2003. *Map-Making and Analysis of the Main International Initiatives on Developing Indicators on Democracy and Good Governance*. Final report to Eurostat. <http://www.oecd.org/dataoecd/0/28/20755719.pdf>

LANDMANN, Todd. 2004. "Measuring Human Rights: Principle, Practice and Policy". *Human Rights Quarterly*, Vol 26/4. 906-931.

LOPEZ, George A. and STOHL, Michael. 1992. *Problems of concept and measurement in the study of human rights*. En JABINE, Thomas B. y CLAUDE, Richard. P. Op.Cit.

MALHOTRA, Rajeev and FASEL, Nicolas. 2006. *Report on indicators for monitoring the compliance with international human rights instruments*. Fifth inter-committee meeting of the human rights treaty bodies. Geneva, 19-21 June 2006.

McCAMANT, John F. 1981. *A critique of present measures of "Human Rights development" and an alternative*. En NANDA, SCARRITT and SHEPHERD (eds), 1981. *Global Human Rights*

NANDA, P., SCARRITT, James R. and SHEPHERD, George W (eds), 1981 *Global Human Rights: Public policies, comparative measures and NGO strategies*. Westview Press. Boulder (Colorado)

RAMCHARAN, Bertie G, 1992. "A reporting system for international humanitarian law?". In BELLO, Emmanuel G and Prince Bola A. Ajibola, SAN. *Essays in Honour of Judge Taslim Olawale Elias*. Vol. I: *Contemporary International Law and Human Rights*. Martinus Nijhoff. Dordrecht/Boston/London.

PRITCHARD, Kathleen. 1987. *Human rights and development: theory and data*. Paper presented to the IPSA Conference on Human Rights and Development, June 1-3, 1987. The Hague.

SCARRITT, James R, 1981. *Definitions, dimensions, data and designs*. En Nanda, Ved P., Scarritt, James R. y Shepherd, George W. (Jr). *Global Human Rights: public policies, comparative measures and NGOs strategies*. Westview Press. Boulder (Colorado), 1981.

SCOBLE, Harry M. y WISEBERG, Laurie S. 1981. *Problems of Comparative Research on Human Rights*. En NANDA, Ved P., SCARRITT, James R. y Shepherd, George W. (Jr). *Global Human Rights: public policies, comparative measures and NGOs strategies*. Op.Cit.

SPIRER, Herbert F. 1990. *Violations of human rights-How many?*. En "American Journal of Economics & Sociology". n° 49/2.

STOHL, Michael, LOPEZ, George, MITCHELL, Christopher and CARLETON, David. 1986. *State terrorism: issues of concept and measurement*. In STOHL, Michael, LOPEZ, George. *Government violence and repression: an agenda for research*. Greenwood. Westport (Connecticut)

TOMASEVSKI, Katarina. 1993. *Ways to institutionalize the use of indicators within the united nations rights programme*. Paper presented to the "Seminar on appropriate indicators to measure achievements in the progressive realization of economic, social and cultural rights (Geneva 25-29 January 1993)". Geneva. United Nations

WEBER, Max. 1985. *Wirtschaft und Gesellschaft. Grundriss der verstehenden Soziologie*. J.C.B. Mohr (Paul Siebeck). Tübingen.

WEBER, Max. 1988. *Gesammelte Aufsätze zur Religionssoziologie*. J.C.B. Mohr (Paul Siebeck). Tübingen.

World Bank. 2005. *World development report 2005*. Oxford University Press. New York.