

**Rigorous Morality:  
Norms, Values and the Comparative Politics of Human Rights**

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## Abstract

This paper argues that there is a strong role for empirical analysis to be used to address fundamental normative questions. Using human rights as an example, the article shows that the evolution of the international regime of human rights provides a standard against which country level performance can be both judged and explained through the application of empirical approaches in comparative politics. It argues further that different kinds of human rights measures (events, standards, surveys, and official statistics) and comparative methods (large-N, small-N and single-country studies) offer systematic ways in which to map, explain, and understand the variation in human rights abuse around the world. In this way, the comparative politics of human rights is prime example of how the 'is' of the world can be used to address the 'ought' of international human rights theory, philosophy, and law. The example of human rights analysis in comparative politics shows a strong role for value-based and problem-based research that remains systematic in its approach while at the same producing outputs that are of public value.

## Introduction

In late 1989, I was working in the photographic laboratory in the Lauinger Library at Georgetown University when a Jesuit Priest arrived one morning with a roll of film that he wanted us to develop. He asked that we make ten copies of the pictures on the roll. In those pre-digital days, my boss and I stood in the darkroom shaking the can, drying the film, and then printing the pictures. We were not prepared for what we were about to see. The pictures had been smuggled out of El Salvador and were of the scene at the Pastoral Centre of José Simeón Cañas Central American University (UCA) where six Jesuit priests along with a maid and her daughter were killed.<sup>1</sup> The images that confronted us were not what was reported in the mainstream press (i.e. that they were simply shot). Rather, we saw the brutal end results not only of a 'simple' set of extra-judicial killings, but the result of a manner of killing that has left an indelible mark on me ever since. The official truth commission in El Salvador presented strong evidence that not only had the military given the orders to carry out the murders but that the officers involved also engaged in a cover up.<sup>2</sup> The facts of the case and the images that I developed those many years ago illustrate a basic point about the enduring capacity of human beings to do horrible things to one another, which for me led to the deontological conclusion that what I saw was morally wrong and which has galvanised my commitment to a lifetime of human rights research.

In 2000, I found myself in João Pessoa, the Eastern most tip of South America for lectures and a field visit to the contested countryside in the state of Paraíba, which is dominated by agriculture and the production of leather. Our field visit was to the sugar cane fields to the West of João Pessoa to meet with officials of the Comissão Pastoral da Terra (Pastoral Land Commission, CPT) and activists from the Movimento Sem Terra (Landless People's Movement, MST), where we saw first-hand evidence of the violence associated with the struggle for land. The CPT is less confrontational and works with local landless people to

secure access to fallow land on which peasants can farm and participate in the market with the longer-term goal of establishing legal title to the land. The MST is more radical in its approach in occupying land, resisting expulsion, and then cultivating the land with the similar goal for achieving legal title. Both organisations have been the subject of armed violence from private militias hired by landowners.<sup>3</sup> Bullet holes in walls, militia towers with visible machine guns, and the human stories of violence provide stark evidence of the reality of the struggle and the ongoing human rights violations that are being committed on a regular basis.<sup>4</sup> This particular set of observations provided the basis for a research project on the general relationship between inequality and human rights.<sup>5</sup> Brazil generated the hypothesis, which was then tested using large-N quantitative comparative methods that not only revealed a general set of findings about the relationship between inequality and human rights, but also a series of typical cases from different regions in the world where high levels of inequality are associated with high levels of human rights abuse.

I recount these cases not to be overly dramatic but to illustrate the primary motivation behind my research agenda in the field of human rights. Real world problems associated with the ongoing struggle for greater protection of human rights have been the mainstay topics in my own research, which has used different kinds of comparative analysis (large-N, small-N and single case studies<sup>6</sup>) to provide systematic empirical explanations for the variation in human rights protection.<sup>7</sup> If my work can help explain this variation, then there are policy implications that can have concrete impact on the promotion and protection of human rights.<sup>8</sup> In this way, my work in comparative politics is value-oriented, problem-driven, and empirically rigorous. While a research orientation that applies empirical methods to normative questions is not unique,<sup>9</sup> it does represent a turn away from any notion that social scientific (or political science) research has to be (or can be) value free, and draws on a deep tradition of empirical work that seeks to make social (and political) science ‘matter’.<sup>10</sup>

This kind of research is in keeping with scholars who advocate for empirical approaches to normative questions. For example, in Justice as Impartiality, political theorist Brian Barry makes the case for an empirical approach in providing systematic assessments of country conditions that approximate notions of justice constructed from a Scanlonian ‘original position.’ He argues that the closer such conditions approximate the original position, ‘the more reason we have to regard the rules that are established and maintained in it as prima facie just.’<sup>11</sup> In other words, empirical analysis of country conditions can and should be done to assess the degree to which an ideal of justice has been achieved; a point which is further developed in Why Social Justice Matters.<sup>12</sup> In her American Political Science Presidential Address, ‘What is Political Science For?’ Jane Mansbridge argues that political science is the ‘only academic discipline specifically organized to study’ ... how best to ‘govern ourselves.’<sup>13</sup> Rather than pitting empirical research against normative work, these and other examples embody the idea upheld by Max Weber that the choice of problems that are to be studied are always ‘value relevant’,<sup>14</sup> where scientific inquiry and methodological rigour can help address otherwise normative questions.

I argue in this article that contemporary empirical research on human rights in comparative politics uses ideal definitions as delineated in international human rights law as a practical ‘original position’ against which evidence about the state of well-being and treatment of individuals, groups, subnational units and countries are compared. The relative gap between the ‘ought’ of the international law of human rights and the ‘is’ of country conditions becomes a measurable and comparable object of inquiry for systematic comparative analysis, the results of which can inform larger normative questions concerning the advance of human rights. For many analysts, systematic analysis of human rights violations is an empirical form of ‘speaking truth to power,’<sup>15</sup> where such analysis can challenge institutionalised power,

reserve domains of authority, and deeply embedded social and political hierarchies that have underpinned human rights abuses.<sup>16</sup>

To develop this argument the article is presented in five main sections. Section one shows that despite the absence of agreed philosophical foundations, human rights have been ‘constructed’ through a process of consensus building and legalization that has delineated a set of categories and dimensions that can be operationalized for comparative analysis. Section two uses the case of the murder of the Jesuit priests in El Salvador to illustrate the complexity of human rights events, the challenges for measuring and analysing ‘events-based’ data in single country studies, and how such studies allow scholars and practitioners to build explanations that can ‘travel’ to other country contexts.<sup>17</sup> Section three uses the case of Brazil to show how insights from field observations can generate hypotheses that can be tested through large-N comparative analysis of the kind that has dominated much of empirical political science since 1980s.<sup>18</sup> Section four charts a course at the ‘meso’ level between single-country studies and large-N studies to illustrate the ways in which the comparative analysis of carefully chosen cases can take into account the contextual specificities of different countries, while yielding inferences about the protection of human rights that apply beyond the cases under consideration. The final section argues that the comparative analysis of human rights is grounded in a set of epistemological and philosophical assumptions that transcend the ‘fact-value’ dichotomies in the social sciences in ways that allow empirical methods to challenge the kind of power relations that makes the continued violation of human rights and human dignity possible.

### **Concepts and Constructions**

The rights tradition predates their modern articulation as human rights and is grounded in what remain largely incompatible and contested philosophical arguments and which variously

draw on God, nature and reason.<sup>19</sup> Contestation and scepticism about human rights centre on their origins, the claims for their universality, their hegemony as a global moral discourse, their inflation beyond what had been considered a fundamental ‘core,’ and the enforceability of particular categories of rights.<sup>20</sup> Alongside these different sets of doubts about human rights, there are other arguments that see them as a modern ‘construction’ or ‘invention’<sup>21</sup> that developed out of the tradition of citizenship rights, which was then universalised through a set of practices and agreements that have yielded the international system for the promotion and protection of human rights that we now have today. The history of citizenship is one of a struggle for rights, as subjugated populations increasingly articulated their grievances in the language of rights and as modern states formed, rights became extended through law and enforcement mechanisms that provided greater legal protections to an increasingly wider range of rights concerns.<sup>22</sup> The general claim for their universality (which one could argue is merely a claim and not a fact) has been met with an increasing specification of different kinds of human rights and participation of states in the international system for the protection of human rights, which provides one kind of empirical evidence for their increasing appeal (See Table 1). The current system for the promotion and protection of human rights is thus an international version of rights that had long been grounded in the nation state, which are now seen as an inherent feature of all human beings by virtue of them being human.<sup>23</sup>

Table 1 about here

Human rights transcend the nation state in terms of individual entitlement to an enjoyment of these rights wherever a person may find him or herself, and that opponents of this view tend to ‘exaggerate the incommensurability of the ideas prevalent in different societies.’<sup>24</sup> They

are moral claims accorded legal recognition, where states parties to international human rights treaties are obliged to ensure that they respect, protect, and fulfil<sup>25</sup> these claims. As expressed in international law, they are ‘specific norms that emerged from a political project’ that commenced in the aftermath of the First World War and gained traction as an immediate consequence of World War II.<sup>26</sup> The 1945 Charter of the United Nations endorsed the existence and necessity of human rights, and the international human rights regime that has emerged since is a ‘deliberately constructed, partial international order’ that consists primarily of states that establishes a set of norms prescribing the behaviour of those states that become its members.<sup>27</sup> The regime focuses on holding governments accountable for their policies and practices that affect their citizens. The regime is wholly centred on ensuring the protection of human dignity and the prevention of its violation by states.

This reading of the historical evolution of human rights combines their philosophical status with their social, political and legal development, where any final claim to the philosophical origins of human rights remains elusive, but a pragmatic claim to their construction does not.<sup>28</sup> The development of human rights through international law establishes a framework and ideal set of conditions that ought to be obtained across the world. The challenge for an empirical approach to human rights in comparative politics is to take the overall concept of human rights and recognise the attempts of the international community to systematise the concept in ways that allow analysts to develop indicators and measures of human rights that capture their complexity and variation.<sup>29</sup> Capturing the complexity and variation of human rights is vital work needed to assess ‘actual conditions’ within and between countries. To date, there has been much more focus in comparative politics on developing comparable measures of human rights that focus on the respect (and to a lesser degree) the protect dimensions of civil and political rights.<sup>30</sup> This narrow focus is a function of the philosophical and ideological preferences within the discipline and the methodological issues associated



with different strategies for measuring human rights.<sup>31</sup> There has been a strong tendency in the discipline to privilege civil and political rights over economic, social and cultural rights, which draws on larger normative theorising around liberal definitions of democracy and the ‘generations’ arguments around the evolution of human rights.<sup>32</sup> While the legal advance of human rights has sought to eliminate any hierarchy between them as they have been traditionally conceived, strong biases in favour of civil and political rights remain in political science.<sup>33</sup>

In addition to the conceptual biases in the discipline, there is much variation in focus across different attempts to measure human rights. ‘Events-based’ data projects have focused primarily on counting and estimating extra-judicial killings, disappearances, torture, and arbitrary detention, where the methodological approach to events-based data (see below) has not been seen as particularly suitable for measuring violations of economic and social rights.<sup>34</sup> ‘Standards-based’ data have generated initially to measure a narrow set of civil and political rights, but now include some economic and social rights.<sup>35</sup> Survey-based measures capture perceptions and experiences with different kinds of human rights violations and conditions, and have included a broader set of human rights than either the events-based data or standards-based data.<sup>36</sup> Socio-economic and administrative data are also useful for measuring all categories and dimensions of human rights, but are subject to questions of data availability and capacity at the country level for data collection and analysis.<sup>37</sup>

The focus on specific human rights problems and the associated measures interact with different levels of analysis in comparative politics (see Figure 1 below). Single-country studies tend to use narrative analysis,<sup>38</sup> history, process tracing,<sup>39</sup> interpretive analysis and other qualitative methods, alongside (or as well as) events-based data, survey-based data, and socio-economic and administrative statistics. Small-N comparative studies tend to use narrative analysis, comparative history,<sup>40</sup> qualitative comparative analysis,<sup>41</sup> alongside

standards-based, survey-based data and socio-economic and administrative statistics. Large-N comparative studies tend to use standards-based data and socio-economic and administrative data, where data sets have become increasingly complex to include cross-section ( $150 \leq N \leq 194$ ) and time-series data ( $20 \leq T \leq 40$ ).<sup>42</sup> The next section discusses the contours, contributions and challenges of comparative politics at each of these different levels of analysis. It begins with single-country analysis, moves to large-N global analysis and then considers small-N analysis.

### **Building from the ground up**

The case of the murder of the Jesuit Priests in El Salvador in 1989 that opened this present article illustrates a range of challenges associated with the systematic analysis of human rights in comparative politics. The details of the case itself emerged from a range of different narratives<sup>43</sup> about what was discovered on the morning after they were executed. These multiple narratives need to be captured in ways that can then be used for subsequent analysis.<sup>44</sup> Legal analysis and the kind in which the Truth Commission engages seeks to uncover timelines of what transpired and responsibility for who carried out the killings, as well as who ordered them in the first place. From a social science perspective, there is a larger aim to locate the case in a universe of possible cases<sup>45</sup> to make the determination as to whether the killings were typical and part of a larger trend, or atypical and a rare example of brutality. Social scientific analysis is also dedicated to explaining and understanding the killings in the broader context of processes of rational, structural and cultural theories;<sup>46</sup> revolution, counter-revolution, and civil war;<sup>47</sup> ideological and religious confrontation; and the role of the US in supporting the government of El Salvador at the time; while methodologically the case is framed in terms of being a typical instance, a ‘most likely’ case, or ‘least likely’ case (see below).<sup>48</sup>

Beyond the larger explanatory aim and methodological value, the case itself is a good example of the many challenges facing those seeking to count human rights violations and provide the best statistical evidence for subsequent analysis. The ‘event’ itself was comprised of several ‘acts’ that were committed by several ‘perpetrators’ against several ‘victims’. These words are in quotations to signify their location in a complex array of roles, acts, and relationships typical of human rights events. There are one or more victims who suffered one or more violations committed by one or more perpetrators. Understanding these ‘one to many’ and ‘many to one’ relationships and the kind of deconstruction of the ‘grammar’ (i.e. ‘who did what to whom’) of a human rights event have proved essential in data projects that seek to capture, aggregate and analyse large-scale human rights violations committed in single countries.<sup>49</sup> Failure to disaggregate such events as these where the individual violation itself is primary unit of analysis can lead to significant undercounting of violations that have happened, as well as an over-representation of other violations that have been counted.<sup>50</sup> The ‘who did what to whom model’ as it has become known has made a huge contribution to the work of truth commissions around the world whose mandate has been to provide as complete a picture as possible of past atrocities and large scale violation of human rights.<sup>51</sup> The method has also been applied to the estimated number of killings that have taken place in Syria<sup>52</sup> since the advent of the Arab Spring and in a report on the past wrongs of the Habré government in Chad.<sup>53</sup> In the case of Peru, the model yielded a set of unexpected inferences about the conflict between 1980 and 2000, which showed that the Shining Path revolutionary group was responsible for 46% of the total estimated killings ( $61,007 \leq N \leq 77,552$ ) and the government for 30%, while further analysis showed differences in the use of violence from both groups that varied by geography and ethnicity.<sup>54</sup>

Any systematic comparative analysis of human rights must acknowledge the value and complexity associated with using single-country studies for making large inferences. A well

selected and well framed single-country study can make a valuable contribution to our understanding of why and under what conditions particular sets of human rights are violated. Any intentional selection of a single country study must also ‘locate’ the country both in terms of theory and research design.<sup>55</sup> A theory of the conditions under which gross human rights violations are more likely to be carried out can be tested through careful case selection. If the expected outcome is observed then the evidence supports the theory. If the expected outcome is not observed then the theory is infirmed. The selection of the case is not made, in this instance, on the outcome that is to be explained, but the explanatory factors that have been identified from the theory.<sup>56</sup> A single case is unlikely to prove a theory definitively, even if the number of observations has been raised through the collection and analysis of individual or subnational level data (e.g. events, surveys and/or socio-economic and administrative data). Single country analysis can, however, provide the basis for generating hypotheses (see next section) that are then tested through the analysis of a larger number of countries, confirming and infirming theories, and analysing ‘deviant’ cases or ‘outliers’ from large-N quantitative analysis.

## **Going global**

Like the case of El Salvador, the case of Brazil comprises a highly complex set of issues relating to human rights. My travels in the Northeast provided me with the opportunity to use Brazil to generate hypotheses about the relationships between different measures of inequality (income and land) and the violation of physical integrity rights. The disparities in land and income distribution in Brazil and the narratives and anecdotal evidence about violence committed against the least well off in Brazilian society (in the urban and rural sectors) led me to derive the following argument:

[A]t a micro level, there are incentives for the “haves” in society to engage in rent-seeking behaviour within governmental institutions, to maintain control of their resources, and to exclude access to those resources by the “have nots” in ways that use coercive means that undermine the protection of personal integrity rights ... The distribution, accumulation, and defence of resource allocation at the micro level is historically driven and when aggregated to the macro level suggests that the means for maintaining these patterns of distribution may well include violations of civil liberties and personal integrity rights. Moreover, in the context of many lesser-developed countries, there can be state complicity and even collaboration in acts of coercion. We thus expect to find empirical support for a general relationship between inequality and human rights illustrated through our discussion of the Brazilian case.<sup>57</sup>

From this basic premise, the analysis built a multivariate empirical model analogous to the burgeoning political science literature that uses large-N quantitative analysis to explain the variation in the protection of human rights. The early studies in this subfield use simpler data sets and concentrate on domestic socio-political variables (regime type, international war, civil war, development, ideology, etc.) that account for the variation in the protection of civil and political rights.<sup>58</sup> Subsequent studies use more complex data sets and additional domestic and international explanatory variables, which take into account such issues as direct foreign investment, structural adjustment loans, foreign aid, international treaty ratification, the presence of NGOs, membership of IGOs, globalisation and trade, among other factors.<sup>59</sup>

In the case of inequality and human rights, the analysis found that even after controlling for other factors, there is indeed a significant relationship between high levels of income and land inequality on the one hand and the violation of physical integrity rights on the other. The relationship is stronger for income than land, where the analysis shows that Brazil is a typical case with high levels of inequality and significant problems with the systematic violation of physical integrity rights. It also shows that Brazil is joined by other typical cases such as Peru and Guatemala in Latin America; Angola, Liberia, Sierra Leone, Somalia, Zambia, and Zimbabwe in Africa; and India, Pakistan and the Philippines in Asia. This ‘conversation’ across different levels of analysis in comparative politics, far from being a problem of

‘separate tables,’<sup>60</sup> is a fruitful way to locate specific country cases in larger empirical patterns that can be analysed statistically.

Beyond this particular example and the methodological leverage gained from looking across levels of analysis, the large-N quantitative analysis of human rights is an exemplar of the empirical approach for which Barry advocates. It uses international human rights standards to derive a discrete set of human rights measures that are then compared across a large sample of countries and time with the purpose of analysing the degree to which country conditions meet the international standard and the degree to which different country conditions explain the deviation from this standard. In this way, large-N quantitative approaches show that ‘valid comparisons can be made between and among different countries to examine empirically the universal claims for human rights that are made normatively.’<sup>61</sup> The identification of factors that account for the variation in human rights tells us something about what can be done to improve human rights performance. For example, the estimation of marginal effects for variables such as land and income inequality suggest that human rights protection could be improved through policies of redistribution.

### **Meso-methods**

While large-N quantitative methods have a number of advantages for providing explanations for the variation in particular sets of rights, they have a number of limitations that make them less appropriate for different sets of rights (i.e. those that are not as susceptible to ‘standards-based’ scales), less appropriate for different kinds of explanatory variables (e.g. social mobilisation, advocacy campaigns, long historical processes of change, among many others), and less able to capture country-level contextual specificities on the lived experience of individuals, shared understandings at the grass roots level of human rights, and the comparative historical evolution in the promotion and protection of human rights. Small-N

comparative analysis can thus redress some of the limitations of large-N analysis and enrich our explanations and understanding of human rights across countries and time. The greater attention to local context, however, does not mean we need to sacrifice the inferential logic of systematic comparative inquiry.<sup>62</sup> Rather, we can harness the logic of inquiry through a careful selection of cases that are to be compared in ways that preserve some of the key analytical strengths of quantitative methods while at the same time remaining attentive to the history and culture of individual countries. Boolean approaches developed by Charles Ragin<sup>63</sup> and others try to combine the rich detail of small-N analysis with the rigour of algebra to identify combinations of factors that contribute to outcomes of interest. The work on revolutions for example has fruitfully applied this approach.<sup>64</sup>

The key challenge in conducting small-N analysis centres on the fact that all such studies engage in the intentional selection of cases, which can introduce bias and indeterminacy both of which can significantly limit the types of inferences made possible through comparison. In my view, the best methodological publication to date on case selection (which itself draws on very strong precedents,<sup>65</sup> including J.S. Mill<sup>66</sup>) is the Mahoney and Goertz piece on what they call ‘the possibility principle’.<sup>67</sup> Previous analytical frameworks on small-N analysis have focused on research design strategies that compare similar outcomes across very different countries (i.e. the ‘most different systems design’, or MDSD), compare different outcomes across similar countries (i.e. the ‘most similar systems design, or MSSD), or some combination of the two. These methods hold constant key variables within countries, while allowing variation in other variables in ways that could be used to support particular empirical explanations. These approaches tend to focus on large macro-variables such as different regime types, social revolutions, social protest, and democratic transitions.<sup>68</sup>

Mahoney and Goertz, however, have shown that selection without reflection can produce a series of studies that suffer from indeterminate research designs that despite having

compelling findings require analysis of additional cases in order to confirm them. Their ‘possibility principle’ argues that for any research topic (and here I include the analysis of human rights), there is a universe of possible cases to be considered, a smaller selection of relevant cases, and a final selection of cases that feature in the analysis. This final selection is non-random, but is informed by the research question itself and the theoretical framework of the analysis, which is used to derive a set of what King, Keohane and Verba call ‘observable implications.’<sup>69</sup> The combination of the research question and theory are a powerful way to identify a set of possible cases for small-N analysis, including what Mahoney and Goertz call ‘positive’ cases, ‘negative’ cases, ‘disconfirming’ cases, ‘irrelevant’ cases,’ and those cases that are ‘impossible’ but may well occur.<sup>70</sup>

This framework is ideal for empirical analysis of the variation in human rights abuse across a small number of countries. For example, human rights abuse can be severe in some countries and time periods (e.g. the authoritarian period in Latin America between the 1960s and 1980s), less severe in other countries and time periods (e.g. post war Europe and the period of EU enlargement), or under contestation through periods of rapid political change (e.g. the Arab Spring countries since late 2010). In these examples, country level conditions can be compared to provide explanation for why human rights are or are not systematically abused, where the analysis can take into account some of the key variables that have not been specified in large-N analysis. Rational, structural and cultural theories about why human rights are abused (or not) can narrow down the universe of cases to a selection of possible and relevant cases for controlled comparisons in ways that leave degrees of freedom and ‘property space’ for the variables of interest to vary, while keeping the overall number of cases manageable.

There are a number of examples from comparative politics in which small-N research design has provided new sets of inferences about the conditions under which certain sets of human



rights can be more realised more fully. My own work with XXXXXX compared social movement activity and the protection of citizenship rights both in principle and in practice across the four cases of authoritarian Brazil, Chile, Mexico and Spain to uncover domestic processes of political and legal change.<sup>71</sup> Case selection was carried out on the basis of identifying liberalising authoritarian regimes that had an element of social mobilization. In The Power of Human Rights ‘couplets’ of country cases from different regions in the world were compared for the relative progress in the realisation of human rights protection as a function of linkages between mobilization from domestic NGOs and support from transnational advocacy networks.<sup>72</sup> The comparisons in this study corroborated and extended the findings in our own study through examining the transnational dimension in the struggle for human rights. In Insincere Commitments, Smith-Cannoy compares the sequencing of commitment and compliance with respect to international human rights across the cases of Slovakia, Hungary, Kyrgyzstan and Tajikistan. Her selection of cases is based on initial quantitative analysis of treaty ratifications in which Eastern European and Central Asian countries stand out as having high rates of ratification and formal acceptance of those provisions that provide third party oversight of state practices. Her comparisons show how relatively ‘cheap’ international commitments to human rights actually empowered local organisations to use specific provisions within human rights treaties to bring about progressive change.<sup>73</sup>

Taken together, comparative methods and their associated measures of human rights offer rich opportunities for explaining and understanding human rights problems. Figure 1 is a formal delineation of the different options within comparative research methods for studying human rights. The figure shows first that there is a trade-off between the scope of countries under comparison ( $1 \leq N \leq 194$ ) and the conceptual ‘ladder of abstraction’, which refers to the degree to which particular concepts are able to ‘travel’ across different country contexts.<sup>74</sup>

Human rights advocates argue that international human rights concepts apply universally, but there is still the need for conceptual ‘stretching’ when applying universal standards to country level practices. Each category of comparative method has associated measures of human rights that are typically deployed, as well as particular kinds of research methods, where more qualitative and interpretative approaches are possible in those studies that feature a smaller number of countries. As the number of countries and complexity of variables increases, there is a natural tendency to push the analysis into the use of quantitative approaches. Even among studies on single countries, the use of events-based data and the ‘who did what to whom’ models involve large and complex data sets that combine multiple sources of data and methods of statistical estimation.

Figure 1 about here

### **Norms, Values and Empirics**

This article began with two descriptive portraits of human rights problems in El Salvador in 1989 and Brazil in 2000 as a way to highlight how country conditions motivate empirical research. In the case of human rights, the empirical research, methods of analysis and measures of human rights discussed here are all ways in which human rights scholars and practitioners have been seeking to address larger normative concerns relating to human well-being, the relationship between the state and individual, and broader questions of rights and responsibilities. The idea of using empirical methods to address normative questions is not new, but is one that has fallen out of fashion with rise of increasingly scientific approaches to studying the political world. But the ‘ought’ of normative theory should map out a set of desirable outcomes and ways of organising modern societies the conditions for which can be analysed, as I have sought to show here, through the evidence-inference methodological core of comparative politics. The mapping of methods and measures, however, has shown that it is

no simple matter to assess and compare country conditions in ways that inform our normative theories. Rather, questions of information, source material, conceptual coding schemes, measurement strategies, issues of research design, case selection, and analytical approaches require very careful consideration before embarking on the empirical analysis of normative questions. Failure to address these key questions that underpin rigorous empirical analysis may mean that providing explanation and understanding of how to achieve our desirable outcomes remains elusive.

In the field of human rights, the ‘ought’ has itself been hotly contested philosophically, and laterally delineated through advocacy and consensus building through the legalisation and codification of internationally recognised human rights.<sup>75</sup> Any attempt to enumerate the complete set of human rights that ought to be protected yields lists that range between 40 and the 60 rights,<sup>76</sup> which complicates efforts to analyse them empirically. The sheer complexity of the killing of the Jesuit priests and their colleagues in El Salvador at this micro-level of analysis shows the challenges associated with this kind of work. In short, empirical analysis of what Barry calls ‘the actual conditions’ in a country is not at all straightforward.<sup>77</sup>

This challenge of assessing actual conditions affects a wide range of human rights projects, where the application of rigorous methods of analysis can lessen the gap between known and unknown information, and provide the basis for the most reasonable assessment of ‘actual conditions.’ Far from avoiding value-based and problem driven research, human rights scholars and practitioners are now more than ever engaging in empirical analysis of real world problems. The motivation for this work is progressive. It seeks to explain and understand the conditions under which violations of human rights take place with a view to preventing their violation in the future. The desirable outcomes are the purvey of the philosopher and lawyer, while the means through which they are obtained are the purvey of empirical researchers. Only through attention to fundamental questions of methods and

measures of the kind outlined here, can the field of human rights analysis continue to develop and continue to make a contribution to the realisation of those conditions most conducive to human dignity and human equality.

Table 1. State Ratification of the Main International Human Rights Treaties

Name of Human Rights Treaty	Parties (N)	Parties (%)
1966 International Covenant on Civil and Political Rights (ICCPR)	167	86%
1966 International Covenant on Economic, Social, and Cultural Rights (ICESCR)	160	82%
1966 Convention on the Elimination of All Forms of Racial Discrimination (CERD)	175	90%
1979 Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)	187	96%
1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	149	76%
1989 Convention on the Rights of the Child (CRC)	193	99%
1990 Convention on Migrant Workers	45	23%
2006 Convention on the Rights of People with Disabilities	111	57%

Source: <http://www.bayefsky.com> accessed on 08 January 2014



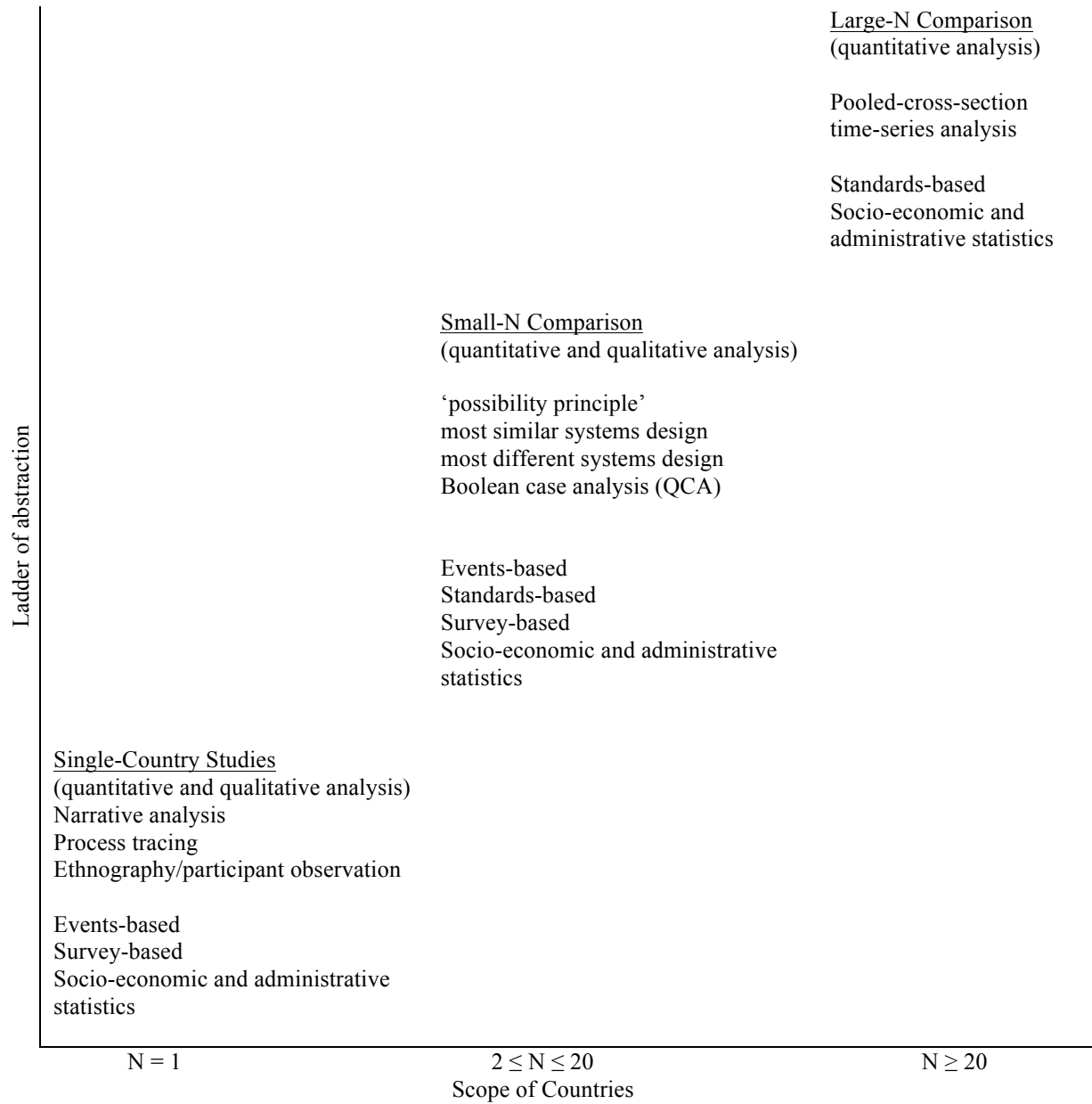


Figure 1. Comparative methods, human rights measures and trade-offs

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<sup>1</sup> The victims included Ignacio Ellacuría, Rector of the University; Ignacio Martín-Baró, Vice Rector; Segundo Montes, Director of the Human Rights Institute; Amando López, Joaquín López and Juan Ramón Moreno (teachers at UCA) and Julia Elba Ramos and her daughter, Celina Mariceth Ramos. See Vanity Fair (1990) 'Letter from El Salvador,' Vanity Fair, November 1990: 110, 115-116, 118, 120, 123.

<sup>2</sup> United States Institute for Peace (1993), Truth Commissions: Reports: El Salvador. This autumn, successful advocacy has breathed new life into this case along very similar lines as those used in the Pinochet case in 1998 in the United Kingdom (i.e. an appeal to universal jurisdiction) and the Ríos Montt case in 2013 in Guatemala.

<sup>3</sup> US State Department (2007) Country Reports on Human Rights Practices, Washington DC: US State Department; Payne, L. (2000) Uncivil Movements: The Armed Right Wing and Democracy in Latin America, Baltimore, MD: Johns Hopkins University Press; Human Rights Watch (2007) World Report 2007, New York: Human Rights Watch;

<sup>4</sup> US State Department (2012) Country Reports on Human Rights Practices 2012, Washington DC: US State Department; Human Rights Watch (2013) World Report 2013, New York: Human Rights Watch.

<sup>5</sup> Landman, Todd and Larizza, Marco (2009) 'Inequality and Human Rights: Who Controls What When and How', International Studies Quarterly, 53 (3): 715-736

<sup>6</sup> Landman, T. (2008) Issues and Methods in Comparative Politics: An Introduction, 3rd Edition, London and Oxford: Routledge.

<sup>7</sup> In previous work, I argued 'valid comparisons can be made between and among different countries to examine empirically the universal claims for human rights that are made normatively.' See Landman, Todd (2002) 'Comparative politics and human rights', Human Rights Quarterly, 24(4): 891.

<sup>8</sup> In addition to teaching and research, I have carried out numerous international consultancy projects on the measurement and assessment of human rights for the United Nations Office of the High Commissioner of Human Rights, the United Nations Development Programme, The International Institute for Democracy and Electoral Assistance (IDEA), The Ministry of Foreign Affairs of the Netherlands, the UK Department for International Development, The UK Foreign and Commonwealth Office, the Canadian International Development Agency, and Minority Rights Group International. These activities have contributed in varying degrees to the advance of human rights as measurement and assessment of human rights conditions has formed part of policy intervention and programme development by these different agencies and organisations.



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<sup>9</sup> There are notable examples of empirical analyses of normative questions. Perhaps the most celebrated example is Aristotle's normative framework on good and corrupt government, which was derived from an examination of 158 Greek constitutions. The assumptions and development of arguments found in Hobbes Leviathan had strong empirical referents in the English Civil War of 1642-1651, while empirical tests of normative theory include such studies such as Frohlich and Oppenheimer's experimental analysis of Rawls and Thomas Pogge's use of Rawls to analyse global injustice. See Barker, Sir Ernest (1995). The Politics of Aristotle, Oxford: Oxford University Press; Martinich, A.P. and Battiste, Brian (eds) (2010) Leviathan. Revised Edition, Peterborough, ON: Broadview Press; Frohlich, Norman and Oppenheimer, Joe A. (1992) Choosing Justice: An Experimental Approach to Ethical Theory, Berkeley and LA: University of California Press; Pogge, Thomas (2008) World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms, 2nd ed. Cambridge: Polity Press; see also Bauböck, Rainer (2008) 'Normative Political Theory and Empirical Research,' in Donatella Della Porta and Micheal Keating (eds.) Approaches and Methodologies in the Social Sciences: A Pluralist Perspective, Cambridge: Cambridge University Press, 40-60.

<sup>10</sup> Flyvbjerg, Bent (2001) Making Social Science Matter: Why Social Inquiry Fails and How it Can Succeed Again, Cambridge: Cambridge University Press; Schram, Sanford and Caterino, Brian (2006) Making Political Science Matter: Debating Knowledge, Research and Methods, New York: New York University Press; Flyvbjerg, Bent, Landman, Todd and Schram, Sanford (eds) Real Social Science: Applied Phronesis, Cambridge: Cambridge University Press.

<sup>11</sup> Ibid., 195.

<sup>12</sup> Barry, Brian (2012) Why Social Justice Matters, Cambridge: Polity Press; see also Arneson, Richard T. (2007) 'Does Social Justice Matter? Brian Barry's Applied Political Philosophy,' Ethics, 117 (3): 391-412.

<sup>13</sup> Mansbridge, Jane (2014) 'What Is Political Science For?' Perspectives on Politics, 12 (1): 8.

<sup>14</sup> See, e.g. Ringer, Fritz (1997) Max Weber's Methodology: The Unification of the Cultural and Social Sciences, Cambridge, MA: Harvard University Press, 122-141; Coser, Lewis A. (2003) Masters of Sociological Thought: Ideas in Historical and Social Context, Waveland Press, Inc.

<sup>15</sup> In a presentation from Patrick Ball, Executive Director of the Human Rights Data Analysis Group argues that his work on statistics and human rights is very much a case of speaking truth to power, which is a concrete example of the 'is' of a country level human rights situation being used by the 'ought' of human rights law to hold those who were in power to account for atrocities committed during their time in political office. His analysis of abuse in Guatemala showed that indigenous people across three municipalities targeted by the

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military had a risk factor of being killed that was eight times higher than non-indigenous inhabitants of the same municipalities. Showing this kind of disproportionate abuse of human rights across different groups in society statistically maps onto the intentionality required of a legal determination of genocide, as in the case of the 2013 trial of former General Efraín Ríos Montt in Guatemala. See [http://media.ccc.de/browse/congress/2013/30C3\\_-\\_5405\\_-\\_en\\_-\\_saal\\_g\\_-\\_201312291730\\_-\\_data\\_mining\\_for\\_good\\_-\\_patrick.html](http://media.ccc.de/browse/congress/2013/30C3_-_5405_-_en_-_saal_g_-_201312291730_-_data_mining_for_good_-_patrick.html) [accessed 5 January 2014].

<sup>16</sup> Landman, Todd (2012) 'Phronesis and Narrative Analysis,' in Flyvbjerg, Bent, Landman, Todd and Schram, Sanford (eds) Real Social Science: Applied Phronesis, Cambridge: Cambridge University Press, 27-47.

<sup>17</sup> Ball, P. (2000a) 'The Salvadoran Human Rights Commission: Data processing, data representation, and generating analytical reports,' in P. B. Ball, H. F. Spierer, and L. Spierer (eds), Making the Case: Investigating Large Scale Human Rights Violations Using Information Systems and Data Analysis, Washington DC: American Association for the Advancement of Science.

<sup>18</sup> Mitchell N.J. and McCormick, J.M. (1988) 'Economic and Political Explanations of Human Rights Violations', World Politics, 40:476–498; Poe, S.C. and Tate, C.N. (1994) 'Repression of Human Rights to Personal Integrity in the 1980s: A Global Analysis', American Political Science Review, 88(4):853–872; Landman, T. (2005b) 'Review article: The political science of human rights', British Journal of Political Science, 35(3): 549-572; Landman and Larizza, op. cit; Todd Landman, David Kernohan and Anita Gohdes (2012) 'Relativising Human Rights,' Journal of Human Rights, 11:4, 460-485.

<sup>19</sup> Ingram, Attracta (1994) A Political Theory of Human Rights, Oxford: Oxford University Press; Ishay, Micheline (2008) The History of Human Rights: From Ancient Times to the Globalization Era, University of California Press; Beitz, Charles (2011) The Idea of Human Rights, Oxford: Oxford University Press. Hellinger, Jan-Christoph and Ernst, Gerhard (eds.) (2011) The Philosophy of Human Rights: Contemporary Controversies, Justification and Universality, Walter de Gruyter and Co.

<sup>20</sup> There is a large literature on the enforceability and justiciability of economic and social rights, where the idea of 'progressive realisation' remains problematic. See, e.g. Robertson, E. Robert. (1994) 'Measuring State Compliance with the Obligation to Devote the "Maximum Available Resources" to Realizing Economic, Social, and Cultural Rights,' Human Rights Quarterly, 16 (4): 693-714; Dennis, Michael J. and Stewart, David P. (2004) 'Justiciability of Economic, Social and Cultural Rights: Should There be an International Complaints Mechanism to Adjudicate the Rights to Food, Water, Housing and Health?' The American Journal of International Law, 98 (3): 462-515; Langford, Malcolm (ed.) (2009) Social Rights Jurisprudence: Emerging Trends in International and Comparative Law, Cambridge: Cambridge University Press.

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- <sup>21</sup> Donnelly, Jack (1999) 'Democracy, Development, and Human Rights', *Human Rights Quarterly*, 21(3): 608–632; Beitz, Charles (2001) 'Human Rights as a Common Concern,' *American Political Science Review*, 95: 269-282; Hunt, Lynn (2008) *Inventing Human Rights: A History*, New York: Norton.
- <sup>22</sup> Barbalet, J.M. (1988) *Citizenship: Rights, Struggle and Class Inequality*, Milton Keynes: Open University Press. Foweraker, J. and Landman, T. (1997) *Citizenship Rights and Social Movements: A Comparative and Statistical Analysis*, Oxford: Oxford University Press; Hunt, op. cit.
- <sup>23</sup> Donnelly, J. (1989) *Human Rights in Theory and Practice*, Ithaca, NY and London: Cornell University Press.
- <sup>24</sup> Barry, *Justice as Impartiality*, op. cit., 6; Barry's sentiment also resonates with Renteln's idea that human rights have 'homeomorphic equivalents' in societies that may not use the language of human rights, but may nevertheless share the ideas that underpin them. See Renteln, Alison, (1990) *International Human Rights: Universalism versus Relativism*, London: Sage; Richard Wilson and Jon Mitchell (2003), *Human Rights in Global Perspective: Anthropological Studies of Rights, Claims and Entitlements*, London: Routledge, 2003). See also Hopgood, Stephen (2013) *The Endtimes of Human Rights*, Ithaca, NY: Cornell University Press.
- <sup>25</sup> Respecting human rights requires the state to refrain from violating them. Protecting human rights requires the state to prevent the violation of human rights by 'third' parties, such as private companies, non-governmental organisations, paramilitary and insurgency groups, and 'uncivil' or undemocratic movements. Fulfilling human rights requires the states to invest in and implement policies for the progressive realisation of human rights. See Alfredsson, Gudmundur; Eide, Asbjorn (1999) *The Universal Declaration of Human Rights: A Common Standard of Achievement*, Martinus Nijhoff Publishers; Landman, Todd and Carvalho, Edzia (2009) *Measuring Human Rights*, London and Oxford: Routledge.
- <sup>26</sup> Nickel, J. W. (2007) *Making Sense of Human Rights*, 2nd edition, Malden, Oxford, and Victoria: Blackwell Publishing.
- <sup>27</sup> Hansclever, A., Meyer, P., and Rittberger, V. (2000) *Theories of International Regimes*, Cambridge: Cambridge University Press, 3.
- <sup>28</sup> Stephen Hopgood (2013) argues that precisely because no agreed moral or philosophical foundations have been established, international human rights activists and advocates (who he sees as largely middle class Europeans) have used law and pragmatism to reify human rights in ways that are akin to Bourdieu's notion of 'social magic'. See Hopgood, op. cit.; Bourdieu, Pierre (1991) *Language and Symbolic Power*, Cambridge: Cambridge University Press.

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- <sup>29</sup> For a framework on how to measure concepts for empirical research in the social sciences, see Adcock, R. and Collier, D. (2001) 'Measurement validity: A shared standard for qualitative and quantitative research', The American Political Science Review, 95(3): 529-546; Landman and Carvalho, op. cit.
- <sup>30</sup> Landman and Carvalho, op. cit., 128.
- <sup>31</sup> Landman, T. (2005b) 'Review article: The political science of human rights', British Journal of Political Science, 35(3): 549-572; Landman, T. (2006a) Studying Human Rights, London and New York: Routledge.
- <sup>32</sup> Vasak, Karel (1977) 'Human Rights: A Thirty-Year Struggle: the Sustained Efforts to give Force of law to the Universal Declaration of Human Rights', UNESCO Courier 30:11, Paris: United Nations Educational, Scientific, and Cultural Organization; Freeman, Michael (2002) Human Rights: An Interdisciplinary Approach, Cambridge: Polity.
- <sup>33</sup> Hertel, Shareen and Minkler, Lanse (eds) Economic Rights: Conceptual, Measurement, and Policy Issues Cambridge: Cambridge University Press
- <sup>34</sup> Chapman, A. (1996) 'A "violations approach" for monitoring the International Covenant on Economic, Social and Cultural Rights', Human Rights Quarterly, 18(1): 23-6; Chapman, A. (2007) 'The status of efforts to monitor economic, social, and cultural rights' in Hertel and Minkler, op. cit., 143-164. See also Landman and Carvalho, op. cit., 45-63.
- <sup>35</sup> Standards-based measures of civil and political rights include the two seven-point scales developed initially by Raymond Gastil and now produced annually by Freedom House (see <http://www.freedomhouse.org>); the 'political terror scale' also developed initially by Raymond Gastil and now produced by academics based at the University of North Carolina at Asheville (see <http://www.politicalterrorscale.org>); and the 'physical integrity rights index' and other scales produced by David Cingranelli and David Richards (see <http://www.humanrightsdata.com>). See also Landman and Carvalho, op. cit., 64-90; and <http://www.humanrightsatlas.org>.
- <sup>36</sup> Landman and Carvalho, op. cit., 91-106.
- <sup>37</sup> Ibid., 107-126; United Nations (UN) (2012) Human Rights Indicators: A Guide to Measurement and Implementation, Geneva: UN Office of the High Commissioner for Human Rights.
- <sup>38</sup> See Reissman, Catherine Kohler (2008) Narrative Methods for the Human Sciences, London: Sage; Todd Landman (2012) 'Narrative Analysis and Phronesis' in Flyvbjerg, Landman, and Schram, op. cit., 27-47.
- <sup>39</sup> George, Alexander and Bennett, Andrew (2005) Case Studies and Theory Development in the Social Sciences, Cambridge: MA: MIT Press.

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- <sup>40</sup> Mahoney, J. and Reuschmeyer, D. (2003) Comparative Historical Analysis in the Social Sciences, Cambridge: Cambridge University Press; Goertz, G. and Mahoney, J. (2012) A Tale of Two Cultures: Qualitative and Quantitative Research in the Social Sciences, Princeton: Princeton University Press.
- <sup>41</sup> Ragin, Charles (1987) The Comparative Method: Moving Beyond Qualitative and Quantitative Strategies, Berkeley: University of California Press; Ragin, Charles (2008) Redesigning Social Inquiry: Fuzzy Sets and Beyond, Chicago: University of Chicago Press.
- <sup>42</sup> Landman, Studying Human Rights; Landman, Issues and Methods in Comparative Politics, 51-65, 244-248; Keith, Linda (2011) Political Repression: Courts and the Law, Philadelphia: University of Pennsylvania Press.
- <sup>43</sup> Landman, 'Narrative Analysis and Phronesis'.
- <sup>44</sup> Todd Landman and Anita Gohdes (2013) 'A Matter of Convenience: Challenges of Non-Random Data in Analyzing Human Rights Violations during Conflicts in Peru and Sierra Leone' in Taylor Seybolt, Jay Aronson and Baruch Fishoff (eds) Counting Civilian Casualties, Oxford: Oxford University Press.
- <sup>45</sup> Mahoney, J. and Goertz, G. (2004) 'The Possibility Principle: Choosing Negative Cases in Comparative Research', American Political Science Review, 98(4): 653–669.
- <sup>46</sup> Lichbach, Mark (1997) 'Social Theory and Comparative Politics', in M. Lichbach and A. Zuckerman (eds) Comparative Politics: Rationality, Culture, and Structure, Cambridge: Cambridge University Press, 239–276.
- <sup>47</sup> See, e.g. Wood, Elisabeth Jean (2003) Insurgent Collective Action and Civil War in El Salvador, Cambridge: Cambridge University Press; Mitchell, Neil (2004) Agents of Atrocity: Leaders, Followers, and the Violations of Human Rights in Civil War, London: Palgrave; Brockett, Charles D. (2005) Political Movements and Violence in Central America, Cambridge: Cambridge University Press.
- <sup>48</sup> See Eckstein, Harry (1975) 'Case-study and Theory in Political Science', in F.I. Greenstein and N.S. Polsby (eds) Handbook of Political Science, Vol. 7: Strategies of Inquiry, Reading, MA: Addison-Wesley, 79–137; Gerring, J. (2004) 'What is a case study and what is it good for?' American Political Science Review, 98: 341–354; Gerring, John (2006) Case Study Research: Principles and Practice, Cambridge: Cambridge University Press; George and Bennett, op. cit.
- <sup>49</sup> Ball, P., Spierer, H. and Spierer, L. op. cit. Ball, P., 'The Salvadoran Human Rights Commission'; Ball, P., Asher, J., Sulmont, D. and Manrique, D. (2003) 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, DC: American Association for the Advancement of Science (AAAS).
- <sup>50</sup> See Landman, Todd (2006) Studying Human Rights, London: Routledge.

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<sup>51</sup> For example, truth commissions in South Africa, Guatemala, El Salvador, Peru, Sierra Leone, and East Timor have adopted this method. See Landman, Studying Human Rights; Landman and Carvalho, op. cit.

<sup>52</sup> Price, Megan, Klingner, Jeff, and Ball, Patrick (2013) ‘Preliminary Statistical Analysis of Documentation of Killings in the Syrian Arab Republic,’ Human Rights Data Analysis Group, San Francisco [<https://hrdag.org/wp-content/uploads/2013/02/Benetech-final-SY-report.pdf>]; Price, Megan, Klingner, Jeff, Qtiesh, and Ball, Patrick (2013) ‘Updated Statistical Analysis of Documentation of Killings in the Syrian Arab Republic,’ Human Rights Data Analysis Group, San Francisco [<https://hrdag.org/wp-content/uploads/2013/06/HRDAG-Updated-SY-report.pdf>].

<sup>53</sup> Human Rights Watch (2013) Le Plaine de Morts: Le Tchad de Hissène Habré, 1982-1990, New York: Human Rights Watch [<http://www.hrw.org/node/120950>].

<sup>54</sup> Previous work had estimated far fewer killings and more of a role for government forces, while the narrative of ‘two Perus’ that emerged from the analysis with respect to coastal versus mountainous regions came as a surprise. See Ball, Asher, Sulmont, and Manrique, ‘How Many Peruvians Have Died?’

<sup>55</sup> Gerring, J. ‘What is a case study and what is it good for?’

<sup>56</sup> Selection on the dependent variable is highly problematic in comparative politics and can lead to incorrect inferences being drawn about social and political phenomena of interest. Selection on the independent variables is not problematic. See Geddes, B. (1990) ‘How the Cases You Choose Affect the Answers You Get: Selection Bias in Comparative Politics’, Political Analysis, 2: 131–150; King, G., Keohane, R.O., and Verba, S. (1994) Designing Social Inquiry: Scientific Inference in Qualitative Research, Princeton, NJ: Princeton University Press.

<sup>57</sup> Landman and Larizza, op. cit., 719.

<sup>58</sup> Mitchell N.J. and McCormick, J.M. (1988) ‘Economic and Political Explanations of Human Rights Violations’, World Politics, 40:476–498; Poe, S.C. and Tate, C.N. (1994) ‘Repression of Human Rights to Personal Integrity in the 1980s: A Global Analysis’, American Political Science Review, 88(4):853–872; Poe, S.C., Tate, C.N. and Keith, L.C. (1999) ‘Repression of the Human Right to Personal Integrity Revisited: A Global Cross-national Study Covering the Years 1976–1993’, International Studies Quarterly, 43:291–313

<sup>59</sup> Landman, ‘Review article: The political science of human rights’; Landman, T. (2005) Protecting Human Rights: A Comparative Study, Washington D.C.: Georgetown University Press; Abouharb, M.R. and Cingranelli, D.L. (2007) Human Rights and Structural Adjustment, Cambridge: Cambridge University Press; Simmons, Beth (2009) Mobilizing for Human Rights: International Law in Domestic Politics, Cambridge:

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Cambridge University Press; Hafner-Burton, Emilie (2009) Forced to Be Good: Why Trade Agreements Boost Human Rights, Ithaca: Cornell University Press; Smith-Cannoy, Heather (2012) Insincere Commitments: Human Rights Treaties, Abusive States and Citizen Activism, Washington DC: Georgetown University Press.

<sup>60</sup> Almond, G. (1990) A Discipline Divided: Schools and Sects in Political Science, Newbury Park, CA: Sage.

<sup>61</sup> Landman, 'Comparative politics and human rights,' 891.

<sup>62</sup> Ragin, Charles (1987) The Comparative Method: Moving Beyond Qualitative and Quantitative Strategies, Berkeley: University of California Press; Ragin, Charles (2008) Redesigning Social Inquiry: Fuzzy Sets and Beyond, Chicago: University of Chicago Press.

<sup>63</sup> Ragin, The Comparative Method; De Meur, G. and Berg-Schlosser, D. (1994) 'Comparing Political Systems: Establishing Similarities and Dissimilarities', European Journal of Political Research, 26: 193–219; Ragin, Redesigning Social Inquiry.

<sup>64</sup> See, e.g. Wickham-Crowley, T. (1993) Guerrillas and Revolution in Latin America, Princeton, NJ: Princeton University Press; Foran, John (2005) Taking Power: On the Origins of Third World Revolutions, Cambridge: Cambridge University Press.

<sup>65</sup> Przeworski, A. and Teune, H. (1970) The Logic of Comparative Social Inquiry, New York: Wiley; Lijphart, Arend (1975) 'The Comparable Cases Strategy in Comparative Research', Comparative Political Studies, 8(2):158–177; Skocpol, T. and Somers, M. (1980) 'The Uses of Comparative History in Macrosocial Inquiry', Comparative Studies in Society and History, 22: 174–197; Geddes, op. cit.; Faure, A.M. (1994) 'Some Methodological Problems in Comparative Politics', Journal of Theoretical Politics, 6(3): 307–322.

<sup>66</sup> Mill, J.S. (1843) A System of Logic, London: Longman.

<sup>67</sup> Mahoney and Goertz, 'The Possibility Principle'.

<sup>68</sup> See Landman, Issues and Methods in Comparative Politics, 131-215.

<sup>69</sup> King, Keohane, and Verba, op. cit. 28-29.

<sup>70</sup> Mahoney and Goertz, op. cit. 653.

<sup>71</sup> Foweraker and Landman op. cit.

<sup>72</sup> Risse, T., Ropp, S.C. and Sikkink, K. (eds) (1999) The Power of Human Rights: International

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Norms and Domestic Change, Cambridge: Cambridge University Press; Risse, T., Ropp, S.C. and Sikkink, K. (eds) (1999) The Persistent Power of Human Rights: From Commitment to Compliance, Cambridge: Cambridge University Press.

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<sup>74</sup> Sartori, G. (1970) 'Concept Misinformation in Comparative Politics', American Political Science Review, 64: 1033–1053; Mair, P. (1996) 'Comparative Politics: An Overview', in R.E. Goodin and H. Klingemann (eds) (1996) The New Handbook of Political Science, Oxford: Oxford University Press, 309–335; Landman, Issues and Methods in Comparative Politics, 25-26.

<sup>75</sup> García-Meckled, Saladin and Cali, Basak (2005) The Legalization of Human Rights: Multi-disciplinary Perspectives on Human Rights and Human Rights Law, London and Oxford: Routledge.

<sup>76</sup> See Landman, Studying Human Rights, 16; Landman and Carvalho, op. cit., 20.

<sup>77</sup> Barry, Justice as Impartiality, 195.