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What is This?

Journal of Peace Research

A social science of human rights

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Abstract

Why do governments abuse human rights, and what can be done to deter and reverse abusive practices? This article examines the emerging social science on these two questions. Over the last few decades, scholars have made considerable progress in answering the first one. Abuse stems, centrally, from conflict and institutions. Answers to the second question are more elusive because data are scarce and the relationships between cause and effect are hard to pin down. Lively debates concern the effectiveness of tools such as military intervention, economic policy, international law, and information strategies for protecting human rights. The evidence suggests that despite the explosion of international legal instruments, this strategy has had impact only in special circumstances. Powerful states play central roles in protecting human rights through sanctions, impartial military intervention, and other tools – often applied unilaterally, which suggests that there is an ongoing tension between the legitimacy of broad multilateral legal institutions and narrower strategies that actually work. The best approaches to managing human rights depend on the political organization of the abuser. Where strong centralized organizations are the problem, the best strategies alter the incentives of leaders at the top; where abuse arises from disarray, such as during civil war or fragile democratic transition, the key tasks include reducing agency slack and making organizations stronger and more accountable.

Keywords

democracy, human rights, international law, NGOs, sanctions, war

Fifty years ago, when the *Journal of Peace Research* published its first issue, the topic of human rights was not a focus of social science research.[1] None of the core United Nations (UN) international human rights treaties had yet been created, and scholars did not yet pay much attention to the one broad agreement that was in place: the UN General Assembly's Universal Declaration of Human Rights.[2] Amnesty International, the nongovernmental organization (NGO) that today is most prominently linked to human rights causes, had just been founded but had not issued its first reports. Elaborate enforcement mechanisms, such as the International Criminal Court

(ICC), were still decades away from existence. Scholars focused on other topics, notably the Cold War.

All that has changed. There are dozens of major international human rights legal instruments in force today, and hundreds of other agreements and mechanisms now lead to a rich complex of legal institutions. Those instruments have codified dozens of rights and created mechanisms such as courts to enforce compliance. In addition to efforts on the international stage, governments themselves have created national human rights institutions and thousands of NGOs have emerged with the central goal of advocating for human rights norms, shaming governments that violate those norms, and providing services to human rights victims. This upsurge in political and institutional activity has inspired waves of social science research on the causes, impacts, and

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[1] Human rights include a broad array of civil and political as well as economic, social, and cultural rights often expressed and guaranteed by law.

[2] The first, the International Convention on the Elimination of All Forms of Racial Discrimination, was established in December 1965 and came into force in 1969.

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remedies for human rights violations. The field of study today is vast, encompassing every methodology and facet of research imaginable.

This article evaluates this emerging field of scholarship. The bulk of research has revolved around two major questions. First, what motivates human rights abuses such as murder, torture, and political imprisonment and other forms of political terror? Social science has made big strides on answering this question. One of the most significant answers is that conflicts, such as war and political dissent, create particular opportunities and incentives for abuse; another major answer focuses on failures and perversities in state institutions. The first section of this article explores in detail the central lessons from the scholarship on these two causes of abuse, which are that violent conflict breeds cycles of terror that are difficult to interrupt, efforts to transition to and institutionalize democracy often incite violence, and not all alternatives to democracy are equally repressive.

More recently scholars have turned to a much harder question: which strategies actually prevent and reverse political terror? There is a long list of tools that might promote human rights; among the most studied are military intervention, economic policy, law, and strategies to collect and deploy information. However, the academic community has not yet developed consensus on which of these tools actually work to improve human rights under different circumstances. Yet the answers to this second question are of greatest importance to the spread of human rights. That lack of consensus reflects both the difficulty of measuring the causal impact of any single human rights promotion tool and also the fledgling state of research. The research does reveal some tendencies, such as to identify the scope of the impact of international law – especially as law has expanded to label all manner of human well-being a 'human right'. Another tendency is to look at the interaction between key actors – such as powerful states that want to use their own resources to promote human rights abroad and also NGOs that build in-country human rights institutions – and international legal norms. Most of this essay explores and evaluates the lively set of debates that have focused on this crucial question. The clear message about prevention efforts is that not a single tool consistently promotes or protects human rights. Rather, they all have extensive scope conditions and trade-offs that limit their effect.

Putting the answers to both questions together, perhaps the most important message to emerge from the body of research is that there are two very different drivers of abuse. One is a strong, centralized organization – whether that be a state, a rebel group or another group – that gives orders from the top down to commit atrocity and repress the opposition. The other is a weak organization characterized by agency slack, a lack of capacity to give and implement orders, and thus unmonitored activity. These two fundamentally different contexts that fuel political terror require fundamentally different approaches to intervention and norms promotion. The former requires changing the preferences and incentives of those giving the orders at the top. The latter requires institutional reform, a chain of command, reducing agency slack, and building capacity. This insight helps to explain why there is no single effective tool to promote human rights in every situation, and why certain promotion tools work in some contexts and fail – or even backfire – in others. This insight also helps to explain why advocates can at times find themselves in the awkward situation where efforts to protect one type of human rights may require the sacrifice of another type, even though human rights are conceived by international law to be universal and indivisible.

I close with a few ideas about the future of social science research on human rights.

What motivates human rights abuse?

In this first section I consider the most important lessons about two central causes of human rights abuse: conflict and institutions. While there are many other drivers – including poverty, inequality, and intolerance – these two have attracted the bulk of scholarly attention.

Conflict

Scholars now know with high certainty that one of the most significant predictors of political terror is violent conflict. *The central insight about violent conflict is that it creates cycles of human rights abuse that are difficult to interrupt.* Conflicts such as war create opportunities for political terror. Societies at war are much more likely than those at peace to witness atrocities; cultures of violence tend to reproduce violence (Poe & Tate, 1994; Goldhagen, 1996). Often, women are among the most vulnerable to abuse – especially sexual violence (Cohen & Green, 2012). Sexual violence in times of conflict can be premeditated and strategic: security forces consciously organize and carry out campaigns of rape of women and girls as a weapon of war. Other times, sexual violence during wartime results from agency slack. Security forces operate in an environment where information is highly constrained and bureaucratic control over their actions is weak. They use violence against women to satisfy their

own motivations rather than to pursue an organized strategic goal sanctioned by their leaders. In fact, sexual violence against women is highly correlated both with the presence of violent civil conflict and large numbers of military personnel and also with political environments characterized by high levels of corruption and bureaucratic slack (Butler, Gluch & Mitchell, 2007).

It may seem obvious that conflict breeds political terror. Less obvious is that political terror increases the risk and violence of war. Terror, especially when administered by the state, can incite civilians to openly challenge the government and generate dissident violence. Once people are mobilized in dissent and willing to engage in violence, the state is likely to respond with yet more violence.[3] The risk of all-out civil war grows as both (all) sides of a conflict escalate violence (Young, 2013). State-led terror tactics also create dangers for international peace and stability. They significantly increase the odds that a state will get involved in violent interstate conflict: 'human rights rogues' are more likely to go to war. The domestic norms and values that govern local conflict politics also shape (or perhaps mirror) how states operate at the international level when faced with the challenges of conflict. Violent social models at home may animate states in conflict to refuse peaceful settlements in favor of violent solutions (Caprioli & Trumbore, 2006).

State institutions

The other major cause of political terror that has been the subject of substantial research is weak or overly powerful state institutions. The relationship between state institutions and protections for human rights depends on the structure and capacity of institutions. Scholars have learned a tremendous amount about these relationships in the past few decades. *The central insight about state institutions is that, while fully developed democracy may be the best hope for the promotion and protection of human rights, efforts to transition to and institutionalize democracy often incite violence, and the alternatives to democracy are not all equally adverse for human rights.*

It is widely established that democracy is a system of governance well suited for the promotion and protection of human rights (Poe & Tate, 1994; Cingranelli & Richards, 1999; Davenport, 2007a). Liberal democracy is a form of government built on the recognition of the inalienable right to human dignity (Howard & Donnelly, 1986). Incentives built into that system

encourage transparency and offer judicious means to resolve the types of internal tensions that otherwise could degenerate into conflict (Henderson, 1999). The evidence is undisputable that censorship, torture, and mass killings, for instance, happen much more frequently in countries with no access to stable democratic political representation (Poe & Tate, 1994; Davenport, 1996; Zanger, 2000; Harff, 2003).

Even so, the scholarly community has discovered that a state's 'democrativeness' and its respect for human rights are not strictly proportional. Only the most liberal and established democracies regularly protect human rights (Davenport & Armstrong, 2004) and few states fit this description.[4] Within democracies, the composition of the legislature matters a great deal. For instance, countries with parliaments composed of greater female representation are much less likely to engage in abuses such as extrajudicial murder and torture (Bueno de Mesquita et al., 2005) (the same does not appear to hold for female executives, though this proposition is hard to test historically because there are so few women heads of state). Moreover, democratization – that is, a country's progress toward democracy – is not necessarily good for human rights in the short run (Fein, 1995; Regan & Henderson, 2002). Democratization can threaten incumbent leaders, who then resort to abuses in order to hold on to power. Threatened leaders can also encourage nationalism, which in turn can lead to conflicts and abuse (Snyder, 2000).

It is now also established that democratic elections are not necessarily effective for the promotion of human rights. Even in democratic settings, where the system is perceived as winner takes all, elections can spark political terror. For example, presidential elections are associated with repression of essential rights, such as the protection of a person's physical integrity, in the years following the election. That is because the power of office is tremendous – cabinets are frequently hand-picked 'yes' men – and removing a president from office is difficult. Lacking strong accountability, the zero-sum election process can foster incentives for abuse. Elections are not always bad, of course. National legislative elections are associated with more respect for human rights. Perhaps that association is because these politicians genuinely represent the will of the people, and that will is for the people's rights to be protected (Richards & Gelleny, 2007). Even in some autocratic settings, national elections are associated with a decline in the repression of political rights in election years, including freedom of speech (Davenport,

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[3] Consider Davenport's 'law of coercive responsiveness' (Davenport, 2007a).

[4] See also Bueno de Mesquita et al. (2005).

1996). Whether or not autocrats engage in election violence, however, depends heavily on whether they feel threatened by the political opposition; perceptions that autocrats risk losing elections often prompt leaders to use political terror against the opposition (Hafner-Burton, Hyde & Jablonksi, 2014).

Not all autocracies are equally repressive. In fact, single-party systems, especially those that involve more people and organizations, are much less likely to use repression than are other types of autocratic systems, such as personalist and military forms of governance. Single-party systems share some of the features of democracy that limit the need to repress human rights as a means of social and political control; they maintain control of the population through political institutions and incorporate people into the political process. Personalist dictators, by contrast, are more isolated by their regime. There are fewer actors involved in the process of governance. Leaders in these systems are more likely to resort to repression to defend their office against a public that has no institutionalized way to influence the political process and so may turn to violence (Davenport, 2007b).

It is not only the structure of governance that influences protections for human rights, but also the capacity of state institutions. Sometimes terror is driven by political systems that create massive centralization of unchecked power that provides both motives and opportunities for the state to use its capacity to crush those in its way (Rummel, 1994). Other times, however, repression is a bureaucratic problem: weak and failing states do not have the capacity to govern peaceably, despite their leaders' intentions. These states are incapable of stopping actors operating on their territory from committing acts of terror. They cannot stop agents of terror. They are too poor to pay state employees, such as police officers or prison guards, adequately to carry out the will of the state. These employees lack oversight to do their jobs. They may be tempted by bribery. Private actors thus get away with crimes that the state cannot control. Supervision is weak and corruption is rampant, leaving little opportunity or incentive for holding perpetrators accountable (Butler, Gluch & Mitchell, 2007; Englehart, 2009). Capacity also goes both ways. A lack of state capacity can create principal-agent problems that lead to repression of human rights. At the same time, the infusion of capacity for violence can lead to human rights violations. For instance, historically, arms imports into developing countries have been strongly correlated with an increase in political terror (Blanton, 1999).

While scholars have begun to converge on a common understanding of the ways in which conflict and state institutions motivate human rights violations, there is much less consensus on the question of how to stop these acts of terror.

Which strategies best prevent and reverse human rights abuse?

This section explores key lessons learned, as well as central debates that have emerged, about how to prevent and reverse human rights abuse. While there are many strategies for reducing human rights abuse, four have attracted a great deal of scholarly attention: military intervention; economic policies including trade, investment, aid, and sanctions; international law; and information strategies. *The central insight about prevention efforts is that no single tool works consistently to promote or protect human rights; all tools have extensive scope conditions that limit their effectiveness. Often, the tools work best in tandem.*

Military intervention

Because conflicts are a central cause of political terror, stopping them has become a central tool for promoting human rights. Sometimes, efforts to stop conflicts take the form of military intervention. However, the actual impact of these interventions on protection of human rights has been mixed and there is no broad consensus today about whether such interventions are effective or defensible policy to spread human rights.[5] Resolving the debate is beyond the scope of this article. However, scholars have made recent strides in identifying some of the scope conditions that make intervention most and least effective, as well as in identifying the trade-offs such interventions can provoke. For example, certain types of peacekeeping efforts after civil wars – specifically, those with a humanitarian purpose – encourage protections for the rights to be free from torture, disappearance, extrajudicial killing, and political imprisonment, and also increase the duration of peace (Peksen, 2012). However, those same interventions have in many instances led to increased violations of rights to free speech, freedom of movement, and religion (Murdie & Davis, 2010).[6]

Women are especially vulnerable to wartime violence, and thus scholars have devoted considerable attention to how military intervention affects women's rights. Historically, the effects of intervention depend on the country that does the intervening. Unilateral interventions led by the USA are correlated with a decline in women's

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[5] On diplomatic interventions, see Regan, Frank & Aydin (2009).
[6] On the duration of peace, see Regan (2002); Fortna (2008).

political and economic rights in the occupied country, especially when interventions have supported or created repressive regimes or created political chaos such as what followed in Haiti after the reinstallation of President Jean-Bertrand Aristide in 1994. Harmful effects of intervention on human rights are not as readily apparent with more multilateral efforts. Interventions by organizations such as the UN have had generally a more positive influence on protections for women, perhaps because they have been less likely to side with authoritarian rulers and have more effectively mobilized pressure from a broader international community (Peksen, 2011).

One of the most important lessons learned is that for third-party interventions to improve human rights, impartiality is essential. Otherwise, interventions tend to increase the severity of mass killings in the immediate intervention period – troops threaten perpetrators' goals but do not necessarily make violence more costly. Impartial interventions, by contrast, can eventually help reduce violence by providing a security guarantee to both (or all) sides of a conflict (Kathman & Wood, 2011). Interventions that actively support one side over others during civil war change the balance of power inside the occupied country in ways that shape combatants' war strategies. The factions receiving support have less need to use violence against civilians because foreign troops provide resources and capabilities to their cause. When interveners take sides, however, weakened factions often ramp up violence, committing more intentional and directed killings of civilians in an effort to acquire capabilities and command (Wood, Kathman & Gent, 2012).[7] These many scope conditions significantly reduce the situations in which military intervention effectively promotes human rights.

Military intervention is costly on all sides and difficult to mobilize, and thus as a practical matter most of the tools available for promoting human rights are those that are less expensive to organize and deploy – in particular, economic carrots and sticks.

Trade and investment

Another way to promote human rights is to promote economic development. One of the key discoveries of the past few decades is that it is possible to promote human rights by encouraging economic openness and growth through trade and investment, although there are also some dangers for human rights associated with globalization. In many contexts, trade is clearly associated with the development of better human rights practices; for example, trade is associated with a decline in political terror in developing countries where trade leads to improved economic development, which leads to fewer incentives for government repression over time (Harrelson-Stephens & Callaway, 2003). One exception, however, is export-led economies, where trade does appear to be correlated with the use of terror (Hafner-Burton, 2005a). There is also evidence that foreign direct investment has on balance a positive relationship with protections for many human rights. For example, the decision by multinational corporations to invest through cross-border mergers and acquisitions is strongly correlated with improvements in a large array of rights, including physical integrity rights, empowerment rights, workers' rights, and women's economic rights, especially in developing countries (Kim & Trumbore, 2010).[8] Investment corresponds with lower rates of child labor (Neumayer & de Soysa, 2005), and also with less political terror (Apodaca, 2002; Richards, Gelleny & Sacko, 2001). However, there is also some evidence that multinationals at times collude with states to violate human rights, especially those of workers (Meyer, 1996; Muchlinksi, 2001).

There are multiple explanations for these generally positive associations. One possibility is that global trade and investment are creating new, and larger, middle classes (Meyer, 1996; Richards, Gelleny & Sacko, 2001). The presence of a strong middle class, in turn, increases the pressure on governments to respect their human rights. Another explanation is that the increase in economic efficiency is enabling firms to produce at lower costs, and thus to pass on lower prices to the consumer. And investors may be seeking stable locations (Blanton & Blanton, 2007a,b). In order to attract investment, states may be putting policies into place to signal to potential investors that their country is secure and that the state respects the civil and political rights of the people living and working inside its borders. Moreover, cross-border investment may be diffusing norms of workers' rights, as standards of health, safety, and even pay and benefits from the developed world shape corporate practices inside developing partners (Milner, 2002).

An important qualification – or scope condition – is that the positive effects of trade and investment on human rights are conditional on the structure of the market place in society. Not all systems of exchange facilitate equally the protection of human rights. Market-oriented

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[7] See also Eck & Hultman (2007); Wood (2010).

[8] On investment more generally, see Hafner-Burton (2005a).

economic development tends to reduce the need for state repression of human rights – at least, it is correlated with better protections for human rights. These are societies where most people make their living and procure goods and services by contracting through the marketplace. The terms of contracts are in principle open to any consumer. Strangers interact. Law resolves contractual problems. And the protection of human rights is needed to ensure that governments do not pursue discriminatory policies against particular groups of individuals that would impede the marketplace. By contrast, societies structured on reciprocal exchange networks are more dependent on personal contacts, in-groups, and favors. The terms of exchange are not equal for everyone but instead depend on the identities and relationships of the people involved in the transaction. Discrimination against out-groups is often inherently part of the exchange system (Mousseau & Mousseau, 2008).

The effect of rising global economic integration on human rights has been mixed. Many governments take (and rely upon) loans from international financial institutions such as the International Monetary Fund and the World Bank. Some argue that these loans, which come with a variety of conditions, are positively associated with the protection of human rights (Eriksen & de Soysa, 2009). The more money a country borrows, the more likely it is to promote the basic human rights of its nationals.[9] Others argue that these loans also typically impose levels of fiscal austerity that can lead to cuts in social programs that harm economic, social, and cultural rights; conditional lending and grants can also provoke domestic public dissent that can create further incentives to violate civil and political rights (Sadasivam, 1997; Richards, Gelleny & Sacko, 2001; Abouharb & Cingranelli, 2006, 2007). In particular, some work suggests that World Bank structural adjustment agreements have a negative impact on human rights related to physical integrity (e.g. political repression) because they exacerbate socio-economic hardships and engender conflicts over resources (Abouharb & Cingranelli, 2006). Such work, however, is based heavily on correlations; the causal claims have been hard to pin down. Aggressive lending arises in countries with severe economic troubles, and the counterfactuals might be even worse not just for the economy but

also human rights. Similar problems bedevil work that has tried to link aid with human rights.

Foreign aid

Because economic growth can beget protection for human rights, there has been a keen interest in the use of foreign economic aid as a strategy for encouraging governments to avoid terror. Foreign aid is also a carrot that can be readily withdrawn and thus is offered conditionally upon many kinds of reforms, including those that protect human rights.

Scholars have learned that government aid policies are extremely fickle. Aid conditions are not always implemented in practice. The United States, for example, has for decades required (except in extraordinary circumstances) that the president reduce or terminate security-related assistance to any country that violates internationally recognized human rights.[10] In general, the USA has historically made reasonably good on its promise to reduce military assistance to governments in violation of human rights, though repression has hardly been the most important determinant of military aid – a lot of other political and economic factors have played a much bigger role (Poe, 1991; Apodaca & Stohl, 1999).[11] But the USA has not consistently factored human rights into its decisions to allocate other non-military forms of foreign economic and development assistance. It has given economic assistance to lots of governments guilty of political terror (Stohl, Carleton & Johnson, 1984; Cingranelli & Pasquarello, 1985; Lebovic, 1988; Lai, 2003). In fact, since the end of the Cold War, the United States has been more likely to offer economic assistance to countries with poor human rights records, and also to offer them more aid than it offers to less repressive governments. This tendency has varied by regime type. Specifically, the USA has given countries transitioning towards democracy more aid when they experienced serious human rights violations: those countries really needed help. By contrast, the United States has rewarded autocracies for their efforts to improve human rights, giving them more aid when human rights are better protected (Demirel-Pegg & Moskowitz, 2009).

Europe has taken a similar approach to implementing its own vast sets of conditionality policies for economic and development assistance (Hafner-Burton, 2005b,

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[9] Eriksen & de Soysa (2009) also find evidence that repayment of loans (when payback exceeds new loans) has a negative impact on physical integrity rights. Their interpretation is that a painful payback process does not cause the violation of human rights but rather is a sign of domestic crisis which fuels repression.

[10] The US Foreign Assistance Act of 1974.
[11] Cingranelli & Pasquarello (1985) found only weak evidence that human rights conditions in a country impacted the US decision to extend military aid in 1982, and no relationship between the amounts of aid they allocated. However, Carleton & Stohl (1987) questioned the robustness of this study.

2009). Despite all the emphasis on human rights, severe repression has not dissuaded the European Commission or donor countries such as France from giving aid to governments. Colonial ties and political alliances seem to be big driving forces behind decisions to give aid (Alesina & Dollar, 2000).[12] In fact, the United Kingdom, much like the USA, has been more likely to give aid in the face of widespread repression and terror (Carey, 2007). So have Sweden, Luxembourg, New Zealand, Portugal, Spain, and Switzerland (Neumayer, 2003). Clearly, these relationships are complex.

A coherent message has not yet emerged on the precise effects of foreign aid or its conditionality on human rights. That may reflect the fact that most research has explored the effects of aid on development or, more broadly, good governance.[13] Among the few studies to consider human rights specifically, there is evidence pointing in both directions. European foreign aid appears to have a positive association with some human rights, bolstering the right to domestic movement, workers' rights, and freedom of religion (Aronow, Carnegie & Marinov, 2012). Meanwhile, US foreign aid in the post-Cold War period has a positive association with political terror (Lee, 2011). There simply is not enough published research to adjudicate between these views, and the lessons that emerge from the small number of studies that exist are not easily comparable because they are drawn from different time periods, actors, and rights.

Economic sanctions

The inverse of economic carrots such as aid is sticks. For decades scholars have studied sanctions and whether they have their intended effects – a question of extreme importance in the protection of human rights. Understanding whether and how sanctions work requires understanding what motivates governments and other donors to threaten and implement sanctions. It also requires understanding the effects of sanctions on their targets. Sanctions can improve human rights, starving a repressive regime of the resources necessary to sustain a strong military state or support agents of violence (Martin, 1992; Blanchard & Ripsman, 1999; Hovi, Huseby & Sprinz, 2005). Sanctions can also exacerbate

human rights problems, increasing government repression and harming innocent people (Pape, 1997; Weiss et al., 1997; Cortright & Lopez, 2000; Li & Drury, 2004; Andreas, 2005). On balance, there is no general consensus as to whether sanctions work to promote human rights or are a source of violations. However, one insight into sanctions is that their effects on human rights may depend on the nature of the sanction as well as the sanctioner. Sanctions that are applied extensively are historically more highly correlated with terror than are more selective sanctions that target specific leaders or institutions (Peksen, 2009). That may be because extensive sanctions cause stress on ordinary citizens that undermine their economic security and provoke them to dissent.

Sanctions can successfully yield concessions to improve human rights in some circumstances (Hovi, Huseby & Sprinz, 2005). The exact circumstances are still unclear, though there are some common scope conditions emerging from the literature. The target state must face economic hard times and be strongly dependent on the sanctioner. There cannot be corresponding military actions. And the sanctioner can reasonably afford to carry out the policy swiftly and credibly (Hufbauer, Schott & Elliott, 1990; Hafner-Burton, 2009).[14] These situations, of course, are probably quite limited and suggest general skepticism about the reach of these policies, especially to change the deep structural problems that incite repression.

International law

Alongside military and economic efforts are legal efforts to promote human rights. Legal institutions for the promotion and protection of human rights are multiplying but their effects are difficult to distinguish and not always positive (Hafner-Burton & Ron, 2007). One facet of law that has been the subject of much attention is the growing international human rights treaty regime, which is now comprised of hundreds of legal instruments (Elliot, 2011). The effect of these laws on human rights is still a source of discussion.[15] There is some evidence that international human rights legal institutions, treaties, declarations, and procedures correlate with

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[12] More generally, donors tend to use aid to punish human rights abuses when the violations have a negative consequence on the donor, the violations are highly publicized, and the target of sanctions does not have close political ties to the donor. See Nielsen (2013).

[13] On the effects of aid on development, democracy, and governance, see Dunning (2004); Knack (2004); Easterly (2006); Rajan & Subramanian (2007).

[14] However, in another study on the effectiveness of sanctions, Pape (1997) finds that only 4% of the 116 cases qualified as effective by Hufbauer, Schott & Elliott (1990), and actually resulted in 'significant political concessions' by the target country, calling into question the evidentiary basis of their theory of effectiveness.

[15] For an in-depth review of this debate, see Hafner-Burton (2012, 2013). See also Neumayer (2005); Powell & Staton (2009); Hawkins & Jacoby (2010).

improved protections for human rights inside the countries that participate. For example, membership in the ICC correlates with a short-term civil war hiatus or termination for those that face violence but cannot make credible commitments at home to scale down hostility. Membership is also associated with longer-term peace accords (Simmons & Danner, 2010).[16] The norms established by the Helsinki process (and its Final Act) helped ensure the failure of communism in the former Eastern bloc (Thomas, 2001). And, among the group of partially democratic, transitional states, ratification of the International Covenant on Civil and Political Rights (ICCPR) – a core UN treaty – corresponds to improved religious freedom and fair trial practices after ratification (though has no such effect in other types of countries) (Simmons, 2009).

Yet there is also evidence that many of these institutions do not correspond well to observable improvements in many human rights. Ratification of treaties such as the ICCPR has no clearly discernible effect (at least generally) on protections for physical integrity rights (Keith, 1999; Hathaway, 2002), though scholars are still debating this finding, largely on methodological grounds, and there are several explanations for these divergent findings, including the use of different data samples, research methodologies, and scope conditions.[17] The core international human rights treaties – which may have some positive impact in stable or consolidating democratic regimes or states with strong civil societies – appear least effective in very repressive states where legal protection is most needed (Hafner-Burton & Tsutsui, 2007). At best, the literature is growing a consensus that the effect of international law on human rights is not universally positive or negative but highly dependent on the situation.

These debates extend to another facet of human rights law: transitional legal justice. Transitional justice can encompass many different types of policies, from apologies and truth commissions to criminal prosecutions and legal amnesty for perpetrators (Grodsky, 2009). These types of policies are spreading worldwide among states struggling through difficult transitions characterized by massive violence and terror, though different policies are used in different ways (Kim, 2012). Thus far, amnesties are the most common form of transitional legal justice in

use, especially in contexts (such as El Salvador and Mozambique) recovering from civil war, where former regime opponents are given a free pass from prosecution in order to reduce their incentives to disrupt a peaceful transition out of fear of incarceration, exile or death. With a few exceptions, courts almost never prosecute state agents of violence when they are still in power; rebels face trial much more often than do state actors involved in civil war (Olsen, Payne & Reiter, 2010).

There is disagreement about the effects of these policies too, especially those based on a punitive legal (rather than conciliatory) model of justice. There are clearly cases where trials have inflamed conflict and prompted factions to resist peace agreements. For example, the International Criminal Tribunal for Yugoslavia disrupted the peace process between the government of Macedonia and rebels accused of committing atrocities (Snyder & Vinjamuri, 2003/04; Ku & Nzelibe, 2006). However, the general trend seems to be that there is not a consistently negative relationship between trials and human rights, and that the relationship is probably mixed. Trials do not appear to have undermined democracy or sparked more conflict in Latin America; there, the countries that have undergone human rights trials tend to have better human rights protections than countries that never prosecuted their perpetrators (Sikkink & Walling, 2007; Sikkink, 2011). However, it is not clear that trials are causing better protections. In other places that are recovering from civil war, including Cambodia, Sierra Leone, and East Timor, criminal prosecutions appear not to have harmed human rights either, but they also have done little to directly improve them (Meernik, Nichols & King, 2010). It makes sense that trials located outside the country in transition – for instance, the ad hoc tribunals on Yugoslavia and Rwanda – have had more difficulty earning legitimacy among locals and thus probably have had little impact. However, even trials located in country, such as those in Cambodia and Sierra Leone, have had difficulty gaining legitimacy and have struggled for effect (Stensrud, 2009). There is no intelligible explanation for why trials appear to have a different effect in Latin America than elsewhere.

Despite disagreement over the exact degree of influence these legal mechanisms have on human rights in countries grappling through transition, scholars can almost certainly agree that state accountability (such as through reparations or apologies) and individual criminal accountability (such as through trials) are rarely enough to reach a truly peaceful transition. Alongside these two approaches is another approach that may also be valuable: social accountability. Social accountability

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[16] However, Chapman & Chaudoin (2013) argue that patterns of participation (or selection) bias in the court indicate that its influence has likely been overstated and at best is inconclusive.

[17] For a critique, see Goodman & Jinks (2003).

includes procedures such as truth commissions, education, and the exposure of information about past atrocities. Its purpose is to foster public recognition of atrocity and delegitimize the pervasive ideologies that once fostered human rights abuse (Subotic, 2011). However, there is evidence that truth commissions tend to have a negative impact on human rights unless they are used in combination with more legalized mechanisms such as trials and amnesties (Olsen et al., 2010); again, the scope conditions are a source of debate.

Information strategies

Alongside military interventions, economic policy, and legal measures, the politics of information has been a focus of research because the generation and spread of reported facts are at the center of many different strategies for the promotion and protection of human rights. Advocates work hard to generate information to uncover abuses, shame abusers, mold public opinion, and motivate governments to intervene on behalf of victims. Information strategies are often what trigger the use of these other tools for human rights promotion (Keck & Sikkink, 1998). Of course, there is no such thing as objective information about human rights abuse, and scholars have only recently begun to learn about the ways people and organizations produce and convey information about repression. Several key lessons have emerged that help to pin down how information actually causes changes in human rights and which actors have leverage over how information is gathered and used.

Public opinion can motivate advocacy for the promotion of human rights – if citizens are rallied around an issue, they can inspire state representatives and other actors to participate in political action to improve human rights. Human rights conditions do shape how people perceive the general human rights situation in a country. The more that watchdogs, such as Amnesty International, report problems related to the use of political terror in a country, the more people in that country tend to perceive that human rights abuses are a problem – that is apparently true for European and Latin American countries though not for Asia. However, not all people have the same perceptions of the same human rights situation. People living in richer countries tend to have a more positive perception that human rights are being respected. The same is true for educated people, older people, and also men; these groups tend to perceive human rights as better protected, whereas women, younger people, and less educated people tend to have more negative

perceptions about the same situation (Carlson & Listhaug, 2007). In other words, how people evaluate a human rights situation depends on both the context of the situation and the individual person.[18]

NGOs are key producers and disseminators of information about human rights. Many have special legitimacy as watchdogs because they are independent from governments (Thakur, 1994). Many supply information to journalists in an effort to shape the media's coverage (Bob, 2005; Hopgood, 2006). Scholars are only now learning about the politics (and perhaps, also, economics) involved in these choices. If Amnesty International reports that a country is experiencing political terror, media magazines such as the *Economist* and *Newsweek* are likely to publish articles about the abuse. Yet, when repression takes place in populous, poorer countries, or when it is most severe, Amnesty's efforts to shape the Western media's reporting on human rights do not seem to get much traction: the media underreport on these cases. Maybe there is already so much attention focused on these cases that the specific effects of Amnesty's good works are muted by competition for exposure by other organizations (Ramos, Ron & Thoms, 2007). Or maybe information about repression is harder for journalists to obtain in those environments, or poor countries have less international influence than the rich (Chang, 1998).[19] Either way, a key lesson is that the success of advocates' efforts to spread human rights through the dissemination of information depends in part on uptake by institutions such as the media that operate according to incentives other than the promotion of rights.

Scholars have also learned that there are dangers to these efforts to inform media publicity of abuse. Because NGOs (and other advocacy organizations) can have such a powerful effect on media coverage of and government reactions to repression if they can raise public awareness, and because they compete for funding and public attention, some may need to dramatize information. For example, in Liberia, commonly reported facts about sexual violence during the country's 14-year civil war – that 75% or more of women were raped – turn out not to be accurate. Detailed surveys and interviews place that number at 10–20%. These short-term incentives to present information in a dramatic fashion to focus attention on the issue are at odds with the long-term needs of these

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[18] See also Anderson, Regan & Ostergard (2002); Anderson et al. (2005).

[19] For analysis by region, see Hafner-Burton & Ron (2013).

advocacy organizations to maintain credibility as objective observers (Cohen & Green, 2012).

The critical implication of this research is that human rights information and perceptions are neither neutral nor objective. Whether it is the media reporting, NGOs shaming, or how publics perceive and explain human rights abuses, there are clear patterns to biases in how people think and make statements about abuse. That people and institutions are biased in their perceptions and reporting of human rights is a challenge for a promotion regime that is based first and foremost on the collection and dissemination of information as the key mechanism of diffusing norms, shaming perpetrators, and swaying actors to intervene on behalf of human rights.

New waves of scholarship

Social science inquiry into the causes of human rights abuse and the tools of human rights promotion has come a very long way in a short time span. The research has evolved from a small number of qualitative investigations, often inspired by activist involvement rather than the sobriety of scientific inference. Today, the field is notable for a large and diverse set of studies drawing up many different methods, theories, and approaches. Clearly a lot more remains to be done. It is difficult to predict exactly how the social science of human rights will further evolve in the coming years, but I see on the horizon at least two prospective shifts.

The first is a shift to become more interdisciplinary by undertaking collaborations between scholars across fields. Scholars tend to work in the comfort of their own discipline, but human rights is like many other contemporary issues (e.g. environmental degradation) in that no single discipline has all the answers. Defining and protecting human rights implicates matters of culture, thus anthropology can be essential to the study of human behavior. Understanding the mental and behavioral characteristics of individuals and groups that perpetrate abuses is an essential first step in devising strategies to deter that behavior; thus psychology has a central role. So too do the fields of criminology, economics, history, law, political science, and sociology, which all make essential contributions to this discussion. Working together across fields will provide new research ideas that surpass the scope of a single discipline and advance deeper knowledge. As in all other fields where there is great promise for interdisciplinary research, the challenge in actually realizing this potential is for scholars to learn the language, questions, and methods of other fields so that actual productive collaboration is feasible.

The second shift, which is enabled by the first, is a move towards more methodologically diverse and sophisticated research approaches, especially those designed to look beyond empirical correlations at the evaluation of causality. This shift is already under way as scholars in growing numbers are applying experiments – many derived from psychology – that help identify exactly how policymakers and voters reason. Also important are improved statistical techniques – many derived from economics – that allow for more precision in evaluating the effects of different human rights promotion tools.[20]

These two shifts, in tandem, will require scholars to develop new skills and partnerships. But they could, along the way, also help increase the relevance of social science research to policymaking decisions that have practical impacts on the promotion of human rights.

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[20] For example, see Wallace (2013).

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